

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Gympie Regional Council Certified Agreement 2022 [2025]*  
QIRC 337

PARTIES: **Gympie Regional Council**

AND

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

AND

**Queensland Services, Industrial Union of Employees**

AND

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

AND

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

AND

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

AND

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

CASE NO: CB/2025/142

PROCEEDING: Termination of an agreement

DELIVERED ON: 5 December 2025

HEARING DATE: 5 December 2025

MEMBER: O'Neill IC

HEARD AT: Brisbane

ORDER: **1. The Gympie Regional Council Certified Agreement 2022 is terminated.**

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

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

APPEARANCES: Ms P. Moir for the Gympie Regional Council

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

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

Ms E. Eaves for the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

### **Reasons for Decision**

- [1] On 26 November 2025, the Gympie Regional Council ('the Applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Gympie Regional Council Certified Agreement 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 1 May 2025.

[3] The application was filed in the Industrial Registry, together with an affidavit in support of Mr Robert Jennings, Chief Executive Officer of Gympie Regional Council and a Notice of intention to terminate a certified agreement.

[4] Section 228(3) of the 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.

[5] I have had regard to:

- The submissions made by the parties who appeared today; and
- The affidavit of Robert Jennings, Chief Executive Officer, filed on 26 November 2025.

[6] On 1 December 2025, the Industrial Registry received correspondence from the Automotive, Metals, Engineering, Printing and Kindred Industries, Industrial Union of Employees, Queensland ('AMEPKU') advising that AMEPKU were unable to attend the hearing in person however that they were in support of the termination of the certified agreement.

[7] On 1 December 2025, the Industrial Registry also received correspondence from The Electrical Trades Union of Employees, Queensland ('ETU') advising that ETU were unable to attend the hearing in person however that they were in support of the termination of the certified agreement. While the ETU are not a party to the Certified Agreement, they are a party to the new proposed agreement.

[8] The certified agreement does not provide that particular conditions need to be met before it may be terminated.<sup>1</sup>

[9] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.<sup>2</sup>

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<sup>1</sup> *Industrial Relations Act 2016* (Qld) s 228(3).

<sup>2</sup> Affidavit of Robert Trevor Jennings filed on 26 November 2025: Exhibit 'A'.

[10] On 26 November 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Gympie Regional Council Certified Agreement 2025*.

[11] The Applicant and the following employee organisations have agreed to the terms of the *Gympie Regional Council Certified Agreement 2025* which will replace the certified agreement:

- The Australian Workers' Union of Employees, Queensland ('AWU');
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMWU');
- The Plumbers & Gasfitters Employees' Union of Queensland, Union of Employees ('PGEU');
- The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEUQ');
- Queensland Services, Industrial Union of Employees ('QSU');
- The Association of Professional Engineers, Scientists and Managers Australia, Queensland Branch, Union of Employees ('Professionals Australia');
- The Electrical Trades Union of Employees, Queensland ('ETU').

[12] I am satisfied that:

- all parties to the certified agreement agree to it being terminated;<sup>3</sup> and
- the termination of the certified agreement is not contrary to the public interest.<sup>4</sup>

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

[14] I approve the termination of the *Gympie Regional Council Certified Agreement 2022* with the effect from 5 December 2025.

[15] I make the following order:

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

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

<sup>4</sup> *Ibid* s 228(3)(b)(ii).