

WDC Petitions Policy

Policy Sponsor:	Chief Executive
Policy Owner	General Manager Strategy & Support
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Introduction

New Zealand's Local Government democracy not only provides for community members to elect their representatives, but also allows community members to have a say in shaping the policies that affect the community they live in. This involvement is achieved by Council receiving submissions and petitions from the public.

Submitting a petition does not replace normal communication and engagement processes such as discussing the issue with Council staff, councillors, or the Mayor.

Purpose

This policy sets out the process to be followed when community members wish to petition the Waikato District Council (the Council) on a particular subject.

Application

This policy applies to community members within the boundaries of the Waikato District Council.

Related Legislation, WDC Policies and Processes

- Local Government Act 2002
- Model Standing Orders for Meetings of Local Authorities and Community Boards (NZS9202:2003)
- Privacy Act 1993.
- Council's Significant and Engagement Policy

Definitions

Petition – a document addressed to the Waikato District Council, signed by one person or many people, that requests Council to take action on a matter of Council policy, or to redress a local or private grievance. The Chief Executive will determine whether the correspondence submitted qualifies as a petition under this policy.

Principal petitioner – the individual or person representing an organization or group of people whose name appears at the head of the petition. The Principal petitioner is usually the person who:

- has initiated or organised the petition; and
- may be sought by Council to provide further information on the petition.

Policy Statements

1. **Who can Petition the Waikato District Council?**

Anyone may petition the Council, including business houses, clubs, community organisations or groups.

2. **Should you Petition?**

Petitioning the Council is not always the only course of action. Some matters can be investigated by an Ombudsman or other agencies.

The public can obtain advice on whether a matter is within the jurisdiction of the Ombudsman from the offices of the Ombudsman situated in Auckland or Wellington, or by writing to the Office of the Ombudsman, PO Box 10-152, The Terrace, Wellington.

3. **What information should the Petition contain?**

The petition must contain, as a minimum:

- The name and address of the principal petitioner; and
- The signature of the Principal petitioner on the front page; or
- In the case of a petition from a business house or club/society, the signature of a duly authorised officer on behalf of that organisation, on the front page; and
- The name, address and phone number for each person who has signed the petition. (This is a requirement under the Standing Orders NZ 9202:2003).

4. **Rules for Preparing a Petition**

The following rules must be adhered to when preparing a petition to Council:

- The petition must be no more than 50 words.
- The petition must cover a single issue.
- The petition must not be disrespectful or use offensive language or statements made with malice.
- Each additional page containing signatures must be headed with the petition's request.
- Unless incapacitated, a person must sign the petition personally. A person signing on behalf of an incapacitated person must state this fact beside the signature.
- Signatures must be original (not photocopied, faxed, scanned, pasted or otherwise transferred onto sheets of the petition).
- Signatories must include their full names and addresses.

5. **Petitions which are not Acceptable**

A public petition will not be accepted by the Council where –

- The petition is not addressed directly to the Waikato District Council. Petitions addressed to the Governor General, a Minister of the Crown, or any other body or person, are not petitions to Waikato District Council.
- The matter can be investigated by the Ombudsman but the public has not applied to an Ombudsman. The Ombudsman can investigate and review decisions, recommendations or acts relating to matters of administration in local authorities. The public can obtain advice on whether a matter is within the

jurisdiction of the Ombudsman from the offices of the Ombudsman, as described above.

- The public have not exhausted their legal remedies and the matter should be dealt with by the Courts or a tribunal. The restriction applies when the public have a statutory right of appeal or have legal action pending.
- The petition contains multiple issues.
- The petition is similar to an earlier petition that has already been fully considered by the Council (within the 3 year term of Council). Such a petition may be received or considered by a Council only if substantial and material new evidence has become available since the consideration of the earlier petition.
- The petition does not meet the requirements of Clause 3 and 4 above.
- The statutory requirements of the petition have not been met.

6. Presenting a Petition

When a petition is ready, the principal petitioner must initially contact the Chief Executive's office of the Waikato District Council and request for it to be presented.

The Chief Executive's office will advise the principal petitioner how the petition can be delivered and/or presented.

7. Role of the Chief Executive

When petitions are delivered to the Chief Executive, they will be checked for compliance with this policy. If the petition complies with the rules and conventions of the Council, it will be accepted. If the petition does not comply, it will be returned by the Chief Executive to the principal petitioner with an explanation as to why the petition cannot be accepted.

8. Referral of Petition to Council

The Chief Executive will consider the petition content and, where appropriate, refer the petition to Council, or the appropriate committee, with recommendations. Council, or the appropriate committee, must report on what decision, if any, it has resolved to implement the recommendations. The Council's report on a petition is contained in the meeting minutes which are available to the public.

Once the report has been to Council, or the appropriate Committee, the Chief Executive will notify the principal petitioner, within 7 days, of the decision and action taken.

Policy Review

This policy will be reviewed as deemed appropriate by the Chief Executive, at least once every three years.