

City of Sydney Council

Petition Guidelines

The City of Sydney welcomes petitions as one way in which people can let us know their concerns. We set out below how Council will respond to petitions that are sent to us.

What is a petition?

Council will treat as a petition for the purposes of these guidelines any communication that is either identified as being a petition, or which it seems to us is intended to be a petition.

Petitions can be sent directly to Councillors or to:

City of Sydney

Town Hall House

456 Kent Street

Sydney NSW 2001

Who can submit a petition?

Anyone can sign or organise a petition.

What are the Guidelines for Submitting a Petition?

Petitions on the following matters will be considered by the City in accordance with these guidelines:

- issues relating to Council's responsibilities; and
- issues which affect the City of Sydney or communities in the City of Sydney, as long as Council is in a position to exercise some degree of influence.

If your petition is about something over which Council has no direct control (for example the local railway or school), we will consider making representations on behalf of the community to the relevant body. The City works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example, if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to petitioners.

Where a petition relates to a matter over which Council has no responsibility or influence, Council will return the petition to the main petition contact with an explanation for that decision (and will wherever possible give petitioners any information that Council has available as to where the petition should be redirected).

If your petition is about something that a different council or other public authority is responsible for, we will ask the main petition contact whether s/he would like us to redirect the petition to the other authority.

Petitions submitted to Council must include:

- a clear and concise statement covering the subject matter of the petition. It should state what action petitioners want the Council to take; and
- the name and address and signature (or email address in the case of electronic petitions) of any person supporting the petition.

A petition should contain the name and address and contact details of the main petition contact. This is the person we will contact to explain how we will respond to the petition. If the petition does not identify a main petition contact, we will assume the first signatory is the main petition contact.

The address may be where the signatory to the petition lives, works or studies. The City has the discretion to verify the name and address and signature of any person supporting the petition should we consider it necessary for any reason.

If you want your petition to be tabled at a meeting of Council, you must send it to a Councillor for them to consider tabling it.

State legislation may affect Council's ability to respond to some petitions, including those related to development assessment, tendering or electoral laws, in the period immediately before an election, Council may need to deal with your petition differently or in a different timeframe, and if this is the case Council will contact the main petition contact to explain the reasons and discuss the revised timescale that will apply.

Before submitting a petition you may first wish to check with Councillors or with the City to see if we are already acting on your concerns and to confirm that Council is the most appropriate body to receive your petition, as sometimes your petition may be more appropriate for another public body.

Types of Petition

For the purposes of the Council's Petition Guidelines all petitions that are received by Council (that are considered to fall within the scope of these guidelines) will be treated as falling within one of the two different types of petition, described below.

Petitions For Tabling

These are petitions that have been sent to a Councillor so that they can consider tabling it at a Council meeting. If the Councillor wishes Council to debate the petition, they are required to submit it to the Chief Executive Officer (or their delegate) by 12 noon on the Tuesday in the week preceding Council meeting.

The motion that shall accompany tabled petitions whether notice has been given or not is:

“That the petition be received and noted.”

Where notice has not been given, a Councillor may request that the petition be listed on the agenda for the next meeting to enable it to be debated.

Petitions

These are petitions that have been sent to the Chief Executive Officer (CEO) or to City staff, either directly or via Councillors or the Lord Mayor.

What happens when a petition is received?

Within 15 working days of receipt by the CEO or City staff, we will acknowledge receipt to the main petition contact and will advise the main petition contact:

- whether we consider that the petition falls within the scope of Council's Petition Guidelines;
- the identity of the person or body within the City to whom the petition will be reported for consideration; and
- where we consider that the petition does not fall within these guidelines, we will advise all petitioners of the reason for this decision

At the same time as responding to the main petition contact, we will notify the relevant City of Sydney Director(s) with responsibility for the matter(s) to which the petition relates and all Councillors of receipt of the petition.

In the event that the subject of a Petition falls within the remit of more than one Director, the petition will be reported to both Directors, who will be asked to nominate one of them as the lead for the matter.

In some cases, we may be able to resolve the petitioners' request directly, by requesting the relevant council officer to take appropriate action. Where this is done, we will advise all signatories, where valid addresses have been provided, that we consider that the matter is resolved and explain how it has been resolved. If any signatory is not satisfied with the outcome s/he may appeal to the Chief Executive Officer in accordance with the procedure set out below.

In all other cases, within 3 months of receipt of a petition (or sooner where possible), we will provide a substantive response to the signatories giving information about what steps we have taken or propose to take in response to the petition and our reasons for doing so.

When we receive a petition, our response will depend on what a petition asks for and may include one or more of the following:

- giving effect to the request in the petition;

- considering the petition at a meeting of Council;
- research or consultation; or
- giving a written response to all signatories setting out our views about the request in the petition;

In addition to these steps, the City will consider all of the specific actions that it can potentially take on the issues highlighted in the petition.

What will happen to a Petition For Tabling?

If a Councillor to whom the petition is sent submits it to the Chief Executive Officer in accordance with the procedure for notifying petitions, the petition will be debated by Council at its next ordinary meeting. This means that the issue(s) raised in the petition will be discussed at a meeting at which all Councillors can attend. Petitions will not be considered at Extraordinary Meetings of Council unless it is convened to consider the subject matter of the petition.

The procedure to be followed during the petition debate is the same as for debate on any other motion and is set out in Council's Code of Meeting Practice.

Following consideration by Council of a Petition for Tabling, Council may make a decision on the subject matter of the petition if a notice of motion has been received, may request that it be listed on the agenda for the next Council meeting to enable debate or may refer the petition to the CEO to respond as per petitions received directly.

What can I do if I feel my petition has not been dealt with properly?

If any signatory is not satisfied with the outcome of Council's consideration of their petition, he/she may appeal to the Chief Executive Officer setting out the reasons for their dissatisfaction.

The Chief Executive Officer may choose to instigate an investigation, make recommendations to the Executive, or arrange for the matter to be considered at a meeting of Council.

Once the appeal has been considered the Chief Executive Officer will provide the person who has appealed with written confirmation of the outcome.

Excluded Petitions

Council's Petition Scheme does not apply to the types of petition listed below. If Council receives a petition that it considers to be an Excluded Petition, we will contact the main petition contact to advise them that we do not consider that their petition falls within the scope of Council's Petition Guidelines and the reasons for this decision.

Petitions excluded by Statutory Consultation, Review or Appeal Rights

In order not to duplicate procedures where established processes already exist for people to voice their opinions, the following matters are excluded from the scope of Council's Petition Guidelines:

- any matter relating to a planning decision that has already been made by Council or City staff; or
- any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or a right of appeal conferred by or under any enactment.

However, a petition that alleges a systematic failure to deliver services in the above areas is within the scope of Council's Petition Guidelines. For example, while a petition on an individual planning application would be an Excluded Petition, a petition about Council's failure to deliver an effective service for planning applications would be within the scope of these guidelines.

Petitions that are vexatious, abusive or otherwise inappropriate

If, in the opinion of the City, a petition is vexatious, abusive or otherwise inappropriate, we will acknowledge receipt of the petition to the main petition contact. We will explain to the main petition contact the reason why we consider that the petition is vexatious, abusive or otherwise inappropriate, and that we will not be taking any further action in respect of the petition.

Please note that petitions which raise issues of possible Councillor misconduct will be taken as complaints arising under Council's Code of Conduct, rather than considered under these guidelines.

Repeat Petitions

A petition will not normally be considered where it is received within 24 months of another petition being considered by Council on the same matter. When a petition is received on a similar issue to a previous petition, petitioners will be notified of the outcome of the previous petition if the City considers that the issues raised have been addressed.