

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the making of the Noosa Council Certified Agreement 2025 [2025] QIRC 285*

PARTIES: **Noosa Shire Council**

AND

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

**Queensland Services, Industrial Union of
Employees**

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

**United Workers Union, Industrial Union of
Employees, Queensland**

**The Association of Professional Engineers,
Scientists and Managers, Australia, Queensland
Branch, Union of Employees**

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

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

**The Electrical Trades Union of Employees
Queensland**

CASE NO: CB/2025/122

PROCEEDING: Application for certification of an agreement

DELIVERED ON: 24 October 2025

HEARING DATE: 24 October 2025

MEMBER: Caddie IC

HEARD AT: Brisbane

ORDER: **The Noosa Council Certified Agreement 2025 is certified.**

CATCHWORDS: INDUSTRIAL LAW – application for certification of an Agreement – requirements for certification – Agreement certified.

LEGISLATION AND INSTRUMENTS: *Industrial Relations Act 2016* (Qld) ch 4

APPEARANCES:

Mr C. Lowe, Local Government Association of Queensland for Noosa Shire Council.

Mr G. Taylor for The Australian Workers' Union of Employees, Queensland.

Mr J. Donaghy and Ms J. Cassidy for Queensland Services, Industrial Union of Employees.

Mr E. Dalgleish for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland.

Reasons for Decision

- [1] On 10 October 2025, Noosa Shire Council ('the Council') applied, pursuant to s 189 of the *Industrial Relations Act 2016* (Qld) ('the Act') to certify the *Noosa Council Certified Agreement 2025* ('the Agreement').
- [2] The named parties to the Agreement are the Council and the following employee organisations:
- The Australian Workers' Union of Employees, Queensland ('AWU')
 - Queensland Services, Industrial Union of Employees ('TSU')
 - The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEU')
 - United Workers Union, Industrial Union of Employees, Queensland ('UWUQ')

- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees ('APESMAQ')
 - Plumbers and Gasfitters Employees' Union Queensland, Union of Employees ('PGEU')
 - Transport Workers' Union of Australia, Union of Employees (Queensland Branch) ('TWU')
 - Electrical Trades Union of Employees Queensland ('ETU')
- [3] I am satisfied that all parties have agreed on the terms of the Agreement, which were approved by a valid majority of relevant employees in a properly conducted ballot.
- [4] Two amendments were made to the Agreement following the ballot pursuant to s 171(8) of the Act. The Construction Workers Allowance Adjustment was updated to include a 3.5% wage increase to base rates effective from 1 September 2025. The second amendment consisted of correcting references within the Local Work Area Agreements to ensure identification of the current Agreement rather than the superseded *Noosa Council Certified Agreement 2021*. At hearing today, the Council submitted, and I concur (with the agreement of the union parties present today), that these are amendments made for a formal or clerical reason that do not adversely affect any relevant employee's interests.¹
- [5] The agreement is signed by all employee organisations, with the exception of the ETU, who did not participate in bargaining and refrained from signature. In correspondence, the ETU advised they wish to be a party to and covered by the Agreement and confirmed they are supportive of the application for certification.²
- [6] The parties granted leave not to attend the hearing support the application to certify the Agreement.³ Having regard to the affidavit of Larry Sengstock, Chief Executive Officer

¹ *Industrial Relations Act 2016* (Qld) s 171(8).

² Correspondence dated 21 October 2025 from Mr Peter Ong, State Secretary of ETU.

³ Correspondence dated 14 October from Mr Richard Olsen, Branch Secretary of TWU, confirmed consent to the applications for termination and certification of a new agreement and advised they were unable to attend the hearing. Correspondence dated 16 October 2025 from Mr Luke Barden, State Government and Fixed Industry Coordinator for PGEU, advised that as they had not been an active participant in bargaining, they sought leave not to attend the hearing and confirmed they did not anticipate objecting to the new agreement. Correspondence dated 15 October from Mr Alec Nash, Lead Industrial Officer, UWU, advised that UWU was unable to attend the hearing and confirmed support for the applications to terminate and certify. Correspondence dated 21 October 2025 from Mr Peter Ong, State Secretary of ETU, confirmed that ETU did not intend to sign the agreement, but supported its certification and wished to be a party. They further advised of their consent to the termination of the previous agreement and sought leave not to appear at hearing. Parties were excused from attendance at hearing by way of correspondence from my Chambers dated 20 and 23 October 2025 respectively. Mr Sean Kelly for APESMAQ by email correspondence of 24 October 2025 indicated that APESMAQ sought leave not to attend the hearing and confirmed consent to the applications for termination and certification.

of Noosa Shire Council, filed 10 October 2025, the submissions made by the parties who appeared at hearing today and to the Agreement itself:

- I am satisfied of each pertinent 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 under ch 4, pt 5, div 2, sub-div 3 of the Act.

[7] The application to certify the *Noosa Council Certified Agreement 2025* is granted.

[8] The *Noosa Council Certified Agreement 2025* operates from the day it is certified, namely 24 October 2025.

[9] While the nominal expiry date of the *Noosa Council Certified Agreement 2025* is 26 February 2028, it continues in operation until it is terminated pursuant to s 227 or s 228 of the Act.

[10] I order accordingly.

Order

The *Noosa Council Certified Agreement 2025* is certified.