



**Bayside Council**

Serving Our Community

# Petition Policy

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Petition Policy

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# 1 Introduction

## 1.1 Background

Council encourages the community to communicate with Council on issues of importance to them. Council welcomes, and will consider, the community's views on decision-making processes. This policy aims to establish a consistent approach to the management of petitions, to ensure they are managed in a timely and effective manner.

## 1.2 Definitions

### ***Petition***

A formal written request to Council, typically signed by a number of people, seeking action or special consideration of a particular matter, that Council is authorised to determine.

### ***Head petitioner***

The main or chief petitioner identified with appropriate contact details, or, if not identified as such, the first petitioner.

## 1.3 Policy statement

Council is committed to listening to the voice of the community, and welcomes submissions, such as petitions, on matters of concern and/or issues being considered by Council. Petitions are taken into consideration as part of the decision-making process, if submitted in accordance with this policy.

## 1.4 Scope of policy

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

# 2 Content of petitions

## 2.1 General

Petitions on the following matters will be considered by Council, in accordance with these guidelines:

- Matters relating to Council's responsibilities and that Council is authorised to determine
- Matters which affect the Council or communities in the Bayside local government area, as long as Council is in a position to exercise a degree of influence.

A petition may be returned to the head petitioner accompanied by an explanation where:

- It is excluded (refer section 5)
- Where the main subject matter of the petition relates to a matter in which Council has no degree of control or influence,

- Where the petition is requesting Council to facilitate the distribution of or publication of the petition on behalf of another agency for any matter that is under the control of any external agency. However, Council may consider making representations on behalf of the community to the relevant organisation where it sees a significant impact on its communities.

## **2.2 Hard copy petitions**

The person lodging the petition, the 'chief petitioner', must ensure the petition meets the following mandatory criteria:

- Be signed by 20 or more persons.
- Be made by persons that have a direct interest in Bayside Council, such as residents, ratepayers, business stakeholders, or in some other capacity.
- Is legible and does not contain disrespectful or offensive language.
- If written in a language other than English, the petition must be accompanied by a certified translation (including contact details of the translator).
- Includes a clear and concise statement identifying the purpose of the petition.
- Identifies the subject matter of the petition and the action requested of Council.
- Includes the names, addresses and signatures of the persons who support the petition.
- Includes the name, address and contact details of the head.

## **2.3 Online petitions**

Council considers online petitions signed through a website that contain the following:

- The purpose, subject matter of the petition and the action requested of Council.
- The names and email addresses of the persons supporting the petition.
- Online signatures of the persons supporting the petition – electronic petitions may be signed online, usually through a website.
- Total number of people electronically signing the petition, which must be electronically signed by 20 or more persons.

## **2.4 Public access to information**

Information contained in petitions, including personal information, is deemed to be voluntarily offered by petition signatories on the understanding that their personal information contained in the petition would be forwarded to Council and may be made on Council's website or by other means.

Personal information of petition participants is collected by Council in accordance with section 8 of the *Privacy and Personal Information Protection Act 1998* (NSW).

All records are stored in Council's electronic records management system and may be disclosed to Councillors, Council officers, consultants to Council or members of the public. The petition and related documents received by Council may be made publicly available under the *Government Information (Public Access) Act 2009*.

### 3 Submitting a petition

Petitions may be provided directly to the Mayor, Councillors, or addressed to Council's General Manager.

Petitions can be submitted to Council through the following methods:

- Mail – PO Box 21, ROCKDALE NSW 2216
- Email – [council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)
- In Person – via one of our Customer Service Centres located at:
  - Rockdale Library, 444-446 Princes Highway Rockdale NSW 2216 or
  - Eastgardens Library, Westfield Eastgardens, 152 Bunnerong Road Eastgardens

### 4 Receiving petitions

Petitions lodged with Bayside Council are referred to the Manager Executive Services to be acknowledged and directed to the relevant Council officer for consideration:

- If the request is consistent within the current operational plan and budget, the petition request may be able to be implemented by the relevant Council officer.
- If the request concerns a new Council initiative, it may need to be assessed before a recommended outcome is developed.

In either case the petition is reported to the next convenient meeting following its receipt, with an officer recommendation for notation.

Petitions lodged with a Councillor, may be either be:

- tabled at the next convenient Council Meeting via a Notice of Motion lodged within the timeframes as outlined in the Code of Meeting Practice
- referred to the General Manager (and relevant Council officer) for consideration.

In the latter case the petition is reported to the next convenient meeting following its receipt, with an officer recommendation for notation.

Once petitions have been reported to Council, an acknowledgement is forwarded to the head petitioner. Once petitions have been considered and a course of action or otherwise is decided, further advice is forwarded to the head petitioner.

## 5 Excluded petitions

In some cases, petitions may not comply with this policy and are deemed an 'excluded petition'.

The head petitioner is notified if a petition is deemed an excluded petition, along with the related reasons. The types of petitions listed below are deemed excluded petitions in the following circumstances:

- Any petition relating to a planning decision already determined by Council staff, or the Bayside Local Planning Panel; or other determining authority. However, petitions are considered as one submission as part of the planning determination decision-making process.
- Any petition considered by Council to be vexatious, offensive or otherwise inappropriate.
- Any petition affected by legislation, legal or insurance proceedings (including potential) impacting on the Council's ability to respond or deal with the matter
- Any petition received on a similar issue to a previous petition or substantive issue already considered within the current term of Council.

## 6 Procedure implementation

### 6.1 Procedures

Procedures associated with this policy may be approved by the Manager Governance & Risk. They may address such issues as the following:

- Roles and Responsibilities
- Templates and online forms
- Petition register and monitoring

### 6.2 Responsibilities

Manager Governance & Risk is responsible for the policy.

Manager Executive Services is responsible for coordination the managing petitions received.

## 7 Document control

### 7.1 Review

This policy is reviewed at least every four years.

Minor editorial amendments that do not change the substance of this policy may be approved by the Manager Governance & Risk.

## 7.2 Related documents

### Related Legislation

*Government Information (Public Access) Act 2009*  
*Local Government Act 1993*  
*Local Government General Regulation 2005*  
*Privacy and Personal Information Protection Act 1998*

### Related Documents and Council Policy

*Code of Meeting Practice*  
*Access to Information Policy*  
*Privacy Management Plan*

## 7.3 Version history

This policy replaces an operational procedure.

Version	Release Date	Author	Reason for Change
1.0	11/12/2019	Manager Executive Services, Coordinator Policy	New document - change from Corporate Procedure to Council Policy