

15 October 2021

Committee Secretary  
Education, Employment and Training Committee  
Parliament House  
BRISBANE QLD 4000

EETC@parliament.qld.cgov.au

Dear Secretary,

On behalf of the Caravan Trade & Industries Association of Queensland, I wish to express our appreciation in having the opportunity to lodge an industry submission in relation to the Inquiry into the Operation of the Trading (allowable hours) Act 1990.

This submission has been prepared following extensive consultation with our Members and Market Research.

We look forward to positive outcomes from the inquiry and understand the complexity and widespread implications of the entire matter of Trading Hours in the State of Queensland.

Our submission considers both the needs of consumers and our member dealers / manufacturers.

Please do not hesitate to contact me should you require any further detail.

Yours Sincerely



Jason Plant  
Chief Executive Officer



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A Member of

- Caravan Industry Association Australia
- Queensland Tourism Industry Council



## Inquiry into the Operation of the Trading (allowable hours) Act 1990

**SUBMISSION – CARAVAN TRADE & INDUSTRIES ASSOCIATION OF QUEENSLAND****15 OCTOBER 2021**

The Caravan Trade & Industries Association of Queensland (CTIAQ) welcomes the opportunity to provide feedback on the inquiry into the Operation of the Trading (allowable hours) Act 1990.

**EXECUTIVE SUMMARY**

As the peak body for the caravan and recreational vehicle industry in Queensland, the CTIAQ represents the vast majority of recreational vehicle businesses in this state, including caravan & recreational vehicle dealers, manufacturers, accessories suppliers and repair & service facilities.

Almost 240 businesses are embraced in the membership of the Association which was established in 1964. The vast majority of CTIAQ Members are private, family-owned businesses.

The COVID-19 Pandemic has placed significant and unique pressures on many businesses. The caravan / recreational vehicle and camping industry has blossomed since the closure of international borders experiencing a demand not seen since the 1970's. The Commonwealth Bank Household Spending Intentions Series for December 2020 reported that the biggest annual increases in spending were seen in camper, recreational and utility trailer dealers, motorhome / recreational vehicle rentals and caravan parks and campgrounds.

Confidence in travelling internationally is unlikely to return to pre-pandemic levels for quite some time and this has resulted in domestic holidays now being more popular and important than ever. A renaissance in the traditional "road trip" holiday is being experienced by most within the industry. Recreational vehicle sales have surged, driven by interest from newcomers to the industry who would normally be taking an overseas cruise or international holiday.

This impact is reflected in Caravan Manufacturing and Import statistics. August 2021 showed an increase in imports of 87% compared to the same period in 2020<sup>1</sup>. Local Manufacturing increased by 68% in July compared with 2020 and 37% compared with 2019<sup>2</sup>. In Queensland we have seen the increase in retail activity and servicing of recreational vehicles comfortably being conducted under the existing trading hours.

**This is why the position of the CTIAQ is unchanged in that we do not support and in fact strongly oppose a move to 7 day trading.**

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<sup>1</sup> Caravan Industry Association of Australia, August 2021 International Trade Report, Data provided by the Australian Bureau of Statistics International Trade Data series.

<sup>2</sup> Caravan Industry Association of Australia, July 2021 RV Production Report, Data provided by nemAustralia.

## CTIAQ MEMBER SURVEY

The CTIAQ recently conducted a member survey (final responses received on 8 October 2021) to gain an insight into the industry sentiment relating to extended trading hours. The results are similar to that of a trading hours survey that was conducted in 2016.

- Q1. Are you fully satisfied with the present Trading Hours?  
Yes 90% No 10%
- Q2. Would you like to see Sunday Trading legislated for Caravan & Recreational Businesses?  
Yes 20% No 80%
- Q3. Would you like to have the ability to open / trade on Gazetted Public Holidays?  
Yes 23% No 77%
- Q4. Would you like to see other modifications/changes to the present Trading Hours Order?  
Yes 22% No 78%

Supporting comments by CTIAQ Members outlining their reasons for opposing a change to trading hours are listed below:

*"We currently are opening and trading for 53 hours each week. Work life balance is so important for all people. To enjoy a Sunday each week or a long weekend of relaxing or socializing with loved ones does us all a world of good. This can be the difference of someone smiling or not."*

*"Family business operators in this industry only have the opportunity to have a day off on Sundays, It should not change."*

*"I don't believe extending Trading Hours does anything more than increase wages or reduce Business Owners leisure time."*

*"As a dealer in regional Queensland we close at lunchtime Saturday. If trading hours extended to include Sunday. This would encourage more regional customers to travel to metro areas with obvious negative effects for the local regional businesses and communities"*

*"Our Business is capable of selling over the phone and via on line means. Most Clients are highly educated about the product before they even set foot in the Dealership. This means that the additional days trade is not required Customers can purchase without needing to come on site. Sunday or Public Holiday Trading would be a great detriment to our Industry."*

*"We are strongly opposed to Sunday and Public Holiday trading. It will not benefit our industry at all. It will put unnecessary pressure on staff and business owners. Finding staff is already a difficult task. We don't want to implement unfavorable working conditions."*

## SUNDAY / PUBLIC HOLIDAY TRADING – NEGATIVE IMPACTS

Extending the trading hours to include Sunday and Public Holidays, will negatively impact our members and present challenges that will also impact consumers. Some of these potential issues include:

1. Costs to consumers increasing due to the rise in overhead costs to business operators.
2. Selling a caravan requires a particular skill set. The seller must have a clear understanding of the “legalities” associated with the compatibility of the tow vehicle to the caravan being purchased. Tow vehicles have a specific towing capacity which is set by the vehicle manufacturer. If a customer drives out of a caravan dealership towing a caravan that is heavier than the tow vehicles rated towing capacity, the salesperson themselves can be deemed to be negligent and subject to subsequent litigation. All caravans when produced are fitted with a Trailer Plate, often referred to as the V.I.N. plate. This is a requirement under Australian Design Rules (ADR’s). The V.I.N. plate contains a variety of information such as the Aggregate Trailer Mass (ATM) and the Gross Trailer Mass (GTM). Likewise tow vehicle manufacturers provide critical ratings, which must not be exceeded, such as Gross Combination Mass (GCM) and Gross Vehicle Mass (GVM).

Caravan sales staff must be skilled and fully aware of these complex compatibility requirements. Extended trading hours would put a great burden on a dealership to train more staff which would inevitably be necessary. This would potentially leave dealerships in a vulnerable position if they were unable to quickly upskill new staff with these necessary skills. Extended hours would also most likely force dealer principals to either work the extra days themselves or require their existing skilled staff to also increase their working hours in an effort to minimise the potential for incorrect information being delivered to consumers. This would unnecessarily increase their inadvertent exposure to possible litigation. A potential unintended consequence of extending trading hours.

3. Working longer than normal days/hours can be detrimental to mental health. A study conducted by <sup>3</sup>Milner, Smith & LaMontagne (2012) of Deakin University, found that individuals working more than 60hours per week, were more inclined to experience mental health issues than those working a normal 35-40hr week. As outlined above in point 2, the Dealer Principal would in many cases be forced to work the additional hours as they are generally the most knowledgeable and also in most cases the business owners.

WHS legislation also requires a person conducting a business or undertaking (PCBU) to ensure health & safety of all workers, including the risks associated with poor mental health and wellbeing management. Employers must consult with workers to determine appropriate measures and do what is reasonably

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<sup>3</sup> Milner A, Smith P, LaMontagne AD, Working hours and mental health in Australia: evidence from an Australian population-based cohort, 2001–2012, *Occupational and Environmental Medicine* 2015;**72**:573-579.

practicable to eliminate and reduce the psychological (mental) risks to workers. The duty mostly relates to work-related stress but PCBU's also have a duty to monitor mental health. The introduction of 7 day trading may inadvertently lead to more hours being worked by employers and employees, impacting mental health, resulting in a potential breach of WHS legislation.

In April 2020, Safe Work Australia <sup>4</sup> published vital information for businesses on their website about identifying the causes of psychological injury and how to eliminate and manage the associated risks. The information identified that increased work demand may be a hazard to mental health.

4. It has been argued by some sectors that extending trading hours provides business operators with the option to open or not. In reality, this is not the case. In jurisdictions where this situation exists for products like ours, time after time groups of retailers have, after realising the unviability of extra trading hours, attempted to agree to closure. There is however, through desperation arising from poor business practices and/or inferior quality products, always a business who opens again, forcing everyone else to open also.

Caravan dealerships in Northern New South Wales towns such as Lismore have chosen not to open Sundays, despite being legally able to do so, because of lack of consumer demand and the additional costs associated with opening.

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<sup>4</sup> <https://www.safeworkaustralia.gov.au/covid-19-information-workplaces/industry-information/office/mental-health?tab=tab-toc-employer>

## FURTHER SUPPORTING FACTS

The vast majority of caravan dealerships are privately / family owned. Staffing levels are generally lean at the best of times, however staff shortages are currently being reported across multiple industries at the moment and the recreational vehicle industry is no different. As mentioned previously, if trading hours were extended, it would force business owners to work the additional hours, impacting negatively on family time, work / life balance and health.

There are 741,443 registered caravans and motorhomes in Australia (as of the end of 2020) and of those, 192,751 are registered in Queensland<sup>5</sup>. Queensland continues to lead the Nation in Recreational Vehicle sales & registrations, even against much larger populated states such as New South Wales (NSW) and Victoria (VIC) where 7 day trading is permitted and much larger populations exist (NSW & Victoria). Recreational Vehicle sales in Queensland have long exceeded those in NSW further proving no need for extending current hours.

There are few, if any, CTIAQ member caravan dealers that trade after 5pm Monday to Friday as there is no consumer demand despite the ability under the order to open until 9pm. Similarly, few dealerships in Southeast Queensland open after mid-afternoon at the latest on Saturdays and in dealerships outside the South East few, if any, open after around 12 noon. This is purely demand driven.

It has been argued that dealers operate to the above hours because most sales are to “grey nomads / retirees” who have more time on their hands. Our industry research has shown that the largest market is actually families who do not have the flexibility of more time like retirees. The family market are purchasing a wide variety of industry product types and the present trading hours prove to be more than adequate for them too.

## OFFICIAL INDUSTRY POSITION / CONCLUSION

It is clear from the survey conducted, that the vast majority of CTIAQ members are strongly opposed to any changes to current Trading Hours.

Unlike many others forms of retailing, purchasing a caravan is not usually considered “an outing”. A Recreational Vehicle is a significant investment and requires plenty of research. It can take consumers up to two years of comparison and education to bring them to a point of purchase. The present trading hours applicable to the Caravan & Recreational Vehicle Industry, adequately cater to the demands of the consumers and satisfy the unique nature of our industry.

**On behalf of the CTIAQ Board and Member Businesses, the Caravan Trade & Industries Association of Queensland strongly opposes any change to the “Trading Hours – Non-Exempt Shops Selling Caravans – State” as is supported by the strong evidence available and outlined in this document.**

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<sup>5</sup> Caravan Industry Association of Australia, State Of Industry 2021, Based on Australian Bureau of Statistics data, Motor Vehicle Census, 2020.

## ABOUT US

Caravan Trade & Industries Association of Queensland (CTIAQ) is the peak industry body for the trade sector of the caravan and recreational vehicle industry in Queensland. Established in 1964, the association provides regulatory support & advocacy for members, delivers industry promotion & public relations, owns & operates the largest caravan & recreational vehicle events in this state, and coordinates state-wide consumer safety education initiatives.

There are currently 240 members made up predominantly of retailers, manufacturers, hirers, repairers, and suppliers in the caravan and camping industries.

Our Association strives to foster and assist the development of the caravan trade and associated businesses in Queensland, promoting a high standard of quality service and ethics.

**CTIAQ trade under the brand Caravanning Queensland which joins two related but separate peak industry bodies in Queensland:**

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### CARAVAN TRADE & INDUSTRIES ASSOCIATION OF QUEENSLAND (CTIAQ),

CTIAQ the peak industry body and voice of the trade sector in the caravan, recreational vehicle and camping industry in Queensland.

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### CARAVAN PARKS ASSOCIATION OF QUEENSLAND (CPAQ)

CPAQ is the voice of the caravan park owners and operators and associated supply chain in Queensland.

## CONTACT US

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