

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012* [2019] QIRC 129 004

PARTIES: **Goondiwindi Regional Council**

and

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

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

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

CASE NO: CB/2019/129

PROCEEDING: Termination of an agreement

DELIVERED ON: 14 January 2020

HEARING DATE: 14 January 2020

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. The *Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING - Application for termination of agreement after nominal expiry date - Requirements for termination - agreement terminated

LEGISLATION: *Industrial Relations Act 2016* (Qld) s 228.

APPEARANCES:

Ms K Roberts for Goondiwindi Regional Council

Ms S Young for Australian Workers Union

Reasons for Decision

- [1] The Goondiwindi Regional Council has applied to terminate the *Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 23 August 2015 and the parties consent to its termination.
- [3] On the basis that the agreement does not include any provisions recording that any particularly conditions need to be met before it may be terminated;¹ that the Commission is satisfied that the Goondiwindi Regional Council has given notice of its intention to apply to terminate the agreement;² that the other parties to the agreement agree to it being terminated;³ and, that the termination of the agreement is not contrary to the public interest;⁴ the *Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012* is terminated as from 14 January 2020.⁵
- [4] I make the following order: ***Goondiwindi Regional Council Certified Agreement Number 2 - Outdoor 2012* is terminated.**

¹ *Industrial Relations Act 2016* s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ *Ibid* s 228(4)