

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Moreton Bay
Regional Council Certified Agreement 2022
EBA5 [2025] QIRC 254*

PARTIES: **Moreton Bay City Council**

AND

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

**Queensland Services, Industrial Union of
Employees**

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

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

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

**Transport Workers' Union of Australia,
Union of Employees**

CASE NO: CB/2025/92

PROCEEDING: Termination of an agreement

DELIVERED ON: 22 September 2025

HEARING DATE: 22 September 2025

MEMBER: Knight IC

HEARD AT: Brisbane

ORDER: ***The Moreton Bay Regional Council Certified Agreement 2022 EBA5 is terminated.***

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

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

APPEARANCES: Ms C. Spence for the Moreton Bay Regional Council

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

Mr J. Dougall for Queensland Services, Industrial Union of Employees

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

Reasons for Decision

[1] On 22 August 2025, the Moreton Bay City Council ('the Council') applied to terminate the *Moreton Bay Regional Council Certified Agreement 2022 EB5* ('the Agreement') pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act').

[2] The Agreement has a nominal expiry date of 30 June 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] In making my decision I have had regard to s 228(3), the submissions made by the parties who appeared at the hearing today,¹ and the affidavit of Mr Matthew Anderson, Acting Chief Executive Officer of Moreton Bay City Council, affirmed on 12 August 2025.
- [5] The certified agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 22 August 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *City of Moreton Bay Certified Agreement 2025 EBA6*.
- [8] The following employee organisations have agreed to the terms of the *City of Moreton Bay Certified Agreement 2025 EBA6* which will replace the certified agreement:
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
 - Queensland Services, Industrial Union of Employees
 - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
 - The Australian Workers' Union of Employees, Queensland
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
 - Transport Workers' Union of Australia, Union of Employees

¹ I also note the correspondence of Mr Richard Olsen, Branch Secretary of Transport Workers' Union of Australia, Union of Employees (TWU) dated 29 August 2025, in which Mr Olsen writes that the TWU supports the termination of the existing Agreement and certification of the proposed Agreement, but would be unable to attend the hearing. Further, I note the correspondence of Mr Rohan Webb, State Secretary of Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMWU') dated 2 September 2025, in which Mr Webb consented to the applications and advised that the AMWU would be unable to have a representative present at the hearing. Further, I note the correspondence of Mr Mahdi Heidari, Organiser for The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees ('Professionals Australia') dated 10 September 2025, confirming consent to the application and seeking leave to be excused from attending at the hearing due to an inability to attend.

[9] 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.

[10] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect.

[11] I approve the termination of the *Moreton Bay Regional Council Certified Agreement 2022 EBA5* from 22 September 2025.

[12] I make the following order:

The *Moreton Bay Regional Council Certified Agreement 2022 EBA5* is terminated.