

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *Re: Australian Events Pty Ltd* [2016] QIRC 071

PARTIES: **Australian Events Pty Ltd**
(Applicant)

CASE NO: TH/2016/2

PROCEEDING: Application to amend Trading Hours - Non-Exempt
Shops Trading by Retail - State

DELIVERED ON: 1 July 2016

HEARING DATE: 1 July 2016

HEARD AT: Brisbane

MEMBER: Industrial Commissioner Neate

ORDERS: **Order 32 of Schedule 2 of the *Trading Hours - Non-Exempt Shops Trading by Retail - State* be deleted and replaced by a new Order 32 of Schedule 2 in the terms set out in paragraph 10 of the reasons for decision**

CATCHWORDS: INDUSTRIAL LAW - TRADING HOURS ORDER
- Application to amend *Trading Hours - Non-Exempt Shops Trading by Retail - State* - Order in relation to the Townsville Home Show and Caravan, Camping Expo - application to change name of event - application not opposed - amendment made

CASES: *Trading (Allowable Hours) Act 1990* s22

APPEARANCES: Mr H. Lepahe, HWL Ebsworth Lawyers, for the Applicant

Decision

- [1] Australian Events Pty Ltd ("the Applicant") has applied to the Queensland Industrial Relations Commission under the *Trading (Allowable Hours) Act 1990* for an order to amend Order 32 in Schedule 2 of the *Trading Hours - Non-Exempt Shops Trading by Retail - State*. Order 32 sets out the trading hours for the Townsville Home Show and Caravan, Camping Expo.
- [2] The application is the latest in a series of applications to amend Order 32. Previous applications have resulted in variations to the venue of the Expo in 2014 and 2015.

- [3] The sole purpose of the current application is to change the name of the event covered by that Order from Townsville Home Show and Caravan, Camping Expo to Townsville Caravan 4x4 and Outdoor Adventure Expo. The only other, consequential change would be to the date on which the amended Order would commence.
- [4] The application is supported by an affidavit of Bob Carroll, a director of Australian Events Pty Ltd (Exhibit 3). Mr Carroll deposes that he has received consistent feedback from members of the public that they would like the event to be more focused on four-wheel and off-road driving, four-wheel driving accessories, caravanning, fishing and adventure travel. He seeks the amendment to the name of the event as a result of that feedback and what he describes as the evolution of the activities and exhibitors at the event over the last three years.
- [5] The application is not opposed.
- [6] The Australian Workers' Union of Employees, Queensland sought and was granted leave to appear in relation to the application. However, the Union did not appear at the hearing of the application. Rather, it advised the Commission by email that it had received correspondence from the legal representative of the Applicant which confirmed that the Applicant undertakes:
- (a) that all work done by workers will be voluntary;
 - (b) that it will insist on adherence to modern award terms and payments of modern award rates to workers; and
 - (c) that it will act responsibly as an event convener (see Exhibit 4).
- On that basis, the Union has no objection to the application being granted.
- [7] At the hearing of the application, the Applicant repeated those undertakings.
- [8] By letter dated 17 June 2016 to the Applicant's legal representative, the legal representative of the Townsville City Council advised that the Council did not oppose the application (Exhibit 2).
- [9] Having read the application and the affidavit of Mr Carroll, and in the absence of any objection to the application being granted, I am satisfied that Order 32 of Schedule 2 should be amended as follows:
- (a) by deleting the words "Townsville Home Show and Caravan, Camping Expo" and inserting in their place the words "Townsville Caravan 4x4 and Outdoor Adventure Expo;" and

- (b) by deleting "2015" from the commencement date and inserting in its place "2016".

[10] I direct that the Order be so amended, and that a formal instrument issue replacing the current Order 32 of Schedule 2 with the amended Order in the following terms:

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**TRADING HOURS - TOWNSVILLE CARAVAN, 4X4 AND OUTDOOR
ADVENTURE EXPO**

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 Townsville Caravan, 4x4 and Outdoor Adventure Expo to be held at Reid Park, Townsville QLD 4811 for three consecutive days from Friday to Sunday in the month of August or September, every year, commencing in 2016.
- (2) The trading hours of the abovementioned Expo shall be as follows:

	Opening Time	Closing Time
Friday	9.00 a.m.	5.00 p.m.
Saturday	9.00 a.m.	5.00 p.m.
Sunday	9.00 a.m.	4.00 p.m.

[11] The operative date of the amendment is 1 July 2016.