

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Western Downs Regional Council Non-Operational Staff Certified Agreement - 2023* [2026] QIRC 323

PARTIES: **Western Downs Regional Council**

AND

Queensland Services, Industrial Union of Employees

AND

Australian Workers' Union of Employees, Queensland

CASE NO: CB/2026/85

PROCEEDING: Termination of an agreement

DELIVERED ON: 15 October 2026

HEARING DATE: 15 October 2026

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Western Downs Regional Council Non-Operational Staff Certified Agreement - 2023 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: Ms A Farmer of the Local Government Association of Queensland Ltd for Western Downs Regional Council

Mr J Donaghy on behalf of Queensland Services, Industrial Union of Employees

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

Reasons for Decision

- [1] On 29 September 2026, Western Downs Regional Council applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate the *Western Downs Regional Council Non-Operational Staff Certified Agreement - 2023* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 26 March 2026.
- [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; and
 - the affidavit of Ms Jodie Taylor filed in the Industrial Registry on 29 September 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 29 September 2026, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Western Downs Regional Council Non-Operational Staff Certified Agreement - 2026*.
- [8] The Applicant; Queensland Services, Industrial Union of Employees and the Australian Workers' Union of Employees, Queensland have agreed to the terms of the *Western Downs Regional Council Non-Operational Staff 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 *Western Downs Regional Council Non-Operational Staff Certified Agreement – 2023* with effect from 15 October 2026.
- [12] I make the following order:
1. **The *Western Downs Regional Council Non-Operational Staff Certified Agreement - 2023* is terminated.**