

1.41 Petition Policy

Policy Owner	Executive Director Corporate & Commercial Services
Responsible Officer	Manager Governance & Risk
Date of Approval	14/12/2021
Amended/Revised	25/06/2024

Objective

Any member of the public may submit a petition to the Council for consideration.

The purpose of this policy is to:

- Outline the Council’s expectations for the information required when submitting a petition from a member of the public and clarify the relevant legislative requirements.
- Help the Council effectively manage petitions in line with its legal obligations and community interests.
- Ensure strong communication between the Council and the public on matters of community importance.
- Provide fair and adequate opportunities for community participation in Council decision-making, including at formal meetings.

Scope

This policy applies to all petitions submitted to the Council.

Policy Statements

The City of Albany welcomes petitions as one way in which people can let us know their concerns.

A. Submitting a Petition

- Any person may submit a petition to the Council.
- Council will only communicate with the principal signatory in respect of a petition.
- The Chief Executive Officer is required to act in accordance with the policy position set by Council.
- A petition that is provided for consideration at a Council meeting extends to compliant petitions only.

B. Form of Petition

- Where a petition comprises multiple pages, the “Cause” must be set out on the top of each page.
- The petition must include the name and address of each signatory. For this policy, an address may be a residential or business address (not an electronic address) and at the very least, must include a reference to a street name and suburb.
- The number of the signatory’s address may be omitted at the discretion of the signatory.

Note: The Council considers the inclusion of an address of a signatory to be essential because depending upon the nature of the “Cause”; the Council will have regard to the address of each signatory in determining the weight to be given to the petition.

- Where a hardcopy petition is submitted to Council, the original petition must be submitted.

C. Electronic or Online Petitions

- That petitions created using online petition platforms will not be accepted by the Council.
- For the avoidance of doubt, a compliant petition may be in an electronic format that is sent to the principal office of Council via email with 'Petition' typed in the subject line and addressed to: staff@albany.wa.gov.au.
- The principal signatory must notify the council of an online petition by including a link to the online petition within the body of the email. The mere existence of an online petition addressed to the Council is not sufficient to trigger the application of this Policy.

D. Procedure Upon Receipt of a Petition

- Council will acknowledge receipt of a petition within 7 business days, to the principal signatory.
- Council's acknowledgement of receipt of a petition will include a statement requiring that the principal signatory be responsible for all correspondence to signatories.
- If the petition is not compliant, the Chief Executive Officer may determine whether to address the petition within the agenda for a Council meeting. The Chief Executive Officer's decision in this regard is final.
- If the petition is compliant or the Chief Executive Officer determines that the petition should be addressed within the agenda for a Council meeting, the principal signatory will be advised of the date of the meeting at which the petition will be referred to in the Council's meeting agenda.
- A compliant petition received no less than 14 clear days before a scheduled ordinary Council meeting will be addressed within the meeting agenda for that ordinary meeting. Upon receipt of a compliant petition less than 14 days before a scheduled meeting, the Council will make a practical effort to include that petition in the upcoming agenda.
- The full petition itself will not be placed on the agenda, but the "Cause" as stated on the petition form and the number of signatories endorsing the petition, will be extracted and included within the business papers.
- Before an upcoming meeting, Council members will receive a copy of any petitions to be considered.
- Persons who wish to speak to a petition received by the council may submit a Deputation Request Form by application at least 1 day before the meeting.
- Upon Receipt of a petition, the council may resolve to:
 - (1) Receive and note the petition,
 - (2) Prepare a report in relation to the "Cause" for consideration by Council at a future meeting,
 - (3) Notify the principal signatory of the outcome,
 - (4) Publish the petition on the website for inspection
 - (5) Execute any other action the council sees fit.
- As soon as practicable after a petition has been considered by Council, the Chief Executive Officer (or delegate) will notify the principal signatory of any outcome made by Council in relation to it.

E. Privacy Considerations

- As a public document, the Council has the discretion to publish or not publish a petition in the meeting agenda, minutes, or to the Council website. Petitions published by the Council will be done in a format that ensures the information, cannot be searched or discovered by Internet search engines.
- It is the responsibility of the principal signatory to ensure that signatories to a petition are aware of the public nature of petitions submitted to the Council.

Legislative and Strategic Context

Legislation and policy, which applies to this policy:

- There are no rules prescribed in the *Local Government Act 1995* (the Act) concerning petitions.
- The *City of Albany Standing Orders Local Law 2014* (as amended) prescribes the overarching law pertaining to petitions (Clause 4.5).

This policy relates to the following elements of the City of Albany Strategic Community Plan:

- **Pillar:** Leadership. | **Outcome:** Strong workplace culture and performance.
- **Pillar:** People. | **Outcome:** A diverse and inclusive community.

Review Position and Date

This policy is to be reviewed at least every three years.

Associated Documents

Documents that have a bearing on this policy and that may be useful reference material for users of this policy follow:

- [*City of Albany Standing Orders Local Law 2014*](#) (as amended).
- [*Electronic Transaction Act 2011*](#). This legislation is relevant in respect of electronic petitions. This legislation provides that if the law requires a person to give information in writing, in prescribed circumstances (which extend to the Council's receipt of an electronic petition) that requirement is taken to have been met if the person gives the information using an electronic communications medium.

Definitions

Key terms and acronyms used in the policy, and their definitions:

- **Petition** means a formal written request, typically signed by many people and addressed to a person in authority or power, soliciting a favour, right or benefit or that otherwise appeals to the person concerning a particular "Cause".
- **Online Petition** is a compliant petition, signed online, usually through a form on a website.

Attachments

Albany Petition Template

Attachment 1: Petition Template

Petition format

The City has prepared the following petition form for use by petition initiators.

If you have any questions or queries regarding petitions, please email governance@albany.wa.gov.au

PETITION

City of Albany

Office: 102 North Road, Yakamia WA 6330

Postal: PO Box 484, Albany WA 6330 | **Email:** staff@albany.wa.gov.au

To the Mayor and Councillors of the City of Albany, we the undersigned, do respectfully request that the Council (*Set out a concise statement of facts and clearly define purpose*):

Principal Signatory of Petition:

As the initiator of this petition, my name and contact details are below:

Name: _____

Address: _____

Telephone: _____

Email: _____

Acknowledging, as the initiator of this petition, I am the primary point of contact and am responsible for advising petitioners of the outcome of this petition.

Total Number of Signatures Received: _____

Signatories follow on additional page/s

To the Mayor and Councillors of the City of Albany, we the undersigned, do respectfully request that the Council (*Set out a concise statement of facts and clearly define purpose*):

Name

Address

Signature

Date

*Residential or business, minimum
street name and suburb*