



GUIDELINES FOR SUBMISSION OF PETITIONS

1. CONTENT OF PETITIONS

1.1 A petition can be conducted and lodged as either a **paper petition** or an **electronic petition**.

1.2 A **paper petition** must contain:

- A clear and concise statement identifying the subject matter and the action requested;
- A heading on each page indicating the subject matter;
- A brief statement on each page of the subject matter and the action requested;
- Details and signature of each of the signatories (The details need to be sufficient to identify each signatory. This will usually be the signatory's name and address as a minimum);
- A statement specifying the number of signatories; and
- At the end of the petition, the full name, address and signature of the person lodging the petition.

The petition must be provided to Council as the original signed pages not a photocopy.

A format sample for a paper petition is attached, together with a covering note to be completed by the person who lodges the petition.

1.3 An **electronic petition** must contain:

- A clear and concise statement identifying the subject matter and the action requested;
- Details of each of the signatories;
- A statement specifying the number of signatories; and
- At the end of the petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.

A format sample for an electronic petition is attached

1.4 **Important notes:**

- An **electronic petition** and a **paper petition** on the same subject matter cannot be combined and lodged as one petition.
- An **electronic petition** must be presented to Council in electronic form. An electronic petition cannot be printed and presented in paper form unless it also complies with the paper petition requirements.
- The statement specifying the number of signatories must specify the actual number of signatories and not an approximate number.

2. PROCESS FOR THE RECEIPT AND TABLING OF PETITIONS

- 2.1** A person can **lodge a petition** with the Council by presenting it to an Alderman or the General Manager. If it is presented to an Alderman, the Alderman will forward the petition to the General Manager within 7 days.
- 2.2** The General Manager will **table the petition** at the next ordinary meeting of Council.
- 2.3** A petition cannot be tabled if:
- it does not have the required content (ie. does not comply with section 57 of the *Local Government Act 1993*);
 - it is defamatory; or
 - any action it proposes is unlawful.
- 2.4** If a petition cannot be tabled, the General Manager will advise the person who lodged the petition, providing reasons, within twenty-one (21 days) after lodgement.

3. PROCESS FOR AN ORDINARY PETITION

- 3.1** After the petition is tabled, Council will deal with the petition within 42 days (2 Council Meetings) to determine any action to be taken in response to the petition.

4. PROCESS FOR PETITIONS SEEKING A PUBLIC MEETING

- 4.1** After the petition is tabled and within 42 days (2 Council Meetings):
- the General Manager will advise the Council whether the petition has the requisite number of electors who have signed the petition (ie. complies with section 59 of the *Local Government Act 1993*); and
 - the Council will determine any action to be taken in response to the petition.
- 4.2** Within 30 days after the above meeting, and if the petition has the requisite number of electors who have signed the petition, the Council will hold a public meeting to discuss the subject matter of the petition.
- 4.4** Before a public meeting can be held the Council must provide notice of and publish the details of the intended public meeting including the date, time, place and subject matter of the petition and invite written submissions. A copy of these details will be provided to the person who lodged the petition.

- 4.5** Submissions must be lodged within 21 days after the first publication of the notice. Submissions will be summarised by the General Manager in a document, copies of which are to be made available to those attending the public meeting.
- 4.5** At the next ordinary meeting following the public meeting, the minutes will record a summary of any submissions received and any decisions made at the public meeting.

5. DETERMINATION OF PETITIONS

5.1 After a petition is lodged and tabled:

- (a) Council is required to decide at an ordinary meeting what action, if any, it will take on the petition **within 42 days** (2 Council Meetings).
- (b) the General Manager will advise the person who lodged the petition when the Council will consider the petition.

5.2 If the petition seeks a public meeting, and if the petition is compliant with the Act, then a public meeting will be held within 30 days of the ordinary meeting referred to at 5.1 (a) above.

5.3 After Council has considered the petition, the General Manager will advise the person who lodged the petition of the Council's determination.

Disclaimer:

These Guidelines and the related flow chart are provided as general information only and are not a substitute for directly referring to the relevant provisions of the *Local Government Act 1993* (Tas). Clarence City Council has made reasonable efforts to ensure the accuracy of the content, but does not guarantee its accuracy. If there is any inconsistency with the Act, then the Act shall prevail.

**EXAMPLE
PAPER PETITION**

PETITION TO THE CLARENCE CITY COUNCIL IN ACCORDANCE WITH PART 6 OF THE LOCAL GOVERNMENT ACT, 1993

SUBJECT:
(include a clear and concise statement identifying the subject matter of the petition)

We, the undersigned, petition the Mayor and Aldermen of the Clarence City Council to:

(include a brief statement of the action requested of Council)

NAME (Please print)	ADDRESS (Please print)	SIGNATURE
PAGE TOTAL		

LODGEMENT FORM FOR PETITIONS

TO THE MAYOR AND ALDERMEN OF THE CITY OF CLARENCE

SUBJECT: -----
(include a clear and concise statement identifying the subject matter of the petition)

Please find attached a petition addressed to the Mayor and Aldermen of the City of Clarence in respect of the above subject.

The petition is signed by-----Signatories.
(specify number)

Signed-----

Name-----
(print full name of person lodging the petition)

Address-----

(print address of person lodging the petition)

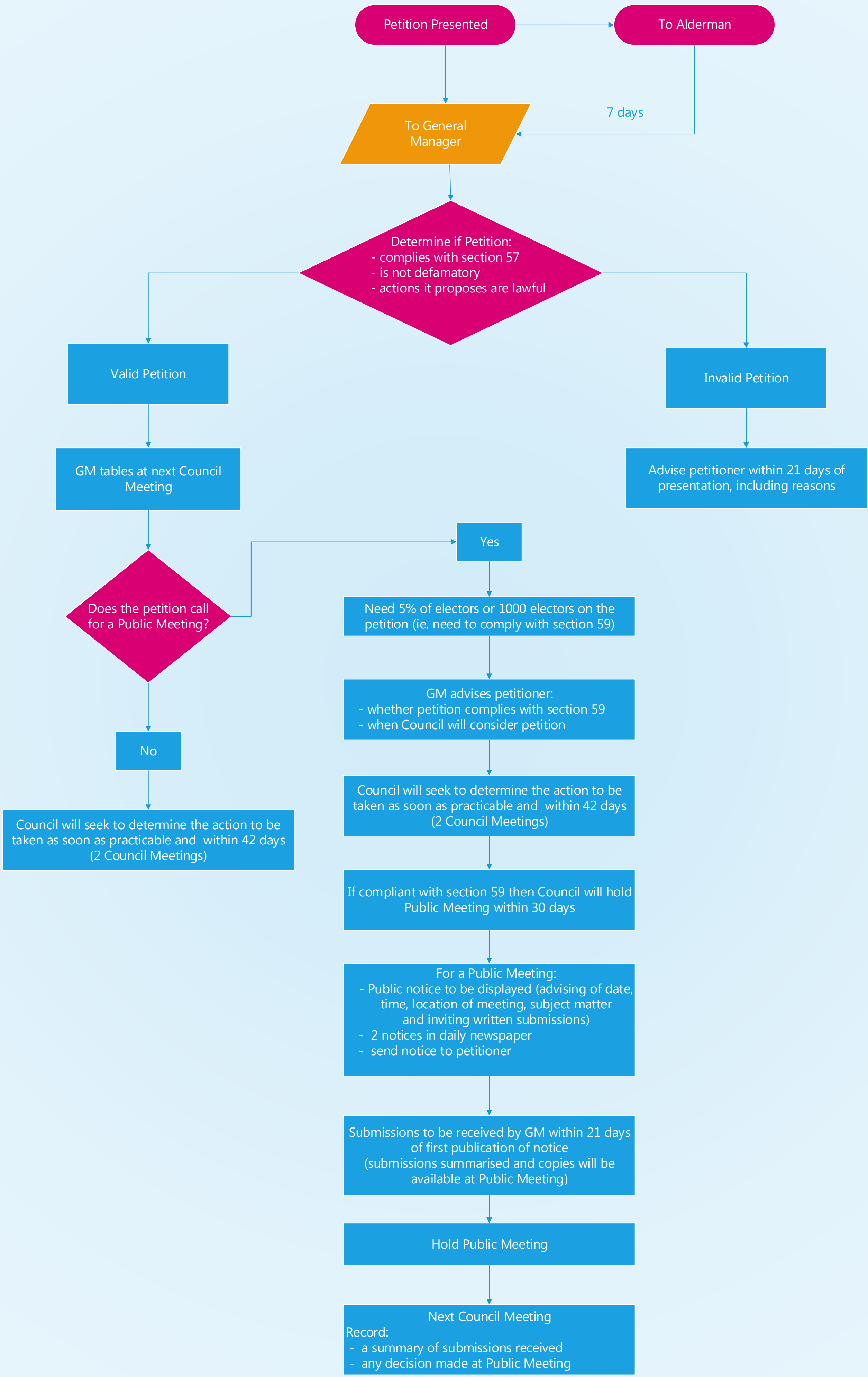
Telephone contact details ----- (h)
----- (w)
----- (m)

Note: telephone numbers may be provided and will assist in administering and processing of the petition, and will be used to enable contact between Council's administration and the person lodging this petition.

Privacy Statement

The personal information on this form is required by Council for receipt of petitions under the *Local Government Act, 1993*. We will only use your personal information for this and related purposes.

How we use this information is explained in our **Privacy Policy**, which is available at www.ccc.tas.gov.au or at Council offices.



Petition Presented

To Alderman

To General Manager

7 days

Determine if Petition:
- complies with section 57
- is not defamatory
- actions it proposes are lawful

Valid Petition

Invalid Petition

GM tables at next Council Meeting

Advise petitioner within 21 days of presentation, including reasons

Yes

Does the petition call for a Public Meeting?

No

Need 5% of electors or 1000 electors on the petition (ie. need to comply with section 59)

GM advises petitioner:
- whether petition complies with section 59
- when Council will consider petition

Council will seek to determine the action to be taken as soon as practicable and within 42 days (2 Council Meetings)

If compliant with section 59 then Council will hold Public Meeting within 30 days

For a Public Meeting:
- Public notice to be displayed (advising of date, time, location of meeting, subject matter and inviting written submissions)
- 2 notices in daily newspaper
- send notice to petitioner

Submissions to be received by GM within 21 days of first publication of notice (submissions summarised and copies will be available at Public Meeting)

Hold Public Meeting

Next Council Meeting
Record:
- a summary of submissions received
- any decision made at Public Meeting

Council will seek to determine the action to be taken as soon as practicable and within 42 days (2 Council Meetings)