

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Cloncurry Shire Council Certified Agreement 2022 [2025] QIRC 213*

PARTIES: **Cloncurry Shire Council**

AND

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

**Queensland Services, Industrial Union of  
Employees**

CASE NO: CB/2025/66

PROCEEDING: Termination of an agreement

DELIVERED ON: 14 August 2025

HEARING DATE: 14 August 2025

MEMBER: Gazenbeek IC

HEARD AT: Brisbane

ORDER: ***The Cloncurry Shire Council Certified Agreement 2022 is terminated***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for termination of agreement after nominal expiry date – requirements for termination of agreement – agreement terminated

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

APPEARANCES: P. Keirle and D. Udo for Cloncurry Shire Council

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

J. Dougall for Queensland Services, Industrial Union of Employees

### Reasons for Decision

- [1] On 30 July 2025, the Cloncurry Shire Council ('the Council') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Cloncurry Shire Council Certified Agreement 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 June 2024.
- [3] The application was filed in the Industrial Registry together with an affidavit in support of Mr Philip Keirle, Chief Executive Officer of the Council, and a notice of intention to terminate the certified agreement.
- [4] The named parties to the certified agreement are the Council and the following employee organisations ('the employee organisations'):
  - (a) The Australian Workers' Union of Employees, Queensland ('AWU'); and
  - (b) Queensland Services, Industrial Union of Employees ('QSU').
- [5] On 30 July 2025, the Council also applied, pursuant to s 189 of the Act, to certify the *Cloncurry Shire Council Certified Agreement 2024*.<sup>1</sup>
- [6] The Council and the employee organisations have agreed to the terms of the *Cloncurry Shire Council Certified Agreement 2024*, which will replace the certified agreement.
- [7] The hearing of this application was listed before the Commission on 14 August 2025, at which the Council, AWU, and QSU each confirmed their support of the application to terminate the certified agreement.
- [8] Having regard to the material relied upon in support of the application, and the submissions made at the hearing before me, I am satisfied that:
  - the Council has given the requisite notice of its intention to apply to terminate the certified agreement;<sup>2</sup>
  - the certified agreement does not provide that any particular conditions need to be met before it may be terminated;<sup>3</sup>

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<sup>1</sup> *In the making of the Cloncurry Shire Council Certified Agreement 2024* [2025] QIRC 214.

<sup>2</sup> *Industrial Relations Act 2016* (Qld) s 228(2); Affidavit of Mr P. Keirle (Chief Executive Officer), filed 30 July 2025, 3.

<sup>3</sup> *Industrial Relations Act 2016* (Qld) s 228(3)(a); *Cloncurry Shire Council Certified Agreement 2022*, cl 1.3.

- all parties to the certified agreement agree to it being terminated;<sup>4</sup> and
- the termination of the certified agreement is not contrary to the public interest.<sup>5</sup>

[9] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect. Accordingly, I approve the termination of the certified agreement with effect from today's date, being 14 August 2025.

[10] I make the following order:

***The Cloncurry Shire Council Certified Agreement 2022 is terminated***

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<sup>4</sup> *Industrial Relations Act 2016* (Qld) s 228(3)(b)(i).

<sup>5</sup> *Ibid*, s 228(3)(b)(ii).