

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Rockhampton Regional Council Internal Employees Certified Agreement 2022 [2026] QIRC 239*

PARTIES: **Rockhampton Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

United Workers' Union, Industrial Union of Employees, Queensland

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

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

CASE NO: CB/2026/60

PROCEEDING: Termination of an agreement

DELIVERED ON: 5 August 2026

HEARING DATE: 5 August 2026

MEMBER: O'Neill IC

HEARD AT: Brisbane

ORDER: ***The Rockhampton Regional Council Internal Employees 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 A Farmer of the Local Government Association Queensland on behalf of the Rockhampton Regional Council

Mr L Wells on behalf of the Automotive, Metals, Engineering, Printing and Kindred Industries, Industrial Union of Employees

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

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

Reasons for Decision

[1] On 23 July 2026, the Rockhampton Regional Council ('the Applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Rockhampton Regional Council Internal Employees Certified Agreement 2022* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 1 July 2025.

[3] Section 228(3) of the *Industrial Relations Act 2016* ('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.

[4] I have had regard to:

- The submissions made by the parties who appeared today; and
- The affidavit of Evan Pardon, Chief Executive Officer filed on 23 July 2026.

[5] On 28 July 2026, the Industrial Registry received correspondence from the United Workers' Union, Industrial Union of Employees, Queensland ('UWU') advising that the UWU were unable to attend the hearing in person, however, the UWU supported the termination of 2022 certified agreement.¹

[6] The certified agreement does not provide that particular conditions need to be met before it may be terminated.²

[7] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.

[8] On 23 July 2026 the Applicant made an application, pursuant to s 189 of the Act, to certify the *Rockhampton Regional Council Internal Employees Certified Agreement 2025*.

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

- The Australian Workers' Union of Employees, Queensland
- Queensland Services, Industrial Union of Employees
- United Workers' Union, Industrial Union of Employees, Queensland
- The Association of Professional Engineers, Scientists and Manager, Australia, Queensland Branch, Union of Employees
- Automotive, Metals, Engineering, Printing and Kindred Industries, Industrial Union of Employees, Queensland

[10] I am satisfied that:

¹ Email from Mr Alec Nash, Lead Industrial Officer, UWU dated 28 July 2026.

² *Industrial Relations Act 2016* (Qld), s 228(3).

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

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

[12] I approve the termination of the *Rockhampton Regional Council Internal Employees Certified Agreement 2022* with the effect from 5 August 2026.

[13] I make the following order:

The Rockhampton Regional Council Internal Employees Certified Agreement 2022 is terminated.

³ *Industrial Relations Act 2016* (Qld), s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).