



**HUON VALLEY
COUNCIL**

GUIDE TO PETITIONS

**LODGED PURSUANT TO
PART 6 – *LOCAL GOVERNMENT ACT 1993***

July 2020

This is a basic guide to preparing a petition to lodge with the Huon Valley Council (“HVC”). If you have any questions please contact HVC.

LEGISLATION

If you are preparing a petition, please read [Part 6](#) of the *Local Government Act 1993* (“the Act”) (sections 57 – 60F) before preparing your petition. A petition must comply with [section 57\(2\)](#) and you should ensure that the petition contains all of the information in that section so it can be tabled at a Council meeting.

LOGGING A PETITION

A petition may be lodged with Council by presenting it to a Councillor or the General Manager.

If the petition is presented to a Councillor, the Councillor must forward the petition to the General Manager within seven (7) days.

PETITION REQUIREMENTS

Structure of petitions

There are two ways you can lodge a petition, either using a paper/hard copy or electronically using an e-petition platform.

For a paper petition, you must ensure there is:-

1. A clear and concise statement identifying the subject matter and action requested; and
2. A heading **on each page** indicating the subject matter; and
3. A brief statement **on each page** of the subject matter and the action requested; and
4. A statement specifying the number of signatories (this is usually at the end); and
5. **At the end of the petition** the full printed name, address and signature of the person lodging the petition.

HVC does not currently have an online petition platform however there are existing online petition platforms that could be used. For an electronic petition, you must ensure there is:

1. A clear and concise statement identifying the subject matter and action requested; and
2. A statement specifying the number of signatories; and
3. **At the end of the 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.

When arranging an electronic petition you should ensure that any platform you use will allow you to meet the requirements in the legislation for presenting the petition.

An example Paper Petition is ***attached*** for guidance.

If you are unsure whether your Petition would comply, please contact Council for assistance prior to arranging signatures for the petition. If you lodge a petition that is not compliant, you may be required to have the petition resigned by all signatories.

Petition seeking a Public Meeting

If you want to seek a public meeting for the subject matter of your petition, you need to ensure that the additional requirements outlined below are met.

Additional requirements for Public Meeting request:

→ The petition must be signed by at least 5% of the electors in the municipal area (see [section 59](#) of the Act)

AND

→ The petition must request Council to hold a public meeting regarding the subject matter of the petition.

IMPORTANT – Please take note of the following:

Information in Petitions

All information for the petition must be included on the petition. A covering letter is not part of a petition – if you put information for the petition in a covering letter and not in the petition that will not comply with the requirements of the Act.

This is important because if you put all of the information explaining the reason/s for the petition on the petition, the purpose of the petition will be clear to all persons signing the petition.

Offences

There are offences relating to petitions under section [339B](#) of the Act which include:

- A person must not include in, or delete from, a petition the name of another person without that other person's consent.
- A person must not include in a petition a statement knowing it to be false or misleading.
- A person must not make a statement knowing it to be false or misleading to induce or attempt to induce another person to sign a petition.

A maximum fine of 50 penalty units applies to the above offences.

EXAMPLE - PAPER PETITION – Last page

“PETITION REGARDING [redacted]”
(Insert subject matter)

To the Huon Valley Council

We the undersigned hereby request [redacted]
[redacted]
[redacted]
(Insert clear and concise statement identifying the subject matter)

- [redacted]
 - [redacted]
- (Insert the action/s requested)

NAME	ADDRESS	SIGNATURE
Insert Name	Insert Address	Sign Here

“This petition contains **xxx** signatories”
(Insert number of signatories)

[redacted]
Signed

[redacted]
(Insert full name, address and signature of the person lodging the petition)

Legislation Provisions

Below are links to the relevant provisions from the *Local Government Act 1993*.

Part 6, Division 1 – Petitions, polls and public meetings

<https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP6@HD1@EN>

Section 339B – Offences relating to petitions

<https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#GS339B@EN>