



24 July 2019

The Department of Infrastructure, Transport,  
Cities and Regional Development

By email to: [NI\\_Legislation@infrastructure.gov.au](mailto:NI_Legislation@infrastructure.gov.au)

Dear Sir/Madam

### **NORFOLK ISLAND REGIONAL COUNCIL ELECTIONS – PROPOSED LEGISLATIVE AMENDMENTS**

I write on behalf of the Norfolk Island Regional Council in response to the attached resolution unanimously agreed to by Council on 17 July 2019 and the request therein that –

- “1. The Mayor request the Department of Infrastructure, Transport, Cities and Regional Development to extend the current consultation period by 28 days to enable further discussion and legal advice to be taken by Council on the implications of the changes being proposed to legislation in the 2019 discussion paper (attached) relating to the Norfolk Island Regional Council (NIRC) elections; and
2. The General Manager make the NIRC Legal Officer available to meet with Councillors to discuss the changes being proposed to the above legislation, in particular, proposals 5, 6, 7 and 9 in the June 2019 Discussion Paper.”

For ease of reference when moving the motion, and for the public record, I expanded on the proposals causing concern, namely,

#### **‘Proposal number 5**

Extend the time by which an ordinary election may be delayed from 28 days to 6 months.

#### **‘Proposal number 6**

Allow up to 3 months to hold a by-election or countback election, with an option for the Minister to extend the time by up to a further 3 months (6 months in total).

#### **‘Proposal number 7**

Only allow a person to vote in NIRC elections if they are a resident, owner of rateable land, occupier or rate paying lessee of rateable land in Norfolk Island, are eligible to vote in a Commonwealth House of Representatives election and are not serving a relevant sentence of imprisonment. Remove the references to eligibility to vote in a NSW Legislative Assembly election.

#### **‘Proposal number 9**

NSW residents who are registered early postal voters under the Electoral Act 2017 (NSW) and voters registered for general postal voting at Commonwealth elections will also need to register as postal voters in order to vote by post at NIRC elections.’

2/

I look forward to receiving advice that Council's request in this matter can be accommodated.

Thank you,

Yours sincerely,



Robin Adams JP /  
**Mayor**





**ORDINARY COUNCIL MEETING  
17 JULY 2019**

**14.1 NOTICE OF MOTION - NORFOLK ISLAND REGIONAL COUNCIL ELECTIONS DISCUSSION  
PAPER JUNE 2019**

**RESOLUTION 2019/138**

Moved: Cr Robin Adams

Seconded: Cr John McCoy

Council recommends that –

1. The Mayor request the Department of Infrastructure, Transport, Cities and Regional Development to extend the current consultation period by 28 days to enable further discussion and legal advice to be taken by Council on the implications of the changes being proposed to legislation in the 2019 discussion paper (attached) relating to the Norfolk Island Regional Council (NIRC) elections; and
2. The General Manager make the NIRC Legal Officer available to meet with Councillors to discuss the changes being proposed to the above legislation, in particular, proposals 5, 6, 7 and 9 in the June 2019 Discussion Paper.

**UNANIMOUS**

**CARRIED**