

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the certification of the North Burnett Regional Council Certified Agreement 2023*  
[2023] QIRC 331

PARTIES: **North Burnett Regional Council**

AND

**Construction, Forestry, Mining & Energy,  
Industrial Union of Employees, Queensland**

**Queensland Services, Industrial Union of  
Employees**

**The Australian Workers' Union of  
Employees, Queensland**

CASE NO: CB/2023/123

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 20 November 2023

HEARING DATE: 20 November 2023

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: ***The North Burnett Regional Council  
Certified Agreement 2023 is certified.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE  
BARGAINING – application for certification  
of an agreement – requirements for  
certification – agreement certified

LEGISLATION: *Industrial Relations Act 2016 (Qld) s 189, s  
227, s 228*

APPEARANCES: Mr C. Lowe of Local Government Association Queensland for North Burnett Regional Council

Mr P. Dunbar for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Mr J. Donaghy for the Queensland Services, Industrial Union of Employees

Mr B. McCreddie for The Australian Workers' Union of Employees, Queensland

### **Reasons for Decision**

- [1] On 25 October 2023, the North Burnett Regional Council ('the Council') filed an application to certify the *North Burnett Regional Council Certified Agreement 2023* ('the agreement') pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act') ('the application').
- [2] The named parties to the agreement are:
- the Council;
  - the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEU');
  - the Queensland Services, Industrial Union of Employees ('QSU'); and
  - The Australian Workers' Union of Employees, Queensland ('AWU').
- [3] The terms of the agreement have been consented to by the above-mentioned parties.
- [4] The agreement applies to the Council, CFMEU, QSU, AWU, and members of the union parties or persons eligible to be their members employed by the Council under the relevant awards.
- [5] Having regard to the submissions made by the parties who appeared at the hearing of the matter on 20 November 2023, as well as the affidavit of Ms Margot Stork, Chief Executive Officer of the Council, filed on 25 October 2023, the Commission is satisfied that:
- (a) each relevant requirement in ch. 4, pt. 5, sub-div. 2 of the IR Act has been satisfied; and

- (b) there is nothing in the agreement which would require the Commission to refuse to grant the application pursuant to ch. 4, pt. 5, sub-div. 3 of the IR Act.

[6] Accordingly, the application to certify the agreement is granted.

[7] The agreement operates from the date it was certified, being 20 November 2023.

[8] Although the nominal expiry date of the agreement is 1 September 2026, it will continue to operate until it is terminated under ss 227 or 228 of the IR Act.

**Order**

[9] The Commission makes the following order:

***The North Burnett Regional Council Certified Agreement 2023 is certified.***