



Form 20 – Affidavit


INDUSTRIAL REGISTRAR

14 APR 2025


QUEENSLAND

Industrial Relations Act 2016, s 989

Industrial Relations (Tribunals) Rules 2011, r 52, r 53, r 55

Information

- This form is to be used to prepare an Affidavit.
- Please read this form carefully and complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the non-acceptance of your form.
- Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.
- For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Instructions

- Affidavits must comply with the formal requirements for documents in accordance with rules 50 to 57 of the *Industrial Relations (Tribunals) Rules 2011*.
- The affidavit must set out the facts divided into consecutively numbered paragraphs. Each paragraph should be confined to a distinct part of the subject matter.
- This affidavit must be sworn or affirmed before a person authorised by law to witness the swearing of affidavits (e.g. Justice of the Peace, Commissioner for Declarations, Lawyer).
- Each page must be signed by the deponent (person making the affidavit) and the witness (person taking the affidavit).
- ***Attach extra page(s) if you need more space, ensuring that Part 5 containing the signature is always on the last page of the form and that each additional page is signed at the bottom of the page by the deponent and witness.***
- Any handwritten alteration to the affidavit must be initialled by the deponent and witness.
- If this affidavit contains exhibits (document mentioned in the affidavit and used with the affidavit) you will need to complete a **Form 21 - Certificate of Exhibit to Affidavit** for each exhibit (which is also to be signed and witnessed).
- If the affidavit is sworn by a person incapable of reading the affidavit or physically incapable of signing it, the witness must complete the Certificate at Part 6.
- If required by the Court, Commission or Registrar, the deponent must appear to give evidence or for cross-examination.
- The Court, Commission or Registrar may remove or strike out any material contained within the affidavit deemed to be a scandalous or oppressive matter.

Signed: _____
[Signature of the deponent/substitute signatory]

Taken by: _____
[Signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

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1. Matter details

Applicant:	National Retail Association, Union of Employers
v	
Respondent:	NA

If there are more than two parties to the application, please complete a **Form 1 – Parties list** and file with this form.

This affidavit is filed for the:	<input checked="" type="checkbox"/> Applicant/Appellant	<input type="checkbox"/> Respondent (or as the case may be)
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2. Contact details of party filing this affidavit

Title [please select]:	<input checked="" type="checkbox"/> Mr			<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Name of Party:	David Stout							
Name of contact person: [if party is an organisation]								
Postal/Service address:	Level 3/67 St Pauls Tce							
	Suburb/Town Spring Hill						Postcode 4000	
Phone number:	0409 926 066			Mobile number:				
Email address:								

3. Deponent's details (person making the affidavit)

Title [please select]:	<input checked="" type="checkbox"/> Mr			<input type="checkbox"/> Mrs	<input type="checkbox"/> Ms	<input type="checkbox"/> Miss	<input type="checkbox"/> Mx	<input type="checkbox"/> Other: _____
Deponent's Name:	David Stout							
Postal/Service address*:	Level 3/67 St Pauls Terrace							
	Suburb/Town Spring Hill						Postcode 4000	

* The deponent does not have to give a residential address if they are concerned about their safety. They may give another address at which they are satisfied they will receive documents e.g. a business address.

Signed: _____ Taken by: _____
 [Signature of the deponent/substitute signatory] [Signature or witness]
 Justice of the Peace/Commissioner for Declarations/Lawyer

4. Evidence

Attach extra pages if you need more space ensuring that Part 5 containing the signature is always on the last page of the form and that each additional page is signed at the bottom of the page by the deponent and witness.

Affidavit

David Stout

Level 3/67 St Pauls Terrace Spring Hill QLD 4000

I, _____, of _____
[insert full name of deponent] [insert residential or business address of deponent*]

state on oath: OR do solemnly and sincerely affirm and declare, that:

1. I am the Director of Policy for the National Retail Association, Union of Employers. The National Retail Association is one of Australia's most diverse retail associations.

2. The Weipa Fishing Classic is heralded as Cape York's premier and most exciting fishing competition, with local and interstate anglers competing for a significant prize pool. 2025 marks the 20th anniversary of the Weipa Fishing Classic, with event organisers expecting record attendance.

3. In 2024, 2,400 anglers competed for the almost \$260,000 prize pool and 10,000 attended the event over the three days.

4. As Weipa has a population of approximately 4,000, the Weipa Fishing Classic presents a significant tourism and economic opportunity for local businesses to benefit from increased foot traffic and sales.

5. The Weipa retail community has the infrastructure capacity to service the existing population of 4,000. Given that record attendance is expected due to the 20th anniversary, the significant swell in population will put pressure on existing infrastructure. To meet the needs of both locals and visitors, National Retail submits that Weipa needs to have all available services open.

6. Accordingly, the National Retail Association asks the Commission to grant an order under pt 5 div 3 s 31B of the Act for Friday 6 June to Sunday 8 June 2025, inclusive. This covers the period of the Weipa Fishing Classic (See Exhibit B for a map of the area).

Signed: _____ Taken by: _____
[Signature of the deponent/substitute signatory] [signature of witness]
Justice of the Peace/Commissioner for Declarations/Lawyer

5. Signature

The contents of this affidavit are true and correct. Where the contents of this affidavit are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and the grounds for the belief and, if contained in a document, I have attached that document to this affidavit.

I understand that it is a criminal offence to provide a false matter in an affidavit, for example, the offence of perjury under section 123 of the Criminal Code.

I state that: [Deponent to complete – *only tick if applicable* – leave blank if not applicable]:

- This affidavit was made in the form of an electronic document
- I electronically signed this affidavit
- This affidavit was made, signed and witnessed under Part 6A (Audio visual link) of the *Oaths Act 1867*.

SWORN/AFFIRMED BY:

Signature of person making the affidavit	
Full name of deponent:	David Stout
Signature of deponent:	
Sworn/Affirmed at [place]:	Spring Hill
Date:	14/04/2025

Alternative signature panel if substitute signatory signs	
Complete this section <u>only</u> if the affidavit was signed by a substitute signatory (a person directed to sign the affidavit on behalf of the deponent) Signed for and at the direction of the deponent by:	
Full name of substitute signatory:	
Signature of substitute signatory:	
Sworn/Affirmed at [place]:	
Date:	

BEFORE ME:

Witness details	
Full name of witness:	Lindsay Carroll
Signature and type of witness:	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Date:	14.4.25
Insert name of law practice/place of employment:	Spring Hill



Matter No: / /

Form 21 – Certificate of Exhibit to Affidavit

Industrial Relations Act 2016, s 989
Industrial Relations (Tribunals) Rules 2011, r 53

Information	
<ul style="list-style-type: none"> This form is to be used when attaching exhibits to an affidavit. Exhibits are documents mentioned in the affidavit and used with the affidavit. Attach one Certificate per exhibit. Please read this form carefully and complete all relevant sections. Information that is missing or non-compliant with the relevant section of an Act or the Rules may result in the non-acceptance of your form. For further information please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au. 	

Matter details

Applicant:	National Retail Association, Union of Employers
	v
Respondent:	NA

Exhibit details

Name of document:	Statement of Facts
Marked:	Exhibit A
Mentioned in the affidavit of:	David Stout

Signature

Full name of deponent/ substitute signatory:	David Stout
Signature of deponent/ substitute signatory:	
Full name of witness:	Lindsay Carroll
Signature and type of witness:	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Sworn/Affirmed at [place]:	Spring Hill
Date:	14.4.25

Exhibit A – Statement of Facts
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
Trading (Allowable Hours) Act 1990
National Retail Association Limited, Union of Employers
Applicant
Weipa Fishing Classic

Application Summary

1. The National Retail Association is Australia’s most diverse retail organisation. The Association represents thousands of retailers nationwide, ranging from individual retail outlets and franchise locations to large supermarkets and department stores.
2. Part 5 Division 3 of the Trading (Allowable Hours) Act 1990 ("The Act"), as revised in 2022, provides for non-exempt shops operating in a stated area for an event to be considered exempt for the period of that event, if the QIRC declares the event to be a special event. The National Retail Association and its members believe the Weipa Fishing Classic fits the description of a special event.
3. The Weipa Fishing Classic is heralded as “Cape York’s premier and most exciting fishing competition, with local and interstate anglers competing for a prize pool of \$100,000” (<https://tropicalnorthqueensland.org.au/listing/event/weipa-fishing-classic/>). 2025 marks the 20th anniversary of the Weipa Fishing Classic, with event organisers expecting record attendance.
4. The 2025 Weipa Fishing Classic runs from Friday 6 June to Sunday 8 June.
5. The National Retail Association asks the Commission to grant an order under pt 5 div 3 s 31B of the Act for Friday 6 June to Sunday 8 June 2025, inclusive. This covers the period of the Weipa Fishing Classic (See Exhibit B for a map of the area).

Justification

6. In deciding whether to declare an event to be a special event, the Commission must consider the cultural, religious or sporting significance of the event, and the significance of the event to the economy and the tourism industry. The Commission must also consider whether there is a need for a non-exempt shop to trade for hours greater than the core trading hours for the period of the event.
7. Further, the Commission must have regard to the size of the place where the event will be held, whether the event will be held at multiple places, predicted attendance numbers, expected media coverage, any contribution the event may make to Queensland’s national or international reputation. The Commission must also have regard to a submission made by a local government for an area in which the declaration is likely to have an impact or an industrial organisation in relation to the likely impact of the special event declaration on employees.
8. A declaration must state the details of the event, the subject of the declaration, the period for which the declaration applies, and the area to which the declaration applies. Accordingly, the National Retail Association asks the Commission to grant an order under pt 5 div 3 s 31B of the Act for Friday 6 June to Sunday 8 June 2025, inclusive. This covers the period of the Weipa Fishing Classic (See Exhibit B for a map of the area).
9. As with any local event, retail operators in and around the venue areas will have an increase in activity both directly related and ancillary to events that make up the Weipa Fishing Classic. For this reason, the area of this application has been constructed to include the broader Weipa area for visitors to take advantage of retail trade opportunities at all businesses. The National Retail Association believes this order would allow retailers to better cater for the needs of visitors to the event, as well as residents.

10. Non-exempt retailers within the highlighted area are in support of this application. We note that this application, if approved, will give non-exempt retailers exempt status for the duration of the order. We contend that such an order is in keeping with the letter and the intent of the Act, and in line with similar applications previously granted by the Commission, including the Weipa Fishing Classic in 2021 and 2022 (TH/2021/10, TH/2022/2). We also note that the Weipa Fishing Classic is listed as an example under pt 5 div 3 s 31B(1)(a) as an event that is of unique or infrequent event of local, State or national significance.
11. The National Retail Association recognises the tremendous efforts of our essential retail team members who continued to serve our community during the natural disasters and the global COVID-19 pandemic. We also recognise the necessary staff contribution for stores to trade additional hours.
12. The National Retail Association understand that s 36BA applies in relation to an employee of particular shops in the area to which the order applies. As previously stated prior to the amendment of the Act, any work during extended hours will continue to be on a voluntary basis.

Sporting significance of the event

13. Tropical North Queensland promoted the 2025 event as three days of non-stop fishing action and is “Cape York’s premier and most exciting fishing competition, with local and interstate anglers competing for a prize pool of \$100,000” (<https://tropicalnorthqueensland.org.au/listing/event/weipa-fishing-classic/>).
14. In 2021, 2,200 anglers competed for the almost \$200,000 prize pool across several categories. In 2024, 2,400 anglers competed for almost \$260,000 in prizes across Senior and Junior categories, including barramundi, trevally, coral trout and mackerel (<https://capeyorkweekly.com.au/stecko-lyon-hook-weipa-fishing-classic-crowns-for-2024/10113/>).

Tourism significance of the event

15. In 2024, President Lisa Lui told Cape York Weekly that “after countless hours of planning, preparation and ticket selling... everything [is] on track for a bumper weekend.” The event had a record number of local sponsors which enabled them to put on a bigger event with new competitions and prizes, including a boat and a mountain bike with a custom-built fishing trailer (<https://capeyorkweekly.com.au/starters-pistol-ready-to-fire-on-bumper-weipa-fishing-classic/9975/>).
16. The Weipa Town Authority’s latest Community Plan aims to ensure the economic diversity of the region, by developing their tourism capability “promoting Weipa as a world class fishing destination in international fishing media” (<https://www.weipatownauthority.com.au/downloads/file/18/wta-community-plan-2012-2022>). The Weipa Fishing Classic is a pivotal element of the area’s economic diversity and tourism capability. The sporting significance of the Weipa Fishing Classic to the Weipa region is also identified in the Plan, aiming to “continue to grow the annual fishing competition as a major community event that becomes known as the premier fishing competition in Australia.”
17. The Weipa Fishing Classic offers free entry for attendees, and ticketed entries for competing anglers. In 2021, then President Aaron Schleich sold a record 2,200 tickets and more than 3,500 people joined the official launch on Thursday night (<https://www.cairnspost.com.au/news/cape-york/weipa-fishing-classic-anglers-descend-on-mining-town-for-annual-fishing-heaven-classic/news-story/fc8cb5a829446ff2abbe0d636cd6d833>). In 2024, 2,400 tickets sold and over 10,000 attended the Weipa Fishing Classic over three nights (<https://capeyorkweekly.com.au/stecko-lyon-hook-weipa-fishing-classic-crowns-for-2024/10113/>). As Weipa has a population of approximately 4,000, the Weipa Fishing Classic presents a significant tourism opportunity for local businesses to benefit from increased foot traffic and sales.
18. The Western Cape Chamber of Commerce “Strategic Plan for Recreational Sportfishing Tourism Development in the Weipa / Western Cape Area” notes that during major community events, like the Weipa Fishing Classic, town facilities are often fully booked and unable to cater for the influx of visitors (http://www.qrfn.org/uploads/1/2/8/3/12837319/weipa_strategy_dave_donald.pdf p14).

19. As the 2025 Weipa Fishing Classic is commemorating its 20th anniversary, the planning committee is expecting record attendance attracting local and interstate visitors and anglers from across the country to participate in the biggest fishing competition in Cape York (<https://capeyorkweekly.com.au/competition-goes-platinum-for-milestone-edition-of-weipa-fishing-showdown/13588/>).

Cultural significance of the event

20. Local paper Bush 'n Beach Fishing underlined the importance of the Weipa Fishing Classic stating; “small outback communities rely on their major community events for many reasons – for the social interaction, to raise money and to enjoy the unique lifestyle their particular location provides” (<https://bnbfishing.com.au/weipa-fishing-classic-a-lesson-in-covid-innovation/>).
21. In 2024, television presenter and special guest Craig “Macca” McGowan told Cape York Weekly “I haven’t seen anything like it, and the other thing I haven’t seen is a committee quite like this one. There’s a lot of passion for this [event] and a love for the community in this committee, and the actual calibre of this event is mind blowing; the professionalism of the people here ... is second to none” (<https://capeyorkweekly.com.au/special-guest-gives-thumbs-up-to-weipas-mind-blowing-fishing-spectacular/10069/>).
22. This year, the Weipa Fishing Classic is celebrating its 20th anniversary and recently unveiled its platinum merchandise colour scheme. Weipa Fishing Classic President Lisa Lui told Cape York Weekly that “The feedback from both the local community and beyond has been overwhelmingly positive; everyone loves the new design, and it’s gotten everyone excited for this year’s Classic. It’s a milestone event and everyone is eager to get their hands on one” (<https://capeyorkweekly.com.au/competition-goes-platinum-for-milestone-edition-of-weipa-fishing-showdown/13588/>).

Economic significance

23. The Weipa Town Authority offers event sponsorships of up to \$5,000 to community groups that foster economic growth and positively contribute to the social, cultural and economic wellbeing of the community. In May 2024, Weipa Town Authority members approved the event sponsorship for the Weipa Fishing Classic (https://www.weipatownauthority.com.au/files/assets/public/v/1/your-wta/documents/meetings-and-minutes/minutes___confirmed-may.pdf).
24. The Western Chamber of Commerce Strategic Plan provides modelling to calculate the economic significance of the event to the region. The model assumes 2.5 persons per boat with an average expenditure of \$100 per boat per day over three days, half of the competitors coming from out of town and staying in accommodation costing on average \$50 per person per day between camping and hotels, and another \$30 per competitor per day for meals and drinks (http://www.qrfn.org/uploads/1/2/8/3/12837319/weipa_strategy_dave_donald.pdf p19). Using this modelling, the 2,400 competitors in 2024 are estimated to have contributed \$684,000 across 3 days. However, whilst the Plan provides a helpful framework, it was produced in 2011 and costs have since increased across the board, and it does not account for the contribution of attendees. We submit the economic contribution of the Weipa Fishing Classic in 2025 will sit well above a million dollars for the weekend.
25. The Weipa Fishing Classic also gives back approximately \$150,000 to the community each year (<https://capeyorknrm.com.au/event/2019-04-01/weipa-fishing-classic>).
26. Following the 2022 Weipa Fishing Classic (TH/2022/2), the total weekly sales for a non-exempt retailer during the event was 10% higher than the previous week and 11% higher than the following week.

Demonstrated need

27. The Weipa retail community has the infrastructure capacity to service the existing population of 4,000. Given the 2024 Weipa Fishing Classic saw more than 10,000 attendees over three nights and record attendance is expected in 2025 due to the 20th anniversary, the significant swell in population will put pressure on existing infrastructure. To meet the needs of both locals and visitors, National Retail submits that Weipa needs to have all available services open.

Conclusion

28. The National Retail Association submits that the Weipa Fishing Classic meets the criteria under the Act as “a unique or infrequent event of local, State or national significance,” and is listed as an example within the Act. We further submit that the Commission, should it be mindful to grant this application, could comfortably rely on the available evidence in support of the sporting, tourism, and cultural significance of the event, and its significance to the local economy.
29. We emphasise that the Weipa retail community has the infrastructure capacity to service the existing population of 4,000. Given the 2024 Weipa Fishing Classic saw more than 10,000 attendees over three nights and record attendance is expected in 2025 due to the 20th anniversary, the significant swell in population will put pressure on existing infrastructure. To meet the needs of both locals and visitors, National Retail submits that Weipa needs to have all available services open.
30. The National Retail Association recognises the ongoing tremendous efforts of our essential retail team members who have continued to serve our community during natural disasters and the COVID-19 pandemic. We also recognise the necessary staff contribution for stores to trade additional hours. We submit that this application provides greater choice for residents and visitors and allows flexibility for stores to better cater for the needs of residents and visitors to Weipa.
31. National Retail understand that s 36BA applies in relation to an employee of particular shops in the area to which the declaration applies. As previously stated prior to the amendment of the Act, any work during extended hours will continue to be on a voluntary basis.
32. National Retail emphasises that the granting of this application will not come at the expense of regulation and employees. This application allows flexibility for stores to trade and better cater for the needs of residents and visitors to Weipa. Our experience says that it is not likely that retail stores will use the full range of hours available to them and that they usually only open in line with community expectations.

May it please the Commission.



Matter No: / /

Form 21 – Certificate of Exhibit to Affidavit

Industrial Relations Act 2016, s 989
Industrial Relations (Tribunals) Rules 2011, r 53

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Matter details

Applicant:	National Retail Association, Union of Employers
	v
Respondent:	NA

Exhibit details

Name of document:	Description of Location
Marked:	Exhibit B
Mentioned in the affidavit of:	David Stout

Signature

Full name of deponent/ substitute signatory:	David Stout
Signature of deponent/ substitute signatory:	
Full name of witness:	Lindsay Carrn II
Signature and type of witness:	
	<input type="checkbox"/> Justice of the Peace <input type="checkbox"/> Commissioner for Declarations <input checked="" type="checkbox"/> Lawyer
Sworn/Affirmed at [place]:	Spring Hill
Date:	14.4.2025

Exhibit B – Description of Location



Starting at Rocky Point Boat Ramp, travelling south east to Hibberd Drive, through the roundabout onto Central Ave

Travelling southbound on Central Ave to Kerr Point Dr at Nanum

Turning west onto Kerr Point Dr and travelling alongside the bay back to Rocky Point Boat Ramp