

Petitions, Deputations & Submissions Policy

Policy Number	POL-DEPUTV1
File Number	13/POL/DEPUT/2
Responsible Officer	Chief Executive Officer
Adopted	10 May 2022
Minute Number	21306/3
Due date of next Review	May 2026

1. Purpose

- 1.1 Council's principal role is to act as an informed and responsible decision maker, and represent the interests of its community through open and transparent decisions.
- 1.2 Petitions, Deputations and Submissions are a form of community participation in the decision making process of Council, providing individuals with the opportunity to present their opinions to a Council or Committee Meeting either in person or via electronic means.
- 1.3 This *Petitions, Deputations & Submissions Policy* (the Policy) set outs the manner in which community members can participate in Council and Committee meetings through Petitions, Deputations and Submissions, allowing Council to better identify the issues of importance to the community, and assists the public in being better informed on the governing of the area.

2. Definitions

- 2.1 The **Act** is the *Local Government Act 1999*.
- 2.2 **Clear days** includes Saturdays, Sundays and public holidays.
- 2.3 **Committee** means a Section 41 Committee of Council, established in accordance with the *Local Government Act 1999*.
- 2.4 A **Compliant Petition** means a petition that satisfies the criteria under regulation 10(1) of the Regulations, being a petition that:
 - (a) is legibly written or typed or printed;
 - (b) clearly sets out the request or submission of the petitioners;
 - (c) includes the name and address of each person who signed or endorsed the petition; and
 - (d) is addressed to Council and delivered to the principal office of Council.
- 2.5 A **Deputation** is an oral way of presenting an issue to a meeting of Council or a Section 41 Committee of Council.
- 2.6 **Electronic means** includes a telephone, computer or other electronic device used for communication.
- 2.7 A **Petition** is a request to Council seeking action or special consideration (being a request or submission) of a particular matter which is signed by more than two (2) residents/members of the public from, at least, two (2) different property addresses.
- 2.8 **Principal signatory** is the person responsible for delivering a petition to Council.

- 2.9 **Regulations** means the *Local Government (Procedures at Meetings) Regulations 2013*.
- 2.10 **Representor** means the person making a Deputation.
- 2.11 **Signatory** is a person who has signed a petition in support of the request or submission.
- 2.12 A **Submission** is the making of a representation in relation to a written submission to Council or a Committee, pursuant to the Act.
- 2.13 A **Submitter** is person who is invited by Council to be heard on written their submissions personally or by representative before Council or a Committee submissions.

3. Petitions

- 3.1 Council accepts Petitions from members of the community who have a direct interest in Mid Murray Council, such as residents, ratepayers and local businesses.
- 3.2 Petitions must relate to matters that Council is authorised to determine and be submitted in writing to Council in accordance with the requirements set out in Regulation 10 of the Regulations and of this Policy
- 3.3 Pursuant to Regulation 10(2) of the Regulations, the Chief Executive Officer will ensure that all Compliant Petitions are placed on the agenda for the next ordinary meeting of Council, in accordance with the requirements of this Policy.

Submitting a Petition

- 3.4 Any person may submit a petition to Council.
- 3.5 Written Petitions will be received at Council's Principal Office, 49 Adelaide Road, Mannum, or posted to PO Box 28, Mannum SA 5238
- 3.6 Electronic Petitions will be received by Council at its email: postbox@mid-murray.sa.gov.au
- 3.7 A Compliant Petition must be received at least seven (7) clear days prior to a scheduled meeting of Council for it to be placed on the agenda of that meeting.
- 3.8 If a Compliant Petition is received less than seven (7) clear days prior to a scheduled meeting of Council, practical effort will be made to include that petition in the upcoming agenda.

Form of a Compliant Petition

- 3.9 Where a petition comprises multiple pages, the request or submission to Council must be clearly set out on the top of each page.
- 3.10 For the purposes of this Policy an address may be a residential or business address (not an electronic address) and at the very least, must include reference to a street name and suburb.
- 3.11 The number of the signatory's address may be omitted at the discretion of the signatory.
- 3.12 A *Petition Template* (the Template) (**Annexure A**) may be used by members of the public who wish to submit a Compliant Petition to Council.
- 3.13 Where a hardcopy petition is submitted to Council, the original petition must be submitted.

Procedure upon receipt of a Petition

- 3.14 Council will only communicate with the Principal Signatory in respect of a petition.
- 3.15 Council's acknowledgement of receipt of a petition will include a statement requiring that the Principal Signatory be responsible for all correspondence to signatories.
- 3.16 Only Compliant Petitions will be placed on an agenda for Council's consideration.
- 3.17 If the petition is not a Compliant Petition, the Chief Executive Officer may determine whether the petition will be placed on the agenda of a meeting of Council. The Chief Executive Officer's decision in this regard is final.
- 3.18 If the petition is a Compliant Petition, the Principal Signatory will be advised of the date of the meeting at which the petition will be included in Council's agenda.



- 3.19** The petition itself will not be placed on the agenda, as only the request or submission as stated on the petition form and number of signatories endorsing the petition to be included within the agenda.
- 3.20** Persons who wish to speak to a petition received by Council may request to make a Deputation to Council pursuant to Clause 4 of this Policy.
- 3.21** Upon Receipt of a petition, Council may resolve to:
- a) Receive the petition;
 - b) Prepare a report in relation to the request or submission, for consideration by Council at a future meeting; or
 - c) Implement any other action Council sees fit.
- 3.22** As soon as practicable after a petition has been considered by Council, the Chief Executive Officer (or delegate) will notify the Principal Signatory of any outcome made by Council in relation to it.

Privacy Considerations

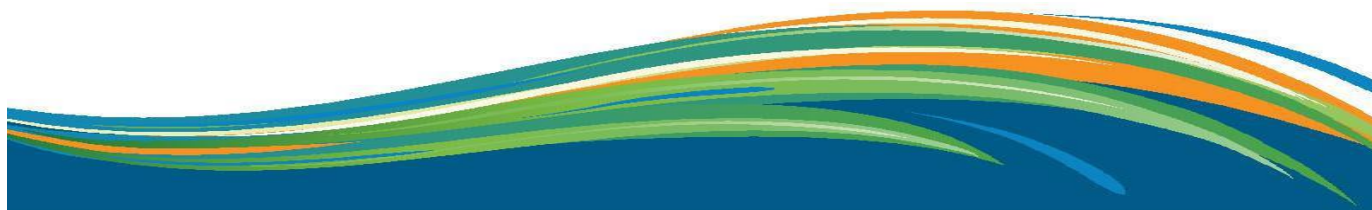
- 3.23** As a public document, Council has discretion to publish a petition in the agenda, minutes, or to Council's website.
- 3.24** It is the responsibility of the Principal Signatory to ensure that signatories to a petition are aware of the public nature of petitions submitted to Council.

4. Deputations

- 4.1** Deputations must relate to matters that Council is authorised to determine and be submitted in writing to Council in accordance with the requirements set out in Regulation 11 of the Regulations and of this Policy.

Requesting a Deputation

- 4.2** To make a Deputation to Council or a Committee, a Representor must complete and submit the *Request for Deputation Form* (the Form) (**Annexure B**) to Council seven (7) clear days prior to the meeting for inclusion in the agenda, or one (1) clear day otherwise.
- 4.3** If information is to be distributed as part of the Deputation, this material must accompany the Form when submitted.
- 4.4** Visual presentations are welcome. Advice of a visual presentation must be given to Council administration prior to the Deputation. The Representor may bring the presentation on a USB drive to the meeting or the presentation can be shared via electronic means.
- 4.5** A maximum of two (2) Representors may address Council or a Committee at each meeting. In the event that more than two (2) speakers wish to address Council or a Committee, the Presiding Member shall select two (2) Deputations having regard to relevance and timeliness of the matters to be raised.
- 4.6** The Presiding Member may refuse to allow the Deputation to appear at a meeting of Council or a Committee.
- 4.7** With respect to clause 4.6, Council or Council Committee may resolve to allow a Deputation to appear despite a contrary ruling by the Presiding Member.
- 4.8** The Chief Executive Officer must take reasonable steps to ensure that the person or persons who requested a Deputation are informed of the outcome of the request.
- 4.9** If the request for a Deputation is granted, the Representor will be advised of the time and location to attend meeting of Council or the Committee.
- 4.10** If the Presiding Member refuses to allow a Deputation to appear at a meeting, the Presiding Member must report the decision to the next meeting of Council or Council committee.
- 4.11** Council may refer the hearing of a Deputation to a Council Committee.



Conduct of the Deputation

- 4.12 A Deputation may be presented to Council or a Committee in person or via electronically means.
- 4.13 Representors must conduct themselves at the level of formality appropriate to a Council or Committee meeting.
- 4.14 All Deputations must be presented in an honest, factual and a respectful manner. Council and Committee meetings are open to the public and there are no privileges protecting Representors in relation to defamation.
- 4.15 Any comments that may be considered criticism of Elected Members or staff of Council must not be made during a Deputation, and any matters of concern may be raised formally in writing with the Chief Executive Officer or as per Council's Complaints Handling procedures.
- 4.16 Representors cannot participate in the debate or ask any questions of Council or a Committee.
- 4.17 The Presiding Members has the authority to terminate any Deputation at any time where it fails to conform to this Policy or any other reasonable request of the Presiding Member.
- 4.18 With respect to Clause 4.17, Council or Council Committee may resolve to allow a Deputation to continue despite a contrary ruling by the Presiding Member.
- 4.19 Council or a Committee may elect not to hear a Deputation, subject to a motion supported by two-thirds of the members present.
- 4.20 A Deputation must not exceed five (5) minutes except with the consent of Council or a Committee.
- 4.21 At the conclusion of the Deputation, Elected Members will be invited to ask questions of the Representor for a total of five (5) minutes.

Presentation of Deputation in person

- 4.22 At the appropriate time of the Council or Committee meeting, the Presiding Member will invite the Representor to make the Deputation, and the Representor will be requested to state their name for recording in the minutes of the meeting.

Presentation of Deputation via Electronic Means

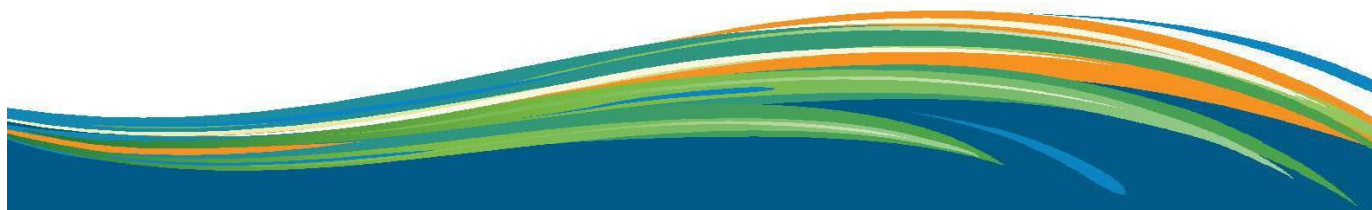
- 4.23 Council Administration will forward an invitation to attend by electronic means to the Representor via email.
- 4.24 The Representor will join the meeting via electronic means and wait in the waiting room.
- 4.25 At the appropriate time, the Presiding Member, will invite the Representor to join the meeting and make the Deputation.
- 4.26 The Representor will be admitted to the meeting by the electronic meeting host.
- 4.27 The Representor will be requested to state their name which will be recorded in the minutes of the meeting.
- 4.28 At the conclusion of questions, the Representor will leave the electronic meeting.

Privacy Considerations

- 4.29 In accordance with legislation, the agendas and minutes of Council and Committee meetings are a permanent public record, and the details of Representors and documents provided during a Deputation will be recorded and available for public access.

5. Submissions

- 5.1 When required by the Act, if any person who makes written submissions is invited to appear personally or by representative before Council or a Committee to be heard on those submissions, they may do so in person, or via electronic means. .
- 5.2 If the Submitter accepts the invitation to appear, they will be advised of the time and location to attend meeting of Council or the Committee.



Conduct of the Deputation

- 5.3 A Submitter may elect to present to Council or a Committee in person or via electronically means.
- 5.4 Submitters must conduct themselves at the level of formality appropriate to a Council or Committee meeting.
- 5.5 All Submissions must be presented in an honest, factual and respectful manner. Council and Committee meetings are open to the public and there are no privileges protecting Representatives in relation to defamation.
- 5.6 Any comments that may be considered criticism of Elected Members or staff of Council must not be made during a Deputation, and any matters of concern may be raised formally in writing with the Chief Executive Officer or as per Council's Complaints Handling procedures.
- 5.7 Submitters cannot participate in the debate or ask any questions of Council or a Committee.
- 5.8 The Presiding Members has the authority to terminate any Submission at any time where it fails to conform to this Policy or any other reasonable request of the Presiding Member.
- 5.9 With respect to Clause 5.8 Council or Council Committee may resolve to allow a Submission to continue despite a contrary ruling by the Presiding Member.
- 5.10 A Submission must not exceed five (5) minutes except with the consent of Council or a Committee.

Presentation of Submission in person

- 5.11 At the appropriate time of the Council or Committee meeting, the Presiding Member will invite the Submitter to be heard on their submission, and will be requested to state their name for recording in the minutes of the meeting.

Presentation of Submission via Electronic Means

- 5.12 Council Administration will forward an invitation to attend by electronic means to the Submitter via email.
- 5.13 The Submitter will join the meeting via electric means and wait in the waiting room.
- 5.14 At the appropriate time, the Presiding Member, will invite the Submitter to join the meeting and speak to their Submission.
- 5.15 The Submitter will be admitted to the meeting by the electronic meeting host.
- 5.16 The Submitter will be requested to state their name which will be recorded in the minutes of the meeting.
- 5.17 At the conclusion of their submission, the Submitter will leave the electronic meeting.

Privacy Considerations

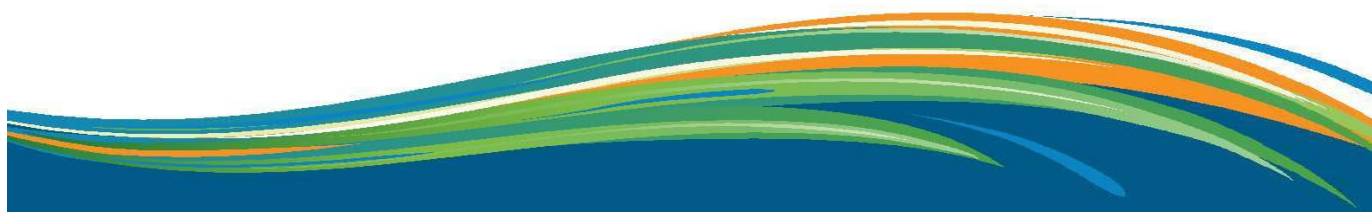
- 5.18 In accordance with legislation, the agendas and minutes of Council and Committee meetings are a permanent public record, and the details of Submitters and documents provided during their submission will be recorded and available for public access.

6. Policy Responsibility

The Chief Executive Officer is authorised to ensure the correct application of this Policy.

7. Availability/Accessibility

- 7.1 This Policy and Council's Fees and Charges Register are available to be downloaded free of charge from Council's website: www.mid-murray.sa.gov.au.
- 7.2 This Policy is available for inspection at Council's principal office during ordinary business hours. Hard copies, for a fee in accordance with Council's schedule of Fees and Charges, can be provided upon request.



8. Legislative Framework / Other References

8.1 *Local Government Act 1999*

8.2 *Local Government (Procedures at Meetings) Regulations 2013*

8.3 *Electronic Communications Act 2000*

9. Document History

This Policy shall be reviewed at least every four (4) years or more frequently if legislation or Council requires.

Version	Adopted	Minute	Description of Change
1	10 May 2022	21306/3	Adopted- Replacement of Deputations Policy, and Petitions Policy.





Petition to Council

To Mid Murray Council, Principle Office, 49 Adelaide Road, Mannum SA 5238

1. Petition Contact Person

Date Petition Initiated:

Name of Petition Contact Person:

Email address:

Phone Number:

2. The petition of: *(Identify the individuals or group, e.g. residents of the Mid Murray Council)*

3. Draws the attention of the Council: *(Identify the circumstances of the case)*

4. The petitioners therefore request that the Council: *(Outline the action that the Council should or should not take)*



Identify the details of the petition on each page		
Name	Address <i>(if you reside outside of the Mid Murray Council area, please indicate if you own a property or business within the Mid Murray Council district)</i>	Signature

Attention: This petition is a public document. By signing it, you understand that your name, address and signature will be made available to the public. Mid Murray Council will record these details for the purpose of this petition only.



Identify the details of the petition on each page

[illegible]

Attach additional sheets if required

The petition is to be received by Council seven (7) clear days prior to a scheduled meeting of Council.

Attention: This petition is a public document. By signing it, you understand that your name, address and signature will be made available to the public. Mid Murray Council will record these details for the purpose of this petition only.





Request for Deputation Form

Note: All fields within the Request for Deputation form are required fields.

This form is to be received by Council no less than seven (7) clear working days prior to the meeting at which you wish to be heard:

Email to: postbox@mid-murray.sa.gov.au
 In person to: 49 Adelaide Road, Mannum,
 Main Street Cambrai
 Fourth St (cnr Eighth St), Morgan SA 5320

by Post: PO Box 28
 MANNUM SA 5238

1. Details of Representer:

Name/s: _____

Address: _____

Email address: _____

Phone Number: _____

2. I hereby request to be heard at:

Council Meeting ☐ or

Committee meeting ☐

Name of Committee: _____

3. Date of meeting: ____/____/____ at ____ am/pm

4. I wish to be heard via:

Zoom ☐ or

In person ☐

5. I will be speaking:

On my own behalf ☐

As a spokesperson of a group of persons ☐

Name of Group, if applicable: _____

6. My deputation will include a visual presentation Yes ☐ No ☐

7. State the subject matter of the deputation?

8. Why is the topic relevant to Council?

ANNEXURE B: Request for Deputation Form

1. What would be your desired outcome from this deputation?

2. Why is this deputation of benefit to the community?

Please Note: if you wish to distribute information as part of your deputation, this material must be provided to administration prior to the meeting at which your deputation occurs. Please ensure you discuss any information you wish to be distributed or options for presenting your deputation with Administration when you receive confirmation that your Request for Deputation has been approved.

I/we have read and understood the Deputation and Submissions to Council Policy & Guidelines ☐

Signature

Date

Print Name

Office Use Only	
Received:	
Date and time: ____/____/____ at ____am/pm	
Acknowledged by Presiding Member	
Signed: _____ Dated ____/____/____	
Acknowledged by the Chief Executive Officer	
Signed: _____ Dated ____/____/____	
Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Meeting: Council <input type="checkbox"/> Committee <input type="checkbox"/>
Meeting Date and time: ____/____/____ at ____am/pm	Representor Notified: ____/____/____