



# COUNCIL POLICY

## Petition Management

<b>Policy Number:</b>	PO140		
<b>Strategic Plan Objective:</b>	5. Responsible Governance and Leadership 5.3 Meet all legislative and compliance with Council's internal controls		
<b>Policy Owner:</b>	Chief Executive Officer	<b>Record Number:</b>	16/14832
<b>Responsible Officer:</b>	Governance Officer	<b>Minute Reference:</b>	027/2022 (09/03/2022)
<b>Date Adopted:</b>	09/03/2022	<b>Next Review Date:</b>	March 2027

### 1. POLICY OBJECTIVES

This policy aims to clearly set out the information that needs to be included when a Petition is submitted by a member of the public, to outline the legislative requirements and ensure Petitions submitted to Yorke Peninsula Council (Council) are considered and managed in a consistent manner.

### 2. SCOPE

This policy applies to:

- all Petitions submitted to Council
- all Employees of the Council
- all Elected Members

### 3. DEFINITIONS

Refer to Attachment 1.

### 4. POLICY STATEMENT

#### Submitting a Petition

Petitions submitted to Council must relate to a matter that Council, or the relevant Council Committee, has control over or is in a position to make submissions about.

Petitions to Council should be under cover of Council's Standard Form SF188 (available from Council's offices during ordinary business hours and via Council's website [www.yorke.sa.gov.au](http://www.yorke.sa.gov.au)). Council may, at its discretion, accept a Petition not under cover of Standard Form SF188, provided that the intent of the Petition is clear and the legal requirements are met.

Where a hardcopy Petition is submitted to Council, it needs to be the original Petition.

A compliant Petition may also be submitted to Council in an electronic format, via email to [admin@yorke.sa.gov.au](mailto:admin@yorke.sa.gov.au), with 'PETITION' typed in the subject line.

Council does not accept Petitions presented via any other channel outside of the above.

**Legal Requirements**

The legal requirements that must be met are set out in Regulation 10 of the Local Government (Procedures at Meetings) Regulations 2013 which states:

*A Petition to the Council must:*

- a) be legibly written or typed or printed; and*
- b) clearly set out the request or submission of the petitioners; and*
- c) include the name and address of each person who signed or endorsed the Petition; and*
- d) be addressed to the council and delivered to the principal office of the council.*

**Invalid Petitions**

If any of the above legal requirements are not met, the Petition will be deemed invalid and will not be accepted.

Petitions that do not meet other criteria required by the Council may be deemed invalid and may not be accepted.

Further, Petitions will not be accepted if they:

- Contain abusive language
- Contain remarks that could be considered defamatory towards a person or entity
- Are not clear with their intent
- Are not legible
- Seek to encourage an unlawful activity

An explanation will be provided to the Contact Person as to the reasons why a Petition has been deemed invalid.

**Considering the Petition**

Council employees will deal directly with the person submitting the Petition, a person nominated as the Contact Person or the first name listed on the Petition. The Contact Person should provide as many contact details as possible to ensure that they can easily be contacted regarding the Petition. Council will not respond to all petitioners as this is the responsibility of the person submitting the Petition.

Valid Petitions received by Council will be registered to the Chief Executive Officer (CEO) and presented by the CEO to the next Council meeting for Council to receive and note.

It is the responsibility of the Contact Person to ensure that all signatories to a Petition are aware of the public nature of Petitions submitted to Council.

The Contact Person will be kept informed on the progress of their Petition, including any decisions that are made by Council.

**Requests to leave external Petitions**

Petitions for other, external bodies may be accepted for signing only with the CEO's permission.

**5. COMPLAINTS**

Complaints relating to this policy can be made in writing to Council's Governance Officer and will be managed in accordance with Council's Complaints Policy PO147.

**6. REVIEW**

This policy will be reviewed every 5 years and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

**7. TRAINING**

Training needs will be identified through the performance review and audit processes.

Training will also occur as necessary in response to changes to legislation and relevant standards, codes and guidelines.

**8. RELATED COUNCIL POLICIES/PROCEDURES AND DOCUMENTS**

PO063 Records Management Policy

SF188 Petition Pro Forma

**9. REFERENCES AND LEGISLATION**

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

Electronic Transactions Act 2000

**10. COUNCIL DELEGATION**

<b>Details of Delegation:</b>	
<b>Delegate:</b>	CEO

**11. VERSION HISTORY**

<b>Version No</b>	<b>Issue Date</b>	<b>Description of Change</b>
	11/05/2011	Full Revision.
	12/06/2013	Full Revision.
	13/06/2018	Full Revision.
	09/03/2022	Full Revision.

**ATTACHMENT 1: DEFINITIONS**

Term/Reference	Definition
Employee(s)	All personnel undertaking tasks/duties for and/or on behalf of the Yorke Peninsula Council, including persons employed directly by the Council in a full time, part-time or casual basis under an employment contract, volunteers, contractors, agency personnel and work experience placements.
Petition	A formal written request, typically signed by a number of people and addressed to a person in authority or power, soliciting a favour, right or benefit or that otherwise appeal to the person in respect of a particular cause.
Invalid Petition	Petitions that: <ul style="list-style-type: none"><li>• contain abusive language</li><li>• contain remarks that could be deemed defamatory</li><li>• are not clear with their message</li><li>• are not legible</li><li>• seek to encourage an unlawful activity</li></ul>
Contact person	Person who is submitting the Petition on behalf of others, a person nominated as the contact person or the first name listed on the Petition.