

FILE NO: PSC2013-05621

TITLE: RECEIPT OF PETITIONS

OWNER: GOVERNANCE SECTION MANAGER

1. PURPOSE:

- 1.1 The purpose of this policy is to provide the community with an opportunity to express their opinions to Council on matters of significant community interest and/or impact.

2. CONTEXT/BACKGROUND:

- 2.1 Council, in the past has received petitions from the community as a way of expressing their concern on many varied interests of which Council is the responsible authority. The community often lodge petitions as a way of informing Council of the community's general concern, with respect to issues before Council.

3. SCOPE:

- 3.1 A petition is a written document including the name, address and signature of at least 20 or more persons seeking some form of action from Council, and includes the details of a representative as a contact for Council **(ATTACHMENT 1)**. It may be in the form of a request, complaint or expression of interest in a matter of significance to Council signed by affected persons of the Port Stephens community. The petition should be respectful in its language. The General Manager, in consultation with the Mayor, shall be the final arbiter as to whether the document constitutes a petition.
- 3.2 Upon receipt of a petition the relevant Directorate will register the petition and refer the original copy to the General Manager's Office.
- 3.3 The Executive Administration Coordinator will forward an acknowledgement to the representative who lodged the petition and provide an Information Paper to a Council meeting.
- 3.4 Where the number of signatories on a petition is over 500, Council will supply an agenda item at a Council meeting with a staff recommendation to note the petition, with alternative recommendations provided in the agenda item background. This will provide Councillors with options to try and help resolve the issue the petition relates to.

- 3.5 The relevant Directorate will keep the representative informed of the progress.
- 3.6 Objections to building/ or development applications will not normally be considered as petitions under this policy. Instead, they will be considered as part of the building/development application assessment.
- 3.7 Petitions lodged with less than 20 signatures will be managed internally by Council staff. The General Manager will be informed of the petition and may provide a copy of the petition informally to the Councillors for information purposes.
- 3.8 Signatories on a petition should be aware that their details provided could be a public record should the petition form part of a public Council document.
- 3.9 A petition must not be altered in any way from the petition as signed by the petitioners.

4. DEFINITIONS:

- 4.1 An outline of the key definitions of terms included in the policy.

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| Petition | A petition in respect to this policy is a written document that contains at least twenty (20) signatures. |
| Affected persons | May include individuals, residents, ratepayers, companies, businesses, not for profit organisations, religious entities or volunteers concerning the Port Stephens community. |

5. STATEMENT:

- 5.1 The objective of this policy is to ensure that petitions are dealt with in an appropriate manner and that all the elected Council are advised of all petitions upon receipt.
- 5.2 Any decision regarding the petition subject matter will be a decision of the elected Council.

6. RESPONSIBILITIES:

- 6.1 The Executive Administration Coordinator will be responsible for acknowledging the petition and providing a report for Council. The relevant Directorate will be responsible for the ongoing consultation on the subject matter.

- 6.2 The Governance Section Manager will be responsible for compliance, monitoring, evaluating, reviewing and providing advice on the policy.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993
7.2 Code of Conduct.

CONTROLLED DOCUMENT INFORMATION:

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| This is a controlled document. Hardcopies of this document may not be the latest version. Before using this document, check it is the latest version; refer to Council's website: www.portstephens.nsw.gov.au . | | | |
| EDRMS container No | PSC2013-05621 | EDRMS record No | 25/96842 |
| Audience | Port Stephens community | | |
| Process owner | Governance Section Manager | | |
| Author | Governance Section Manager | | |
| Review timeframe | 4 years | Next review date | 13 February 2029 |
| Adoption date | 25 July 1995 | | |

VERSION HISTORY:

| Version | Date | Author | Details | Minute No. |
|---------|------------|---------------------------|--|------------|
| 1.0 | 25/07/1995 | Assistant General Manager | Adopted by Council. | 324 |
| 2.0 | 17/11/1998 | Assistant General Manager | Adopted by Council. | 562 |
| 3.0 | 19/10/2004 | Governance Coordinator | Adopted by Council. | 375 |
| 4.0 | 12/11/2013 | Executive Officer | Adopted by Council. | 326 |
| 5.0 | 09/02/2016 | Governance Manager | Transferred into the new policy template and corporate branding. Inclusion of the petition cover sheet and minor wording amendments. | 021 |
| 5.1 | 13/02/2018 | Governance Manager | Policy reviewed and no amendments required. | 016 |

| Version | Date | Author | Details | Minute No. |
|---------|------------|----------------------------|--|------------|
| 5.2 | 12/05/2020 | Governance Section Manager | Reviewed the policy, included numbering to each paragraph and updated the version control. Updated title of policy owner. 3.3, 5.1 and 6.1 – updated. 6.2 – inserted the word ‘Section’ in the title. | 079 |
| 5.3 | 12/07/2022 | Governance Section Manager | The policy has been updated in the new policy template and updated the version control. | 175 |
| 5.4 | 11/03/2025 | Governance Section Manager | The policy has been updated in the new policy template and updated the version control. 3.1 , 3.4, 3.6 – minor grammatical changes 3.1 – removed “residents and ratepayers” and added “affected persons of the Port Stephens community. The petition should be respectful, decorous and temperate in its language.” 3.2 , 3.5, 6.1 – removed reference to group and replaced with directorate 4.1 – added definition of affected persons Added section 3.7, Petitions lodged with less than 20 signatures Added section 3.8 concerning public records Added 3.9 - A petition must not be altered in any way from the petition as signed by the petitioners. | 011 |

ATTACHMENT 1

PETITION

This petition cover sheet or similar format should be included with any petition lodged with Council. The principal petitioner will be the contact person Council will communicate with concerning the petition.

PRINCIPAL PETITIONER:

Name: _____ Signature: _____

Address: _____

_____ Postcode: _____

Email: _____ Telephone: _____