

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Bulloo Shire Council Operational Employees Certified Agreement 2021 [2025] QIRC 143*

PARTIES: **Bulloo Shire Council**

AND

Queensland Services, Industrial Union of Employees

The Australian Workers' Union of Employees, Queensland

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

CASE NO: CB/2025/18

PROCEEDING: Termination of an agreement

DELIVERED ON: 2 June 2025

HEARING DATE: 30 May 2025

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: ***The Bulloo Shire Council Operational Employees Certified Agreement 2021 is terminated***

CATCHWORDS: INDUSTRIAL LAW — QUEENSLAND — COLLECTIVE BARGAINING AND AGREEMENTS — application for termination of agreement after nominal expiry date — requirements for termination — agreement terminated

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

APPEARANCES: P. Spoto, Local Government Association of Queensland, on behalf of the Bulloo Shire Council

D. Knight for the Queensland Services, Industrial Union of Employees

T. Stephens for the Australian Workers' Union of Employees, Queensland

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

Reasons for Decision

[1] On 16 April 2025, Bulloo Shire Council ('the Applicant') applied, pursuant to s 228 of the *Industrial Relations Act 2016* (Qld) ('IR Act'), to terminate the *Bulloo Shire Council Operational Employees Certified Agreement 2021* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 14 March 2025.

[3] Section 228(3) of the IR Act provides:

- (3) The commission must approve the termination if, and must refuse to approve the termination unless, satisfied subsection (2) has been complied with and –
 - (a) for an agreement or determination that provides that it may be terminated if particular conditions are met-the conditions have been met; or
 - (b) for an agreement or determination that does not provide for the way it may be terminated –
 - (i) the other parties to the agreement or determination agree to it being terminated; and
 - (ii) termination of the agreement or determination is not contrary to the public interest.

[4] I have had regard to:

- The submissions made by the parties who appeared today; and
- The Affidavit of Ms Tiffany Dare filed on 16 April 2025.

- [5] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [6] On 16 April 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Bulloo Shire Council Employees Certified Agreement 2025*.
- [7] The following employee organisations have agreed to the terms of the *Bulloo Shire Council Employees Certified Agreement 2025* which will replace the certified agreement:
- Queensland Services, Industrial Union of Employees
 - The Australian Workers' Union of Employees, Queensland
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- [8] I am satisfied that:
- All parties to the certified agreement agree to it being terminated; and
 - The termination of the certified agreement is not contrary to the public interest.
- [9] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect.
- [10] I approve the termination of the *Bulloo Shire Council Operational Employees Certified Agreement 2021* from 30 May 2025.
- [11] I make the following order:

The *Bulloo Shire Council Operational Employees Certified Agreement 2021* is terminated.