

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Ipswich City Council Resource Recovery Drivers Certified Agreement 2021 [2025] QIRC 126*

PARTIES: **Ipswich City Council**

AND

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

AND

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

CASE NO: CB/2025/26

PROCEEDING: Termination of an agreement

DELIVERED ON: 20 May 2025

HEARING DATE: 20 May 2025

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Ipswich City Council Resource Recovery Drivers Certified Agreement 2021 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, s 228*

APPEARANCES: Mr K Ryalls, Ipswich City Council

Mr T Stephens, The Australian Workers' Union of Employees, Queensland

### Reasons for Decision

- [1] On 9 May 2025, Ipswich City Council applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate *Ipswich City Council Resource Recovery Drivers Certified Agreement 2021* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 1 October 2024.
- [3] Section 228(3) of the 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] I have had regard to:
- the submissions made by the parties who appeared today;<sup>1</sup> and
  - the affidavit of Ms Sonia Cooper, Chief Executive Officer of Ipswich City Council, affirmed on 9 May 2025.
- [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 9 May 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Ipswich City Council Resource Recovery Drivers Certified Agreement 2024*.
- [8] The Applicant; the Transport Workers' Union of Australia, Union of Employees (Queensland Branch); and The Australian Workers' Union of Employees, Queensland have agreed to the terms of the *Ipswich City Council Resource Recovery Drivers Certified Agreement 2024* which will replace the certified agreement.
- [9] I am satisfied that:
- all parties to the certified agreement agree to the certified agreement being terminated; and

---

<sup>1</sup> I also note the correspondence of Mr Richard Olsen, Branch Secretary of Transport Workers' Union of Australia, Union of Employees (Queensland Branch) ('the TWU') dated 19 May 2025 where Mr Olsen writes that the TWU supports the termination and certification applications but would be unable to attend the hearing.

- 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 *Ipswich City Council Resource Recovery Drivers Certified Agreement 2021* with effect from 20 May 2025.

[12] I make the following order:

1. **The *Ipswich City Council Resource Recovery Drivers Certified Agreement 2021* is terminated.**