

**Form 73A – Notice of WHS dispute**
INDUSTRIAL REGISTRAR

20 JUN 2025


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(3) of the *Work Health and Safety Act 2011*.**
- If a relevant union for a worker affected by the WHS matter not already named as a party 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.

NotificationNotice is hereby given of a dispute in accordance with s 102B of the *Work Health and Safety Act 2011*.Has a *Form 74 – Application for WHS review* been filed in relation to the matter/s in dispute? ☒ No ☐ Yes [Matter No. WHS/___/___]**Notifier**

AFULE

AND

Respondent

Aurizon

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:	3844 9163	Mobile number:	0407 819 011
Email address:	damien@afule.org.au		
Name of contact person:	Damien McGarry		
Direct phone number:		Mobile number:	0407 819 011
Direct email address:	damien@afule.org.au		

2. Particulars of the other party to the dispute			
Name:	Aurizon		
Postal/Service address:	716 Bluff Road		
	Suburb/Town	Bluff	Postcode 4702
Phone number:	07 4932 4624	Mobile number:	
Email address:	Rebecca.Hustwick@aurizon.com.au		
Name of contact person:	Rebecca Hustwick		
Direct phone number:	07 4932 4624	Mobile number:	0409 060 726
Direct email address:	Rebecca.Hustwick@aurizon.com.au		

3. Workplace where dispute exists
Locomotives

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"/>	A work group determination matter.
<input type="checkbox"/>	A work group variation matter.
<input type="checkbox"/>	Access to information by a health and safety representative under s 70(1)(c) of the Act.
<input type="checkbox"/>	The giving of a notice or information to a health and safety representative under s 70(1)(cb) or (cc) of the Act.
<input type="checkbox"/>	A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g) of the Act.
<input type="checkbox"/>	A matter mentioned in s 72(2)(aa), (a) or (b), or s 72(4)(a), (b) or (c) of the Act relating to training for a health and safety representative.
<input type="checkbox"/>	A health and safety committee matter.
<input checked="" type="checkbox"/>	A matter about work health and safety that is an issue to which Part 5, Division 5 (Issue Resolution) of the Act applies.
<input type="checkbox"/>	An issue about cessation of work under Part 5, Division 6 (Right to cease or direct cessation of unsafe work) of the Act.
Does this dispute relate to any of the following decisions made by an Inspector?	
<input type="checkbox"/>	s 54(5) – Negotiations regarding an agreement
<input type="checkbox"/>	s 76(6B) – Regarding a health and safety committee

5. Compliance powers	
Has an inspector been appointed to assist the parties reach an agreement or resolve the dispute?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, was a decision made by an inspector to exercise, or not to exercise, compliance powers under Part 10 of the Act subject to review under Part 12 of the Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No

6. Issues in dispute

Please outline the issues in dispute between the parties:

[Please note that any details you provide will be published as part of this Notice]

Please attach a schedule if more room required

Locomotives do not have direct connection to a water supply and Traincrew have requested access to bottled water or another source i.e. water cooler onboard their mobile workplace "the Locomotive" for years. Yes, there is water available at the sign on depot and drivers do fill up before boarding the Locomotive for their 12-hour shifts. There are numerous occasions where drivers run out of their supply and due to the remoteness of the work involved, it is rare they are afforded the opportunity or have the ability to replenish their water supply.

The Workplace Facilities Code of practice regarding an instance where a direct water supply is not possible states that alternatives should be provided to workers, workers have requested bottled water for those instances when they run out of their personal supply.

A recent trial was undertaken by this depot where they placed bottled water on the locomotives, see below notice from Aurizon upon conclusion of the trial.

Subject: Trial of Emergency Potable water

Date 11 June 2025

Hi team,

On the 16th of October we commenced a trial of storing an emergency supply of potable water on trains. Bluff Depot Notice - Trial of Emergency water supply.pdf.

This water was intended to be used in the event of an emergency or incident where additional potable water was required. The events where additional water may be required could include air conditioner failure, lead loco failure, RTC walking the train in hot conditions, high number of handbrakes applied/released, and other impacts such as recoveries or incidents and particularly in locations some distance from the depot.

RTC were advised to inform the leader on duty when they have been required to use the potable water for emergency purposes. This was an important aspect of the trial as the leader would need to arrangement a replacement of the potable water for the next crew.

It was clearly outlined that the potable water was not for general use and RTC were expected to ensure they carried a sufficient supply of potable water for their normal shift.

During the trial we had zero reports of potable water being required in an emergency. However, we did disappointingly have reports that the emergency supply of potable water was being used for general drinking, tea and coffees, which was not the intended purpose. Often this was left unreported resulting in periods of time when there was a reduced supply of potable emergency water on the train.

On reviewing the data and feedback a decision has been made to discontinue with the potable emergency water, however there will be adequate stock of potable water at the stations to enable potable water to be transported to crews on site if/when there is a requirement.

7. Briefly state the relevant industrial instrument/s affected (e.g. award, agreement, determination) OR the industry in which the dispute arose and/or type of work being undertaken by those in dispute

Rail Industry Award 2020

8. Signature of the party notifying of the WHS dispute

Signature:

Name:

DAMIAN MCGARRY

Position/Capacity:

WHS OFFICER

Date:

20.06.2025

Bluff and Stanwell Depot Notice



Attention: Bluff and Stanwell Operations Employees

Issued By: Rebecca Hustwick

Date: 11 June 2025

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Aurizon takes its responsibilities seriously and ensures all employees have access to potable water and portable potable water containers. We have drinking fountains, fridges on locomotives (ice and esky provided when non-operational), and fridges in Depots.

All RTC are to ensure they take an adequate supply of potable water with them for their shift and if they require replacement portable potable water containers to please request this from the leader on duty.

Approved by:	Rebecca Hustwick - Regional Operations Manager
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