QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION:	*In the termination of the Western Downs Regional Council Operational Staff Certified Agreement – 2023* [2026] QIRC 325
PARTIES:	**Western Downs Regional Council** AND **The Australian Workers' Union of Employees, Queensland** AND **Transport Workers' Union of Australia, Union of Employees (Queensland Branch)** AND **Plumbers & Gasfitters Employees' Union Queensland, Union of Employees** AND **Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland** AND **The Electrical Trades Union of Employees Queensland** AND **Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland** AND **Queensland Services, Industrial Union of Employees**
CASE NO:	CB/2026/87
PROCEEDING:	Termination of an agreement
DELIVERED ON:	15 October 2026

HEARING DATE:	15 October 2026
HEARD AT:	Brisbane
MEMBER:	Pidgeon IC
ORDER:	**The *Western Downs Regional Council Operational Staff Certified Agreement – 2023* is terminated.**
CATCHWORDS:	INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – Application for termination of agreement after nominal expiry date – Requirements for termination – Agreement terminated.
LEGISLATION:	*Industrial Relations Act 2016* (Qld), ss 189 and 228
APPEARANCES:	Ms A Farmer of the Local Government Association of Queensland Ltd for Western Downs Regional Council Mr T Stephens on behalf of the Australian Workers' Union of Employees, Queensland Mr E Dalgleish on behalf of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Reasons for Decision

[1] On 29 September 2026, the Western Downs Regional Council ('the Applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act* 2016 (Qld) ('the IR Act'), to terminate the *Western Downs Regional Council Operational Staff Certified Agreement – 2023* ('the certified agreement').

[2] The certified agreement has a nominal expiry date of 26 March 2026.

[3] Section 228 of the Act provides:

> **228 Termination after nominal expiry date**
>
> (1) After the nominal expiry date of a certified agreement or arbitration determination, the following persons may apply to the commission to terminate the agreement or determination—
> (a) the employer;
> (b) a valid majority of the relevant employees;
> (c) an employee organisation to which the agreement or determination applies and that has at least 1 member who is a relevant employee.

(2) The person who intends to apply to terminate the agreement or determination must give all other persons to whom the agreement or determination applies notice of the intention.

(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) The termination takes effect when the commission's approval takes effect.

[4] I have had regard to:

(a) the submissions made by the parties who appeared today; and

(b) the affidavit of Ms Jodie Taylor, Chief Executive Officer for the Applicant.

[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 Operational Staff Certified Agreement – 2026*.

[8] The Applicant and the following employee organisations have agreed to the terms of the *Western Downs Regional Council Operational Staff Certified Agreement – 2026* which will replace the certified agreement:

(a) The Australian Workers' Union of Employees, Queensland;

(b) Transport Workers' Union of Australia, Union of Employees (Queensland Branch);

(c) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees;

(d) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;

(e) The Electrical Trades Union of Employees Queensland;

(f) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland; and

(g) Queensland Services, Industrial Union of Employees

[9] I am satisfied that:

(a) all parties to the certified agreement agree to it being terminated; and

(b) 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 Operational Staff Certified Agreement - 2023* with effect from 15 October 2026.

Order

[12] I make the following order:

1. The *Western Downs Regional Council Operational Staff Certified Agreement – 2023* is terminated.