

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *National Retail Association Limited, Union of Employers (Mount Isa Mines Rodeo) [2025] QIRC 188*

PARTIES: **National Retail Association Limited, Union of Employers**
(Applicant)

CASE NO: TH/2025/6

PROCEEDING: Application for Declaration of Special Event

DELIVERED ON: 22 July 2025

HEARING DATE: 22 July 2025

MEMBER: McLennan IC

HEARD AT: Brisbane

ORDERS:

1. Pursuant to s 5(1)(c) of the *Trading (Allowable Hours) Act 1990 (Qld)*, I declare that the Mount Isa Mines Rodeo is a special event.
2. This declaration applies for the period commencing on 8 August 2025 up to and including 10 August 2025.
3. The declaration applies to the geographic area described as: Starting at Abel Smith Parade turning south onto Sunset Drive through to Camooweal Street then on to Patricia Street and West Street. Travelling south through to Isa Street then on to Pamela Street and then East Street. Turning east onto Barkly Highway then onto Abel Smith Parade to the starting point at Sunset Drive.
4. Section 36BA of the *Trading (Allowable Hours) Act 1990 (Qld)* applies in relation to an employee of particular

shops in the area to which the declaration applies.

CATCHWORDS: INDUSTRIAL LAW – TRADING HOURS – APPLICATION FOR DECLARATION OF SPECIAL EVENT – application to classify all non-exempt shops as exempt shops in part of the Mount Isa area for a specified period during a special event, namely, the Mount Isa Mines Rodeo – whether the Mount Isa Mines Rodeo is a special event within the meaning of s 5 of the *Trading (Allowable Hours) Act 1990* (Qld) – declaration made

LEGISLATION: *Industrial Relations Act 2016* (Qld)

Trading (Allowable Hours) Act 1990 (Qld) ss 5, 31A, 31B, 36BA

CASES: *National Retail Association Limited, Union of Employers (Mount Isa Mines Rodeo)* [2024] QIRC 184

Re: National Retail Association, Union of Employers [2023] QIRC 229

APPEARANCES: Mr D. Stout of the National Retail Association Limited, Union of Employers

Mr R. Thinee of the Mount Isa City Council

Mr T. Stephens of the Australian Workers' Union of Employees, Queensland

Reasons for Decision

- [1] On 19 June 2025, the National Retail Association Limited, Union of Employers ('the NRA') applied for a declaration under Part 5, Division 3 of the *Trading (Allowable Hours) Act 1990* (Qld) ('the Act'), in respect of the Mount Isa Mines Rodeo ('the Rodeo') which is being held from 8 to 10 August 2025 inclusive.
- [2] The declaration sought is that the Rodeo be declared a "special event" within the meaning of s 5(1)(c) of the Act.

- [3] The Director of Policy for the NRA, Mr David Stout, swore an affidavit in support of the application. The affidavit was filed on 19 June 2025.
- [4] The area that is sought to be covered by the Application is the geographical area as set out in Exhibit B to the affidavit of Mr David Stout.¹ The area is described as follows:
- Starting at Abel Smith Parade turning south onto Sunset Dr through to Camooweal St then on to Patricia St and West St
- Travelling south through to Isa St then onto Pamela St then to East St
- Turning east onto Barkly Hwy then onto Abel Smith Parade to the starting point at Sunset Dr.²
- [5] The practical impact of the granting of a declaration will result in the restrictions for non-exempt shops within the defined area being lifted for the nominated days and times within the declaration.
- [6] On 20 June 2025, I issued a Directions Order which directed that the Application and the Directions Order itself be served on the following persons:
- Mount Isa City Council;
 - Shop, Distributive and Allied Employees Association (Queensland Branch) Union of Employees ('the SDA');
 - The Australian Workers' Union of Employees, Queensland ('the AWU');
 - Local Government Association of Queensland Ltd;
 - Executive Director, Industrial Relations, Office of Industrial Relations, Department of Education; and
 - Chief Industrial Inspector, Office of Industrial Relations, Department of Education.
- [7] The Directions Order provided that those who may be affected by the Application may make a formal application seeking leave to be heard and, if leave was granted, such a person was to file an outline of submissions by 18 July 2025.
- [8] As required under the Act, the Application and Directions Order were published on the Commission's website.
- [9] On 23 June 2025, the SDA made an application seeking leave to be heard. On 24 June 2025, the AWU made an application seeking leave to be heard.
- [10] On 26 June 2025, the Commission granted leave for all parties to be heard during the hearing of the matter.

¹ Affidavit of David Stout filed 19 June 2025, Exhibit B.

² Ibid.

[11] The question for my determination is whether I should make the declaration sought.

The relevant provisions of the Act

[12] Section 5 of the Act relevantly provides:

5 Exempt shops

- (1) An exempt shop is—
 - (a) a shop of a description mentioned in schedule 1AA used predominantly for selling goods by retail, or for supplying services, a reasonable person would expect to be sold or supplied in that shop; or
 - (b) an independent retail shop; or
 - (c) a shop operating in an area to which a special event declaration applies.
- (2) A class of shop may be declared for the purposes of schedule 1AA, item 23 by reference to—
 - (a) the business conducted in shops of the class; or
 - (b) the location of shops within any area or areas of the State defined in the relevant regulation; or
 - (c) such other criteria as the Governor in Council thinks fit.
- (3) In respect of the sale of goods wholesale in an exempt shop the provisions of this Act apply to the shop and a reference in this Act to an exempt shop does not include the shop.

[13] Part 5 of the Act provides for the making of orders and declarations by the Commission. Part 5, Division 3 of the Act provides for the making of special event declarations.

[14] Section 31A of the Act relevantly provides:

31A Industrial commission may make declaration of special event

- (1) On an application by a chief executive, local government, organisation or any other person, the industrial commission may declare an event to be a special event.
- (2) A declaration for subsection (1) (a *special event declaration*) must state the following matters—
 - (a) details of the event the subject of the declaration;
 - (b) the period for which the declaration applies;
 - (c) the area to which the declaration applies;
 - (d) that section 36BA applies in relation to an employee of particular shops in the area to which the declaration applies.

Note—

A shop in the area to which the declaration applies is an exempt shop.

- (3) A special event declaration must be published on the QIRC website.

[15] Section 31B of the Act sets out the factors the Commission must consider when determining an application, namely:

31B Deciding application for special event declaration

- (1) In deciding whether to declare an event to be a special event, the industrial commission must consider—
 - (a) whether the event is a unique or infrequent event of local, State or national significance; and

Examples—

 - the 2032 Olympic and Paralympic Games
 - the Weipa Fishing Classic event
 - (b) the cultural, religious or sporting significance of the event; and
 - (c) the significance of the event to the economy and the tourism industry; and
 - (d) whether there is a need for a non-exempt shop, or a class of non-exempt shops, to trade for hours greater than the core trading hours for the shop or class of shops under this Act for the period of the event.
- (2) In considering the matters mentioned in subsection (1), the industrial commission must also have regard to the following—
 - (a) the size of a place where the event will be held;
 - (b) whether the event will be held at multiple places;
 - (c) the predicted attendance numbers;
 - (d) any expected media coverage;
 - (e) any contribution the event may make to Queensland's national or international reputation;
 - (f) a submission made by—
 - (i) a local government for an area where the special event declaration is likely to have an impact; or
 - (ii) an industrial organisation in relation to the likely impact of the special event declaration on employees.

[16] Section 36BA prescribes certain protections for employees where core trading hours are increased because of a special event declaration, namely:

36BA Protection for employees—other extended hours

...

- (2) An employer of an employee employed in the shop must not require the employee to work during extended hours unless the employee has freely elected to work during extended hours.

Maximum penalty—

- (a) for a first offence—16 penalty units; or
- (b) for a second or later offence—20 penalty units.

...

NRA's submissions and evidence

[17] The NRA's written submissions closely mirror those made in support of the Mount Isa Mines Rodeo trading hours applications of the previous two years, other than the following new matters:

13. The 2025 Mount Isa Mines Rodeo features a \$166,500 prize pool across the Saddle Bronc Ride, Bull Ride, Bareback Bronc Ride, Rope & Tie, Steer Wrestling, Team Roping, Barrel Race and Breakaway Roping events (<https://prorodeo.com.au/event/mount-isa-rodeo-2025/>). Each open event attracts \$15,000, 2nd division at \$2,000 and Junior at \$500. The Indigenous Rodeo Championship now has a \$2,000 purse for Senior events and \$500 for Junior.
14. Mark Thompson, Chair of the Mount Isa Mines Rodeo Community Board said “bigger prizemoney means the best of the best will ride into town, bringing their A-game, their grit, and their wildest rides. It also means tougher bulls, bolder broncs, and edge-of-your-seat action for fans. It’s about attracting elite talent, giving local and visiting fans the greatest show on dirt, and honouring the rodeo’s incredible legacy as we write the next chapter—led by locals, for locals” (<https://newshub.medianet.com.au/2025/05/2025-mount-isa-mines-rodeo-announces-recordprize-pool/102260/>).
15. The Mount Isa Mines Indigenous Rodeo Championship is recognised as an opportunity for First Nations cowboys and cowgirls to compete at the highest level with a free Indigenous Rodeo Clinic to support athletes to develop skills, network and connect with other emerging athletes. Mark Thompson, Chair of the Mount Isa Rodeo Community Board said the return of the event demonstrates the depth of talent in Indigenous rodeo across the country: “To see the level of skill, commitment and interest from our Indigenous riders — particularly the young guns coming up through the ranks — shows this sport is in great hands” (<https://townsvilletimes.com.au/ridewith-the-legends-at-mount-isa-2025/#:~:text=What's%20Happening?,and%20understand%20their%20unique%20journey.>)
16. The total estimated visitor spend for the Mount Isa Mines Rodeo in 2024 was \$689,800. With an average daily spend of \$172,450 between Thursday and Sunday, this represents a 94% increase on the average daily spend during June to August and a 331% increase compared to during January to March.
17. The 2025 event has attracted 30 sponsors across local government and businesses, including the Mount Isa City Council, Glencore Queensland Metals, Bell & Moir Toyota, XXXX, Mount Isa Coaches, Totally Workwear and Mount Isa Furniture and Bedding.
- ...
19. In 2024, the Mount Isa Rodeo event organisers raised ticket costs due to the post-COVID slowdown and rising event management and logistics costs. With cost-of-living pressures reducing consumer discretionary spending, the 2024 event saw an estimated 12% decrease in ticket sales and the Mount Isa Rodeo entered voluntary administration in October 2024 (<https://www.indailysa.com.au/news/just-in/2024/10/28/australias-wimbledon-of-rodeo-inadministration>).
20. In December, the Queensland Government allocated an additional \$2 million to the Mount Isa Transition Fund to revive the event. Deputy Premier, Minister for State Development, Infrastructure and Planning Jarrod Bleijie said the grant boost would allow the Mount Isa Council to support the rodeo that would deliver economic benefits to the region. The Mount Isa Rodeo is an iconic regional tourism event for the North-West and for Queensland” (<https://statements.qld.gov.au/statements/101753>).
21. The Mount Isa City Council appointed a new community board to run the event from 2025 onwards, and has been named a presenting partner, providing cash sponsorship, in-kind support and ancillary venue costs. Councillor Travis Crowther said the Mount Isa Mines

Rodeo's new board had brought the event back to the community. "I think they're going to bring a lot more tourism back into the city, which then has a flow-on effect for all of the businesses, so it'll be well worth it down the track" (<https://www.mountisa.qld.gov.au/Latest-News/Council-a-Presenting-Partner-of-2025-Mount-Isa-Mines-Rodeo>).

22. Chairman Mark Thompson has halved ticket prices to \$50 per day for adults, \$35 for pensioners, \$20 for children and \$300 for a three-day family pass, ensuring the event is affordable but support the long-term viability of the event (<https://www.northwestweekly.com.au/entry-for-apineapple-rodeo-keeps-ticket-pricing-promise-2025-04-02>).

...

25. Queensland Minister for Environment and Tourism Andrew Powell said that the Mount Isa Rodeo was a critical event for the region. "Tourism is an important industry in the North-West of our state and there is no bigger drawcard for Mount Isa than its famous rodeo. As well as the economic benefits that the rodeo provides the city and the region, these kinds of events are an important opportunity for the Mount Isa community, friends, families and visitors to come together, creating community pride and connection" (<https://statements.qld.gov.au/statements/101753>).

26. The 2024 Mount Isa Mines Rodeo post-event report estimates that 41.3% of attendees were from outside the Mount Isa City Council, including Menzies, Brimbank, Parramatta, Longreach, Mornington, and Townsville.

27. During the 2024 event, analysis of over 98 hotels, motels and sharing economy properties across the Mount Isa region showed an average occupancy of 61%, a 110% increase when compared to the week prior.

...

30. The 2025 Mount Isa Mines Rodeo has been promoted across Tourism and Events Queensland, Outback Queensland, local and national news outlets, social media, and travel blogs. This year, Channel 9's Today Show hosts Karl Stefanovic and Sarah Abo, weather presenter Tim Davies and 12-person production crew will broadcast live from the Rodeo. Mayor Peta MacRae said having the city and the rodeo featured on Today and reaching a national audience would be invaluable when it comes to getting the city's messages out and showcasing what Mount Isa has to offer (<https://www.mountisa.qld.gov.au/Latest-News/Today-Show-Coming-to-Mount-Isa>).

...

- [18] The remaining arguments as to why the Commission ought to grant its application are recorded in the earlier Commission decisions in *National Retail Association Limited, Union of Employers (Mount Isa Mines Rodeo)*³ and *Re: National Retail Association, Union of Employers*,⁴ and need not be repeated here.

AWU's submissions

- [19] The AWU's submissions provided the union's consent to the NRA's application but urged the Commission to "provide ancillary orders to ensure that all employees in the affected

³ [2024] QIRC 184.

⁴ [2023] QIRC 229.

shops receive a protection from working extended trading hours by reason of Section 36B⁵ of the act."⁶ The effect of that is that there is no opposition to the NRA's application.

SDA's Submissions

- [20] While the SDA sought leave to be heard, it later advised the Commission that it would rely on the AWU's submissions, due to unforeseen absences / unavailability of the designated Industrial Officer.

Mount Isa City Council

- [21] The Act provides that I may consider submissions made by a local government in making my decision. The Mount Isa City Council attended the hearing for the Application and provided its support of the application.

Consideration

- [22] I have earlier noted the similarity of the NRA's submissions in this matter to its previous submissions in the successful applications for the 2024 and 2023 Mount Isa Mines Rodeo. The Mount Isa City Council has expressed its support for the extended trading hours. Further, the unions do not oppose the NRA's application.
- [23] I have had regard to the provisions of the *Trading (Allowable Hours) Act 1990* (Qld), specifically ss 5, 31A and 31B, and conclude that the Mount Isa Mines Rodeo is such "special event" because of its significance to the local community, economy and tourism.
- [24] I will adopt the reasoning of Industrial Commissioner Knight in *National Retail Association Limited, Union of Employers (Mount Isa Mines Rodeo)*⁷ and Industrial Commissioner Pidgeon in *Re: National Retail Association, Union of Employers*,⁸ in the two earlier Commission decisions, to declare the Mount Isa Mines Rodeo a "special event".

Conclusion

- [25] I am satisfied the Rodeo is a special event within the meaning of s 5(1)(c) of the Act because it is an event of sporting significance to the people of the Mount Isa area and regional Queensland more broadly.
- [26] I am also of the view the Rodeo is significant to the Mount Isa economy and tourism sector.

⁵ This should be s 31BA.

⁶ Australian Workers' Union of Employees, Queensland submissions filed 17 July 2025.

⁷ [2024] QIRC 184.

⁸ [2023] QIRC 229.

[27] The area to which the declaration should apply is not in dispute and I am satisfied it is a suitable area having regard to the submissions made.

[28] I make the following declaration:

- 1. Pursuant to s 5(1)(c) of the *Trading (Allowable Hours) Act 1990* (Qld), I declare that the Mount Isa Mines Rodeo is a special event.**
- 2. This declaration applies for the period commencing on 8 August 2025 up to and including 10 August 2025.**
- 3. The declaration applies to the geographic area described as: Starting at Abel Smith Parade turning south onto Sunset Drive through to Camooweal Street then on to Patricia Street and West Street. Travelling south through to Isa Street then on to Pamela Street and then East Street. Turning east onto Barkly Highway then onto Abel Smith Parade to the starting point at Sunset Drive.**
- 4. Section 36BA of the *Trading (Allowable Hours) Act 1990* (Qld) applies in relation to an employee of particular shops in the area to which the declaration applies.**