

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Central Highlands Regional Council Certified Agreement 2021-2024 [2025] QIRC 058*

PARTIES: **Central Highlands Regional Council**

AND

The Australian Workers' Union of Employees, Queensland

Queensland Services, Industrial Union of Employees

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

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

CASE NO: CB/2025/2

PROCEEDING: Termination of an agreement

DELIVERED ON: 26 February 2025

HEARING DATE[S]: 26 February 2025

MEMBER: Gazenbeek IC

HEARD AT: Brisbane

ORDER: ***The Central Highlands Regional Council Certified Agreement 2021-2024 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for termination of agreement after nominal expiry date – requirements for termination of agreement – agreement terminated

LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld) ss 189, 228
APPEARANCES:	R. Dennison for the Central Highlands Regional Council
	C. Taylor for the Australian Workers' Union of Employees, Queensland
	J. Dougall for Queensland Services, Industrial Union of Employees
	E. Dalgliesh for Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

Reasons for Decision

- [1] On 14 February 2025, Central Highlands Regional Council ('the Council') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Central Highlands Regional Council Certified Agreement 2021-2024* ('the certified agreement').
- [2] The application to terminate was filed in the Industrial Registry accompanied by an affidavit in support of Mr Aaron Johansson, Chief Executive Officer of the Council, and a notice of intention to terminate the certified agreement.
- [3] The certified agreement has a nominal expiry date of 30 June 2024.
- [4] The named parties to the certified agreement are the Council and the following employee organisations ('the employee organisations'):
- (a) The Australian Workers' Union of Employees, Queensland ('AWU');
 - (b) Queensland Services, Industrial Union of Employees ('QSU');
 - (c) Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland ('CFMEU');
 - (d) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMEPKU'); and
- [5] On 14 February 2025, the Council also applied, pursuant to s 189 of the Act, to certify the *Central Highlands Regional Council Certified Agreement 2024-2027*.¹

¹ *In the making of the Central Highlands Regional Council Certified Agreement 2024-2027* [2025] QIRC 059.

- [6] The Council, the employee organisations named above, and the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees, have all agreed to the terms of the *Central Highlands Regional Council Certified Agreement 2024-2027*, which will replace the certified agreement.
- [7] The hearing of this application was listed before the Commission on 26 February 2025, at which the Council, AWU, QSU, and CFMEU each confirmed their support of the application to terminate the certified agreement.
- [8] The AMEPKU sought leave to be excused from attending the hearing prior to its commencement, on the basis that they supported the application and consented to the termination of the certified agreement.²
- [9] Having regard to the material relied upon in support of the application, and to submissions made at the hearing before me, I am satisfied that:
- the Council has given the requisite notice of its intention to apply to terminate the certified agreement;³
 - the certified agreement does not provide that any particular conditions need to be met before it may be terminated;⁴
 - all parties to the certified agreement agree to it being terminated;⁵ and
 - the termination of the certified agreement is not contrary to the public interest.⁶
- [10] Section 228(4) of the Act provides that termination takes effect when the Commission's approval takes effect. Accordingly, I approve the termination of the certified agreement with effect from today's date, being 26 February 2025.
- [11] I make the following order:

The *Central Highlands Regional Council Certified Agreement 2021-2024* is terminated.

² Letter from Mr R. Webb (State Secretary) to the Industrial Registry, dated 24 February 2025.

³ *Industrial Relations Act 2016* (Qld) s 228(2); Affidavit of Mr A. Johansson (Chief Executive Officer), filed 14 February 2025, 2.

⁴ *Ibid* s 228(3)(a); *Central Highlands Regional Council Certified Agreement 2021-2024*, cl 1.8.

⁵ *Ibid* s 228(3)(b)(i).

⁶ *Ibid* s 228(3)(b)(ii).