

Ordinary Council Meeting – 12 December 2022 – 4.1 – Petition requesting a playground and BBQ area to the grassed area near Nokota Street and Appaloosa Avenue Darling Downs.

4.1 – Petition requesting a playground and BBQ area to the grassed area near Nokota Street and Appaloosa Avenue Darling Downs. (SJ3770)

Presenting Councillor	Councillor Rich
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Background

A petition was provided to Officers on 5 December 2022 from Ms Jessica Rebisz requesting a playground and BBQ area to the grassed area near Nokota Street and Appaloosa Avenue Darling Downs.

Prior to receipt of the petition, Ms Rebisz had liaised with Councillor Rich for Councillor Rich to present the petition to Council in accordance with the Shire's Standing Orders clause 3.6(2). On 8 December 2022, Councillor Rich confirmed in writing her intention to present the petition at the December 2022 Ordinary Council Meeting.

Clause 3.6(2) of the Shire's Standing Orders provides that a Councillor presenting a petition shall be limited to a statement of the parties from whom it comes, the number of the signatures attached to it, the material issues contained in it and the request made in the petition.

In this case, the petition comprises 91 signatures identifiable as residents of the Shire, requesting the installation of a playground and BBQ area to the grassed area near Nokota Street and Appaloosa Avenue Darling Downs.

Comment

Clause 3.6(1) of the Shire's Standing Orders states that:

A petition, in order to be effective, is to —

(a) be addressed to the President

(b) be made by electors or residents of the district

(c) state the request on each page of the petition

(d) contain the names, addresses and signatures of the electors or residents making the request, and the date each signed

(e) contain a summary of the reasons for the request

(f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given

This petition does not meet the requirement of 3.6(1)(c), in that it does not state the request on each page of the petition, but it may be considered by Council if it wished, as a non-conforming petition.

Contact Us

Enquiries

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Clause 3.6(4) of the Standing Orders states that:

The only question which be considered by the Council on the presentation of any petition shall be:

- that the petition shall be accepted; or*
- that the petition not be accepted; or*
- that the petition be accepted and referred to a committee for consideration and report; or*
- that the petition be accepted and be dealt with by the Council at a subsequent meeting.*

Options and Implications

The provisions of the Standing Orders provide three practical options to Council.

Option 1

That Council ACCEPTS the non-conforming petition.

Option 2

That Council DOES NOT ACCEPT the non-conforming petition.

Option 3

That Council ACCEPTS the non-conforming petition and REQUESTS that the Chief Executive Officer present a report on the matter at a future meeting of Council.

Attachments (available under separate cover)

- 4.1 - attachment 1** – Petition - Ms Jessica Rebisz - requesting a playground and BBQ area to the grassed area near Nokota Street and Appaloosa Avenue Darling Downs (IN22/25066)

Voting Requirements: Simple Majority

Officer Recommendation

For Council's consideration.