

Retail trading on Restricted trading days

APPLICATION FORM



Fair Trading

13 32 20 www.fairtrading.nsw.gov.au

Important – Please read the following before completing and lodging your application:

This form is to be used to apply for retail trading on restricted trading days.

How to fill in this form

Please type directly into this form. When complete, save a copy before printing. If completing by hand, please print clearly and mark box(es) with a tick where required.

You will need to ensure that all sections of the form are completed. Additional sheets may be included if there is insufficient space on the form to provide your supporting evidence. Please number all additional pages.

For assistance call 13 32 20.

Fees

There are no fees associated with this application.

Lodgement instructions

Email: FTlicensing@customerservice.nsw.gov.au

Privacy compliance statement

Information that you voluntarily provide in this form is collected by Fair Trading NSW to assess and process your application. Fair Trading NSW intends to use and disclose the information (including any personal information) you have provided to exercise its functions under the *Retail Trading Act 2008*, including to administer, monitor and enforce compliance with that Act.

Note: this application will be published by Fair trading for public comment.

Applicant details

Applicant's name (name of company/ sole trader/ partnership)

SEND APP PTY LTD

Trading / Business name

SEND

ABN

51640362947

ACN

640362947

Contact details

Person making the application (contact name)

[REDACTED]

Position title

[REDACTED]

Street address

[REDACTED]

Suburb

[REDACTED]

State

[REDACTED]

Postcode

[REDACTED]

Postal address (if different to above)

[REDACTED]

Suburb

[REDACTED]

State

[REDACTED]

Postcode

[REDACTED]

Telephone number

[REDACTED]

Mobile number

[REDACTED]

Email

[REDACTED]

Note – If required, please attach additional information/pages if there is insufficient space in this application (this includes if there are more than 3 shops).

Information for the shop name and location this application applies to

Shop 1

Name of the shop (in full)

SEND

Street address

SHOP 1 238 WILLIAMS STREET

Suburb

POTTS POINT

State

NSW

Postcode

2011

Shop 2

Name of the shop (in full)

SEND

Street address

23 MCCAULEY STREET

Suburb

ALEXANDRIA

State

NSW

Postcode

2015

Shop 3

Name of the shop (in full)

SEND

Street address

3/1 GORDON STREET

Suburb

ANNANDALE

State

NSW

Postcode

2038

Details of exemption being sought

Please identify the restricted trading day/s for which you are seeking an exemption: (Check the boxes for those days for which you are seeking an exemption to trade)

Shop 1 Good Friday Easter Sunday Before 1pm on ANZAC Day Christmas Day

Shop 2 Good Friday Easter Sunday Before 1pm on ANZAC Day Christmas Day

Shop 3 Good Friday Easter Sunday Before 1pm on ANZAC Day Christmas Day

Details of exemption being sought *continued*

Are you seeking an exemption for the current year or for a number of years (up to 3 years) (*check one of these boxes and specify your choice*)

Shop 1

- Specify the dates for which you are seeking exemption
or
 Specify the years (up to 3 years) for which you are seeking an exemption

Shop 2

- Specify the dates for which you are seeking exemption
or
 Specify the years (up to 3 years) for which you are seeking an exemption

Shop 3

- Specify the dates for which you are seeking exemption
or
 Specify the years (up to 3 years) for which you are seeking an exemption

Information required to support the application (*Please attach additional pages for more shops*)

Please nominate the proposed trading hours:

- | | | | | | | |
|--------|----------------|--------------------------------|--|-------------|---------------------------------|--|
| Shop 1 | Commencing at: | <input type="text" value="7"/> | <input checked="" type="checkbox"/> am <input type="checkbox"/> pm | Closing at: | <input type="text" value="10"/> | <input type="checkbox"/> am <input checked="" type="checkbox"/> pm |
| Shop 2 | Commencing at: | <input type="text" value="7"/> | <input checked="" type="checkbox"/> am <input type="checkbox"/> pm | Closing at: | <input type="text" value="10"/> | <input type="checkbox"/> am <input checked="" type="checkbox"/> pm |
| Shop 3 | Commencing at: | <input type="text" value="7"/> | <input checked="" type="checkbox"/> am <input type="checkbox"/> pm | Closing at: | <input type="text" value="10"/> | <input type="checkbox"/> am <input checked="" type="checkbox"/> pm |

Details of exemption being sought

Fair Trading NSW, may only grant an exemption if satisfied that it is, in the exceptional circumstances of the case, in the public interest to approve this application.

Please specify the exceptional circumstances in support of your exemption application for the shop and restricted trading day specified above. "Exceptional circumstances" must be more than "special circumstances" to satisfy the requirements under section 10(2) of the *Retail Trading Act 2008*.

(*For guidance on the test for "exceptional circumstances", please refer to Dwyer v Department of Services, Technology and Administration and Kmart Australia Limited [2010] NSWADT 312 available on the Fair Trading website.*)

Shop 1

grocery delivery should be available to the public all days of the year if the public need items for christmas

Shop 2

grocery delivery should be available to the public all days of the year if the public need items for christmas

Shop 3

grocery delivery should be available to the public all days of the year if the public need items for christmas

Determining whether your application is in the public interest

To enable Fair Trading NSW to determine whether the exemption sought is in the public interest, please answer the following questions.

note: Fair Trading will have regard to each of these matters in determining whether the exemption sought is in the public interest.

Shop 1

1. What is the nature of the business and kinds of goods sold?

Delivery of grocery items

2. What is the need for the shop to be open on the restricted trading day?

So the public can have grocery items delivered

3. What is the likely effect on the local economy, tourism, small businesses and other businesses in the area if the exemption is granted?

positive so people can have grocery items delivered

4. What is the likely effect on employees or persons working in the shop if the exemption is granted? *(In your response indicate the number of employees likely to work on the restricted trading day if an exemption is granted, and specify the industrial instrument/s (including agreement number/s), under which employees working on the day will be employed)*

It will be positive because we have some employees who don't celebrate christmas and they are happy to work on this day. We will have around 30 employees working on this day

Shop 2

1. What is the nature of the business and kinds of goods sold?

Same as shop 1

2. What is the need for the shop to be open on the restricted trading day?

same as shop 1

3. What is the likely effect on the local economy, tourism, small businesses and other businesses in the area if the exemption is granted?

same as shop 1

4. What is the likely effect on employees or persons working in the shop if the exemption is granted? *(In your response indicate the number of employees likely to work on the restricted trading day if an exemption is granted, and specify the industrial instrument/s (including agreement number/s), under which employees working on the day will be employed)*

same as shop 1

Shop 3

1. What is the nature of the business and kinds of goods sold?

same as shop 1

2. What is the need for the shop to be open on the restricted trading day?

same as shop 1

3. What is the likely effect on the local economy, tourism, small businesses and other businesses in the area if the exemption is granted?

same as shop 1

4. What is the likely effect on employees or persons working in the shop if the exemption is granted? *(In your response indicate the number of employees likely to work on the restricted trading day if an exemption is granted, and specify the industrial instrument/s (including agreement number/s), under which employees working on the day will be employed)*

same as shop 1

Declaration

- i I have been authorised to complete this application on behalf of the organisation (for applications other than for an individual)
- ii I consent to the making of enquiries and the exchange of information with other authorities in NSW, or other states and territories regarding any matter, relevant to this application.
- iii I declare that the contents of this application including any attachments are true and correct in every particular.
- iv I acknowledge that under the *Crimes Act 1900* it is an offence to provide false, misleading or deficient information in this application.
- v I acknowledge that failure to provide all required information may result in refusal of the application.
- vi I understand that specific details I have supplied in this application may be 'personal information' under the *Privacy and Personal Information Protection Act 1998*, and that NSW Fair Trading is collecting personal information to enable processing of the application and may disclose this information to other Government agencies. I also understand that personal information is any information or opinion that identifies an individual, or enables someone to identify an individual.

Total number of pages, including additional information:

Signature

Print name

Date (dd/mm/yyyy)

Save as

Print