

# QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Scenic Rim Regional Council Certified Agreement 2022 [2026] QIRC 277*

PARTIES: **Scenic Rim Regional Council**

AND

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

AND

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

AND

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

AND

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

AND

**Queensland Services, Industrial Union of Employees**

AND

**Transport Workers Union, Union of Employees, Queensland Branch**

CASE NO: CB/2026/68

PROCEEDING: Termination of an agreement

DELIVERED ON: 4 September 2026

HEARING DATE: 4 September 2026

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Scenic Rim 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*, s 228

APPEARANCES: Mr J Myburgh of HR Law on behalf of Scenic Rim Regional Council

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

Mr D Skelton on behalf of Queensland Services, Industrial Union of Employees

### **Reasons for Decision**

[1] On 20 August 2026, Scenic Rim Regional Council applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Scenic Rim Regional Council Certified Agreement 2022* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 30 June 2025.

[3] 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.

[4] I have had regard to:

- the submissions made by the parties who appeared today;<sup>1</sup> and

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<sup>1</sup> I note the correspondence of Mr Rohan Webb, State Secretary of the AMWU dated 25 August 2026 stating that the AMWU would be unable to attend the hearing of the matter but consent to the application for the termination; I also note the correspondence of the same date of Mr Richard Olsen, Branch Secretary of the Transport Workers Union, Union of Employees, Queensland Branch ('the TWU') and the letter of Mr P Dunbar, Industrial Officer of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEU') dated 4 September 2026 advising the same.

- the affidavit of Mr David Keenan filed in the Industrial Registry on 20 August 2026
- [5] The certified agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] I am satisfied that the Applicant has given the requisite notice of its intention to apply to terminate the certified agreement.
- [7] On 20 August 2026, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Scenic Rim Regional Council Certified Agreement 2026*.
- [8] The Applicant; Applicant; The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees; Australian Workers' Union of Employees, Queensland; Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; Queensland Services, Industrial Union of Employees; Transport Workers Union, Union of Employees, Queensland Branch have agreed to the terms of the *Scenic Rim Regional Council Certified Agreement 2026* which will replace the certified agreement.
- [9] I am satisfied that:
- all parties to the certified agreement agree to the certified agreement being terminated; and
  - the termination of the certified agreement is not contrary to the public interest.
- [10] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect.
- [11] I approve the termination of the *Scenic Rim Regional Council Certified Agreement 2022* with effect from 4 September 2026.
- [12] I make the following order:
1. **The *Scenic Rim Regional Council Certified Agreement 2022* is terminated.**