

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the Termination of the Townsville City Council (Field and Other Employees) Certified Agreement 2022 [2026] QIRC 041*

PARTIES: **Townsville City Council**

AND

The Australian Workers' Union of Employees, Queensland

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

The Electrical Trades Union of Employees Queensland

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Transport Workers Union of Australia, Union of Employees, Queensland branch

CASE NO: CB/2026/7

PROCEEDING: Termination of an agreement

DELIVERED ON: 18 February 2026

HEARING DATE: 18 February 2026

MEMBER: O'Connor VP

HEARD AT: Brisbane

ORDER: ***The Townsville City Council (Field and Other Employees) Certified Agreement 2022 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 (Qld)* s 189, s 228

APPEARANCES: Mr B. Harding for the Townsville City Council

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

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

Mr R. Whitehurst for the Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Reasons for Decision

- [1] On 3 February 2026, the Townsville City Council ('the applicant') applied, pursuant to s 228(1) of the *Industrial Relations Act 2016* ('the Act'), to terminate the *Townsville City Council (Field and Other Employees) Certified Agreement 2022* ('the certified agreement').
- [2] The certified agreement has a nominal expiry date of 30 April 2025.
- [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; ¹
- the affidavit of Mr Anthony McCabe, Chief Executive Officer of the applicant, filed on 6 February 2026.

[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 requisite notice of its intention to apply to terminate the certified agreement.

[7] On 3 February 2026, the applicant made an application, pursuant to s 189 of the Act, to certify the *Townsville City Council (Field and Other Employees) Certified Agreement 2025*.

[8] The applicant and the following employee organisation have agreed to the terms of the *Townsville City Council (Field and Other Employees) Certified Agreement 2025* which will replace the certified agreement:

- The Australian Workers' Union of Employees, Queensland;
- The Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland;
- The Electrical Trades Union of Employees Queensland;
- Plumbers & Gasfitters Employees' Union Queensland, Union of Employees; and
- Transport Workers Union of Australia, Union of Employees, Queensland branch

[9] I am satisfied that:

- all parties to the certified agreement agree to it being terminated; and
- the termination of the certified agreement is not contrary to the public interest.

¹ I note the correspondence of Richard Olsen, Branch Secretary of the Transport Workers Union of Australia, Union of Employees, Queensland branch ('TWU') dated 17 February 2026, and the correspondence of Peter Ong, State Secretary of the Electrical Trades Union of Employees Queensland ('ETU') dated 12 February 2026. Mr Olsen and Mr Ong wrote that the TWU and ETU each respectively support the termination of the existing Agreement and certification of the proposed Agreement but would be unable to attend the hearing.

[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 *Townsville City Council (Field and Other Employees) Certified Agreement 2022* with effect from 18 February 2026.

[12] I make the following order:

The *Townsville City Council (Field and Other Employees) Certified Agreement 2022* is terminated.