



# Norfolk Island Government Gazette

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NORFOLK ISLAND GOVERNMENT GAZETTE NO. 9

Friday 7 March 2014

## RECENT AMENDMENTS TO THE TOURIST ACCOMMODATION ACT 1984 ACCOMMODATING VISITORS IN NORFOLK ISLAND

The following is intended as a guide to assist persons seeking information in respect of recent amendments to the *Tourist Accommodation Act 1984* ("the Act") and the accommodation of visitors for reward in Norfolk Island.

Recent amendments to the Act have —

- Removed the previous quota provisions that restricted the maximum amount of tourist accommodation units permitted to be registered in Norfolk Island.
- Removed the previous requirements for non-resident and foreign ownership of tourist accommodation to be approved through the Norfolk Island Legislative Assembly.
- Removed the previous Trigger/Dominant Market Share provisions that prevented an owner of tourist accommodation from owning more than 10% of the island's tourist accommodation units.
- Allowed for visitors staying 22 days or more to be accommodated in private rental accommodation (not registered under the Act).

### **Accommodating visitors for 21 days or less**

An establishment that charges visitors for accommodation to stay in Norfolk Island for 21 days (3 weeks) or less is required by law to be registered as a tourist accommodation house under the Act. The majority of Norfolk Island's visitors stay an average of seven days and as such fall within the 21 day period and therefore will need to stay in an establishment that satisfies particular standards, conditions, facilities and services that are required to be provided in order to be registered as a tourist accommodation house.

### **Accommodating visitors for 22 days or more**

Visitors that are seeking accommodation for 22 days or more (beyond 3 weeks), who are staying in Norfolk Island for a longer period of time than that of the average visitor's length of stay, may be accommodated in either a registered tourist accommodation house or private rental accommodation (not registered under the Act).

Persons wishing to accommodate visitors for reward in private rental accommodation can only accommodate visitors staying for 22 days or more in Norfolk Island and cannot accommodate any visitors staying for 21 days or less, unless the establishment has satisfied the relevant requirements of the Act and has been issued with a Certificate of Registration endorsing the establishment as a registered tourist accommodation house.

It is an offence to conduct a tourist accommodation house unless it is registered under the Act. Relevant provisions of the Act are —

- 4(1) [Definitions] "tourist accommodation house";
- 4(1) [Definitions] "visitor";
- 5(1) "Tourist Accommodation Houses to be Registered";
- 7 "Registration of tourist accommodation houses".

### **Registering a Tourist Accommodation House**

Persons contemplating the registration of a tourist accommodation house will need to give consideration to the following —

#### **1. Land Use and Environment Office**

Tourism accommodation houses in Norfolk Island are required to comply with relevant requirements under the Planning regime such as, but not necessarily limited to, land zoning use, effluent disposal, water catchment and storage. It is therefore recommended that the Land Use and Environment Office be contacted in the first instance in order to ascertain any such requirements. Contact details are as follows —

Land Use and Environment Office  
New Military Barracks  
Kingston  
Norfolk Island 2899

Phone: + 6723 23595  
Email: [planning@admin.gov.nf](mailto:planning@admin.gov.nf)

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**2. Tourism Accommodation Office**

Tourist accommodation houses in Norfolk Island are required to comply with the requirements of the *Tourist Accommodation Act 1984* and the *Tourist Accommodation Regulations*, which outline requirements such as standards, facilities and services that need to be met in order to be registered as a tourist accommodation house. A Regulation checklist can be obtained from the Norfolk Island Administration Tourism Accommodation Office. Contact details are as follows —

Tourism Accommodation Office  
New Military Barracks  
Kingston  
Norfolk Island 2899

Phone: + 6723 22001 ext 4  
Email: jadams@admin.gov.nf

An establishment will only be registered as a tourist accommodation house once it has satisfied the relevant requirements of the Planning regime and has undergone an inspection for compliance with tourist accommodation requirements, including the "Provision for Emergencies" under section 16 of the *Tourist Accommodation Regulations*.

Persons wishing to supply accommodation services in Norfolk Island should be mindful of, and comply at all times with, their obligations under the *Fair Trading Act 1995* and the *Goods and Services Tax Act 2007* among other potentially applicable laws.

Please do not hesitate to contact the Administrative Officer - Tourism for further general information. Persons wishing to confirm their legal entitlement to hire/lease private dwellings in Norfolk Island are encouraged to obtain their own professional independent legal advice regarding their own particular circumstances.

The Norfolk Island Government welcomes and encourages investment in Norfolk Island.

**JASON ADAMS**  
**ADMINISTRATIVE OFFICER – TOURISM (ACCOMMODATION)**

**COURT OF PETTY SESSIONS**

The next sittings of the Court of Petty Sessions is set down for Monday 10<sup>th</sup> March 2014 at 10.00 am in the Court House, Kingston.

**A.V.A. BATAILLE**  
**CLERK OF THE COURT**

**CORONERS COURT**

Notice is hereby given that a Directions Hearing into the manner and cause of death of Britney Quintal-Christian is set for Wednesday 12<sup>th</sup> March 2014 at 10.00 am in the Court House, Kingston.

**W. DONALD**  
**CORONER**

**PLANNING ACT 2002 – SECTION 48 NOTICE**

The following Development Application for permissible (with consent) use or development of land have been determined under the *Planning Act 2002*.

DA Number	Applicant	Location	Proposed Use and/or Development	Decision
00023/13	Justine Olausen	Portion 47c1 Martins Road	Subdivision to create one additional portion	Approved, subject to conditions

**Public Exhibition**

The Development Application, the Planning Report and the Instrument of Approval may be inspected, free of charge, during business hours at the Planning Office at the Administration of Norfolk Island, New Military Barracks, Kingston.

**Reviewable Decisions**

Decisions made in relation to development applications are reviewable decisions within the meaning of subsection 78(1) of the *Planning Act 2002*.

The applicant or any persons who made a written public submission in relation to the above application have the right to apply to the Administrative Review Tribunal for review of the decision in relation to these applications.

An application for a review must be lodged within 28 days of the date the decision was given. An application for review must:

- be made in writing;
- be in the approved form;
- identify the decision to be reviewed; and
- state the reasons for the application.

**JODIE BROWN**  
**CONTRACT PLANNING OFFICER**