

PETITION GUIDELINE

1. Scope

The Petition Guideline (this 'Guideline') provides Councillors, Council employees and community members with information relating to the process for arranging, presenting and receiving a petition at a Council Meeting.

2. Purpose

This Guideline provides direction on the process required for a petition to be heard at a Council Meeting.

3. Related Documents

Primary

Meeting and Workshop Standing Orders Policy

Secondary

Administrative Action Complaint Management Policy
Petition to Livingstone Shire Council Form

4. Definitions

To assist in interpretation, the following definitions shall apply:

CEO	Chief Executive Officer – A person who holds an appointment under s194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	The body of elected Councillors of Livingstone Shire Council.
Councillor	The Mayor and Councillors of Livingstone Shire Council, within the meaning of the <i>Local Government Act 2009</i> .
Council Meeting/Meeting	Council's principal decision-making forum whereby Livingstone Shire Council's elected members meet to consult, deliberate and make decisions in accordance with s257 and 268 of the <i>Local Government Regulation 2012</i> . Also known as an Ordinary Council Meeting.
Council Workshop/Workshop	A non-decision making forum convened in accordance with the ' <i>Guidelines for the Conduct of Informal Briefing Sessions</i> '; as prepared by the Department of Infrastructure, Local Government and Planning.

Petition	A formal written request, signed by no less than 10 people, appealing to Livingstone Shire Council with respect to a particular cause.
Petitioner	An individual who signs the Petition to Livingstone Shire Council form in support of the Petition Request.
Principal Petitioner	The person who is conducting the petition and is the primary point of contact for Council to liaise with in relation to presenting the petition to Council. The Principal Petitioner will also be advised of any decisions Council makes in relation to the matter of the petition.

5. Guideline

5.1 Petition Requirements

All petitions must meet the following requirements to be determined to be a properly made petition for consideration by Council:

- a) The 'Petition to Livingstone Shire Council Form' must be provided to Livingstone Shire Council in its original format; photocopies will not be accepted.
- b) Each page of the petition must contain the request or reason for the petition and the name, address, daytime phone number and signature of the Principal Petitioner.
- c) In order for Livingstone Shire Council to consider the petition, there must be at least 10 Petitioners prior to lodging the petition. All Petitioners' details, as requested on the 'Petition to Livingstone Shire Council Form', must be completed in full.
- d) Each Petitioner's signature on the petition must be made by the person signing in his or her own handwriting. Signatures cannot be copied, pasted or transferred onto the petition. A Petitioner who is not able to sign may ask another person to sign on their behalf.
- e) An individual Petitioner cannot sign a petition more than once.
- f) There must be no alterations made to the 'Petition to Livingstone Shire Council Form'. Livingstone Shire Council will not accept any form which has been altered.
- g) The petition must be written in plain English, or be accompanied by an English translation which is certified by a qualified translator as being a true and correct translation of the petition details. Contact details of the qualified translator must be included with the translated petition.
- h) The petition must be a standalone document with no letters, affidavits or other documents attached, with the exception of a translated petition as detailed in d).
- i) The petition must be lodged via:
 - i. Presented to any Councillor directly either via mail, email or in person; or
 - ii. Mail: Chief Executive Officer, Livingstone Shire Council
PO Box 2292, Yeppoon, Qld, 4703; or

- iii. Email: enquiries@livingstone.qld.gov.au; or
 - iv. In person: Livingstone Shire Council Customer Service Centre
Yeppoon Town Hall
25 Normanby Street, Yeppoon, Qld
- j) Petitions can be provided in relation to anything within Livingstone Shire Council's jurisdiction with exception of the following which will not be accepted:
- i. A request for grants of public money;
 - ii. A request for remission of any rates payable;
 - iii. A request to promote anything that may constitute spam, such as commercial interests, solicitation, advertisements, or endorsements of any non-governmental agency; and/or
 - iv. A petition that is disrespectful and/or contains inappropriate language, including material which may be considered defamatory, liable, and/or offensive to any member of the public.

Where a petition does not meet any one (1) of the above requirements, it will be determined to be a non-compliant petition and will not be considered by Council. The Principal Petitioner will be advised of this in writing.

5.2 Petition Process

For Council to consider the properly made petition, the following process is undertaken:

1. Should a properly made petition be received by a Councillor, they will provide the petition to the CEO as soon as possible. The petition will be recorded on Livingstone Shire Council's Petition Register.
2. Upon receipt of a properly made petition by Livingstone Shire Council, the Principal Petitioner will be sent an acknowledgement letter or email within five (5) business days.
3. The petition will be presented and received by Council at the next available Meeting of Council.
4. When a petition is presented to a Meeting, the petition, if originally received by a Councillor, may be presented by the receiving Councillor to the Meeting. The Councillor will state the nature of the petition, read the Petition Request section of the 'Petition to Livingstone Shire Council Form'.

No debate on or in relation to the petition matter will be allowed.

The only motion which will be moved at the Meeting is one (1) of the following:

- (1) The petition be received and referred to a Council Workshop; or
 - (2) The petition be received and contents noted.
5. Once Council has made a decision on the matter of the petition, in any Meeting of Council, the Principal Petitioner will be advised of the outcome in writing.
 6. All decisions of Council are final however a complaint may be lodged in accordance with Council's Administrative Action Complaint Management Policy.

6. Changes to this Guideline

This Guideline is to remain in force until otherwise amended/replaced or other circumstances.

7. Repeals/Amendments

Version	Date	Action
1	10/02/2017	Approved
1.1	12/12/2018	Administrative Amendments – reflect organisational restructure and update Chief Executive Officer

CHRIS MURDOCH
CHIEF EXECUTIVE OFFICER

Appendix 1: Petition Process Flow Chart

