

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Whitsunday Regional Council Certified Agreement 2022 [2025]*
QIRC 324

PARTIES: **Whitsunday Regional Council**

AND

**The Association of Professional Engineers,
Scientists & Managers, Australia,
Queensland Branch**

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

**Plumbers and Gasfitters Employees'
Union of Queensland, Union of Employees**

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

**Queensland Services, Industrial Union of
Employees**

**The Electrical Trade Union of Employees,
Queensland**

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

CASE NO.: CB/2025/133

PROCEEDING: Termination of an agreement

DELIVERED ON: 27 November 2025

HEARING DATE: 27 November 2025

MEMBER: Hartigan DP

HEARD AT: Brisbane

ORDER: ***The Whitsunday Regional Council Certified Agreement 2022 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – CERTIFICATION OR APPROVAL – where application for termination of agreement after nominal expiry date – whether requirements for termination were met – agreement terminated

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

APPEARANCES:

Mrs A. Farmer of the Local Government Association of Queensland with Ms N. Hansen on behalf of the Whitsunday Regional Council

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

Mr T. Stephens on behalf of the Australian Workers' Union of Employees, Queensland

Mr D. Knight on behalf of the Queensland Services, Industrial Union of Employees

Mr C. Baumann on behalf of the Automotive, Metals, Engineering, Printing & Kindred Industries Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 7 November 2025, Whitsunday Regional Council ('the Council') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act'), to terminate the *Whitsunday Regional Council Certified Agreement 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 8 February 2024.

- [3] The application was filed in the Industrial Registry, together with an affidavit in support of Mr Warren Bunker, Chief Executive Officer of Whitsunday Regional Council and a Notice of intention to terminate a certified agreement.
- [4] Having regard to the material relied upon in support of the application, I am satisfied that:
- (a) the certified agreement does not include any provisions recording that any particular conditions need be met before it may be terminated;¹
 - (b) the Council has given notice of its intention to apply to terminate the certified agreement;²
 - (c) all parties to the certified agreement agree to it being terminated;³ and
 - (d) the termination of the certified agreement is not contrary to the public interest.⁴
- [5] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect. I approve the termination of the certified agreement with effect from 27 November 2025.
- [6] I make the following order:

The *Whitsunday Regional Council Certified Agreement 2022* is terminated.

¹ *Industrial Relations Act 2016* (Qld) s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).