

PETITIONS

Guidelines

A petition is a **request for action** from the community. A petition informs Council, in a public way, of the views of a section of the community and it serves as a means of placing community concerns before Council.

As such, the subject of a petition must be a matter on which Council has the power to act, i.e. a matter that can be dealt with by the local government. For example, a petition requesting improvements to the power supply cannot be presented to Council, as this is a State Government responsibility.

Requirements for petitions

The *Shire of Mundaring Meeting Procedures Local Law 2015* sets out a number of requirements governing the format and presentation of a petition. It is important that those involved in drawing up petitions familiarise themselves with these requirements before taking steps to collect signatures. This will avoid the possibility of the petition being ruled out of order and not being presented to Council.

The requirements of the *Shire of Mundaring Meeting Procedures Local Law 2015* are that a petition is to-

- *be addressed to the President*
- *be made by electors of the district*
- *state the request on each page of the petition*
- *contain the legible names, addresses and signatures of the electors making the request*
- *contain a summary of the reasons for the request*
- *state the name of the person to whom, and an address at which, notice to the petitioners can be given*
- *not contain offensive or insulting language*

Petition signatures

The Shire will only accept petitions from electors of the district. What is the difference between a "resident", a "ratepayer" and an "elector"?

- A resident lives in the Shire on a permanent basis.
- A ratepayer owns property and is liable to pay rates to the Shire.
- An elector is listed on the Shire electoral roll and so has the right to vote in an election (Federal, State or Local Government) in respect of a residence in the district of the Shire of Mundaring.

Although technically a petition only needs to have one elector's signature to be accepted, it will obviously appear more representative of public feeling if it is signed by as many people as possible.

Getting the petition presented

A petition can only be presented to Council at an Ordinary Meeting of Council by a Council Member or the Chief Executive Officer.

Although a Council Member is not bound to present a petition it is traditionally accepted that they will present it, irrespective of personal views. Presentation of a petition by a Council Member does not mean that the Member necessarily agrees or disagrees with its content.

In order to verify compliance with the local law requirements, a copy of the petition must be submitted to the Chief Executive Officer at least one business day prior to the day of the Council Meeting at which it is to be presented.

What happens next?

Petition at Council Meetings

At item 8.2 in the order of business on the council meeting agenda, the council member presenting it or the Chief Executive Officer will read out the petition.

When the petition is presented, no discussion or debate on the substance of the petition can take place, as the only permissible motion (in accordance with the *Shire of Mundaring Meeting Procedures Local Law 2015*) is for Council to resolve that the petition be received and referred to the Chief Executive Officer for action.

What happens after a petition has been presented?

The Chief Executive Officer determines the action required in response to the petition and if applicable will refer it to the department responsible for the matter that is the subject of the petition. An assigned staff member will inform the petition initiator of the action proposed in dealing with the petition. This may involve having to prepare a detailed report for a future meeting of the Council for its consideration.

Petitions are Public Documents

All petitions tabled at Committee and Council Meetings are public documents, which may be inspected by members of the public at any time. This is provided for under Section 5.94 (p)(i) of the Local Government Act 1995.