

**QUEENSLAND INDUSTRIAL RELATIONS COMMISSION**

CITATION: *In the termination of the Mount Isa City Council  
Certified Agreement 2018 [2025] QIRC 186*

PARTIES: **Mount Isa City Council**

AND

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

AND

**Queensland Services, Industrial Union of  
Employees**

AND

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

AND

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

AND

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

AND

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

CASE NO: CB/2025/49

PROCEEDING: Termination of an agreement

DELIVERED ON: 21 July 2025

HEARING DATE: 21 July 2025

MEMBER: Pidgeon IC

HEARD AT: Brisbane

ORDER: ***The Mount Isa City Council 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: Ms A Farmer, Local Government Association of Queensland on behalf of Mount Isa City Council

Mr J Hall, Queensland Services, Industrial Union of Employees

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

Mr E Dagleish, Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland

### **Reasons for Decision**

- [1] On 8 July 2025, Mount Isa City Council applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* (Qld) ('the Act'), to terminate *Mount Isa City Council Certified Agreement 2018* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 June 2022.
- [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 Mr Tim Rose, Chief Executive Officer of Mount Isa City Council, affirmed on 1 July 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 8 July 2025, the Applicant made an application, pursuant to s 189 of the Act, to certify the *Mount Isa City Council Certified Agreement 2024*.

[8] The Applicant; The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees; Queensland Services, Industrial Union of Employees; The Australian Workers' Union of Employees, Queensland; Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland; Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland have agreed to the terms of the *Mount Isa City Council 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
- 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 *Mount Isa City Council Certified Agreement 2018* with effect from 21 July 2025.

[12] I make the following order:

**1. The *Mount Isa City Council Certified Agreement 2018* is terminated.**

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<sup>1</sup> I also note the correspondence of Mr Rohan Webb, State Secretary of Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland ('AMWU') dated 10 July 2025 where Mr Webb writes that AMWU supports the termination and certification applications but would be unable to attend the hearing. Further, I note the correspondence of Mr Justin Maxwell, A/State Secretary of the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees ('the PGEU') dated 10 July 2025 confirming the PGEU's consent to the termination and certification applications to be made in their absence as they were unable to attend the hearing. Further, I note the correspondence of Ms Mahdi Heidari, Organiser for the The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees ('Professionals Australia') dated 13 July 2025 confirming consent to the application and sought leave to be excused from attending at the hearing as they would be unable to attend the hearing.