



Form 73A – Notice of WHS dispute

INDUSTRIAL REGISTRAR

12 JUN 2024

QUEENSLAND

Work Health and Safety Act 2011, s 102B

Information

- Use this form to notify of a WHS dispute.
- Once filed, this notice must be **immediately** served on all other parties to the dispute.
- **This Notice will be published on the QIRC website pursuant to s 102B(4) of the Work Health and Safety Act 2011.**
- Should any relevant union for the WHS matter wish to participate in the resolution of the dispute, they may notify the Industrial Registrar in writing.
- Please read this form carefully and complete all relevant sections.
- Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.
- For further information on please refer to the website www.qirc.qld.gov.au or contact the Industrial Registry on 1300 592 987 or via email at qirc.registry@qirc.qld.gov.au.

Notification

Notice is hereby given of a dispute in accordance with s 102B of the *Work Health and Safety Act 2011*.

Notifier	Australian Federated Union Of Locomotive Employees AFULE
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AND

Respondent	Aurizon
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If there are more parties to the WHS dispute, please complete a **Form 1 – Parties List** and file it together with this form.

1. Particulars of the party notifying of the dispute

Name:	Damien McGarry		
Postal/Service address:	41 peel street		
	Suburb/Town	South Brisbane	Postcode 4101
Phone number:		Mobile number:	0407 819 011
Email address:	damien@afule.org.au		
Name of contact person:	As Above		
Direct phone number:		Mobile number:	
Direct email address:			

2. Particulars of the other party to the dispute			
Name:	Rebecca Hustwick		
Postal/Service address:	Bluff Operations depot		
	Suburb/Town	Bluff	Postcode 4702
Phone number:	0409 060 726	Mobile number:	0409 060 726
Email address:	Rebecca.Hustwick@aurizon.com.au		
Name of contact person:	As Above		
Direct phone number:		Mobile number:	
Direct email address:			

3. Workplace where dispute exists
Railway corridor where Aurizon workers perform their duties

4. WHS matter subject of the dispute	
This dispute (as defined in s 102A of the <i>Work Health and Safety Act 2011</i>) is in relation to: [Please pick one or more of the options below]	
<input type="checkbox"/>	Access to information by a health and safety representative under s 70(1)(c) of the <i>Work Health and Safety Act 2011</i> .
<input type="checkbox"/>	A request by a health and safety representative for an assistant to have access to the workplace under s 70(1)(g) of the <i>Work Health and Safety Act 2011</i> .
<input checked="" type="checkbox"/>	A matter about work health and safety that is an issue to which division 5 of the <i>Work Health and Safety Act 2011</i> applies.
<input type="checkbox"/>	An issue about cessation of work under division 6 of the <i>Work Health and Safety Act 2011</i> .
Please outline the issues in dispute between the parties: [Please note that any details you provide will be published as part of this Notice]	
<i>Please attach a schedule if more room required</i>	
<p>Aurizon was advised through WHS meetings as well as the internal hazard reporting system (Beakon) on 22/08/2023, 05/10/2023 & 08/10/2023 there was significant risks to rail workers whilst performing their duties within the rail corridor at Kinrola balloon. Overgrown vegetation within the corridor is at an unacceptable length for Aurizon employee's to perform their roles without a risk to their health and safety. The presence of feral pigs and snakes in this area also presents its own hazard to Aurizon employees who walk this area. The area in question is on a mining lease owned by Whitehaven which does not relieve Aurizon of their duty to consult with other duty holders in relation to the same matter Section 46 WHS Act.</p>	

5. Compliance powers	
Has a decision been made by an inspector to exercise, or not to exercise, compliance powers under part 10 to assist in resolving the dispute subject to review under part 12 of the <i>Work Health and Safety Act 2011</i> ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

6. Signature of the party notifying of the WHS dispute	
Signature:	
Name:	Damien McGarry
Position/Capacity:	WHS Officer
Date:	12/06/2024