

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Townsville City Council
(Queensland Local Government Officers)
Certified Agreement 2017 [2019] QIRC 189*

PARTIES: **Townsville City Council**

and

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

and

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

and

**Queensland Services, Industrial Union of
Employees**

and

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

and

**The Electrical Trades Union of Employees
Queensland**

CASE NO: CB/2019/115

PROCEEDING: Application for approval to terminate certified
agreement after nominal expiry date

DELIVERED ON: 11 December 2019

HEARING DATE: 11 December 2019

HEARD AT: Brisbane

MEMBER: McLennan IC

ORDER:

1. The Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017 is terminated.

CATCHWORDS:

INDUSTRIAL LAW – COLLECTIVE BARGAINING – Application for termination after nominal expiry date – Requirements for termination – Agreement terminated

LEGISLATION:

Industrial Relations Act 2016

APPEARANCES:

Ms. S. Coburn for the Townsville City Council

Mr. D. Cutler for Queensland Services, Industrial Union of Employees

Reasons for Decision

- [1] The Townsville City Council has applied to terminate the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017*. It does so pursuant to s 228(1) of the *Industrial Relations Act 2016*.
- [2] The Agreement nominally expired on 31 December 2018 and the parties consent to its termination.
- [3] I have considered the affidavit of Ms. Stacey Lea Coburn, Director of Business Services of Townsville City Council, sworn 18 November 2019.
- [4] I am satisfied that:
 - the agreement does not provide any particular conditions that must be met before it may be terminated;¹
 - the Commission is satisfied that the Townsville City Council has given notice of its intention to apply to terminate the agreement;²
 - the other parties to the agreement agree to its being terminated;³ and
 - the termination of the agreement is not contrary to the public interest.⁴
- [5] On that basis, I terminate the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017* with effect from 11 December 2019.⁵

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).

[6] I make the following order:

1. ***The Townsville City Council (Queensland Local Government Officers) Certified Agreement 2017 is terminated.***