

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the South Burnett Regional Council Certified Agreement – Field Staff 2023*
[2025] QIRC 220

PARTIES: **South Burnett Regional Council**

AND

**Automotive, Metals, Engineering, Printing
and Kindred Industries Industrial Union of
Employees, Queensland**

**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/2025/55

PROCEEDING: Termination of an agreement

DELIVERED ON: 20 August 2025

MEMBER: Dwyer IC

HEARD AT: Brisbane

ORDER: ***The South Burnett Regional Council Certified Agreement – Field Staff 2023 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:

A. Farmer, Local Government Association of Queensland, on behalf of the South Burnett Regional Council

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

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

Reasons for Decision

[1] On 15 July 2025, South Burnett Regional Council ('the Applicant') applied, pursuant to s 228 of the *Industrial Relations Act 2016* (Qld) ('IR Act'), to terminate the *South Burnett Regional Council Certified Agreement – Field Staff 2023* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 1 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 today; and
- The Affidavit of Mr Mark Pitt filed on 15 July 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 15 July 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *South Burnett Regional Council Certified Agreement – Field Staff 2025*.
- [7] The following employee organisations have agreed to the terms of the *South Burnett Regional Council Certified Agreement – Field Staff 2025* which will replace the certified agreement:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
 - 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)
- [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 *South Burnett Regional Council Certified Agreement – Field Staff 2023* from 20 August 2025.
- [11] I make the following order:

The *South Burnett Regional Council Certified Agreement – Field Staff 2023* is terminated.