

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Brisbane City Council
Determination 2023 [2025] QIRC 155*

PARTIES: **Brisbane City Council**

AND

**Australian Rail, Tram and Bus Industry Union
of Employees, Queensland Branch**

AND

**Queensland Services, Industrial Union of
Employees**

AND

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

AND

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

AND

**Queensland Nurses and Midwives' Union of
Employees**

AND

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

AND

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

AND

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

AND

**The Electrical Trades Union of Employees
Queensland**

AND

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

AND

**United Workers' Union, Industrial Union of
Employees, Queensland**

CASE NO:	CB/2025/33
PROCEEDING:	Application for approval to terminate certified agreement after nominal expiry date
DELIVERED ON:	18 June 2025
HEARING DATE:	18 June 2025
HEARD AT:	Brisbane
MEMBER:	McLennan IC
ORDER:	<i>The Brisbane City Council Determination 2023 is terminated.</i>
CATCHWORDS:	INDUSTRIAL LAW – COLLECTIVE BARGAINING – application for termination after nominal expiry date – requirements for termination – determination terminated
LEGISLATION:	<i>Industrial Relations Act 2016</i> (Qld) ss 189, 228
APPEARANCES:	Mr J. Herbert for the Brisbane City Council

Mr N. Henderson for the Queensland Services,
Industrial Union of Employees

Mr B. Watson for The Australian Workers' Union
of Employees, Queensland

Mr T. Brown for the Australian Rail, Tram and
Bus Industry Union of Employees, Queensland
Branch

Reasons for Decision

- [1] On 28 May 2025, the Brisbane City Council ('the Council') applied to terminate the *Brisbane City Council Determination 2023* ('the Determination') pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the IR Act').
- [2] The Determination has a nominal expiry date of 7 October 2024.
- [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 today and the affidavit of Ms Alison Grendon, Manager Employee Relations of the Council filed 28 May 2025.
- [5] The Determination does not provide that particular conditions need to be met before it may be terminated.
- [6] On 22 May 2025, the Council notified the other parties to the Determination of its intention to terminate the Determination. Those parties are:
 - Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch
 - Queensland Services, Industrial Union of Employees
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland

- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
 - Queensland Nurses and Midwives' Union of Employees
 - Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
 - The Australian Workers' Union of Employees, Queensland
 - The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
 - The Electrical Trades Union of Employees Queensland
 - Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
 - United Workers' Union, Industrial Union of Employees, Queensland
- [7] I am satisfied that the Council has provided the requisite notice of its intention to apply to terminate the Determination.
- [8] Along with the Council, the Queensland Services, Industrial Union of Employees, The Australian Workers' Union of Employees, Queensland and the Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch also appeared today and consented to the present application. No other person appeared or sought to make submissions.
- [9] Having regard to the materials before me, I am satisfied that all parties to the Determination agree to it being terminated, and the termination of the Determination is not contrary to the public interest.
- [10] On 28 May 2025, the Council made an application under s 189 of the IR Act to certify the *Brisbane City Council Certified Agreement 2025*.
- [11] The Council and the employee organisations listed below have agreed to the terms of the *Brisbane City Council Certified Agreement 2025* which will replace the Determination:
- Australian Rail, Tram and Bus Industry Union of Employees, Queensland Branch
 - Queensland Services, Industrial Union of Employees
 - Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
 - Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

- Queensland Nurses and Midwives' Union of Employees
- Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland
- The Australian Workers' Union of Employees, Queensland
- The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
- The Electrical Trades Union of Employees Queensland
- Transport Workers' Union of Australia, Union of Employees (Queensland Branch)
- United Workers' Union, Industrial Union of Employees, Queensland

[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 Determination with effect from 18 June 2025.

[14] I make the following order:

The Brisbane City Council Determination 2023 is terminated.