

1. RATIONALE

Council's principal role is to act as an informed and responsible decision maker and represents the interests of its community through open and transparent decisions.

Members of the community have a role to play by informing Council of their needs, concerns and/or providing information that may assist or influence Council decision making. One of the ways in which members of the community can advise Council of their concerns and influence the decision making process, is to take up a Petition.

Petitions provide a democratic mechanism for the community to make requests of, and provide information to, Council.

2. POLICY STATEMENT

Council accepts Petitions from members of the community who have a direct interest in the City of Marion, such as residents, ratepayers, and local businesses.

Petitions must relate to matters that Council is authorised to determine and be submitted in writing to Council in accordance with the principles set out in Regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013* and the requirements of this Policy.

3. OBJECTIVES

The primary objective of this Policy is to set out how Council receives and manages Petitions.

4. POLICY SCOPE AND IMPLEMENTATION

Scope

This Policy applies to all Petitions received by Council from members of the community who have a direct interest in the City of Marion.

Implementation

4.1 Content of Petitions

Regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013* states:

- (1) 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.

All Petitions to Council must include the following:

- nature of the Petition, clearly setting out the request or submission on each page of signatories;

- name and contact details of the Head Petitioner
- name and address of signatories to the Petition; and
- date the Petition was initiated.

It is also recommended that those providing a residential address outside of the City of Marion indicate whether they have an interest in the City of Marion as a property or business owner to enable Council to make a decision based on relevance. Petitions will still be considered valid if this information is not provided.

Telephone numbers of signatories are not necessary on Petitions. Council recommends they not be included for privacy reasons.

A **Petition proforma** is available on the City of Marion website and from the Administration Centre (see sample in Appendix 1).

Council won't accept and/or consider Petitions if they:

- do not include the name and address of each signatory
- 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
- relate to matters outside the powers of Council
- are related to a Development Application unless the Petition forms a valid representation, in which case the Petition must include all information required under Regulation 35 of the *Development Regulations 2008* or Regulation 50 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Council will provide the Head Petitioner with an explanation if a Petition is not accepted.

4.2 Receipt of Written Petitions

Written Petitions are received at the Administration Centre of the City of Marion located at 245 Sturt Road, Marion, SA 5047. They can be hand delivered or posted.

4.3 Receipt of Electronic Petitions

Pursuant to Section 13B(1)(b) of the *Electronic Transactions Act 2000*, an electronic communication is taken to have been received at the place where the addressee has its place of business. This means that an email delivered to the Chief Executive Officer of a Council is taken to be an email delivered to the Council (council@marion.sa.gov.au).

Petitions can be received electronically via the following means:

- An email containing a Petition delivered to Council;
- An email containing a link to a Petition (Facebook or other application) delivered to Council

- Posting a Petition to the City of Marion Social Media

The following electronic communications do not constitute valid Petitions under this Policy but it may be used to promote a Petition or create awareness of its existence:

- “Likes” on Facebook for photos, comments, posts, or follows
- “Tagging” City of Marion in comments, tweets, or posts
- Individual emails, comments or posts supporting a particular request or submission.

4.4 Consideration of accepted Petitions

All Petitions received and accepted by Council are managed in a fair and consistent manner in accordance with the legislative requirements relating to the management of petitions.

The Chief Executive Officer ensures the Petition (along with a statement as to the nature of the request or submission and the number of signatures) is placed on the agenda for the next ordinary meeting of the Council. If the provisions of Section 90(3)(a) of the *Local Government Act 1999* apply, the Petition will be considered on a confidential basis.

Where further investigation is required on issues raised in a petition, the petition will be provided to the next meeting of Council from receipt of the petition to note the petition and a report providing further detail will be provided to Council once investigations have been completed. Community consultation may be undertaken following receipt of a petition if deemed necessary in order for Council to make an informed decision.

A petition that is brought to a General Council Meeting is tabled and noted at that meeting and then brought back and considered at the subsequent General Council Meeting - *refer Council’s Code of Practice – Procedures at Meetings*.

When considering a petitioned request, Council takes into account the City of Marion’s strategic directions, budget and programmed work. This ensures the needs and expectations of both the Petitioner(s) and the wider community are considered.

5. DEFINITIONS

Term	Definition
Address	The particulars of the place where someone lives or an organisation is situated.
Like	A Facebook feature that allows users to show their support for specific comments, pictures, wall posts, statuses, or fan pages by clicking a ‘Like’ button.
Petition	A request to Council seeking action or special consideration of a particular matter, which is signed by more than two residents/ members of the public from, at least, two different property addresses.

<i>Term</i>	<i>Definition</i>
<i>Tagging</i>	To attach another Facebook member's name to a photograph or post on the social networking site, Facebook.
<i>Tweet</i>	A message posted via Twitter containing 140 characters or fewer. Tweet, tweeting, tweeted. The act of posting a message on Twitter.

6. ROLES AND RESPONSIBILITIES

<i>Role</i>	<i>Responsibility</i>
<i>Governance and Council Support Unit</i>	• Include Petition in the General Council Agenda.
<i>Responsible Department (dependent on subject matter of Petition)</i>	• Notify Head Petitioner if a Petition is not accepted by Council; give an explanation or reason(s). • Notify Head Petitioner of the Council's decision in relation to the Petition.
<i>Person receiving Petition (Council Member or Staff)</i>	• Forward a copy of the Petition to the Governance and Council Support Unit for inclusion in the General Council Agenda.

7. REFERENCES

City of Marion

Code of Practice – Procedure at Meetings

Petition Proforma – refer Appendix 1

Social Media Policy

Other

Development Regulations 2008

Electronic Transactions Act 2000 (SA)

Local Government Act 1999 (SA)

Local Government (Procedures at Meetings) Regulations 2013

Planning, Development and Infrastructure (General) Regulations 2017

8. REVIEW AND EVALUATION

The Manager Corporate Governance reviews this Policy every four years (or earlier if required) in accordance with the City of Marion Policy Framework. Council approves this Policy.

Petition Policy

Appendix 1 – Petition Proforma

PETITION – CITY OF MARION

To His Worship the Mayor and Councillors of the City of Marion

Date Petition Initiated: _____

Petition Contact Person: _____

Address: _____

Telephone: _____

Email: _____

The petition of *(identify the individuals or group, e.g. residents of the City of Marion)*

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Draws the attention of the Council *(identify the circumstances of the case)*

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The petitioners therefore request that the Council *(outline the action that the Council should or should not take)*

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Name	Address (if you reside outside of the City of Marion, please indicate if you own a property or business within the City of Marion)	Y / N	Signature

This petition is a public document. By signing it, I understand that my name, address and signature will be made available in the public realm. The City of Marion will record these details for the purpose of this petition only.

CITY OF
MARION

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Attach additional sheets if required

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www.marion.sa.gov.au