

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: Trading Hours - Non-Exempt Exhibitors - Green RV Caravan and Motor Home Exhibition (2015) QIRC 214*

PARTIES: **Greenco Development Pty Ltd trading as Green RV**
(Applicant)

CASE NO: TH/2015/15

PROCEEDING: Application for Orders

DELIVERED ON: 18 December 2015

HEARING DATE: 18 December 2015

MEMBER: Vice President Linnane

ORDERS :

- 1. That the trading hours for the Green RV Caravan and Motorhome Exhibition at 51 Snook Street, Clontarf in the State of Queensland on 24 January 2016 be 9.00am to 5.00pm.**
- 2. That the trading hours for the Green RV Caravan and Motorhome Exhibition at 51 Snook Street, Clontarf in the State of Queensland on 31 January 2016 be 9.00am to 5.00pm.**

CATCHWORDS: TRADING HOURS LAW - TRADING HOURS NON-EXEMPT SHOPS SELLING CARAVANS STATE ORDER - Application for Special Exhibition - Application Granted

CASES: *Trading (Allowable Hours) Act 1990 s 22(3)*
Trading Hours - Non-Exempt Shops Selling Caravans - State Order

APPEARANCES: Mr W. Gardiner of Law Essentials for the Applicant

Decision

- [1] This is an application by Greenco Developments Pty Ltd trading as Green RV (Applicant), an organisation bound by the *Trading Hours - Non-Exempt Shops Selling Caravans - State Order* (Order), which seeks to conduct a special exhibition

on Sunday 24 January 2016 and Sunday 31 January 2016. The hours of trading sought on both those days are from 9.00am to 5.00pm.

- [2] I am satisfied that the Applicant has complied with direction 2 of the Directions Order issued by the Deputy Industrial Registrar on 25 November 2015 in that it has served a copy of the application and the Directions Order on the organisations identified in the Directions Order (Exhibit 1).
- [3] I am further satisfied that the Applicant has complied with direction 5 of the Directions Order issued by the Deputy Industrial Registrar in that an advertisement was published in the 'Courier Mail' newspaper on 4 December 2015. That advertisement contained the date and place of hearing and the time within which persons or organisations may apply for leave to appear and be heard in this application: see Affidavit of Yasmin Davis (Exhibit 3).
- [4] Any organisation or person claiming an interest in the proceedings was required to apply to the Industrial Registrar for leave to appear and be heard by 12 noon on 15 December 2015. The Industrial Registrar received no such applications.
- [5] The Applicant relies upon the Affidavit of Carl Raymond Green (Exhibit 2) in support of its application. The Applicant is a retailer of new and used caravans and motorhomes with Queensland dealerships and showrooms located at 51 Snook Street, Clontarf and 11 Pinewood Avenue, Gympie. It is a family-owned business employing twenty-two full-time and eight part-time employees.
- [6] In this application, the Applicant proposes to hold a special exhibition at its premises at 51 Snook Street, Clontarf on the two abovementioned Sundays in 2016. Mr Green states that weekends, and Sundays in particular, are regarded as optimal times for families and partners to be able to attend special exhibitions. According to Mr Green, caravans and other leisure vehicles are rarely available in regional areas. Thus there is a need for residents in regional areas to travel considerable distances to view caravans and other leisure vehicles and take advantage of special prices. An exhibition such as that proposed in this application would enable such persons to attend.
- [7] Mr Green referred the Commission to the Queensland Government's document "Queensland Drive Tourism Strategy 2012-2015" where Tourism Events Queensland state that it will "continue to support regional caravan and camping shows" as part of their marketing and promotional action plan. In that document, Tourism Events Queensland acknowledges that "social events, rallies, industry shows and exhibitions draw many tourists into a region contributing to the economy and promoting unique experiences and attractions".
- [8] Mr Green further states that the Applicant has always been committed to promoting and stimulating tourism both within Queensland and Australia. As part of this commitment the Applicant regularly has special exhibitions that are combined with sale clearances of their products which in turn draws many patrons.
- [9] Section 22(3) of the *Trading (Allowable Hours) Act 1990* enables the Commission to approve a special exhibition. I am satisfied that the application to hold two special

exhibitions on 24 January 2016 and 31 January 2016 is warranted. In those circumstances I make the following Order:

- "(1) Notwithstanding the provisions of any other Order to the contrary, this Order shall apply to the non-exempt shops of exhibitors at the special exhibition known as the "Green RV Caravan and Motorhome Exhibitions" to be held at 51 Snook Street, Clontarf, Queensland on 24 January 2016 and 31 January 2016.
- (2) The trading hours/opening and closing hours of the abovementioned Exhibition shall be as follows:
- | | | |
|------------------------|--------|--------|
| Sunday 24 January 2016 | 9.00am | 5.00pm |
| Sunday 31 January 2016 | 9.00am | 5.00pm |
- (3) That the employees of companies mounting displays or exhibits be engaged in a voluntary basis only."