

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION:

In the termination of the Cook Shire Council – Outdoor Certified Agreement 2021 [2026]
QIRC 014

PARTIES:

Cook Shire Council

AND

The Australian Workers' Union of Employees, Queensland

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

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

The Electrical Trades Union of Employees Queensland

CASE NO:

CB/2025/148

PROCEEDING:

Termination of an agreement

DELIVERED ON:

23 January 2026

MEMBER:

Dwyer IC

HEARD AT:

Brisbane

ORDER:

The Cook Shire Council – Outdoor Certified Agreement 2021 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: C. Lowe, Local Government Association of Queensland, on behalf of Cook Shire Council

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

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

R. Whitehurst and H. Pope for Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Reasons for Decision

- [1] On 4 December 2025, Cook Shire Council ('the Applicant') applied, pursuant to s 228 of the *Industrial Relations Act 2016 (Qld)* ('IR Act'), to terminate the *Cook Shire Council – Outdoor Certified Agreement 2021* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 16 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] I have had regard to:

- The submissions made by the parties who appeared today; and
- The Affidavit of Mr Brian Joiner filed on 4 December 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 4 December 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Cook Shire Council – Outdoor Certified Agreement 2025*.

[7] The following employee organisations have agreed to the terms of the *Cook Shire Council – Outdoor Certified Agreement 2025* which will replace the certified agreement:

- The Australian Workers' Union of Employees, Queensland
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
- Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
- The Electrical Trades Union of Employees Queensland

[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 *Cook Shire Council – Outdoor Certified Agreement 2021* from 23 January 2026.

[11] I make the following order:

The *Cook Shire Council – Outdoor Certified Agreement 2021* is terminated.