

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of Richmond Shire Council
Certified Agreement 2018 [2025] QIRC 102*

PARTIES: **Richmond Shire Council**

AND

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

**Queensland Services, Industrial Union of
Employees**

CASE NO: CB/2025/9

PROCEEDING: Application for termination of an Agreement

DELIVERED ON: 17 April 2025

HEARING DATE: 15 April 2025

MEMBER: Knight IC

HEARD AT: Brisbane

ORDER: ***The Richmond Shire Council Certified
Agreement 2018 is terminated.***

CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND –
AGREEMENTS – application for termination
of a certified agreement after nominal expiry
date – requirements for termination –
agreement terminated

LEGISLATION: *Industrial Relations Act 2016* (Qld) s 189, s
228

APPEARANCES: Mr C. Lowe, Peak Services, for Richmond
Shire Council

Mr J. Dougall for Queensland Services,
Industrial Union of Employees

Ms C. Taylor for Australian Workers' Union of
Employees, Queensland

Reasons for Decision

- [1] On 4 March 2025 the Richmond Shire Council ('the Council') applied to terminate the *Richmond Shire Council Certified Agreement 2018* ('the agreement') pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act').
- [2] The agreement has a nominal expiry date of 31 August 2022.
- [3] Section 228(3) of the IR 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] In making my decision I have had regard to s 228(3), the submissions made by the parties who appeared at the hearing on 15 April 2025, the affidavit of Peter Bennett, filed on 4 March 2025 and the Notice of Intention to terminate a Certified Agreement.
- [5] The agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] On 4 March 2025, the Council notified the other parties to the agreement of its intention to terminate the agreement. Those parties are:
 - The Australian Workers' Union of Employees, Queensland ('AWU')
 - Queensland Services, Industrial Union of Employees ('QSU')
- [7] I am satisfied the Council has provided the requisite notice of its intention to apply to terminate the agreement.
- [8] The Council, AWU and QSU appeared at the hearing and consented to the present application.

- [9] No other person appeared or sought to make submissions. I am satisfied that all parties to the agreement agree to it being terminated, and the termination of the agreement is not contrary to the public interest.
- [10] On 4 March 2025 Council made an application under s 189 of the IR Act to certify the *Richmond Shire Council Certified Agreement 2022*.
- [11] The Council and the employee organisations listed at [6] above have agreed to the terms of the *Richmond Shire Council Certified Agreement 2022* which will replace the agreement.
- [12] Section 228(4) of the IR Act provides that termination takes effect when the Commission's approval takes effect.
- [13] I approve the termination of the *Richmond Shire Council Certified Agreement 2018* with effect from 15 April 2025.
- [14] I make the following order:

The *Richmond Shire Council Certified Agreement 2018* is terminated.