

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
EMPLOYMENT AND INDUSTRIAL LIST

No SCI 2016 00269

BETWEEN

VOLUNTEER FIRE BRIGADES VICTORIA INC.

Plaintiff

and

COUNTRY FIRE AUTHORITY

Defendant

MINUTE OF PROPOSED CONSENT ORDERS

The parties consent to orders being made in the following terms.

UPON the Defendant, by its Counsel, giving the undertakings set out in Annexure A, the Court makes the following orders:

1. On or by 27 July 2016, the Plaintiff file and serve a Statement of Claim.
2. On or by 26 August 2016, the Defendant file and serve a Defence.
3. On or before 26 September 2016, the Plaintiff file and serve any Reply.
4. The proceeding and the summons filed on 14 June 2016 be otherwise adjourned to a date to be fixed.
5. Costs reserved.

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Robinson Gill Lawyers
Solicitors for the Plaintiff

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Corrs Chambers Westgarth
Solicitors for the Defendant

Date: 21 June 2016

ANNEXURE A TO MINUTE OF MINUTE OF PROPOSED CONSENT ORDERS

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
EMPLOYMENT AND INDUSTRIAL LIST

No SCI 2016 02269

BETWEEN

VOLUNTEER FIRE BRIGADES VICTORIA INC.

Plaintiff

and

COUNTRY FIRE AUTHORITY

Defendant

UNDERTAKING

The Defendant, by its counsel and pending the hearing and determination of this action or until further order, proffers the following undertaking to the Court:

1. On or before the close of business on **24 June 2016**, the Country Fire Authority (the **Authority**) provide to the Volunteer Fire Brigades Victoria Inc (**VFBV**), for the purposes of consultation, a copy of the proposed agreement to replace the *Country Fire Authority/United Firefighters Union of Australia Operational Staff Enterprise Agreement 2010 (Proposed Agreement)*.
2. The Chair and Chief Executive Officer and/or alternatively the Board of the Authority will meet with representatives of the VFBV on **8 July 2016** or at such other time as may be agreed and at such further times as are mutually convenient to the parties, at which meeting or meetings the VFBV will have the opportunity to explain to the Authority its concerns in relation to the Proposed Agreement including the information provided on 15 June 2016 and any further information that it wishes the Authority to consider, in relation to the impact upon volunteers arising from the Proposed Agreement and its concerns in relation to those matters.
3. The Authority, whether by itself, its officers, servants, agents or howsoever otherwise, will not prior to **20 July 2016** request that the Authority's employees who will be covered by the Proposed Agreement approve the agreement by voting for it, within the meaning of s.181(1) of the *Fair Work Act 2009* (Cth).
4. The Authority will give the VFBV three business days' notice of its intention to make any request of a kind described in paragraph 3 on or after **20 July 2016**.