

# *Submission & Petition Guidelines*

## **About these guidelines**

These guidelines are designed to assist people who are preparing a **submission** or **petition** to Ashburton District Council.

It is important that content and format needs to be considered carefully. These guidelines will assist people in writing a **petition** or **submission** and provides guidance when presenting an oral **petition** or **submission**.

These guidelines set out how to prepare a **submission** or **petition** within the Standing Orders for Meetings of Local Authorities and Community Boards NZS 9202:2003, adopted by resolution of Ashburton District Council. These Standing Orders comply with Part 4 and Schedule 7 of the Local Government Act 2002, and Part VII of the Local Government Official Information and Meetings Act 1988.

These guidelines also explain the process of having **submission** or **petitions** presented to the Council, and what happens following presentation.

**Anyone is entitled to make a submission to Council**

**Anyone is entitled to petition the Council**

# Submissions

## What is a submission?

A submission is the presentation of views or opinions on a matter currently under consideration by Council. Council invites the public to make submissions on a matter through a formal consultation process.

Submissions are normally received in written form, and they can be reinforced through an oral presentation to a committee, the Methven Community Board or Council.

By writing or presenting a submission, a community member provides Council with his or her own insights, observations and opinions.

Submissions may be presented in English or Maori. For non-English speaking persons, an interpreter may be used.

New Zealand's local government democracy provides for community members to elect their representatives, and also allows community members to have a say in shaping the policies that affect their community. This involvement includes Council receiving and deliberating on submissions and petitions from the public. This system of community involvement in local government proposals is important in the governance process and democratic life of all New Zealanders. Submissions are received on planning issues and other matters before Council.

## Calling for submissions

The term "calling for submissions" means that there is either a statutory requirement to do so, or that Council considers the issue significant enough to consult on and seek public comment.

## Writing a submission in relation to Council's Special Consultative Procedure

When writing a submission, reference to the Statement of Proposal for the particular issue being submitted on is required. The Statement of Proposal and a submission form are available from Ashburton District Council, or can be downloaded from the Council's website [ashburtondc.govt.nz](http://ashburtondc.govt.nz) during times of consultation.

## Who can make a submission?

Any person who makes a submission on a proposal is given every opportunity to be heard by the local authority (if that person so requests). Every meeting at which submissions are heard under the Special Consultative Procedure, and at which Council, the Methven Community Board or committee deliberates, is open to the public.

## **Special Consultative Procedure**

This is a procedure that Councils are required to undertake in certain decision-making circumstances, as defined by the Local Government Act 2002 (Section 83). Section 83 sets out the procedures for people wishing to make submissions.

## **Deputations and presentations**

Deputations may be received by the local authority or any of its committees, provided an application for admission setting out the subject has been lodged with the Chief Executive Officer at least two working days before the date of the meeting, and has been subsequently approved by the chairperson. The chairperson may refuse requests for deputations which are repetitious or offensive (Standing Orders S3.19.1). Except with the approval of the local authority or committee, no more than two members of a deputation may address the meeting.

## **Meeting protocols**

Protocols for presenting submissions may vary due to the nature of the submission. This may be through legislative procedure e.g. the Sale of Liquor Act. The Committee Secretary will advise further on meeting protocols.

## **Presenting oral submissions**

The submitter may present the submission to the appropriate committee or the submission document may be tabled for Council's consideration.

The primary submitter will be contacted before the meeting and, if they wish to speak to the committee or Council, will be allowed up to 10 minutes under Council's Standing Orders S3.19.6.

The primary submitter will receive a copy of the agenda for the meeting at which the submission is to be considered. The committee agenda notes the time and place of the meeting and where the submission has been placed on the agenda. Submitters will be invited to speak by the chairperson.

Prior to the meeting, the Community Relations Team will discuss the process of presentation of the submission and ask how many people will attend the meeting to support the submission.

After the presentation, the members of the committee or Council may ask questions on points they are uncertain about or that require further elaboration. If there are other submitters present, they may be called on to answer questions

## **All other submissions**

The process for writing a submission to Council on any other matter is different from writing a submission under the Special Consultative Procedure. Please list any specific recommendations that Council may wish to consider.

## **Sending your submission**

Send the submission to:

Ashburton District Council  
PO Box 94  
Ashburton 7700

Please quote the name of the plan, or what the submission is about e.g. the Long Term Plan or a roading issue.

If there are any problems meeting the closing date, contact the Community Relations Team at Council immediately so that alternative arrangements, if possible, can be made. A late submission will not necessarily be accepted.

# Petitions

## What is a petition?

A petition is a document addressed to the Chief Executive Officer of Ashburton District Council, signed by one person or many people, which requests Council takes action on a matter of Council policy, or to put right a local or private grievance.

Any petition presented to Ashburton District Council or any of its committees may be in English or Maori. If the petition is in Maori, prior arrangement with the chairperson should be sought at least two working days before the meeting. This can be done via the Committee Secretary. Under Standing Orders NZ NZS 9201:2003 S3.20.3, a committee chairperson may order that any petition be translated and/or printed in another language.

## Who can petition?

Anyone of any age may petition Ashburton District Council, including businesses, clubs and community organisations that have sufficient identity as organisations.

## Should you petition?

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

Advice can be obtained on whether a matter is within the jurisdiction of the Ombudsman from the offices of the Ombudsman situated in Wellington, Auckland and Christchurch, or by writing to the Office of the Ombudsman, PO Box 10-152, The Terrace, Wellington.

## Principal petitioner

The principal petitioner is usually the person:

- who has initiated or organised the petition; and
- is sought by a committee to provide further information on the petition.

## Signing the front page

It is important that Council is aware of the name of the person presenting the petition. Make sure the name of the principal person, who may be an individual or a person who is representing an organisation, appears at the head of the petition.

If the petition is from a business or club/society, a duly authorised officer of the organisation must sign the front page of the petition on behalf of the organisation.

The petition must be not more than 50 words, and must not be disrespectful or use offensive language or contain statements made with malice.

## **Rules for signatures on pages**

Unless incapacitated, a person must sign a petition themselves (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 do not have to include their addresses.

## **Petitions acceptable for presentation**

A petition must be clearly addressed to the Chief Executive Officer, Ashburton District Council to be accepted.

If the petition is similar to an earlier petition that has already been finally considered by Ashburton District Council, it may be received or considered by a committee or Council only if substantial and material new evidence has become available since the consideration of the earlier petition.

## **Presenting a petition**

Prior to the committee meeting, the Community Relations Team will discuss the process of presenting the petition and check the number of people expected to attend the meeting to support the petition.

A petition presented to a local authority or any of its committees may be in English or Maori. Prior arrangements with the chairperson should be sought at least two working days before the meeting if the petition is not in English. The chairperson may order that any petition be translated and/or printed in another language (Standing Orders NZS 9201:2003 S3.20.3).

## **Consideration of petitions by Council**

Once a petition has been received by the Chief Executive Officer, the petition becomes an agenda item for the next scheduled meeting of Council attached to a covering report.

If the petitioner wishes to be heard, this must be clearly stated when submitting the petition. Speakers on petitions are allowed a maximum of five minutes (S3.20.4).

If the petition is presented by a Councillor on behalf of the petitioners, the Councillor may only read the petition, the statement of the parties from which it comes and the number of signatories attached to it.

## **Referral of the report to the Council**

Every petition and its covering report is referred to Council. The petition report and what decision, if any, Council has resolved is contained in the meeting minutes and is publicly available. The petitioner will be notified of the decision and what action will be taken.

## **Further information available**

Appendix 3 summarises the petition process in diagram form. If the petitioner would like further information on procedures, contact the Community Relations Team at Ashburton District Council.

## **Publications on the website/contact details**

Council publishes a range of material about its activities. This can be found on Council's website [ashburtondc.govt.nz](http://ashburtondc.govt.nz)

Other contact details:

Phone: (03) 307 7700

Email: [info@ashburtondc.govt.nz](mailto:info@ashburtondc.govt.nz)

## Appendix 1 - Submission sheet - Suggested layout

Here is a layout that you may copy. Your name, address and daytime telephone number could be included in a covering letter instead.

(Date)

(Page number)

### SUBMISSION

To Ashburton District Council

On the *(issue)* .....

#### Introduction

1. This submission is from *(name of individual/organisation and address)*.
2. I/we wish/do not wish to appear before Ashburton District Council to speak about my/our submission. I can be contacted at: *(List your daytime contact telephone number or the name, address and telephone number of the contact person for your organisation if different from above. These details could be included in a covering letter instead for privacy reasons)*.
3. I/we wish that the following people also appear in support of my/our submission: *(List names and positions in organisation)*.
4. If you are representing an organisation, give brief details of your organisation's aims, membership and structure and the people consulted in the preparation of the submission.

#### General/Summary (if your submission is long)

5. I/we support/oppose this proposal because *(state reasons why)*.
6. I/we wish to make the following comments *(views on the general intent of the issue you are submitting on)*.

#### Clause \* (Plan)

7. I/we support/oppose the provisions of this clause because *(state reasons why)*.



### Clause \* (Plan)

8. Although I/we agree with the general intent of this clause, I/we feel that *(note any changes you would like to see made and be as specific as you can, suggesting new wording for the clause if you wish)*.

### Specific comments (Enquiry)

9. State on the form: I/we wish to raise the following matters *(expand on your views and give reasons for them)*.

### Decision/Outcome requested

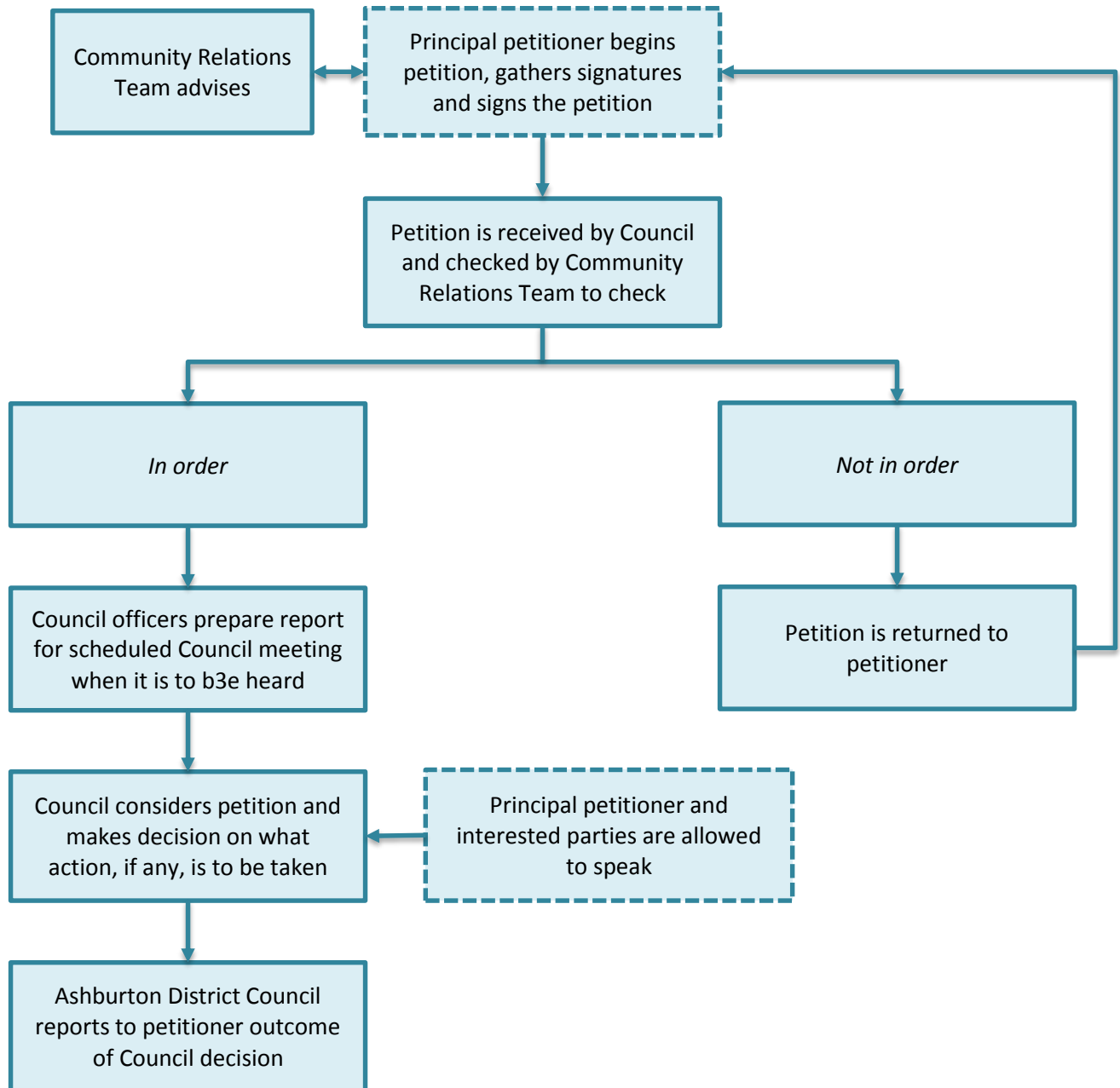
10. *(List any decisions or outcomes you wish the committee to consider)*. You may wish to restate recommendations mentioned earlier in your submission.

## Appendix 2 - Checklist

Checklist	What you need to consider when writing a submission	What you need to consider when writing a petition
<b>Who is it from?</b>	Name and address of submission organiser	Name and address of principal petitioner
<b>Word count</b>	Not applicable	Every petition presented must comprise fewer than 50 words (not including signatories)
<b>State whether you wish to appear before Council</b>	Yes/No	Yes/No
<b>Do you represent an organisation?</b>	<b>Your organisation</b> – If you are writing for an organisation, give brief details of the organisation’s aims, membership and structure. Make sure that you have the authority to do so and note your position within the organisation.	Not applicable
<b>What consultation have you thought about?</b>	<b>Note:</b> how widely you have consulted while preparing the submission	A petition must include for each person who has signed, name, address and phone number (legal requirement under Standing Orders*)

(Source: Standing Orders NZ 9201:2003)

## Appendix 3 – Handling of petitions



# Appendix 4 - Suggested layout of petitions

To: Chief Executive Officer  
Ashburton District Council  
5 Baring Square West  
Ashburton, New Zealand

We the undersigned electors of Ashburton District request *(clearly define purpose)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

for the following reasons *(produce summary of reasons supporting requests)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

As the initiator of this petition, my name is \_\_\_\_\_  
and I can be contacted at *(address)* \_\_\_\_\_  
for further information in relation to this matter.

Name	Address	Signature

