

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Northern Peninsula Area Regional Council Certified Agreement - 2023*
[2024] QIRC 048

PARTIES: **Northern Peninsula Area Regional Council**

AND

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

**Queensland Services, Industrial Union of
Employees**

CASE NO.: CB/2024/7

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 21 February 2024

HEARING DATE: 21 February 2024

HEARD AT: Brisbane

MEMBER: Merrell DP

ORDER: ***The Northern Peninsula Area Regional Council
Certified Agreement - 2023 is certified.***

CATCHWORDS: INDUSTRIAL LAW - QUEENSLAND -
AGREEMENTS - application for certification of
an agreement - requirements for certification -
agreement certified

LEGISLATION: *Industrial Relations Act 2016*, s 189, ch 4, pt 5,
div 2, sub-divs 2 and 3, s 227 and s 228

APPEARANCES: Ms S. Mitanis of MBA Lawyers for the Northern
Peninsula Area Regional Council.

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

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

Reasons for Decision

- [1] On 29 January 2024, the Northern Peninsula Area Regional Council ('the Applicant'), pursuant to s 189 of the *Industrial Relations Act 2016* ('the Act'), made an application to certify the *Northern Peninsula Area Regional Council Certified Agreement - 2023* ('the agreement').
- [2] The named parties to the agreement are the Applicant and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland; and
 - Queensland Services, Industrial Union of Employees.
- [3] The agreement is signed by all the above-mentioned parties.
- [4] The agreement applies to the Applicant and all its employees, except the Chief Executive Officer and any other Senior Officers or existing contracted positions, where the parties have entered into a contract of employment which provides that the agreement (or any predecessor) does not apply.
- [5] Having regard to the submissions made by the parties who appeared today and to the affidavit of Ms Kate Gallaway, Chief Executive Officer of the Applicant, filed on 29 January 2024:
- I am satisfied of each relevant requirement in ch 4, pt 5, div 2, sub-div 2 of the Act; and
 - there is nothing in the agreement which would require me to refuse to grant the application pursuant to ch 4, pt 5, div 2, sub-div 3 of the Act.
- [6] The application to certify the *Northern Peninsula Area Regional Council Certified Agreement - 2023* is granted.
- [7] The *Northern Peninsula Area Regional Council Certified Agreement - 2023* operates from the day it is certified, namely, 21 February 2024.
- [8] Although the nominal expiry date of the *Northern Peninsula Area Regional Council Certified Agreement - 2023* is 14 December 2026, it continues to operate until it is terminated under s 227 or s 228 of the Act.
- [9] I make the following order:

The *Northern Peninsula Area Regional Council Certified Agreement - 2023* is certified.