



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC EQUALITY  
Ms Leanne Castley MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),  
Mr Johnathan Davis MLA

### **Inquiry into Annual and Financial Reports 2020-2021 ANSWER TO QUESTION TAKEN ON NOTICE 10 November 2022**

Asked by Mr Cocks on 10 November 2022: Derise Cubin took on notice the following question(s):

[Ref: Hansard Uncorrected Proof Transcript 10 November 2022 [PAGE 206 - 207]]

In relation to: Distance between brick and mortar businesses and hawkers.

**Mr Cocks** “Minister I have heard some concerns with businesses with brick and mortar stores about competition from Hawkers who may not have a licence or may do have a licence and don’t have the same level of costs that those businesses need to pay through different licenses and things to the government. Have you considered that differential when looking at this scheme”

**Minister Cheyne** “Yeah absolutely, so Hawkers need to operate a certain distance from those brick and mortar businesses unless the hawker is operating on leased land and has the approval of that leaseholder of the land so it may be in some of those situations and I am just guessing Mr Cocks but it may be in some of those situations that a business has identified what they think is a hawker operating on public unleased land but they may be operating quite close to a business on lease land and hopefully they would they would have the approval of the leaseholder but certainly if businesses have any concerns they should be getting in contact with Access Canberra and Miss Cubin’s team would be able to assist, do you have the detail Ms Cubin on what the distance is that hawkers need to be from a business if they are on unleased land?”

**Ms Cubin** “Derise Cubin EBM Licence and Registration Access Canberra and I have read and acknowledge the privilege statement. Thank you for your question, I am just having a look, from my understanding it is 180m from a business, but I will have to confirm that for you Mr Cocks.”

Minister Cheyne: The answer to the Member’s question is as follows:–

Hawkers must operate at least 180 metres away from commercial bricks and mortars premises, as per section 43 of the *Public Unleased Land Act 2013*, unless an exemption has previously been granted under section 14 of the *Hawkers Act 2003*. Hawkets operating on leased land are not subject to these restrictions, provided they operate with the permission of the lease owner.

Approved for circulation to the Standing Committee on Economy and Gender and Economic Equality

Signature: 

Date: 20/11/22

By the Minister for Business and Better Regulation, Minister Tara Cheyne MLA