

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Trading (Allowable Hours) Act 1990 - s 5(2) - declaration for special event*

**Lance Collyer (Director, Australian Big Boys Toys Expo Pty Ltd) (TH/2017/25)**

**TRADING HOURS - EXEMPT SHOPS – SUNSHINE COAST BIG BOYS TOYS**

DEPUTY PRESIDENT SWAN

1 November 2017

**Declaration**

- [1] Pursuant to s 5(1)(c) and s 5(2)(a) and (b) of the *Trading (Allowable Hours) Act 1990* (the Act), Lance Collyer (Director, Australian Big Boys Toys Expo Pty Ltd) (the Applicant), has sought a Declaration relating to a Lifestyle Expo it seeks to hold at the Russell Barker Park, Caloundra & District Rugby League Football Club, Caloundra, Golden Beach, Queensland on Saturday, 11 November 2017 and Sunday, 12 November 2017.
- [2] The relevant legislation to this Application is as follows:
- "5 Exempt shops
- (1) An *exempt shop* is -
- (c) a shop operating in a stated area for an event -
- (i) that is a unique or infrequent event of local, State or national significance; and
- (ii) declared by the industrial commission to be a special event for this paragraph.
- (2) A declaration for subsection (1)(c) -
- (a) may be made by the industrial commission on an application by an organisation, chief executive, local government or any other person; and
- (b) must state the following -
- (i) details of the event the subject of the declaration;
- (ii) the period for which the declaration applies;
- (iii) the area to which the declaration applies; and
- (c) must be published on the QIRC website.
- (3) In deciding whether to declare an event to be a special event for subsection (1)(c), the industrial commission -
- (a) must consider -
- (i) the cultural, religious or sporting significance of the event; and
- (ii) the significance of the event to the economy and the tourism industry; and
- (b) may consider a submission made by a local government for an area in which the declaration is likely to have an impact."
- [3] The name of this event is the "Sunshine Coast Big Boys Toys".
- [4] The event is described as a lifestyle show including the sales of and exhibition of, camping and outdoor equipment, campervans and similar recreational vehicles, home renovation materials, tiles and solar panels - this list is not exhaustive.

[5] The period for which this Declaration applies is:

	Opening Time	Closing Time
Saturday, 11 November 2017	9.00 a.m.	4.00 p.m.
Sunday, 12 November 2017	9.00 a.m.	3.00 p.m.

[6] The area in which this event will occur is the Russell Barker Park, Caloundra & District Rugby League Football Club, Caloundra, Golden Beach, Queensland.

[7] The significance of the event fits under the general heading of cultural and sporting significance pursuant to s 5(3)(a)(i) of the Act.

[8] It is accepted that in an area such as the Sunshine Coast (which is a tourist destination), sales emanating from this event would be of benefit to the local economy and would also encourage visitors to the area pursuant to s 5(3)(a)(ii) of the Act.

[9] There has been no submission made by the relevant Local Government organisation *viz.*, Sunshine Coast Council (the Council). However, an Application was made to the Council by the Applicant for a permit to hold this event. That permit was granted and annexed to submissions made by the Applicant to the Commission in this matter.

[10] In considering the material provided by the Applicant, the Commission Declares that this event fits the category of a special event and meets all other relevant requirements of s 5 of the Act.

[11] Order accordingly.

Dated 1 November 2017.

D.A. SWAN  
Deputy President.

Operative Date: 1 November 2017  
Released: 1 November 2017