

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Bundaberg Regional Council Certified Agreement 2021 [2025]*  
QIRC 204

PARTIES: **Bundaberg Regional Council**  
Applicant

v

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

**Automotive, Metals, Engineering, Printing and Kindred Industries 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

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

**Queensland Services, Industrial Union of Employees**  
Sixth Respondent

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

CASE NO: CB/2025/51

PROCEEDING: Application to terminate an agreement

DELIVERED ON: 5 August 2025

HEARING DATE: 5 August 2025

MEMBER: Pratt IC

HEARD AT: Brisbane

ORDER: **1. The *Bundaberg Regional Council Certified Agreement 2021* is terminated.**

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – AGREEMENTS – application for termination of agreement – requirements for termination – agreement terminated.

LEGISLATION: *Industrial Relations Act 2016* (Qld) s 189, s 228

APPEARANCES:

Ms A Farmer of the Local Government Association of Queensland appearing on behalf of Bundaberg Regional Council

Ms C Taylor appearing on behalf of The Australian Workers' Union of Employees'

Ms C Sait appearing on behalf of the Queensland Services, Industrial Union of Employees

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

Excusals received from The Electrical Trades Union of Employees Queensland, the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland, the Plumbers & Gasfitters Employees' Union Queensland,

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

### Reasons for Decision

- [1] On 10 July 2025, Bundaberg Regional Council ('the Applicant') applied to terminate the *Bundaberg Regional Council Certified Agreement 2021* ('the Agreement') pursuant to section 228(2) of the Industrial Relations Act 2016 (Qld) ('the IR Act').
- [2] The Agreement has a nominal expiry date of 13 January 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 at the hearing on 5 August 2025 supporting the termination of the Agreement, correspondence in support of the termination of the Agreement from the employee organisations who were excused from appearing at that hearing,<sup>1</sup> and the affidavit of Mr Rob Williams, the Chief Executive Officer of the Applicant, filed on 10 July 2025.
- [5] The Agreement does not provide that particular conditions need to be met before it may be terminated.

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<sup>1</sup> The employee organisations who were excused were:

- The Electrical Trades Union of Employees Queensland;
- the Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
- the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees.

- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the Agreement.
- [7] On 10 July 2025, the Applicant also made an application to certify the *Bundaberg Regional Council Certified Agreement 2025* pursuant to section 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act'), which is proposed to replace the Agreement.
- [8] The Applicant and the following employee organisations have agreed to the terms of the *Bundaberg Regional Council Certified Agreement 2025* that will replace the Agreement:
- (a) The Australian Workers' Union of Employees, Queensland;
  - (b) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland;
  - (c) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;
  - (d) The Electrical Trades Union of Employees Queensland;
  - (e) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
  - (f) Queensland Services, Industrial Union of Employees; and
  - (g) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- [9] I am satisfied that:
- (a) all parties to the Agreement agree to it being terminated; and
  - (b) the termination of the Agreement is not contrary to the public interest.
- [10] Section 228(4) of the IR Act provides that the termination takes effect when the Commission's approval takes effect.
- [11] I approve the termination of the Agreement from 5 August 2025.
- [12] I make the following order:

### **Order**

- 1. The *Bundaberg Regional Council Certified Agreement 2021* is terminated.**