

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the making of the Toowoomba Regional Council Field Based Staff Certified Agreement 2024 (No. 5) [2025] QIRC 038*

PARTIES: **Toowoomba Regional Council**  
Applicant

v

**Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland**  
First Respondent

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

**Plumbers & Gasfitters Employees' Union Queensland, Union of Employees**  
Third Respondent

**The Electrical Trades Union of Employees Queensland**  
Fourth Respondent

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

**Transport Workers' Union of Australia, Union of Employees (Queensland Branch)**  
Sixth Respondent

**United Workers' Union, Industrial Union of Employees, Queensland**  
Seventh Respondent

CASE NO: CB/2024/106

PROCEEDING: Application to certify an agreement

DELIVERED ON: 7 February 2025

HEARING DATE: 30 January 2025

MEMBER: Pratt IC

HEARD AT: Brisbane

ORDER: **1. *The Toowoomba Regional Council Field Based Staff Certified Agreement 2024 (No. 5) 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 Toowoomba Regional Council.

Mr E Dalglish, appearing for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

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

Ms S Gill, appearing for the United Workers' Union, Industrial Union of Employees, Queensland

### **Reasons for Decision**

[1] On 20 December 2024, Toowoomba Regional Council ('the Applicant') made an application to certify the *Toowoomba Regional Council Field Based Staff Certified*

*Agreement 2024 (No. 5)* ('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. Toowoomba Regional Council;
  - b. Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
  - c. Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - d. Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;
  - e. The Electrical Trades Union of Employees Queensland;
  - f. The Australian Workers' Union of Employees, Queensland;
  - g. Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and
  - h. United Workers' Union, Industrial Union of Employees, Queensland
- [3] The Agreement is signed by all the above-mentioned parties. I note that clause 1.2 of the Agreement lists as a party United Voice, Industrial Union of Employees, Queensland. The correct entity is the United Workers' Union, Industrial Union of Employees, Queensland. That entity is correctly identified as the relevant signatory to the Agreement and that was confirmed at the hearing of the application.
- [4] The Agreement shall apply to all of the Applicant's employees covered by the *Queensland Local Government Industry (Stream B) Award – State 2017*, the *Queensland Local Government Industry (Stream C) Award – State 2017*, and the employee organisations mentioned above.
- [5] Having regard to the submissions made by the parties who appeared today, the correspondence received from the excused employee organisations in support of the application,<sup>1</sup> and to the affidavit of Ann-Marie Johnston, the Acting Chief Executive Officer of the Applicant, filed on 20 December 2024, I am satisfied that each relevant

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<sup>1</sup> The employee organisations who were excused were the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland, the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees, the Electrical Trades Union of Employees Queensland, and the Transport Workers' Union of Australia, Union of Employees (Queensland Branch).

requirement in ch 4, pt 5, div 2, sub-div 2 of the IR Act has been met and that 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, 30 January 2025.
- [8] Although the nominal expiry date of the Agreement is 19 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 *Toowoomba Regional Council Field Based Staff Certified Agreement 2024 (No. 5)* is certified.**