

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

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

City Life Pty Ltd (TH/2017/24)

TRADING HOURS - EXEMPT SHOPS - CAIRNS LIFESTYLE EXPO

DEPUTY PRESIDENT SWAN

21 September 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), City Life Pty Ltd, has sought a Declaration relating to a Lifestyle Expo it seeks to hold at the Fred Moule Pavilion & Cairns Showground on Saturday, 23 September 2017 and Sunday, 24 September 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 "Cairns Lifestyle Expo".
- [4] The event is described as a lifestyle show including an exhibition of camping, outdoor equipment, 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, 23 September 2017	9.00 a.m.	4.00 p.m.
Sunday, 24 September 2017	9.00 a.m.	3.00 p.m.

- [6] The area in which this event will occur is the Fred Moule Pavilion and Cairns Showgrounds, Corner of Severin Street and Mulgrave Road, Cairns, 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 a coastal and tropical area such as Cairns, there are a number of outdoor pursuits i.e. camping and fishing pursued by many residents and visitors to the area. 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.
- [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 21 September 2017.

D.A. SWAN
Deputy President.

Operative Date: 21 September 2017
Released: 21 September 2017