



Petition

Local Government Act 1993

PART 6 - Petitions, polls and public meetings

57 Petitions

- (1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.
- (2) A person lodging a petition is to ensure that the petition contains –
 - (a) a clear and concise statement identifying the subject matter and the action requested; and
 - (b) in the case of a paper petition, a heading on each page indicating the subject matter; and
 - (c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and
 - (d) a statement specifying the number of signatories; and
 - (e) at the end of the petition –
 - (i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and
 - (ii) in the case of an electronic 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.

- (3) In this section –

electronic petition means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;

paper petition means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;

petition means a paper petition or electronic petition;

signatory means –

- (a) in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and
- (b) in the case of an electronic petition, a person who has added his or her details to the electronic petition.

58 Tabling petition

- (1) A councillor who has been presented with a petition is to –
 - (a) ...
 - (b) forward it to the general manager within 7 days after receiving it.
- (2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.



Petition

- (3) A petition is not to be tabled if –
 - (a) it does not comply with section 57 ; or
 - (b) it is defamatory; or
 - (c) any action it proposes is unlawful.
- (4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgment.

59 Petitions seeking public meetings

- (1) A petition under section 57 may request that a council hold a public meeting regarding the subject matter of the petition.
- (2) A council must hold a public meeting if the petition complies with section 57 and it is signed by whichever is the lesser of the following:
 - (a) 5% of the electors in the municipal area;
 - (b) 1 000 of those electors.
- (3) A petition that requests a public meeting is not to be made in respect of any matter relating to rates and charges in Part 9 if those rates or charges have been made for the current financial year.

60 Action on petition

- (1) The general manager, by notice in writing to the person who lodged the petition, is to –
 - (a) advise whether the petition complies with section 59 , if it seeks a public meeting; and
 - (b) give reasonable notice of when the council is to consider the petition.
- (2) Within 42 days after the tabling of the petition –
 - (a) the general manager is to advise the council at a council meeting whether the petition complies with section 59 , if applicable; and
 - (b) the council, at that meeting, is to determine any action to be taken in respect of the petition.



Petition

- (3) If the petition complies with section 59 , or the council otherwise resolves to hold a public meeting regarding the subject matter of the petition, the council, within 30 days after the meeting referred to in subsection (2) , is to hold a public meeting to discuss the subject matter of the petition.
- (4) The council is to record in the minutes of the meeting referred to in subsection (2) –
 - (a) the subject matter of the petition; and
 - (b) the number of signatories to the petition.

60A Public meetings and submissions

- (1) Before holding a public meeting under section 59 or section 60(3) , a council, in a notice publicly displayed, must –
 - (a) state the date on which, and the time and place at which, the public meeting is to be held; and
 - (b) state the details of the subject matter; and
 - (c) invite written submissions in relation to the subject matter to be lodged with the general manager.
- (2) A copy of the notice under subsection (1) is to be –
 - (a) published on at least 2 occasions in a daily newspaper circulating in the municipal area; and
 - (b) sent to the person who lodged the petition.
- (3) A submission must be lodged within 21 days after the first publication of the notice.
- (4) Any submission received is to be summarised by the general manager in a document, copies of which are to be made available to those attending the public meeting.
- (5) The minutes of the next ordinary meeting of the council following the public meeting are to record –
 - (a) a summary of any submission received under this section; and
 - (b) any decision made at a public meeting held under this section.