

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the McKinlay Shire Council  
Certified Agreement 2024-2027 [2025] QIRC  
010*

PARTIES: **McKinlay Shire Council**  
Applicant

v

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

&

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

&

**Queensland Services, Industrial Union of  
Employees**  
Third Respondent

CASE NO: CB/2024/87

PROCEEDING: Application to certify an agreement

DELIVERED ON: 17 January 2025

HEARING DATE: 17 January 2025

MEMBER: Pratt IC

HEARD AT: Brisbane

ORDER: **1. *The McKinlay Shire Council Certified  
Agreement 2024-2027 is certified.***

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

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

APPEARANCES: Mr P Spoto of the Local Government Association of Queensland appearing on behalf of McKinlay Shire Council

Mr G Taylor appearing on behalf of the Australian Workers' Union of Employees, Queensland

Mr E Dalglish appearing on behalf of Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Ms C Sait appearing on behalf of the Queensland Services, Industrial Union of Employees

### **Reasons for Decision**

- [1] On 2 December 2024, McKinlay Shire Council ('the Applicant') made an application to certify the *McKinlay Shire Council Certified Agreement 2024-2027* ('the Agreement') pursuant to section 189 of the *Industrial Relations Act 2016 (Qld)* ('the IR Act').
- [2] The named parties to the Agreement are the Applicant and the following employee organisations:
- (a) The Australian Workers' Union of Employees, Queensland;
  - (b) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; and
  - (c) Queensland Services, Industrial Union of Employees.

- [3] The Agreement is not signed by all the above-mentioned parties, however, all parties have made submissions that they agree to it. The Agreement shall apply to all of the Applicant's employees covered by the *Queensland Local Government Industry (Stream A) Award – State 2017*, *Queensland Local Government Industry (Stream B) Award – State 2017*, and *Queensland Local Government Industry (Stream C) Award – State 2017* and the employee organisations mentioned above.
- [4] This Agreement shall not apply to Senior Officers as provided for in Division 2 – Section 1, clause 4.2 of the *Queensland Local Government Industry (Stream A) Award – State 2017*.
- [5] Having regard to the submissions made by the parties who appeared today, and to the affidavit of Trevor Williams, the Chief Executive Officer of the Applicant, filed on 2 December 2024:
- (a) I am satisfied that each of the relevant requirements in ch 4, pt 5, div 2, sub-div 2 of the IR Act have been met; and
  - (b) 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 IR Act.
- [6] The application to certify the Agreement is granted.
- [7] The Agreement operates from the day it is certified, namely, 17 January 2025.
- [8] Although the nominal expiry date of the Agreement is 4 June 2027, the Agreement continues to operate until it is terminated pursuant to s 227 or s 228 of the IR Act.
- [9] I make the following order:

**Order**

- 1. The *McKinlay Shire Council Certified Agreement 2024-2027* is certified.**