



# LEGISLATIVE ASSEMBLY

## FOR THE AUSTRALIAN CAPITAL TERRITORY

### SELECT COMMITTEE ON ESTIMATES 2024-2025

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),  
Miss Laura Nuttall MLA

### ANSWER TO QUESTION ON NOTICE

Asked by: Ms Leanne Castley, MLA

Addressed to: Minister for the Arts, Culture and the Creative Economy

Reference: Night-Time Economy

Hearing date: Wednesday, 31 July 2024

In relation to: CMTEDD - Economic Development and Night-Time economy special events

QON lodgement date: Thursday, 1 August 2024

Answer due date: Thursday, 8 August 2024

1. Minister, from July 2024 you have implemented a series of reforms to trading hours to support special events and allow businesses to open and showcase cultural activities. Can I confirm that the Olympic opening ceremony, the NightFest Floriade and SpringOUT Pride Festival have been declared a special event to allow businesses to have extended trading hours under Notifiable instrument NI2023-371 issued on the 2nd of July 2024? And when did venues become aware that you would declare the Olympic opening ceremony a special event so they could plan accordingly?
2. Why haven't the actual Olympic sports been declared a special event so that Canberrans can watch the sports live and venues can showcase them?
3. Can you explain why the Paralympics and the recent Euros soccer tournament weren't given the same declaration?
  - a) What market testing and consultation did you do to determine they weren't worth a special declaration?
4. If the Matildas go through to the gold medal game, will this be declared a special event?
5. Given the desire to provide as much notice as possible, and that you have declared events out to November, is it right to assume no other events for 2024 have been considered special enough for a declaration?
6. If a venue is unable to have extended operating hours they can apply for a one-time pass up to ten times per year. How many have been applied for since they have been able?
7. How have you gone about promoting this opportunity to businesses?

8. What amount is in the budget for promotion of the changes to the night-time economy so venues can take advantages of these opportunities?

**Minister Cheyne:** The answer to the Member's question is as follows:

1. Special events that are significant and is in the public interest are declared by the Head of Access Canberra. A special event was declared for the start of the 2024 Olympic Games, the NightFest Floriade and SpringOUT Pride Festival. Eligible Liquor licence holders were advised directly on 18 July via an email from the Commissioner for Fair Trading. The email advised that licensees with standard licensing hours (until 12 midnight) were allowed to open for an additional two hours, and a licensee authorised to supply alcohol until 1am was able to stay open for an additional hour. Licensees did not need to apply as these conditions were automatically implemented. Additional communications were provided via webpage updates, an article for OurCBR, and a feature in the CBR Business Update sent out via email to businesses by Economic Development.
2. The declaration of a special event allows for an extension of trade. Liquor licensees are not restricted from showcasing the Olympics at any time their venue is open and can continue to sell liquor within their normal licence times. Additionally, all licensees who sell liquor in open containers for consumption on the premises are entitled to apply for up to 10 free extensions to their trading hours, within a 12-month period.
3. The Paralympics commences on 28 August 2024. There is an opportunity (and time) for the Head of Access Canberra to issue a special event declaration for the opening ceremony (or the entirety) of the Paralympics, however, noting that the ceremony is scheduled to occur on 29 August between 4am and 7am a special event declaration may not be of value to licensed venues.

The 2024 UEFA European Football Championship concluded on 14 July. Australia did not qualify for this competition and on this occasion a special event declaration was not made. A licensee can choose to apply for a free extension to their trading hours for events that are not declared and in this instance two venues applied for an extension to their trading hours.

The Commissioner for Fair Trading approved the *Liquor (Licensee Events and Special Events) Guidelines 2024 (No 1)* which became effective on 5 July 2024. The Guidelines set out the criteria for a special event. A special event is one that is significant at an international, national, State, Territory or local level and is in the public interest.

The Head of Access Canberra is able to receive suggestions to declare an event. Access Canberra will also assess individual applications for exemptions, and should there be sufficient interest from licensees in a particular event then that would likely lead to a declaration of a Special Event and a recredit of the free exemption by the relevant licensees.

In addition, there is a need to be agile in making a declaration, given that in some instances (for example) a national team reaching a significant milestone, may only be realised towards the end of a competition.

4. Not required as this did not occur.
5. No. A special event can be declared at any time.

6. There have been 182 extensions to trading hours applied for since 2017. Since 1 July 2024, when the number of times a licensee may apply (within a 12-month period) increased from 6 to 10 extensions, Access Canberra has received 7 applications this financial year.
7. Access Canberra has had direct engagement with eligible liquor license holders via email. Additional communications were provided via webpage updates, an article for OurCBR, and a feature in the CBR Business Update sent out via email to businesses by Economic Development. The promotion of the changes to the night-time economy will be included in Access Canberra/Commissioner for Fair Trading liquor licensee communication and direct engagement activities.
8. See response to Question 7.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature:



Date:

7/8/24

By the Minister for the Arts, Culture and the Creative Economy, Ms Tara Cheyne, MLA