

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

CITATION: *In the termination of the Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022 [2026] QIRC 242*

PARTIES: **Townsville City Council**

AND

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

Plumbers & Gasfitters Employees' Union Queensland, Union of Employees

Queensland Services, Industrial Union of Employees

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

The Electrical Trades Union of Employees Queensland

CASE NO: CB/2026/54

PROCEEDING: Application to terminate an agreement

DELIVERED ON: 5 August 2026

HEARING DATE: 5 August 2026

MEMBER: Pratt IC

HEARD AT: Brisbane

- ORDER: ***The Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022 is terminated.***
- CATCHWORDS: INDUSTRIAL LAW – QUEENSLAND – COLLECTIVE BARGAINING – AGREEMENTS – 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 Townsville City Council.
- Mr D Knight for Queensland Services, Industrial Union of Employees.
- Mr R Whitehurst for Plumbers & Gasfitters Employees' Union Queensland, Union of Employees.

Reasons for Decision

- [1] On 9 June 2026, the Townsville City Council ('the Council') applied to terminate the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022* ('the Agreement') pursuant to section 228(2) of the Industrial Relations Act 2016 (Qld) ('the IR Act').
- [2] The Agreement has a nominal expiry date of 30 June 2025.
- [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] I have had regard to the submissions made by the parties who appeared at the hearing on 5 August 2026 supporting the termination of the Agreement, correspondence in support of the termination of the Agreement from the employee organisations who were excused from appearing at that hearing,¹ and the affidavit of Bede Harding, Team Manager of Business Partnering and Employee Relations for the Council, filed on 9 June 2026.
- [5] The Agreement does not provide that particular conditions need to be met before it may be terminated.
- [6] Mr Harding deposed in his affidavit that a 'Form 50 – Notice of intention to terminate an agreement or determination' was served on all named parties in this application. I am therefore satisfied that the Council has given the requisite notice of its intention to apply to terminate the Agreement.
- [7] On 9 June 2026, the same day as the application to terminate was filed, the Council made an application to certify the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2025* pursuant to section 189 of the *Industrial Relations Act 2016* (Qld) ('the IR Act').
- [8] The Council and the following employee organisations have agreed to the terms of the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2025* that will replace the Agreement:
 - (a) The Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees
 - (b) Plumbers & Gasfitters Employees' Union Queensland, Union of Employees
 - (c) Queensland Services, Industrial Union of Employees
 - (d) Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland
 - (e) The Electrical Trades Union of Employees Queensland

¹ The two employee organisations who sought leave to be excused, which was granted at the hearing, are the Electrical Trades Union of Employees Queensland and the Association of Professional Engineers, Scientists and Managers, Australia, Queensland Branch, Union of Employees. The Automotive, Metals, Engineering, Printing and Kindred Industries Industrial Union of Employees, Queensland did not attend and did not seek leave to be excused, however they did not express any objections, which is taken to indicate that it does not oppose the application.

[9] I am satisfied that:

- (a) all parties to the Agreement agree to it being terminated; and
- (b) the termination of the Agreement is not contrary to the public interest.

[10] Section 228(4) of the IR Act provides that the termination takes effect when the Commission's approval takes effect.

[11] I approve the termination of the *Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022* with effect from 5 August 2026.

Order

[12] I make the following order:

The Townsville City Council (Queensland Local Government Officers) Certified Agreement 2022 is terminated.