

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018 [2022] QIRC 125*

PARTIES: **Ipswich City Council**

v

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

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

CASE NO: CB/2022/28

PROCEEDING: Termination of an agreement

DELIVERED ON: 1 April 2022

HEARING DATE: 1 April 2022

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018 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 Sheehan for the Council

Mr Marr for the AWU

Reasons for Decision

- [1] The Ipswich City Council has applied to terminate the *Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 1 October 2021 and the parties consent to its termination.
- [3] On the basis that the agreement does not include any provisions recording that any particular conditions need to be met before it may be terminated;¹ that the Commission is satisfied that the Ipswich City 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 *Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018* is terminated as from 1 April 2022.⁵
- [4] I make the following order: **The Ipswich City Council Local Government Waste Service Employee' (Domestic and Commercial Drivers) Certified Agreement 2018 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)