



# ***EDUCATION, EMPLOYMENT AND TRAINING COMMITTEE***

**Members present:**

Ms KE Richards MP—Chair  
Mr MA Boothman MP  
Mr N Dametto MP  
Mr JP Lister MP  
Mr BL O'Rourke MP  
Mr JA Sullivan MP

**Staff present:**

Mr R Hansen—Committee Secretary

## **PUBLIC HEARING—INQUIRY INTO THE OPERATION OF THE TRADING (ALLOWABLE HOURS) ACT 1990**

### **TRANSCRIPT OF PROCEEDINGS**

**FRIDAY, 19 NOVEMBER 2021**

**Cairns**

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### **The committee met at 7.01 pm.**

**CHAIR:** Good evening, everyone. I declare open this public hearing for the committee's inquiry into the operation of the Trading (Allowable Hours) Act 1990. My name is Kim Richards. I am the member for Redlands and chair of the Education, Employment and Training Committee. I would like to acknowledge that we are meeting on the custodial land of the oldest living civilisation in the world and I pay my respects to elders both past, present and emerging. We are very fortunate in this country to live with two of the world's oldest living cultures in Aboriginal and Torres Strait Islander people.

With me here today from the committee are James Lister, my trusty deputy chair and the member for Southern Downs; Mr Mark Boothman, the member for Theodore; Mr Nick Dametto, the member for Hinchinbrook; Mr Jimmy Sullivan, the member for Stafford; and Mr Barry O'Rourke, the member for Rockhampton. I hope to see Mr Healy when he arrives shortly.

On 14 September 2021 the Legislative Assembly agreed to a motion that the Education, Employment and Training Committee inquire into and report on the operation of the Trading (Allowable Hours) Act 1990. The committee is required to report its findings to the House by 31 January 2022. The terms of reference for the inquiry are on the back of our hearing program. The submissions to our inquiry, as well as written briefs the committee has received from the Department of Education, which administers the Trading (Allowable Hours) Act, are available from the inquiry website, including the department's response to issues raised in the submissions received by the committee.

We are very pleased to be here in Cairns today. The weather is absolutely spectacular and we have enjoyed the benefit of that this evening. We want this hearing to be as informal and relaxed as possible, but it is still a formal proceedings of the Queensland parliament and subject to the Legislative Assembly's standing rules and orders. I am also obliged to remind everyone that intentionally misleading the committee is a serious offence. I thank everybody for being here today and I especially want to thank those who are speaking. If anybody else decides that they would like to contribute at the end of the session, we will open it up for that. For now, I welcome to the table from Advance Cairns Adjunct Professor Trent Twomey.

### **TWOMEY, Adjunct Professor Trent, Director, Advance Cairns**

**Prof. Twomey:** Madam Chair, deputy chair, members of the committee—Rob, it is good to see you again as well. It is nice to be giving evidence not in health actually. That is a pleasant surprise to me. I have a couple of hats. Yes, I am a JCU professor but I am also the immediate past chair of Advance Cairns. We are the economic development body for all of Tropical North Queensland. We take everything from the Cardwell Range north up to the Torres Strait border and then of course out to the gulf as well to the Northern Territory border.

This is the second time I have given evidence specifically for this review. I was chairman of Advance Cairns when this first came up for review. I am sorry we did not submit it as part of our submission, but I did want to seek leave from the chair and secretariat, if possible, to submit what was the amended acts that were put together by the secretariat last time around, if that is okay. It was in 2017 the then member for Cairns, Rob Pyne, asked the parliamentary office to draft them. They are the specific amendments to the Trading (Allowable Hours) Act that Advance Cairns is seeking. I will take our submission as read, but I thought I would give evidence to it directly.

In my other role, I am the national president of the Pharmacy Guild of Australia, but I am specifically the representative for Far North Queensland. This is my local district, or my local ward. The community pharmacies of Tropical North Queensland are the pharmacies that have elected me to represent them in this specific district.

The Cairns Central Business District is the area that Advance Cairns is seeking an amendment to the act to remove all restrictions for all types of limited trade. Community pharmacies are exempt from restrictions. We can trade 24 hours a day, seven days a week, which I am sure many of you are aware. But if the only thing open in the CBD is the pharmacy then it is not viable for the community pharmacy to open. It is nonsensical to us at Advance Cairns that we have the blessings and the gift

of an international airport with no curfew—albeit it has been dormant or a little quiet in the last 24 months, but we are going to come back and we are going to come back with gusto—but it does not meet the expectations of our international travellers, and I will let the tourism body speak specifically to that.

I can tell you as a domestic traveller—and my wife is from Launceston—Launceston has a 24-hour Kmart and a 24-hour Coles. It provides life to the CBD and it provides employment for our youth. I am sure the chamber of commerce will talk about the youth crime issues and the positive benefit that this will have to youth employment. From an economic development point of view, it is about striking the right balance. We would not support amendments to the Trading (Allowable Hours) Act for large businesses in the suburbs of Cairns. We are only referring, as the amendments that I tabled from 2017 refer to, to the Cairns CBD that is east of the Cairns Central shopping centre. If it includes the Cairns Central shopping centre, which we would be supportive of, it would include the Kmart, the Coles, the Woolworths, the Myer and the Target in that shopping centre but, most importantly, it would include the Woolworths that is in the CBD of Cairns City.

If that Woolworths were able to trade—and back in 2017 we did have conversations with the state manager of Woolworths and, if that were something they were able to do, they said at the time that they would avail themselves of that opportunity—this would not only provide increased foot traffic, increased life, increased vibrancy to the central business district but also provide the scale that is needed for those other small to medium size enterprises, like the community pharmacy, to make it worthwhile for them to consider opening. At the moment there is no 24-hour community pharmacy in Tropical North Queensland. In fact, there is no pharmacy open to my knowledge after 8 pm on weekdays or on the weekends. This is not something that meets the expectations of Far North Queenslanders.

We have, dare I say it, ramping at our emergency department. We have potentially preventable hospital presentations that could be seen by a community pharmacy with no cost to the state government. The private sector would meet this obligation. It would meet the obligation with the existing funding and program streams that are available to it from the Commonwealth government if it were viable for it to stay open. It is only going to be viable for it to stay open if it is not the only thing that is trading in the CBD other than pubs and clubs. I am happy to leave it there. If there are any questions, I am also happy to take them.

**CHAIR:** I might go first to my deputy chair, the member for Southern Downs.

**Mr LISTER:** Thank you, Mr Twomey. It is good to see you again. I could not fail to notice the fact that, wearing your Pharmacy Guild hat, you got the plug in there for the community health workers.

**Prof. Twomey:** Full scope of practice. I would not be doing my job if I did not.

**Mr LISTER:** I will tell my local pharmacist, Lucy Walker, that you are on the war path.

**Prof. Twomey:** I love Lucy. She is a top girl.

**Mr LISTER:** All banter aside, thank you very much for your contribution. You are the first person to appear before us in this inquiry to speak for a region geographically. I was interested to hear your demarcation between the CBD of Cairns and the suburban shopping centres. Could you explain what the purpose of that distinction is in the eyes of Advance Cairns?

**Prof. Twomey:** It is about balance. Advance Cairns is the peak economic development advocacy body for the footprint, but what we do not want to change is all the things that make it great for people to live, work, play and raise a family in Tropical North Queensland. I have to be frank: it would be a lot easier for my wife and I to do the roles that we do if we lived in Brisbane, but we choose to live in Cairns. We choose to raise our family in Cairns because of the great work-life balance that we get. I would not want that balance being negatively affected in any way. I do believe that if there were unrestricted trade in the suburbs of Cairns then it would affect that work-life balance that makes Far North Queensland so appealing.

I think this is about making sure that we remove all the necessary red tape and barriers to make our central business district a thriving centre of commerce that not only meets the expectations of those visitors who we rely so heavily on but also provides choice for the people who live in Far North Queensland. If they want to access these things 24 hours a day, seven days a week then they can go into the CBD to do so, but it is not going to impact their life out in the suburbs.

**CHAIR:** Following on from that, that would not detract from the trade in the suburban shopping districts?

**Prof. Twomey:** To be honest with you, despite the challenges that we have had with COVID-19, and even before, Tropical North Queensland has maintained above-trend population growth, and we have not opened any new major shopping centres or centres of commerce for over a decade. What has happened is that those investment properties which make up a lot of the towers in the central business district have been transformed into primary places of residence. People want to be able to have that inner-city living experience living in the regions. If Queensland is serious about having a decentralised population then we need to make sure that there is that balance of lifestyle choice in cities such as Cairns. If you want the quiet, laid-back lifestyle then you can move out to the suburbs, but if you want a bit more energy and a bit more of that cosmopolitan life then you can move into the CBD.

**CHAIR:** Before I throw to the member for Stafford, I should formally acknowledge the member for Cairns, Michael Healy. Thank you for joining us. You are welcome to take a seat up the front.

**Mr HEALY:** It is a great view from here. It is great to see you working hard in the north on a Friday.

**CHAIR:** We are always working hard, Mr Healy.

**Mr HEALY:** Hopefully you will all enjoy our restaurants after.

**Prof. Twomey:** And our pubs.

**CHAIR:** Indeed.

**Mr SULLIVAN:** And hopefully not our pharmacies.

**Prof. Twomey:** They are closed!

**Mr SULLIVAN:** I would also like to thank the member for Cairns for hosting us. With the indulgence of the chair, it is great to be back in Cairns. I first came here in my early twenties as a judge's associate working out of the District Court two or three blocks away from here. It is great to be back in a different capacity.

Thank you for your evidence. It is good to see you wearing a different hat today. Can I talk to the core of what you are saying, which is effectively a request for 24/7 CBD trading. Cairns CBD is currently, under the legislation, included in the definition of defined tourist area. It does have longer hours than required. From your business background, your pharmacies can operate, as you said, outside of that again. Doesn't it just go to the economics of it that 24/7 trading is not viable, even from a business point of view?

**Prof. Twomey:** It is not currently viable if we are the only retail business, the only health business, in the CBD that is going to be open other than a pub, a club or a corner convenience store. It is about getting critical mass—critical mass of foot traffic—to be able to justify the investment that we would be prepared to make to open that pharmacy for extended hours. We do not even have a pharmacy that is open from 7 am to 11 pm in Cairns. I think that would be a great first step. I think it is a reasonable expectation of consumers that they would be able to access a pharmacy 24 hours a day, seven days a week, and that is not something that they can do in Cairns at the moment.

**Mr SULLIVAN:** As the member for Southern Downs mentioned, this is our first regional hearing. We have heard from peak groups in Brisbane that represent people from the regions. From your experience as a stakeholder but also as an individual business person in your own right, how do you see the issue of it being voluntary for employees to work when it comes to what is being described as unsociable hours?

**Prof. Twomey:** The Pharmacy Guild of Australia is a registered employer organisation under the Fair Work Act. Of course, I have surveyed my employees nationwide quite heavily in this respect. To be honest with you, what we have seen in recent years is a generational shift where, to be frank, I have a lot of young kids who would prefer the nights than during the day. It coincides with their gaming lifestyles and a whole lot of things that they do which I personally find a bit foreign but, hey, they love it. We have penalty rates in those unsociable hours, which is, as you know, an industrial relations term. We do not feel that we would have any problems filling it. There is the demand there. There are people who actually want to do it. It is not for everyone, sure. The majority of our staff are young. There is the other security aspect of it as well—not just the financial remuneration. I want my staff to feel safe. They will only feel safe if, as I say, there is critical mass.

**Mr SULLIVAN:** I am asking in broader terms from my days as a teenager and early teens in retail but also from your particular point of view which is more specific in terms of your requirements for management. I assume you must have a registered pharmacist working when you are open.

**Prof. Twomey:** A pharmacy is not allowed to open without one.

**Mr SULLIVAN:** For a Coles or Woolworths, or retail, you need someone at assistant manager level. How does that work in terms of viability? It is not just about having—I think you described—a young kid willing to work throughout the night. You have to have a certain level of training and responsibility.

**Prof. Twomey:** Absolutely. It is not just about having our paraprofessional staff. You have to have the Pharmacy Board of Australia registered professional community pharmacist. A lot of other states—Victoria and New South Wales—have provided grants and subsidies for pharmacies to open 24 hours a day because they knew it was in their best interests of our healthcare system to have a private-public partnership. I am not asking for that.

What I have been saying is that after conversations with a lot of those pharmacies—for example, in western Sydney, the Wetherill Park Chemistworks, run by the Bronger family, was a three-year commitment transitioning from an extended hour to a 24-hour pharmacy. It lost money for the first three years. It is a major commitment on behalf of an owner to do that. If I opened a new—we call them 'greenfield'—pharmacy in a new shopping centre that was only nine to five Monday to Friday, it would also lose money for the first three years. It is about that surety. If I knew there was a big anchor tenant that was going to be open 24 hours a day in the CBD, I would take the punt. I would make a commercial decision, I would back myself and I would be in for the long haul. At the moment that would not be financially viable.

**Mr BOOTHMAN:** I am from the other tourism capital in Queensland on the Gold Coast. There is a bit of a rivalry we have here.

**Prof. Twomey:** You guys have a cute offer; it is good!

**Mr BOOTHMAN:** We have everything down there. We have theme parks. We just do not have the beautiful rainforest—well, we do; we have Tamborine Mountain.

**Mr SULLIVAN:** Looks like you are getting into trouble!

**Mr BOOTHMAN:** I am getting away from the topic here! I refer to the demarcation zone of the area you were talking about in terms of 24 hours. For anybody on the other side of that, obviously rents will be lower because they will not be in the 24-hour areas. What effect do you think that will have for businesses outside of those areas which potentially may end up losing regular customers? If a business is open for 24 hours and a person can go there, they will probably get comfortable going to that new business instead of the business in their local area. How would that have an effect? Do you think there is enough population in Cairns to allow those areas outside that area to continue on functioning quite well with their current customer base?

**Prof. Twomey:** Thank you for the question. I think it is a good one. There are a couple of things. I will answer it in terms of geography and also from a demographic point of view. If you look at the particular geographical area that is enshrined, as the member for Stafford said, as that tourism zone which is bordered by Cairns Central—and it is just the CBD district—the immediate suburbs on the outskirts of that are industrial in nature. They do not actually have any of the businesses that are currently reflected. You have to go out to the suburbs. In fact, you have to go three suburbs away to Westcourt, which would be the closest one. Incidentally, I have a pharmacy there too. I can tell you that I am very happy with that. I do not believe that it would adversely affect any of those at all.

The other thing that I should highlight that makes Cairns different to other regional areas, and you touched on it, is the fact that when tourism resumes to normal—and it will; we will need a little bit of a hand in that, but I am sure the next speaker will talk about that as well—we have 35,000 tourists on any given night at peak. You do not get that in Cairns, Townsville and Mackay I am sorry to say, member for Hinchinbrook. That is what makes us unique. It is not just the normal resident population of Cairns that makes this viable. It is those extra tourists on top of it as well. As a local and a resident, I get the benefit of that, which is why we are so supportive of our tourism industry.

**Mr DAMETTO:** It is great to be in the great city of Cairns once again. Do not dare tell my father I am here. I do not need the headache in the morning! I have a two-part question. Other than the Kmart, Coles, Targets and Woolworths, can you paint a picture of the other retail businesses that perhaps have come forward and been supportive of this demarcation in the Cairns Central area?

**Prof. Twomey:** Sure. That question is probably better targeted to the CEO of the chamber of commerce. One of my business partners Nick Luca is the immediate past president of the chamber, but his daughter graduated today, so he is at her valedictory dinner. I would have dragged him along to talk to you directly. He is a bit of an unofficial spokesperson of those CBD small to medium sized enterprises. He has been at the forefront of that. If it is okay, I might leave that to the next speaker because it is her heartland.

**Mr DAMETTO:** What kind of customers do you think would want to visit these businesses—the Kmart, Coles and Woolworths—at one, two or three o'clock in the morning who are not intoxicated revellers who are already out on the streets at that time of night? Can you give us a description of those customers?

**Prof. Twomey:** I will go right to home. I am a dad of young kids. My wife is a mum of young kids as well. I cannot tell you how many times after we have put them to bed—when we are doing the washing, preparing the lunches and doing everything for the next day—that we have forgotten to do something. Every couple of years we get to spend a couple of months in Launceston with our in-laws. My favourite thing about Launceston is not the gorge; it is the 24-hour Kmart. That has been a lifesaver to us multiple times. If anyone has been to Launceston, it is not as pretty as the Gold Coast. That is all I will say. We have really enjoyed it.

I will talk specifically about community pharmacy. If we were able to justify, as we were saying to the member for Stafford, the economics of opening with all of those other major anchor tenancies, it is going to provide an alternative to the emergency department not just for the entire Cairns local government area. I cannot tell you how many times we have had people drive from Innisfail north to Cairns, from Atherton down to Cairns and from the Douglas Shire south to Cairns to access pharmacies because, quite frankly, you cannot get a pharmacy after two o'clock on a Saturday in most of those locations as well.

This is about partnering with the private sector so we can make the investment. We will be able to provide, as I said, services that will relieve those potentially preventable hospital presentations. I will give you just one example—an unashamed shout-out: antibiotics for uncomplicated urinary tract infections. We have given 6,000 of those to Queensland women. It still remains, as we saw in mainstream media this week, the No. 1 potentially preventable hospital presentation statewide. It is usually 24,000 to 25,000 occasions of service per year. It is down to 20,000, which is great, but we have a long way to go. That is the type of people. It is not necessarily the unsavouries; it is dads, mums, women and men looking for services that they cannot get elsewhere.

**Mr DAMETTO:** I would see the benefits of trolling the Kmart aisles without children while they are asleep at night. That would be great, I think, for most mothers and fathers.

**Prof. Twomey:** I think it is just to get out. Isn't that sad?

**CHAIR:** I place on the record, too, my thanks to all community pharmacies for the work that they have done in recent months in the vaccination process. It is part of what will bring people back here, hopefully, in the near future. Thank you to yourself and all of our pharmacies.

**Prof. Twomey:** It is our pleasure, and thank you for the acknowledgement. I should thank the member for Cairns as well. With his support, we have been running a proof of concept in North Queensland to vaccinate our high schools. I send him an update every Friday. He got one this morning. We have done over 2,500 vaccinations at Queensland high schools for people who did not have to go to mass vaccination hubs, so thank you, Michael.

**CHAIR:** That is fantastic. Congratulations. That is really good news.

**Mr O'ROURKE:** As far as the Cairns CBD is concerned, can you tell me a little bit about that? What is the Cairns CBD? Is it government departments as well as anchor tenants in shopping centres?

**Prof. Twomey:** We are very blessed not just from the mix of tenancies within our CBD but also from a public planning point of view. It is a beautiful grid. If you look on Google Earth, I think it is the envy of most regional towns. We have this lovely grid structure, which I know our town planners just salivate over. You have this great bookend of the harbour with the docks, the hospital and the international airport. Then, of course, you have Cairns Central and the A1 Highway that creates this nice little pocket. The pocket is not only a mix of health care, a mix of retail, a mix of professional service firms—lawyers and accountants—but it is also a great, emerging residential hub. As I said before, we have a lot of what we would term from a regional sense high-rises that have popped up in recent years in the CBD. They are not just hotels or short-stay accommodation for our tourism industry. We have a lot of people who love that they can have that inner-city feel, that inner-city living experience, whilst being in one of Australia's major regional centres. It is quite a great mix that I am very proud of and it is one of the reasons I choose to live here.

**Mr O'ROURKE:** With COVID, no international travel et cetera, are we seeing a lot of vacancies within shops?

**Prof. Twomey:** Absolutely. I am sure that subsequent speakers such as the CEO of TTNQ will be able to quote just how in dire straits we are with the collapse of interstate and intrastate tourism, overseas tourists and the shutting of our international airports. He can quote those statistics. I am  
Cairns

sure the CEO of the chamber of commerce will be able to tell you how many for rent, for lease or for sale signs that we have had in the central business district as well. To be honest, this is a real common-sense way that costs the state government nothing and that can remove regulation and red tape which would attract private businesses, like my members, to take a punt, back themselves, back the town and invest further in the CBD.

**Mr O'ROURKE:** Were there vacancies before COVID?

**Prof. Twomey:** To be honest with you, our town has not fully recovered since 2009, since the GFC. We were just starting to get back and hitting our straps. This just knocked us for six again. We had a lot of small businesses who were just starting to recapitalise their balance sheets, just starting to get back on their feet and on the verge of reinvesting again, and we just got knocked for six all over again. That is one of the amazing things about Cairns and Far North Queensland: we have more small to medium sized businesses per capita than any other regional centre in the state. We are entrepreneurial. We rarely ask for a handout. What we just want to do, with the greatest respect, is partner with government. Where you can get out of road, please do so.

**Mr O'ROURKE:** I must admit that Rocky has been struggling.

**Prof. Twomey:** Oh, it has!

**Mr BOOTHMAN:** You pretty much answered my question in the respect that you cannot give an answer to it—that is, I was curious about getting a breakup of the domestic and international travellers coming here. On the Gold Coast, we have a lot of critical mass from Brisbane which certainly helps us out a lot. Unfortunately, up here you guys would not have that. You would have to rely on traffic coming in.

**Mr Olsen:** I will answer that!

**Prof. Twomey:** He loves stats! I do too, but I cannot cut his grass!

**Mr DAMETTO:** Professor Twomey, when the first Woolworths opened up in the CBD, there was some negative feedback from some of the smaller businesses around them opening later at night and taking away trade from some of the smaller retail outlets. In particular, the comment was around cafes and restaurants where people who would essentially be staying at Gilligan's or places around the city, instead of eating at a restaurant, would just go to Woolworths and get a cooked chook and a loaf of bread or something. Having Woolworths run 24/7 in the CBD, what kind of negative impact do you think it would have on those smaller businesses, if any?

**Prof. Twomey:** I know you are hearing from Metcash later on and their representative. My wife and I shop at our local IGA. That is where we shop. That is why I am very protective of this not being in the suburbs. That is where I shop. To be honest, I know Coles and Woolworths have their adversaries, but, I put to you, there is no bigger adversary than the Pharmacy Guild of Australia. We can have an entire Senate inquiry on that. In fact, I believe we did, Mr Hansen. Lucky for the common sense of the entire parliament! I am a very big supporter of independent businesses, family businesses of all sorts, which is why the Advance Cairns submission is limited only to the central business district or, as it is defined currently in the act, the tourism zone.

**CHAIR:** In terms of 24/7?

**Prof. Twomey:** In terms of 24/7. We support the balance in the suburbs. The IGAs that we shop at—one at Edmonton and one in Pease Street—we are very supportive of and we will continue to patron those. This is about the central business district of Cairns, not those suburbs that are 10, 15 and 20 kilometres away.

**Mr DAMETTO:** The point I was trying to make was the pizza shop that is opened at one o'clock in the morning who would get the revellers from, say, Gilligan's or somewhere else would be able to pick up that trade, or the kebab shop. Having some entity like Woolworths open 24/7 may give them the opportunity to get that cooked chook or a loaf of bread or something. That is the kind of business I was talking about.

**Prof. Twomey:** Sure, member for Hinchinbrook. I can understand that fear and that hesitancy, but I would put to you that it is probably unsubstantiated or unjustified. I think opening the major hubs in the CBD would grow the entire pie for everybody. I hear that—I hear that often—and the people who raise that are usually quite close colleagues of ours, but, with respect, I think they are unsubstantiated.

**Mr SULLIVAN:** Gathering from the mood of the committee, my question is probably segueing into the next speaker. So before you go, with the indulgence of the chair, I add my name to the thanks that the chair gave you and your members, including the community pharmacists at Stafford and on Rode Road as well. They are both proud members of yours.

**Prof. Twomey:** They are. The Good Price Pharmacy, yes.

**Mr SULLIVAN:** Yes, Roy. Both of them are really agile, really committed to getting people to roll up their sleeves and get the job done. They are on message and we are proud to stand with them. I could not go back to Stafford Road and not tell them that I mentioned them.

**Prof. Twomey:** You are a good man. It is noted, and I will let them know also.

**Mr SULLIVAN:** Thank you very much.

**CHAIR:** I will close with one final question. Part of our terms of reference is examining the impact of the moratorium on the Mossman and Port Douglas tourist area. Do you have any reflections on that?

**Prof. Twomey:** Our submission is limited specifically to the central business district. To be honest, they have thriving local chambers of commerce who, I believe, we reached out to. They did make a submission. To be honest, they are sister organisations of ours, and I would simply refer to them and back in their comments.

**Mr SULLIVAN:** I have a technical question. Going to the member for Rockhampton's question about the CBD, our understanding as a committee is that the definition of that is a now defunct QIRC definition under the regulations of 2017. In saying that, the advice from the department is that it has been pretty settled and pretty well understood as to what those definitions are even though we have had a moratorium for that time. Has it been a practical example for you that a shop on the wrong side of the road has been picked up outside of the defined area or anything of that nature? Are you comfortable enough with how it is working practically?

**Prof. Twomey:** From memory, forgive me, the northern boundary of it, I believe, was Florence Street. I could probably justify increasing it one block north of that. It takes in one major park. To be honest, there is also a shopping complex that is called the Old Civic complex. When I had a look at it, most of the stores that were in there were on the exempt list anyway, so I did not feel it was of any benefit. On the southern part, the natural boundary of it is just north of the Cairns Convention Centre. When it was drawn in the early nineties, the convention centre did not exist. I thought it would be good extending it one block south to include the convention centre, but then again it is exempt anyway. When I had a look at the extremities of it, it did not seem to make any practical difference.

**CHAIR:** Thank you very much, Professor Twomey, for your enormous contribution to this conversation. It has been extraordinarily helpful to hear from you as our first regional submitter.

**Prof. Twomey:** Well, it is only upwards from here, Madam Chair, Deputy Chair and members of the committee. Thank you very much for your time.

**O'NEILL, Mrs Patricia, President, Cairns Chamber of Commerce**

**CHAIR:** I now welcome to the table Patricia O'Neill, President of the Cairns Chamber of Commerce. Thank you for joining us here this evening. Would you like to make an opening statement?

**Mrs O'Neill:** Thank you, Madam Chair and Deputy Chair, for having us here. Welcome to paradise!

**CHAIR:** Indeed!

**Mrs O'Neill:** I represent the Cairns Chamber of Commerce with her sister chambers from as far north as Port Douglas and as far south of Innisfail. I am CEO and have had active conversations with my sister chambers on this particular topic. It is an interesting time to be talking about a topic like this because, as we look at trading just now, you are trying to ask questions through the prism of the future. Right now it is a bit of a challenge to think beyond that.

**CHAIR:** There have definitely been challenging times.

**Mrs O'Neill:** The overwhelming response that we received was around some of the challenges that we have, particularly as Trent mentioned earlier, in the CBD area in terms of not just youth crime but crime in its entirety. If there is some way that we can look at driving some form of activity, it is through a deregulation of the trading hours. It certainly would prevent some of the unsociable activity that is going on currently, particularly in the CBD. That was one overwhelming response that was coming from the Cairns area.

The Cairns Chamber of Commerce represents just under 600 members. It is the largest regional chamber in Queensland, so we have quite a significant voice when it comes to small business. In saying that, some of the members are from other areas outside of the CBD.

As much as I echo the sentiments of Trent earlier on around the CBD hours, we also have had discussions around areas like Palm Cove and Clifton Beach, which are high tourism areas. When the world opens up to us and we have international flights arriving at all hours of the night from all parts of the world, for these people two o'clock in the morning could be like 10 o'clock in the morning where they have come from. They perhaps will not want to go to bed and they will want to come into the town and have a walk around. The last thing we want is for it to be unsafe and dead because there is nothing for them to do and nothing for them to see.

The Palm Cove and Clifton Beach area now only has Coles, which closes at six o'clock on a Sunday. The reef boats do not bring tourists back and let them off to go back to Palm Cove until after that hour. Again, if they need shopping, they cannot get anything. From a suburban perspective, that was something that has bubbled to the surface from the members out in the beaches area.

The other point that was brought to the table was around the fact that, if change does happen, no-one ever wants to be forced to do anything. In terms of penalty rates, if a small or medium business does not want to open, they do not want to be forced to be open if they are a part of, for example, a small shopping precinct within the CBD. That was the other area I wanted to bring up.

Currently, the feel of traders is that the current policy is very complicated and multilayered, and we would just like to see some simplicity put through it. Those were the main areas that I wanted to bring to you tonight. The overwhelming response is to look for deregulation. Trent has beautifully covered off on a lot of what I was obviously going to bring to you.

**Mr BOOTHMAN:** You spoke about the tour boats coming back from the reef and that they get in after six o'clock. What suggestions have those businesses made to rectify that situation? Did they give examples of what time they would like to open up to or how would they like to see that happen?

**Mrs O'Neill:** Are you talking about the reef boats?

**Mr BOOTHMAN:** You talked about the boats coming in. The businesses who are on the shore potentially could service those individuals—for instance, little shops et cetera.

**Mrs O'Neill:** Yes.

**Mr BOOTHMAN:** What times were they looking at? They would have communicated that.

**Mrs O'Neill:** I was referring to tourists particularly staying in the hotels within the CBD because they can currently go to Woolworths beyond normal trading hours, but it is the tourists outside of the CBD. For example, if their hotels are at Palm Cove or Port Douglas, by the time they get off the boat and onto a bus and get back to where they live, there are no supermarkets or small retail shops open.

**Mr BOOTHMAN:** There are no IGAs up in those areas?

**Mrs O'Neill:** There would be. For example, if we look at the Palm Cove scenario, there is an IGA in Campus, but they would need to get in a car from Palm Cove to get to Campus.

**Mr SULLIVAN:** Following on from that, are you suggesting that even outside the further hours under the defined tourist area, even after 10 pm for most of those?

**Mrs O'Neill:** In selective areas. The reason I mention that is purely and simply because that once we open up to international flights and we are getting more people coming in—they are coming in at all hours of night, so that is where there needs to be some form of flexibility. I am not going against what Trent has mentioned in relation to corralling it to the CBD, but there may be selective areas—for example, Port Douglas—where you need to look at an extension.

**Mr SULLIVAN:** Can I take you to something you said earlier? We do not have the live Hansard here, but I think you said something along the lines of you do not want businesses to be forced to feel like they have to open; you want it to be voluntary for them as well. I assume you extend that to their employees as well.

**Mrs O'Neill:** Yes.

**Mr SULLIVAN:** We have had some evidence put to us by stakeholders in Brisbane from retail and motor vehicle industries saying that the notion that individual businesses can choose is a bit of a furphy because, as soon as the person next door to them opens up, there is a natural inclination that they just have to. Can you speak to that when we are talking about Cairns CBD in particular, or you can talk for your colleagues in Port Douglas and others? Do you think the notion that it is voluntary can be a bit difficult, considering that, if you are a small to medium enterprise and your competitor opens up next door or across the street, you are going to open your doors?

**Mrs O'Neill:** What they are saying is that they want to have the choice. For example, if they are a small business and they are within an arcade or a shopping complex where the centre manager insists that all shops must be open and these are your hours, they do not want to be forced down that avenue.

**Mr BOOTHMAN:** Potentially they may lose return customers. If the customer goes to another business and finds that they are happy going to that other business, the business will potentially lose a permanent customer because they will keep on going to the other business.

**Mrs O'Neill:** The other side of the coin is that, if there is not enough trade coming through and they are burdened by penalty rates, the gains might outweigh the losses.

**CHAIR:** In the submission that we received at the Brisbane hearing, the Shopping Centre Council of Australia was seeking deregulation, like you suggested, but there was no certainty around giving the same flexibility back to those smaller retail tenants within the larger shopping centres with anchors. What they define under a deregulated situation could have retailers in those shopping centres being forced to open under the terms of their lease.

**Mrs O'Neill:** Yes.

**CHAIR:** It is a fine balance.

**Mr DAMETTO:** Mrs O'Neill, thank you very much for coming along and giving evidence this morning. I feel like I should open with a compliment. I want to compliment your city; it is beautiful.

**Mrs O'Neill:** Thank you.

**Mr DAMETTO:** My first question is around being forced to open and the problems associated with that. Take the example of a large shopping centre that falls within the CBD footprint. If you have anchor tenants that are opening, do you think there would be pressure from centre management for some of the smaller retailers to open as well?

**Mrs O'Neill:** That is the point that we brought up earlier. Yes, there is a feeling that the strong arm of centre management may be intimidating enough to the small business to force them open. They do not want to go down that avenue. They may be a small family business that they run themselves and they do not want to open later at night. As much as they might support deregulation, they want to have the choice.

**Mr DAMETTO:** Off the back of that choice, have you seen any other scenarios play out where 24/7 trade is allowed but the actual lease goes up per annum for lessees?

**Mrs O'Neill:** I am sorry, I could not answer that question. Certainly the costs would go up.

**Mr DAMETTO:** Yes, that is for sure.

**Mrs O'Neill:** That is without a doubt in terms of air conditioning, staffing and all the rest of it. In terms of the rent, I could not answer that.

**Mr DAMETTO:** I know Cairns is probably having some troubles with critical mass at the moment without the tourists coming through that you had post COVID. Before COVID, do you think that you had the critical mass for the Cairns CBD to open 24/7?

**Mrs O'Neill:** Certainly at specific points of the year. Again, that is something that my colleague Mark from TTNQ could probably map out for you. Certainly there was a buzz about the town, if I can use that expression. It felt like a holiday town. It felt like you were on holiday. I do not live in the CBD—I live on the beaches—but I loved to come into the CBD and feel that vibe and be around holiday-makers. It certainly was very conducive to having the shops open around the clock, without a doubt.

**Mr DAMETTO:** Apart from Coles, Woolworths and Kmart, of the 600 businesses that you represent through the chamber, which ones have lobbied or spoken to you individually to push for demarcation in the CBD?

**Mrs O'Neill:** Gift shops, takeaways, mainly food outlets, pharmacies.

**CHAIR:** He is getting quite a plug in there!

**Mr DAMETTO:** You are reinforcing the message, Professor! Thank you very much for your answers, Mrs O'Neill.

**Mr BOOTHMAN:** The chamber works with the Cairns council. On the Gold Coast there are certain streets that are a hive of activity because the Gold Coast City Council spends a lot of time and money on redeveloping those areas. Has the chamber spoken to the council about areas that are a hive of activity, about revitalising them into places where people can go? My concern is that shops that are outside those hives of activity—especially on the Gold Coast—close early because they do not have the foot traffic. Working with the council, how would the chamber actually move people out as a mass to multiple streets so that you can easily distribute the number of customers going to those areas and make it more effective? As I say, on the Gold Coast we have serious issues as certain areas are ghost towns, yet other streets are vibrant.

**Mrs O'Neill:** It is a very good question. In fact, I think every CBD across the globe has the same issues at the moment. The CBDs are becoming less and less popular in terms of being business districts. Cairns is similar but the difference is that we are a tourism town and our CBD is built up with lots of hotels and apartments that tourists stay in when they come here. We work very closely with the Cairns Regional Council. In fact, we just signed an agreement with them as a small business friendly council. That means that when they look at things—for example, revitalising the CBD—they do that a lot in collaboration with the chamber and also with the tenants who are paying rents around the CBD.

There are challenges in terms of when they go in and fix one area. Just recently they modernised the whole esplanade and spent millions of dollars making it look like a five-star holiday resort. It looks terrific. However, like any CBD and many other businesses, once you do that somebody else in another street is not happy and then they have to try to fix that. It just goes on and on.

In terms of the Cairns Regional Council, I can honestly say that they are seriously looking at a revitalisation plan that will bring more residential living. We have an issue around vacant shops. At my office in my previous role I looked across the road to an arcade. Trent, do you know how many shops are in Orchid Plaza in total? There were probably about 12 or 14 in total, but only two were occupied. That is going back to 2009-10 and it has not improved much since then. It is a thoroughfare between two main streets in Cairns. The Cairns Regional Council are trying everything. They are working very closely with an organisation just now to activate those empty shops to ensure that they can pretty up the CBD and make more people want to come in to it.

As I said, going back to my very first point, we do have an issue in terms of crime in the CBD that keeps people out of the CBD. When we have some individuals who walk the streets 24 hours a day because they have nowhere else to go or nothing better to do with their time and there is an individual across the road who is looking a bit vulnerable, the chances are that something unsavoury is going to happen. However, if we have more people, more critical mass, within the CBD area, it is guaranteed that that issue will minimise.

**CHAIR:** Is that more of an issue at night time than during the day?

**Mrs O'Neill:** Sometimes. Sometimes it is happening in the daylight hours as well, but it is predominantly a night-time issue.

**CHAIR:** We are meeting tomorrow with the Douglas Shire Council. Given your relationship with them, do you have any reflections on the trial they are running across Port Douglas and Mossman whereby shops that are classed as non-exempt are taken to be exempt in those regions? As I understand it, that came out of the Mickel report. It is about allowing access to tourists from the cruise ships. Do you have any reflections on how successful that has been to them?

**Mrs O'Neill:** Unfortunately I cannot give you any feedback on that, but I am sure Mayor Michael Kerr will be able to highlight that better tomorrow.

**CHAIR:** Thank you very much, Patricia.

**OLSEN, Mr Mark, Chief Executive Officer, Tourism Tropical North Queensland**

**CHAIR:** Mark, we are waiting ever so excitedly for the statistics and data. It is very good to see you again, although in a very different location.

**Mr Olsen:** Thank you so much, Madam Chair, Deputy Chair and committee members, for the opportunity to sit and have a chat with you.

**CHAIR:** We are looking forward to hearing from you.

**Mr Olsen:** I begin by acknowledging that we meet on the lands of the Gimuy, Walubarra and Yidinji people and we are adjacent to the Yirrganydji lands and the lands of the Yidinji people. To our assistant tourism minister, thank you for all of your assistance over the past two years. I moved up from South-East Queensland two years ago to take up the role of CEO of Tourism Tropical North Queensland. It was perfect timing!

Pre-COVID, the tourism industry here was a \$3.5 billion industry. It attracted over three million visitors a year, one-third of whom were international. That makes us quite unique in that one-third are international, one-third are from interstate and one-third are Queenslanders. You have a lot of people who have very little understanding of distance and time, and their trips are extended over about five to six nights. Over that time they are taking in one of the 2½ thousand different choices of tours and activities that are available every day, so their days are full from 7.30 am to between 5.30 and 6 pm. They return home from their nature based journeys to the rainforest and the reef and their First Nations experiences. They have a quiet cold drink, enjoy the day, post to Instagram, grab themselves a bite to eat and then they look to do the things that they need to do for the next day. It is quite jam-packed.

For those looking at it through a Gold Coast lens, an interesting statistic that I think you will enjoy is that if you take the international visitor nights and you look only at those who are on holidays—the pure holiday market—only Cairns has more international holiday nights than the Gold Coast. In fact, Cairns has more international leisure holiday nights than the Northern Territory, South Australia and Tasmania combined. We are a very unique market. As Patricia said, many of those people are still coming to terms with the time zone. They are used to living in cities. More than half of our interstate and international visitors come from capital cities where extended trading is the complete norm, so it is a little bit of a culture shock for them. The restaurants are fantastic, as are the bars and clubs, but it is particularly the boutique retail experiences that go missing at that stage—and, of course, the pharmacies!

Maybe to contradict Patricia ever so slightly, from the TTNQ's perspective and certainly from the Queensland Tourism Industry Council's perspective, the starting point is the Cairns CBD. There are more than 8½ thousand rooms in the Cairns CBD compared to just 1,800 in Palm Cove and 3,000 in Port Douglas. I understand that pre-COVID the Port Douglas trial of the non-exempt businesses was going well, and you will hear that from Michael and hopefully from my colleague Tara Bennett in Port Douglas. It is less so in Mossman. It is not as much of an issue in Mossman, which has a relatively small main street downtown, but for Port Douglas it was going well.

I have not been able to witness that very short period before we went into a global lockdown, but when we see the cruise ships back again and we see the reef market back again, we will again find ourselves in that situation where the visitors are stumbling out, slightly sunburnt, looking to complete their day and get ready for the next day. A lot of our trips extend more than two hours from the starting location to the place that they want to get to, so it is an early start and it is a late arrival back.

I have a couple of key points. For us, the extended trading hour opportunity for the Cairns CBD simply creates a consistency with what the visitors have come to expect with everywhere else they are going. Most international visitors who are coming to Cairns are going to Sydney and one other capital. They come from capital cities. They come from places where this is the norm and to be able to allow them to deal with that is important.

When you are on holidays, every day is Saturday. You do not care whether it is Monday, Sunday, Tuesday, Wednesday; you are just trying to get the job done. Many of them have a lot of fine details to work out for the very next day. As Trent said, particularly for the young families who are staying in CBD accommodation, sometimes tomorrow's important purchase—whether it is a rashie, some sunscreen, the ginger tablets or whatever it might be—is quite stressful. They really would like to get it done when they want to get it done. The CBD arrangements would be much more suitable for those daytrippers who are coming through on the weekends.

In terms of our recovery, we have been hit incredibly hard. Since COVID began, we have lost more than \$5.4 billion worth of visitor expenditure. We have lost nearly 9,000 jobs. It is hard to advocate that we need to extend trading hours today when we do not have enough staff to even make the beds for tomorrow, but we have to think of a future time when Cairns will be once again one of the leaders in bringing international visitors into Australia. This review is not the first time it has been done. Once it gets completed and you have these recommendations in place, it will set a solid foundation for many years ahead.

Trent made the point that tourism brings to the CBD about 45,000 visitors a night—he was only 10,000 out, but he was really close. During the day, on an average Sunday you could have 55,000 visitors in the region from outside of this location. We know that because we have the mobile phone data. They are on holidays. They are looking for something new. The CBD is where the major conglomeration of visitors, visitor experiences and accommodation is. I believe the CBD is the most sensible place to do that. There are spillover benefits in terms of safety and choice and balance and a thriving CBD. I think Patricia has spoken well to that. From the tourism industry's perspective, this is about flexibility and it is about consistency.

**CHAIR:** Member for Theodore, I am sure you have direct comparisons with the Gold Coast to make.

**Mr BOOTHMAN:** Yes, I like those comparisons. I certainly do agree that we have a great local mass from the Brisbane region and Logan coming down, which certainly supports us. We have spoken about the Cairns area and focusing heavily on Cairns. Would opening up 24 hours in Cairns be potentially detrimental for the Palm Cove region, simply because it would attract more people here than there?

**Mr Olsen:** It is interesting that you mention that. Today was the third day of a three-day unpacking with the Palm Cove tourism industry about their identity, direction and where they want to go. For them, what is most important is the simple luxury offer that they have of a barefoot luxury beach destination. They are not looking for very late nights. They are not looking for a heavy retail experience. In fact, they will be writing to the Cairns Regional Council as part of its master planning for Palm Cove to try to reduce the late-night operating hours of experiences in Palm Cove, because Palm Cove, a little like our friends in Noosa or on Minjerrabah, is all about early mornings. It is about drinking those green things—I do not know why anyone would drink something green; I do not think that is really what we are supposed to do. It is about health, wellbeing, finding balance.

**Mr BOOTHMAN:** Now you are sounding like Byron Bay.

**Mr Olsen:** It has a little bit of the farm about it. The community of tourism businesses in the region enjoy providing a good food offering, but they do not mind that the town goes a little bit quieter early in the evening. It is their competitive advantage. After three days of unpacking the experience together, they clearly identified that for Palm Cove their preference is to keep it early mornings, dinner and quieten it down.

**Mr BOOTHMAN:** In other words, you are looking at a completely different market to what Cairns has?

**Mr Olsen:** And servicing a very different experience, yes.

**Mr DAMETTO:** Mr Olsen, thank you very much for presenting to our lively panel this evening and giving up your Friday night in Cairns. My question is around the feedback you have had from some of the travellers and tourists who have come through. Other than food, what kind of retail are they looking for past the normal trading hours?

**Mr Olsen:** You will notice that Cairns is uniquely placed with some very high-end luxury retail experiences. The global brands of international retail are here. A lot of visitors come from other parts of the world and they like to take home something of real quality. In addition to the food offering, which of course is already covered and provided for—and the point you made earlier about Woolworths is certainly taken into consideration—you have to remember that there is both a high-end and a functional retail component that people are looking for. I mentioned before the families' requirements that they have to get out for the next day's nature adventure. With five or six days in the region, you do not always remember everything that you need to bring with you. In particular, a lot of our guests out of Japan, Korea and mainland China were very big spenders on high-end luxury and retail goods. Their consideration of the time of the day and when they should do that is very different to the average Cairns resident.

**Mr DAMETTO:** Launceston was mentioned earlier today in regard to other places that do 24-hour trading across Australia, but we are talking about international tourists now. Where are they coming from other than Japan, which I understand has trading pretty much 24/7, 365 days a year? What are the other places around the world where our tourists are coming from where they have experienced this before?

**Mr Olsen:** Our largest visitor market by night stay—how long they stay—is mainland Europe and typically they are capital city residents in mainland Europe aged between 18 and 35. You are then talking about mainland China and predominantly southern China. Through the past three to four years prior to COVID, that market shifted from a heavily grouped series market to a very strong free and independent traveller. They are wealthy, independent, worldly, travelled mainland Chinese residents, typically out of the southern Chinese cities such as Shenzhen and Guangzhou. They also are used to buying what they want, when they want and where they want. It is a very different offering.

**Mr DAMETTO:** I did notice that in Shanghai.

**Mr Olsen:** Shanghai to a lesser degree. Usually it is the southern cities more so than Shanghai and certainly less so than Beijing. Others are Korea, Taiwan and then to a lesser degree South-East Asia, including India. The US and the UK are very big markets for the region, particularly the US on long-stay reef experiences and diving experiences. Again, you are talking predominantly to a market that has come out of capital and large provincial cities.

**Mr DAMETTO:** At the cost of perhaps looking like every other city in Australia, do you have any concerns about the big retail operators like Woolworths, Coles and Kmart being able to afford to open 24/7?

**Mr Olsen:** There is a really interesting meshing of products and experiences in the destination. You will see, as you go down the esplanade, the creation by the Cairns Regional Council and the Cairns community of a very niche small-scale front esplanade and then the larger big-box retailers sitting further behind that. As you said, in a similar way, Port Douglas, Palm Cove and Cairns CBDs all have their own different look and feel, certainly with the frontline retail versus the larger bigger boxes sitting in behind. Visitors predominantly wander along the esplanade and that offers a great mix and range of experiences. I do not think you are going to intermix too much. There will definitely be a little bit of that, but I think what we really have to talk about here is the expectation of the visitor on what they can get and when they can get it in a world-class international city, which is what Cairns is positioning itself as—an international city of real repute with an international airline and, hopefully, direct flights bringing visitors back into Australia, sooner rather than later. No pressure, Michael—and soon!

**Mr DAMETTO:** Thank you very much, Mr Olsen.

**Mr SULLIVAN:** Thanks, Mark, for your contribution. I really appreciated your breakdown of night stays in terms of where our customers or visitors are coming from. I have been coming to Cairns for the past two decades or more. I want to talk about the workforce, which has a certain breakdown too in that there is a stereotypical backpacker or international visitor who rents a car in Sydney and stops in Cairns. There are also long-term locals who work in the retail sector. There are immigrants, hypothetically here tonight, who choose to call Cairns home from overseas. Do you have any breakdown of that? We are not just talking about 20- to 30-year-olds, which I think you described as the No. 1 age group for visitors in terms of the workforce. We also have locals who are working mums and dads with kids or other responsibilities. Do you have any breakdown of that at all?

**Mr Olsen:** Let us start from the outside in. If you look at the total workforce employment, direct and indirect—indirect including people who have part of their role interfacing with tourism—we have about 25,000 people who work in the tourism industry in this region of Tropical North Queensland. Of those, 18,000 are full-time employees. On any given day, of those full-time employees about 3,200 are on working holiday-maker visas. By far, the majority are permanent residents in Australia who have chosen to make this place their home. Of course, our amazing international backpackers and working holiday-makers are incredibly visible, as is the case—they are incredibly visible people. I think it belies the fact that we have a really strong local workforce.

We also have a really strong multicultural workforce. We have one of the largest Japanese-speaking workforces in Australia and a huge contingent of expat Japanese people living in this community. It is a huge community from Japan, an increasing community from mainland China and right across the world. Many of our dive masters are from the US and from Europe. They came out as working holiday-makers and they have stayed to make their careers. They live here and they love it here. It is important. We do miss that working holiday-maker visa. It plays a very important role in frontline tourism services, but we do not forget that 15,000 of those 18,000 full-time employees call Australia home and have the passport to prove it.

**Mr SULLIVAN:** In turn, they are not just good workers and provide important services in their day job or night job, as it might be. They are also consumers when they are not at work, which is a crucial part of it.

**Mr Olsen:** That is exactly right. That is a really important point.

**Mr SULLIVAN:** In terms of those who are locals, our inquiry obviously goes to what is deliberately described as 'unsociable hours' for employees. Do you have any reflection on the impact that having effectively 24\7 trade would have on people who do have kids at home and might not be able to get child care or who 'voluntarily' put up their hand for late nights, overnights or whatever, which actually puts a lot of pressure on them?

**Mr Olsen:** That is a really good point. Having spent a long time working in tourism and hospitality myself—I have spent a lot of time in hospitality—hospitality is almost defined as 'unsociable hours'. We do all of the hours that people who finish work enjoy, serving them during those hours.

**Mr SULLIVAN:** By definition.

**Mr Olsen:** By definition we are working the hours that are less sociable, when everyone else is having fun. We are very used to the idea. Those workers also deserve the opportunity to finish work and get what they need done for the next day. I think there is a reality that this community operates almost around the clock regardless. Our hospitality workers and our health workers are working many of the unsociable hours. If tourism can continue to do what it has done for 30 years—which is to provide support to the fabric and lifestyle of this community to make it one of the most livable cities in all of the world, with international flights to so many destinations and great employment opportunities and a young vibrant workforce—and we can extend trading hours and also make that livability that little bit better for the community, then I think it is worthwhile.

**Mr O'ROURKE:** Are there any childcare centres that operate 24\7 in the region?

**Mr Olsen:** I would have no idea.

**Mrs O'Neill:** They actually close before normal business hours as well.

**CHAIR:** We have heard about the reef boats. My experience on the reef has been here. Can I say that I was needing those ginger tablets when I got back that night—the room was spinning. Do the boats come in to other places as well, such as Clifton Beach?

**Mr Olsen:** No.

**CHAIR:** What is the latest time they usually come back in?

**Mr Olsen:** It is about 5.30 pm. It depends on what you are talking about. Some of our multi-night overnight vessels will get in at seven or eight o'clock at night, depending on what time they have steamed in. That is the dive vessels. There is a flotilla of vessels out there that come in at all times of the day. The majority of the large reef boats come in between four and five o'clock. Some of them get in at 5.30 pm. It depends entirely on the day and how they got from point to point.

**CHAIR:** But there are dive boats that come in at around seven o'clock?

**Mr Olsen:** There are dive boats that come in much later than that. Then you have superyachts and a whole range of vessels.

**CHAIR:** I forgot about the superyachts. Thank you very much, Mark. That concludes this part of the hearing. We are really grateful for that contribution. It was excellent data.

**PICCONI, Mr Peter, IGA State Guild and Master Grocers Association Australia**

**CHAIR:** I now welcome to the table Mr Peter Piccone from IGA State Guild and MGA Australia. Would you like to make an opening statement?

**Mr Piccone:** Thank you, Chair. I apologise for being late. I have something to read from all the retailers in Queensland. I believe it was sent to you. I will read this as quickly as I can.

IGA supermarkets across Queensland are, for the most part, family owned and operated small businesses. The call for the deregulation of trading hours is driven by ASX-listed large chain retailers who use greater shopping hours as a tool to grow their market share and reduce competition. In 1980 the major chain market share combined was less than 40 per cent in Queensland, whereas now it exceeds 70 per cent combined.

Consumers have seen a significant reduction in the number of greengrocers, butchers, bakers, newsagents and specialty deli retailers in the last 25 years. The lack of diversity has consequently led to a lack of competition which, in turn, hurts all consumers. The reduction in the number of specialty retailers like greengrocers, butchers, bakers, newsagents and delis has resulted in net job losses because small business employ at a much higher rate than major chains. For example, IGA retailers employ at almost twice the rate based on turnover—10 to 12 per cent of turnover—compared to the major chains at 6.25 per cent.

What this means in a practical sense is that, for every dollar spent in an IGA, almost twice as much is spent in wages in that local community as would be spent on wages in a chain store. The combined impact of the closure of all of these greengrocers, butchers, bakers, newsagents and delis and the loss of employment in IGA supermarkets over the last 40 years has led to less economic activity and investment in regional communities in Queensland.

Chain supermarkets, on the other hand, are actively seeking to remove jobs from stores. This is most graphically demonstrated by the increased adoption of automated tools in chain stores. The independent food retail sector also vigorously supports local suppliers and service providers. IGA retailers, for example, use local refrigeration mechanics to maintain cooling systems, fridges and freezers in their stores.

The chains engage state or national refrigeration groups who are invariably based in major cities which means every dollar spent in refrigeration maintenance by the chain leaves non-metro based communities where chain stores are located. This pattern of chain retailers outsourcing service providers to city based companies is a significant drain on the level of economic activity and employment in non-metro Queensland communities. With the impact of COVID upon our communities and the economic uncertainty it has created for ourselves and our staff, a radical altering of trading hours would severely impact our family businesses at a time when pandemic recovery and return to normal is the important challenge facing the independent retail sector, especially in regional Queensland.

Turning to our recommendations, we believe the committee can have no confidence that deregulation of trading hours will increase employment or economic contribution to local communities in Queensland for the reasons outlined above. We also respectfully state that there is no evidence to suggest that tourism is affected in Queensland by the current trading hours arrangements as put in place by the government in 2016. I would like to answer some questions later about local tourism. For that reason we ask the committee recommend the current moratorium be extended for at least 10 years. We also believe that in non-metro communities in South-East Queensland, based on the lived experience of IGA retailers in these communities, the committee should consider reintroducing trading hours restrictions so jobs and economic contribution in those communities is supported as we recover from the pandemic. The submission we sent in is signed by IGA retailers on behalf of their businesses and their 10,000-plus employees in Queensland. That is the end of their spiel.

My personal two cents worth is that, if we do not provide the right conditions and opportunities to nurture community businesses, we will continue to divide our nation with the very few dominating and controlling everything from the rest with their fast diminishing opportunities. That is what seems to be happening in a lot of parts of the world. That is my two cents worth. That is why we have to be so careful.

On a couple of comments from before, if we look at the history of Cairns, Cairns first had extended trading in the CBD. I will not get the exact year right. It was back in the 1990s. Then, of course, the shopping centres all said, 'We're missing out on business.' What ended up happening—and I might be able to give you the exact year here—was that 1995 the whole Cairns tourism area was created for the city. It only went to Earlville and Smithfield. It did not go to Edmonton. That is Cairns

where our business was at the time. We were within seven or eight kilometres of Earlville shopping town, or Stockland as it is called now. We were not able to trade on a Sunday, but they were able to trade on a Sunday. When something happens in a city area, the biggest target is that all the other shopping centres, all the other retail precincts, start saying, 'They're taking our trade away.' This is what happened in Cairns. Then, of course, you have a flow-on effect with all the outlying businesses. That is what was created back then. That has to be taken into consideration.

I thank Professor Twomey for supporting our business. He is fantastic and we get on really well. They are doing an amazing job with COVID. I can see why he presented such a brilliant case. He has a lot more of the gift of the gab than I have. You have to be very careful with the balance of everything. It has been said here that people are used to it. It was news to me about China and Japan's 24-hour shopping. I think it was brought up time and time again about the safety of the CBD area. I have been very lucky. My father started off with a very small business in the beginning, and in the end he made it that successful that I have been able to travel the world. I was in San Francisco and the first thing they said to me when I was in the hotel when we turned up late at night was, 'Don't go any further down the road than across the road to get yourself a feed because you will have safety issues.'

It was quoted before that if you have mass and increased people moving around, it makes it safer. San Francisco is a pretty busy tourism town. It is a pretty big city, but they still told us to make sure we stayed in a designated area and to just go straight across the road at 10 o'clock at night. I believe Cairns is already open until nine or 10 o'clock at night every night in the CBD now. That is a lot better than a lot of other places throughout the world.

They talked about China, Japan and Europe. I have travelled a fair bit of Europe too. There was minimal movement of people looking for groceries. I think it was brought up at the time that people are coming back from boat trips. Do any of them go to Palm Cove directly? They do not anymore. In the case of Brisbane, there is a 24-hour shop. If you go from the airport and you really need something you can stop off at a Woolworths supermarket on the way home. It is a matter of whoever is providing the facilities and where you need to go to when you come back from your trips.

I would really like to see some stats on how many people do pick up their groceries on the way home while on a trip. It is great to have the convenience everywhere so that you have 24-hour shopping so people do not have to worry about anything, but it is just a fact of life that it is not. When it really comes down to it, when you talk about other shops and whether there should be a Woolworths or a Coles in a new regional area, every town would love to have a Woolworths or Coles in their town so they had the convenience of not having to travel far to go to it. It is all about balance. Like I said, we are at a balance now.

If we get 24-hours trading at Cairns Central, that means you are going to have three supermarkets in there. Looking at all the other retailers around, or other shopping centres, would they not, as has been brought up already, have the same situation where they will start to lose custom to those stores because those stores are open and they can frequent them more often? This is the balance that you have to have. Dare I say it—I will get shot for saying this—if there is that much capacity of 35,000 to 40,000 people in the area, one Woolworths supermarket in the Abbott Street area would suffice, if you are to grant one. You do not need three open. I would like to see the stats on how many people do actually shop, and that is if you had one business open. Like I said, everywhere I went all over the world they would say what is open and it is not always open. You have got to find that balance. What will still continue to happen is that you do not have that balance.

Small and family businesses are the engine room. I understand the situation with the pharmacies. They are fantastic and they do a fantastic job. May I say thank you, Trent, for what you have done with COVID. They talked about having a mass of people, but you are still never going to make it safe. That is another critical issue we have to address. I am part of it, with the Cairns South Coalition. That is what IGA people do.

We need the grassroots all the time coming through. If you do not have the opportunities, if you do not have these advantages—we still only have a few left at the moment—then who wants to have a go at taking on the chains? This is the balance that we have to have. New South Wales and Victoria have extended trading, but how many of those stores do trade 24 hours? There are a lot of other dynamics in those states that Queensland does not have because we have different laws. It is outside our terms of reference, so I cannot talk about it.

**CHAIR:** That is a neat little segue, because we are rapidly approaching the end of time.

**Mr Piccone:** I beg your pardon. I am sorry.

**CHAIR:** I am sure our committee would love to be able to ask you some questions.

**Mr Piccone:** I am sorry.

**CHAIR:** No, that is okay.

**Mr Piccone:** I cannot stop myself; I am so passionate about it.

**CHAIR:** It is very enjoyable and we can have a chat over a cup of coffee after this.

**Mr LISTER:** Mr Piccone, thank you for coming before us. You would be aware that Frank Spano has already given us a presentation. He called into the committee earlier on and spoke for both the MGA and the IGA. He said to me—and I have to declare that he has two IGAs in my electorate of Southern Downs—that competition cannot be the same between the large chains and an IGA because of things like the ability to amortise freight costs over an entire nation of stores rather than the smaller operation that IGA represents. Are there any other competitive advantages that are innate to the large chains that concern IGA in terms of extended trading hours and taking away the advantage that the smaller retailers have when there is regulation?

**Mr Piccone:** We can compete. To answer your first question, we have to have a turnover of 20 per cent per square metre more to compensate for the freight in our supermarkets, and that is what we have done through our local businesses so we can compete against the chains. That is what we have to do compared to an IGA in the city because they do not have to pay as much freight as we do up here in Cairns. We compete head-on, but what I am here tonight for with all the other retailers—the budding Lou Piccones who could be coming through, because my dad started it—is that we need to have the right conditions for them to be able to flourish. We need every bit of advantage because, if you just let it be, in the end you always end up with the larger retailers always dominating. If you really want to have more jobs—and this is what it is all about: jobs—and you balance that with the community, generally people have more opportunity. That is why you have to have that balance and that is why we have to be given every advantage we can get such as protection in some trading hours like we do have in regional areas.

**Mr BOOTHMAN:** Thank you for being very passionate about your IGAs. I do not really have any questions. You have pretty much answered every question I could think of, actually.

**Mr DAMETTO:** Thank you, Mr Piccone, for coming along this afternoon and giving us this evidence. I will backup everyone else in terms of your very passionate delivery and thank you very much for fighting for not only the IGAs but the smaller retailers in your region. My question is more around the concern you raised earlier. If you were able to open up those three or four shopping centres in that tourism footprint that we were talking about in the CBD, what is the threat of, say, Stockland eventually five years from now saying, 'Hey, we want in on this as well'? Is there a real concern in the community?

**Mr Piccone:** It is not a concern in the community because the average Joe does not realise the effect it has, but to the retailers absolutely because, in the end, as I said, the smaller retailers have to have those little advantages. This is why I can understand that all of those facts and figures said that we have to open 24 hours in the city to look after these tourists, but I am just saying that China might be a place because they have a huge population and they have huge security and whatever. In terms of the safety issues and everything like that, we have to be very fine with the balance. It is interesting to hear about Palm Cove where they said that they do not need the late nights. However, I note the great job that 24-hour pharmacies do, but how do you solve the safety issue? I do not think opening a Woolworths or Coles is going to solve the safety issue.

**Mr DAMETTO:** Off the back of that, you would probably say that at that time of night there would be some untoward people more so than perhaps during the day walking around the CBD?

**Mr Piccone:** Yes, there is, but it is in every city in the world.

**Mr DAMETTO:** Yes, correct.

**Mr Piccone:** That is why I made the point about San Francisco. It is just one of those things until somehow we can miraculously change the way the world is, but that is for another day. We all have to try to change the way the world is going at the moment.

**Mr DAMETTO:** Thank you very much for your answer.

**Mr SULLIVAN:** I add my thanks for your submissions. You flagged that you wanted to touch on local tourism issues. I just wanted to give you a chance if you needed any further opportunity. You said you wanted to answer some questions. I know you covered a fair bit of it and the comparisons to other regions in Australia and other countries, but was there anything else that you wanted to touch on in terms of local tourism issues?

**Mr Piccone:** I have been lucky enough to travel, but in terms of tourists there are different times in different areas. I have just remembered one thing. We opened for 24 hours way back in the nineties at Edmonton. We worked on the theory that we had tourism people coming to the cheaper rental and accommodation in Edmonton, but in the end we had to shut because of safety issues because we had people coming in with drugs and things like that.

**CHAIR:** Sorry, but was that out in Edmonton?

**Mr Piccone:** Yes, that was the Edmonton store; that is right. We do have two stores with two different hours and that is because of what ended up happening. Without going into it and boring you with the detail, we were outside the area and we ended up being an independent retail shop, while the other one is under an exempt shop.

**CHAIR:** The other one you have is in Earlville; is that right?

**Mr Piccone:** No, it is at Manoora—Edge Hill, on the border.

**CHAIR:** As there are no further questions, thank you very much for your very passionate delivery and a very robust session of questions and answers. It would be remiss of me not to ask if the assistant minister for tourism and the member for Cairns wanted to add anything further from the table?

**Mr HEALY:** I am good, thank you very much. I am just glad that we have tremendous operators. There are obviously going to be different views, but I think it is terrific that we have key bodies turning up and hopefully we can use this as part of the process, so we will see how it plays through.

**CHAIR:** Terrific. Thank you. It has been fantastic to hear from such a diverse range. That brings the time for this hearing to an end. Thank you to all of our witnesses who have submitted tonight. I declare this public hearing for the committee's inquiry into the operation of the Trading (Allowable Hours) Act 1990 closed. Thank you very much.

**The committee adjourned at 8.36 pm.**