

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Cassowary Coast Regional Council Certified Agreement 2011 [2020] QIRC 013*

PARTIES: **Cassowary Coast Regional Council**

v

**Federated Engine Drivers' and Firemens'
Association of Queensland, Union of Employees**

**Plumbers & Gasfitters Employees' Union
Queensland, Union of Employees**

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

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

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

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

**Queensland Services, Industrial Union of
Employees**

CASE NO: CB/2020/4

PROCEEDING: Termination of an agreement

DELIVERED ON: 29 January 2020

HEARING DATE: 29 January 2020

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: **1. The Cassowary Coast Regional Council Certified Agreement 2011 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: Mr V Pejovic of LGAQ for the Applicant

Ms S Young of AWU and Mr S Boman of QSU for the Respondents

Reasons for Decision

- [1] The **Cassowary Coast Regional Council** has applied to terminate the *Cassowary Coast Regional Council Certified Agreement 2011*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 30 June 2014 and the parties consent to its termination.
- [3] On the basis that the agreement does not include any provisions recording that any particularly conditions need to be met before it may be terminated;¹ that the Commission is satisfied that the **Cassowary Coast Regional Council** has given notice of its intention to apply to terminate the agreement;² that the other parties to the agreement agree to it being terminated;³ and, that the termination of the agreement is not contrary to the public interest;⁴ the *Cassowary Coast Regional Council Certified Agreement 2011* is terminated as from 29 January 2020.⁵
- [4] I make the following order: **The Cassowary Coast Regional Council Certified Agreement 2011 is terminated.**

¹ *Industrial Relations Act 2016* s 228(3).

² *Ibid* s 228(2).

³ *Ibid* s 228(3)(b)(i).

⁴ *Ibid* s 228(3)(b)(ii).

⁵ *Ibid* s 228(4)