



**DATE ADOPTED: 25 February 2020**

**VERSION: 5.0**

## **POLICY OBJECTIVES**

The objectives of this policy are to:

- establish a consistent approach to ensure petitions are authentic and are handled in an effective and timely manner,
- ensure the content of petitions are effectively communicated to Councillors and staff, and considered by them in the decision-making process.

## **POLICY SCOPE**

This policy applies to all petitions submitted to Maitland City Council, to all persons submitting petitions and to all Councillors and staff who deal with petitions.

## **POLICY STATEMENT**

### **1.0 WHAT IS A PETITION?**

A petition is a formal written request, seeking some form of action by Council.

Petitions are one of the many ways the community can express their concerns and request action regarding issues which the Council has power to act upon.

### **2.0 CONTENT OF PETITIONS**

A petition must be about a matter on which Council has power to act.

Petitions must be written or typed in legible English.

Petitions must not:

- be frivolous, vexatious or lacking in substance,
- be defamatory,
- contain threatening or offensive language,
- propose any action which is unlawful.

Petitions concerning objections to development applications will not be accepted under this policy. The most appropriate way for Council to consider objections to development applications is through the development application notification process.

### **3.0 FORMAT OF PETITIONS**



### 3.1 Paper petition

A person submitting a paper petition ("Chief Petitioner") must ensure that the petition:

- is signed by at least ten (10) persons,
- is accompanied by a fully completed Petition Lodgement Form (see Attachment 1), including:
  - a clear and concise statement identifying the subject matter of the petition (i.e. the reason you are writing to Council) and the nature of the action requested (i.e. what you are asking Council to do),
  - the number of signatories and number of pages to the petition,
  - the full printed name, street address, phone number and signature of the Chief Petitioner (together with the name of the organisation/group they represent if the petition is submitted on behalf of an organisation or group).
- adopts the format of the Petition Template (see Attachment 2), in that each page:
  - clearly states at the top of the page the subject of the petition and the action requested,
  - contains the full name, street address (including postcode) and signature of all petitioners.

### 3.2 Electronic petition

An electronic petition (e-petition) is a petition that is 'signed' on-line, usually through a website.

A person submitting an e-petition ("Chief Petitioner") must ensure that the petition has:

- a clear and concise statement identifying the subject matter of the petition (i.e. the reason you are writing to Council) and the nature of the action requested (i.e. what you are asking Council to do),
- a statement identifying the total number of 'signatories' to the petition,
- the full printed name, street address, email address and phone number of the Chief Petitioner (together with the name of the organisation/group they represent if the petition is submitted on behalf of an organisation or group),
- the full name, street address (including postcode) and email address of all petitioners and
- been signed on-line by at least 240 persons.

## 4.0 LODGEMENT OF PETITIONS

Petitions must be addressed to the General Manager. If a petition is received by a Councillor they will forward it to the Office of the General Manager.

The original petition (no copies) may be lodged with Council in the following ways:

Hand Delivered:	Maitland City Council Administration Building - 285-287 High Street, Maitland.
Post:	PO Box 220 Maitland 2320
Email:	<a href="mailto:info@maitland.nsw.gov.au">info@maitland.nsw.gov.au</a>
Fax:	4933 3209

## 5.0 PROCESS FOR ASSESSMENT OF PETITIONS

On receipt of the petition, the General Manager will assess the petition for compliance with this policy.

The Executive Assistant to the General Manager will send an acknowledgement letter/email to the Chief Petitioner within five (5) working days acknowledging receipt of the petition and advising of compliance with policy.

The General Manager will refer the petition to the appropriate department for investigation and compilation of a report to Council.



## **6.0 REJECTION OF PETITIONS**

If any of the requirements for petition content, format or lodgement are not complied with, the petition may be rejected by the General Manager.

If the petition is rejected, it will be returned to the Chief Petitioner with an explanation of the reasons for rejection.

## **7.0 COMMUNICATIONS**

Council will communicate only with the Chief Petitioner and will not respond individually to all petitioners. It is the responsibility of the Chief Petitioner to communicate information to other signatories to the petition.

Council may, at its absolute discretion, verify the name and address and signature of any person supporting the petition, should it be considered necessary for any reason.

## **8.0 REPEAT PETITIONS**

A petition will not normally be considered where it is received within 24 months of another petition considered by Council on the same matter. Where a petition is received on a similar issue to a previous petition, the Chief Petitioner will be notified of the outcome of the previous petition if the Council considers that the issues raised have been addressed.

## **9.0 DETERMINATION OF PETITIONS**

A nominated representative from the appropriate Council Department will keep the Chief Petitioner informed of any progress and will provide notification of when the petition will be tabled at a Council meeting.

At this meeting Council will decide what action, if any, it will take on the petition.

The nominated representative from the appropriate Council Department will then notify the Chief Petitioner of Council's decision within 21 days after the petition is tabled.



**Attachment 1 - Petition Lodgement Form**



**To the General Manager of Maitland City Council**  
**Please find attached petition concerning the following:**

Subject of petition:	
Action requested:	
Reason for request:	

Number of persons who have signed the petition		Number of signed pages attached	
--	--	---------------------------------	--

Chief Petitioner contact name	
Chief Petitioner street address (no PO boxes please)	
Chief Petitioner contact phone/email	
Signature of Chief Petitioner	
If acting on behalf of an organisation/group, name of organisation/group	

**Privacy Statement**  
 Information provided to Council in a petition is protected by the *Privacy and Personal Information Protection Act 1998*. This is embodied in Council's *Privacy Management Plan*, which is available on Council's website or on request. Any questions concerning privacy or the use of personal information should be referred to Council's Privacy Officer.



## POLICY ADMINISTRATION

BUSINESS GROUP:	Strategy, Performance & Business Systems
RESPONSIBLE OFFICER:	Group Manager Strategy, Performance & Business Systems
COUNCIL REFERENCE:	Ordinary Council Meeting 25 February 2020 - Item 11.3
POLICY REVIEW DATE:	Three (3) years from date of adoption
FILE NUMBER:	35/1
RELEVANT LEGISLATION	<ul style="list-style-type: none"> <li>• <i>Government Information (Public Access) Act 2009</i></li> <li>• <i>Privacy &amp; Personal Information Protection Act 1998</i></li> </ul>
RELATED POLICIES / PROCEDURES / PROTOCOLS	<ul style="list-style-type: none"> <li>• Code of Meeting Practice</li> </ul>

## POLICY HISTORY

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1	12 April 1998	New policy adopted
2	10 November 2009	Expansion of policy
3	25 January 2011	New format adopted, responsibilities in determination section modified & attachments updated.
4	27 October 2015	Expansion of policy and attachments updated.
5	25 February 2020	Policy updated to include electronic petitions and clarify content/format requirements.