



*Retail Trading Act 2008*

## APPLICATION FORM

# Retail Trading on Restricted Trading Days

**Use this form 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@finance.nsw.gov.au](mailto:ftlicensing@finance.nsw.gov.au)

**Post:** NSW Fair Trading, Customer Experience,  
Locked bag 2096, Lisarow NSW 2252.

Email or post the application – do not send more than once.

### Privacy compliance statement

Information that you voluntarily provide in this form is collected by NSW Fair Trading to assess and process your application. NSW Fair Trading 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.

## Applicant details

Applicant's name: [name of company / sole trader / partnership]

Christian Dior Australia Pty Ltd

Business / Trading name:

Christian Dior Australia Pty Ltd

ABN / ACN:

15 072 174 451

## Contact details

Person making the application: [contact name]

Position title:

Street address:

Suburb

State

Postcode

Postal address: [if different to above]

State

Postcode

Telephone number:

Mobile number:

Email

## Name and location of the shop/s subject of this application

**Important note.** In the case of an application for an exemption relating to more than one shop or restricted trading day, the information below should be provided separately for each shop and day. **If insufficient space has been provided, attach additional numbered sheets.**

State the name and full street address (including city/town and postcode) of the shop/s for which you are seeking an exemption:

Name of shop: [in full] Christian Dior Castlereagh Street

Street address:

65 Castlereagh Street

Suburb

State

Postcode

Sydney

NSW

2000

## Details of exemption being sought

Please identify the restricted trading day/s for which you are seeking an exemption:

Good Friday  
 Easter Sunday

Before 1pm on ANZAC Day  
Christmas Day

Is the exemption for:

a specific day or days [specify the date or dates], or

a specific period of up to three years [specify the period in years] 2019 to 2021

## Information required to support the application

Please nominate the proposed trading hours:

Commencing at: (am/pm) 11AM

Closing at: (am/pm) 6PM

## Exceptional circumstances

An exemption may only be granted if it is, in the exceptional circumstances of the case, in the public interest to do so. "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", refer to *Dwyer v Department of Services, Technology and Administration and Kmart Australia Limited* [2010] NSWADT 312.

Specify the exceptional circumstances in support of your exemption application for the shop and restricted trading day:

Christian Dior is a leading luxury French Fashion House founded in 1947. It operates 7 retail stores in Australia located in key areas (CBD, shopping centres) and its reputation is extremely high in Australia and abroad.

In Sydney, Christian Dior Castlereagh Street is located in the CBD, near the other key tourist destinations such as Sydney Opera House, Sydney Harbour Bridge, Sydney Tower, The Art Gallery of NSW, Darling Harbour, etc. The store is also 5 minutes walk from Pitt Street Mall.

This strategic geographical situation as well as the global reputation of Christian Dior make the store a key destination for tourists, especially on long weekend or public holidays.

## Public interest

To help determine whether the exemption sought is in the public interest, answer the following questions:

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

Christian Dior Couture Castlereagh Street is a luxury shop offering a wide range of products for both Women and Men: Leather Goods (handbags, wallets, cardholders, shoes), ready-to-wear, accessories (scarves, eyewear, jewellery) and timepieces.

2. Why does the shop need to be kept open on the restricted trading day?

Our brand being international, a majority of our clients expect the shop to be opened every day, especially Asian tourists. These tourists are in a vast majority not impacted by the cultural importance of Easter and are keen to shop or have regular activities on Easter Sunday. This is a standard that exists in almost all major cities in the world.

Located at the heart of the shopping precinct on Castlereagh Street, Christian Dior is a brand benefiting from a very strong attraction power to both tourists and locals. The shop has an average foot flow of 200 people every day and we consistently see a peak on public holidays, especially from tourists.

Moreover, keeping the shop open would strengthen the attractiveness of Sydney CBD for shoppers and it would have a cascading impact on the restaurants and F&B businesses in the area of our shop.

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

The likely effect on the local economy, tourism and other businesses in the area would be very positive. Our clientele has a rather high spending power and they will most likely go to restaurants and other businesses opened on that day in the area around our shop.

This is especially relevant for Asian tourists who are contributing a great deal to the whole economy of Sydney and who always dedicate time for shopping while traveling abroad.

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 for Boxing Day, all employees working on Easter Sunday would have to freely elect to do so. We estimate the number of employees needed at 15 for that day.

Permanent staff will receive extra time-in-lieu to compensate the hours worked on a Public Holiday.

Any casual worker that would work on that day will be paid according to the General Retail Award.

**Applicants signature**

*Note. Regard will be had to each of the matters listed above in determining whether the exemption sought is in the public interest. This application will be put on public exhibition.*

*It is an offence to fail to comply with any conditions imposed on an exemption.*

Signature:

A large black rectangular redaction box covering the signature area.

Print name:

A black rectangular redaction box covering the printed name.

Date (dd/mm/yyyy)

22/03/2019