QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION:	*In the termination of the North Burnett Regional Council Certified Agreement 2023* [2026] QIRC 351
PARTIES:	**North Burnett Regional Council** AND **Queensland Services, Industrial Union of Employees** **The Australian Workers' Union of Employees, Queensland** **Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland**
CASE NO:	CB/2026/105
PROCEEDING:	Termination of an agreement
DELIVERED ON:	30 October 2026
HEARING DATE:	30 October 2026
MEMBER:	Hartigan DP
HEARD AT:	Brisbane
ORDER:	**The *North Burnett Regional Council Certified Agreement 2023* is terminated**
CATCHWORDS:	INDUSTRIAL LAW – QUEENSLAND – AGREEMENTS – CERTIFICATION OR APPROVAL – where application for termination of agreement after nominal expiry date – whether requirements for termination were met – agreement terminated
LEGISLATION:	*Industrial Relations Act 2016 (Qld) s 228*

APPEARANCES:	Mr Lowe, Local Government Association of Queensland and Ms DuBoulay, North Burnett Regional Council for the Applicant
	Mr Stephens for the Australian Workers' Union of Employees, Queensland
	Mr Smith and Mr Skelton for the Queensland Services, Industrial Union of Employees

Reasons for Decision

[1] On 15 October 2026, the North Burnett Regional Council ('the Council') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act'), to terminate the *North Burnett Regional Council Certified Agreement 2023* ('the certified agreement').

[2] The certified agreement was certified as having a nominal expiry date of 1 September 2026.[1]

[3] The application was filed in the Industrial Registry on 15 October 2026, together with an affidavit of Mr Craig Matheson, Chief Executive Officer, North Burnett Regional Council, a Notice of intention to terminate a certified agreement and a Notice of appointment of an agent, appointing the Local Government Association of Queensland, a registered industrial organisation, to act for the Council in the proceedings.

[4] Having regard to the material relied upon in support of the application, I am satisfied that:

(a) the Council has given notice of its intention to apply to terminate the certified agreement;[2]

(b) all parties to the certified agreement agree to it being terminated;[3] and

(c) the termination of the certified agreement is not contrary to the public interest.[4]

[1] See Certificate of Approval issued by the Commission on 20 November 2023.
[2] *Industrial Relations Act 2016* (Qld,) s 228(2).
[3] Ibid, s 228(3)(b)(i).
[4] Ibid (n 2), s 288(3)(b)(ii).

[5] For the purpose of s 228(3)(a) of the IR Act, the certified agreement provides that the certified agreement is to be terminated upon certification of the replacement agreement.[5]

[6] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect. I approve the termination of the certified agreement with effect from 30 October 2026.

[7] I make the following order:

The *North Burnett Regional Council Certified Agreement 2023* is terminated.

[5] cf. Clause 1.6 of the certified agreement which is inconsistent with s 228(3)(a) of the IR Act and the Certificate of Approval issued by the Commission on 20 November 2023.