

## QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Burke Shire Council Certified Agreement 2022 [2026] QIRC 080*

PARTIES: **Burke 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**

**Queensland Services, Industrial Union of Employees**

CASE NO: CB/2026/11

PROCEEDING: Termination of an agreement

DELIVERED ON: 23 March 2026

HEARING DATE: 23 March 2026

MEMBER: Gazenbeek IC

HEARD AT: Brisbane

ORDER: ***The Burke 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:
- Mr Z. Revere and Ms C. Nelson on behalf of the  
Burke Shire Council
- Mr T. Stephens on behalf of the Australian Workers’  
Union of Employees, Queensland
- Ms E. Eaves on behalf of the Construction, Forestry,  
Mining & Energy, Industrial Union of Employees,  
Queensland
- Mr J. Donaghy on behalf of Queensland Services,  
Industrial Union of Employees

### Reasons for Decision

- [1] On 10 March 2026, Burke Shire Council ('the Council') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Burke Shire Council Certified Agreement 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 August 2025.
- [3] The application was filed in the Industrial Registry together with an affidavit in support of Mr Zachary Revere, 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');
  - (b) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEU');
  - (c) Plumbers & Gasfitters Employees’ Union Queensland, Union of Employees ('PGEU'); and
  - (d) Queensland Services, Industrial Union of Employees ('QSU').
- [5] On 10 March 2026, the Council also applied, pursuant to s 189 of the Act, to certify the *Burke Shire Council Certified Agreement 2025*.<sup>1</sup>
- [6] The Council and the employee organisations have agreed to the terms of the *Burke Shire Council Certified Agreement 2025*, which will replace the certified agreement.

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<sup>1</sup> *In the making of the Burke Shire Council Certified Agreement 2025* [2026] QIRC 081.

- [7] The hearing of this application was listed before the Commission on 23 March 2026, at which the Council, AWU, CFMEU, and QSU each confirmed their support of the application to terminate the certified agreement.
- [8] While not present at the hearing of this application, the PGEU confirmed their support of the application to terminate the certified agreement in correspondence to the Industrial Registry of the same date.<sup>2</sup>
- [9] 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>3</sup>
  - the certified agreement does not provide that any particular conditions need to be met before it may be terminated;<sup>4</sup>
  - all parties to the certified agreement agree to it being terminated;<sup>5</sup> and
  - the termination of the certified agreement is not contrary to the public interest.<sup>6</sup>
- [10] 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 23 March 2026.
- [11] I make the following order:

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

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<sup>2</sup> Email from Mr R. Whitehurst (Organiser) to the Industrial Registry, dated 23 March 2026.

<sup>3</sup> *Industrial Relations Act 2016* (Qld) s 228(2); Affidavit of Mr Z. Revere (Chief Executive Officer), filed 10 March 2026, 3.

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

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

<sup>6</sup> *Ibid*, s 228(3)(b)(ii).