

Petitions Policy

2020

Responsible Service Area: Governance

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1. Purpose

This policy governs the way in which petitions are received at Council and outlines the requirements of a valid petition to ensure that the rights of the community to lobby local government are met. This policy also seeks to ensure that the community are informed about their rights to Privacy with regard to the personal information provided on a petition.

2. Relationship to the Maroondah 2040 Community Vision

In relation to *Maroondah 2040: Our future together*, the operation of this policy is aligned with:

Community Outcome:	A well governed and empowered community
Key Directions:	8.1 Provide enhanced governance that is transparent, accessible, inclusive and accountable

3. Alignment with Council's Mission and Values

This policy supports Council's Mission and Values through ensuring the resilience of functions which support the provision of accessible and sustainable lifestyles for the community.

4. Definitions

CEO	means Chief Executive Officer of Maroondah City Council as defined in Section 3 of the Local Government Act 2020
Council	means a Council, as defined in Section 3 of the Local Government Act 2020
Councillor	means a Councillor, as defined in Section 3 of the Local Government Act 2020
Council Officer/s	means the Chief Executive Officer and employees of Council appointed by the Chief Executive Officer
Council Meeting	means a meeting of the Council
e-Petition	means a digital, online or electronic petition.
Petition	means a request made of Council by five or more signatories using the correct form outlined in this policy.

5. Scope

This policy relates to all petitions intended to be presented to Council within the context of a Council meeting. Petitions are requests made by five or more petitioners.

Requests containing less than five signatories, are considered to be joint letters, and these will be dealt with by the relevant Council Officer/s as deemed appropriate by the CEO, for action or response.

Where Council is undertaking a consultation process with the community inviting comments or submissions to a proposal on public exhibition, any petition which maybe responding to the matter will be dealt with and considered by Council along with all other submissions to the proposal.

6. Context

The ability for residents to petition Council to act on a request is a fundamental and important part of local democracy. To facilitate this, Council sets out this procedure by which petitions may be presented and provides information to the community on how petitions will be handled and acted upon in a consistent and procedurally fair manner.

This policy also addresses the aspect of privacy in the provision of personal details at the point of collection, and outlines Council's responsibility to be open and transparent in making material (including petitions) available to the public on request.

7. Policy Operation

From time to time, petitions are presented to Council making requests or putting forward particular points of view. Council has no specific format requirement for a petition, provided that each page of the petition contains the 'request for action' being made of Council, together with a Name, Address, and Signature.

You can use Council's petition template to prepare a petition - refer Attachment 1.

7.1 Submitting a Petition to Council

Petitions should be forwarded by mail to Maroondah City Council, PO Box 156, Ringwood 3134, or delivered in person to any sitting Councillor or Customer Service Centre.

Petitions can be raised and dealt with by Council in the following manner:

- ***When hand delivered or lodged with Council via Australia Post.***
Petition is registered into Council's corporate recordkeeping system, and then listed as an item of business on the next Council Meeting Agenda under the appropriate Directorate. If there is insufficient time to prepare a full report on the subject matter, the report will simply note the contents of the petition and direct that a further report on the matter be prepared.
- ***When lodged directly with a Councillor***
Councillor refers petition to Council Officers, which is registered into Council's corporate recordkeeping system, then listed under the appropriate Directorate as an item of business on the next Council Meeting agenda. If insufficient time to prepare a full report on the subject matter, the report would simply note the contents of the petition and contain a recommendation which would receive the petition and direct that a further report on the matter be prepared.
- ***As Urgent Business at a Council Meeting***
Where a Councillor seeks leave, in accordance with Council's Governance Rules relating to the Council Meeting Procedure, to table a petition as an item of Urgent Business (which requires a majority resolution of Council). Council would normally note the contents of the petition and direct that a further report on the matter be prepared.

Council Officers will deal with the petition organiser/lead petitioner or other nominated person as appropriate to clarify any of the issues raised in the petition.

The petitioner organiser/lead petitioner will be advised on receipt of the petition and will be provided with the outcome of the request contained in the petition within a reasonable time-frame.

7.2 Writing a Petition

A template petition is found in [Attachment A](#) of this policy.

7.3 Requirements/Guidelines for Assessing a Valid Petition

A petition will only be considered by Council if it meets all of the following requirements:

1. Must be signed by 5 or more people
2. Must be legible and in permanent writing (i.e. no pencil)
3. Must be addressed to the Mayor and Councillors, containing a '*request for action*' being made of Council
4. First page must contain the name and contact details of the petition organiser/ lead petitioner, plus the '*request for action*' being made of Council
5. Must repeat the '*request for action*' being made of Council on each subsequent page of the petition
6. Must contain the names, Maroondah residential/property addresses and signatures of all persons who signed the petition
7. All signatures must be original signatures; not photocopied or scanned
8. Must not relate to matters outside the powers of Council
9. Must not be derogatory, defamatory or objectional in language or nature
10. Must not contain false or misleading information
11. Each page of a petition, including signatories to the petition, must be on an original piece of paper and not pasted, stapled, or otherwise affixed to any other piece of paper
12. The date the Petition is lodged with Council must appear at the bottom of each page

NOTE

- Where a petition has been signed by less than 5 people, it will be considered a joint letter and forwarded to the appropriate Council Officer/s as deemed appropriate by the CEO, for action or response.
- A person may not sign a petition on behalf of anyone else, except in cases of incapacity or sickness.
- Council will give more consideration to those Petitions whereby the majority of petitioners reside within the municipality of Maroondah, rather than those who reside outside the municipality who may not have an understanding of the issues; with the exception to:
 - Non-resident ratepayers, and
 - Persons who reside outside the municipality who are members of clubs or organisations within Maroondah who may be petitioning Council on a particular issue.
- Although initial copies of petitions can be conveyed by email, the original document must also be sighted and received by Council in a hardcopy format.

- To assist in the preparation of a petition, the Petition Template as attached to this policy can be used - refer Attachment A.
- The requirements/guidelines for assessing a valid petition as set out in clause 7.3, shall appear on the reverse side of the Petition Template.
- Exceptions:
Petitions relating to Town Planning issues or matters for which Council is engaging with the community, shall be dealt with along with all other submissions either supporting or objecting to the application/proposal - (refer separate process as per Clause 9).

8. e-Petitions

At the discretion of Council e-Petitions (*online/electronic petitions*) may be accepted. However, Council prefers and gives more consideration to e-Petitions that include details of the '*request for action*' being made of Council on every page, the name, residential address and email address of petitioners.

Council will give more consideration to those e-Petitions whereby the majority of petitioners reside within the municipality of Maroondah, rather residents outside the municipality who may not have an understanding of the issues; with the exception to:

- Non-resident ratepayers, and
- Persons who reside outside the municipality who are members of clubs or organisations within Maroondah who may be petitioning Council on a particular issue.

Council recognises that some of the popular electronic petition products do not provide the level of detail preferred by the Council and encourages residents initiating electronic petitions to explore petition platforms that allow for petitioners to provide their property address.

9. Exceptions

9.1 Petitions relating to Town Planning issues

Where a matter relates to a Town Planning Application, or an Amendment to the Maroondah Planning Scheme, residents/citizens should ensure that they submit the petition in accordance with the timeframes and other requirements that would apply under the Planning and Environment Act and which would be detailed in the public notices regarding the application.

As the petition is either supporting or objecting to a Town Planning issue, it will be dealt with along with other submissions to the application.

9.2 Petitions relating to community engagement initiated by Council

Where the issue relates to any other matter for which Council is engaging with the community, the petition will be dealt with along with all other submissions to the proposal.

10. Your Privacy

Personal information such as petition signatures, names and addresses will not be included in the report presented to Council. The report will only provide a summary of the petition, the number of signatures provided and a recommendation to Council.

To comply with the Privacy and Data Protection Act 2014, personal information provided as part of the petition will only be used for the primary purpose for which it was provided – that is, to consider the petition.

However, as part of Council's operations, any document incorporated into a Council Meeting Agenda must be made available for public inspection, including any petitions. This means that any personal details, including names, addresses and signatories will be publicly available. *Note: excludes documents considered In-Camera.*

To view a petition considered at a Council Meeting please contact Council's Governance Team.

Council will not provide copies of any petitions or allow use of a camera or mobile phone to photograph same.

11. How to Petition the Victorian or Australian Parliament

The following sites provide information about petitioning Victorian or Australian governments:

- [Petition to House of Representatives](#)
- [Petition to Senate](#)
- [Petition to Victorian Parliament](#)

12. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this policy document.

Where an update does not materially alter this document, such a change may be made administratively, as authorised by the Chief Executive Officer.

However, any change or update which materially alters this document must be by resolution of Council.

13. Review

The next review of this document is scheduled for completion by 1 January 2023.

ATTACHMENT A - PETITION TEMPLATE

PETITION

To: Mayor & Councillors of Maroondah City Council

Details of petition organiser/lead petitioner:

(this person will be the main point of contact between petitioners and Council)

Name:	Address:	Signature:
Phone Contact:	Email Address	

We, the undersigned petition Maroondah City Council to:

(insert statement of what the petition is seeking from Council)

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In support of this petition we submit the following:

(insert any supporting information)

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NAME <i>(Print)</i>	ADDRESS <i>(Maroondah Residential/Property Address)</i>	SIGNATURE <i>(Petitioners must sign)</i>

Date: Petition lodged this ____ day of _____ 20__

Please note all additional pages must include the full text of the petition and the date lodged

By signing this petition, you acknowledge that your details will be made public and may be viewed in accordance with Council's Petitions Policy.

PETITION

To: Mayor & Councillors of Maroondah City Council

We, the undersigned petition Maroondah City Council to:

(insert statement of what the petition is seeking from Council)

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In support of this petition we submit the following:

(insert any supporting information)

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NAME <i>(Print)</i>	ADDRESS <i>(Maroondah Residential/Property Address)</i>	SIGNATURE <i>(Petitioners must sign)</i>

Date: Petition lodged this ____ day of _____ 20__

By signing this petition, you acknowledge that your details will be made public and may be viewed in accordance with Council's Petitions Policy.