QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Matter No: WHS/2026/286

Form 73A – Notice of WHS dispute

INDUSTRIAL REGISTRAR
06 NOV 2026
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.

Notification

Notice 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	Australian Rail, Tram and Bus Industry Union

AND

Respondent	Pacific National (Queensland) Pty Ltd

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:	Australian Rail, Tram and Bus Industry Union		
Postal/Service address:	Level 1, 457 Upper Edward Street		
	Suburb/Town Spring Hill		Postcode 4000
Phone number:	073839 4988	**Mobile number:**	
Email address:	industrial@rtbu.com.au		
Name of contact person:	Lucas Kennedy		
Direct phone number:		**Mobile number:**	0430 146 956
Direct email address:	lucas.kennedy@rtbu.com.au		

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2. Particulars of the other party to the dispute			
Name:	Pacific National (Queensland) Pty Ltd t/a Pacific National		
Postal/Service address:	Level 2, 2-4 Blue Street		
	Suburb/Town North Sydney		Postcode 2060
Phone number:		**Mobile number:**	
Email address:	Rebecca_Wolstencroft@pacificnational.com.au		
Name of contact person:	Rebecca Wolstencroft		
Direct phone number:		**Mobile number:**	0459 890 896
Direct email address:	Rebecca_Wolstencroft@pacificnational.com.au		

3. Workplace where dispute exists
Pacific National's Intermodal Freight Facility at Tennyson, Queensland (Moolabin Depot)

4. WHS matter subject of the dispute	
This dispute (as defined in s 102A of the *Work Health and Safety Act 2011*) is in relation to: [Please pick one or more of the options below]	
☐	A work group determination matter.
☐	A work group variation matter.
☐	Access to information by a health and safety representative under s 70(1)(c) of the Act.
☐	The giving of a notice or information to a health and safety representative under s 70(1)(cb) or (cc) of the Act.
☐	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.
☐	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.
☐	A health and safety committee matter.
☑	A matter about work health and safety that is an issue to which Part 5, Division 5 (Issue Resolution) of the Act applies.
☐	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?	
☐	s 54(5) – Negotiations regarding an agreement
☐	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?	☐ Yes ☑ 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?	☐ Yes ☑ No

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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

Please see attached file marked "Schedule 1"

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

Pacific National Intermodal

8. Signature of the party notifying of the WHS dispute

Signature:	[redacted]
Name:	Lucas Kennedy
Position/Capacity:	Principal Industrial Officer, RTBU Queensland Branch
Date:	06/11/2026

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Australian Rail, Tram and Bus Industry Union

V

Pacific National (Queensland) Pty Ltd

Schedule 1

1. Pacific National (Queensland) Pty Ltd t/a Pacific National is engaged in the business of facilitating intermodal freight facilities and transport by the business' trains.
2. At the beginning of 2026, Pacific National commenced directing Terminal Operator Workers ("Shunters") carrying out shunting tasks (the movement of rollingstock/trains) without the support of another Shunter at its intermodal freight facility located at Tennyson, Queensland ("Moolabin Yard").
3. Shunting staff at the facility have indicated to Pacific National management that prior to 2026 that no shunts could occur with only one shunter involved in the movement.
4. The presence of two Shunters in every shunting movement has traditionally ensured proper attention and instruction was given during shunting tasks.
5. The presence of two Shunters also provides an additional control of risks or hazards that are not observable to a single shunter or the train driver during the shunting task.
6. Additionally, the presence of a second Shunter assists in ensuring that the manual handling of the shunting tasks is distributed across two persons and not one.
7. Finally, the presence of a second Shunter ameliorates some of the mental loads created by the shunting tasks by distributing the requisite load across three persons rather than two.
8. This decision to direct Shunters to undertake shunting tasks by themselves has not been subject to any consultation with the affected workers, nor their Union Representatives.
9. Noting the above, on 28 August 2026, the Australian Rail, Tram and Bus Industry Union (the "RTBU") issued a notice of WHS Dispute as per Division 7A of the *Work Health and Safety Act 2011* (Qld).
10. The dispute notice outlines the affected workers' and their Union's concerns as follows (this notice has been attached and marked "RTBU1"):

    "Dear Toby,

    I hereby wish to advise you that the Australian Rail, Tram and Bus Industry Union, Queensland Branch ("RTBU") is in dispute with Pacific National ("PN") in respect to the failure of PN to properly discharge their obligations under the Work Health and Safety Act 2011 (Qld) (the Act) in

the matter of PN directing workers to undertake shunting duties in an unsafe one-man configuration at PN's Moolabin Yard.

Location of Dispute

Pacific National's Moolabin Yard, Tennyson, Queensland

Provisions of Importance

- *s 17, Work Health and Safety Act 2011 (Qld)*
- *s 19(3)(a), Work Health and Safety Act 2011 (Qld)*
- *s 19(3)(b), Work Health and Safety Act 2011 (Qld)*
- *s 19(3)(c), Work Health and Safety Act 2011 (Qld)*
- *s 19(3)(d), Work Health and Safety Act 2011 (Qld)*
- *s 19(3)(f), Work Health and Safety Act 2011 (Qld)*

Details of Issues

It has been identified that PN has directed Terminal Operators to engage in One-Man Shunting tasks. These directions represent a significant undermining of industry standards to prevent serious injury, or death when workers carrying out shunting tasks.

This deviation from historical and industry practices clearly jeopardises the health and wellbeing of staff, especially that of Terminal Operators.

Additionally, it appears that the business has not provided the workforce access to succinct safe working methodologies/procedures for the carrying out safe shunting duties specifically at the Moolabin Terminal. Especially noting local working instructions are the industry norm in Queensland for RIMs and RRMs that provide shunting services.

Both substantive matters constitute a breach of PN's duties as a PCBU under the Work Health and Safety Act 2011(Qld). Consequently, this matter should be addressed with the utmost urgency.

Proposed Solution

We propose that PN engages in consultation with the Workplace's HSR, Sheldon Marris, and the Union's Principal Industrial Officer, me (Lucas Kennedy). With a mind to commence remedy the issues with the creation

of a new succinct local safe working procedure that captures the unique workings and infrastructure at Moolabin Yard.

I have availability to meet on Tuesday afternoon at the earliest.

We also request that this matter be dealt with under model dispute resolution procedure in line with the requirements of the WHS Act..."

11. The parties have met and discussed the dispute.
12. Additionally, the parties have discussed the dispute via email correspondence between the parties, but no solution has come to fruition as of the time of filing. (this correspondence has been attached and marked, "RTBU1")
13. The Applicant believes that this dispute can be remedied through a site-based risk assessment for shunting tasks wherein the relevant tasks must include the presence of two Shunters as a form of control for the risks and hazards relevant to the specific workings of the workplace as was the situation prior to 2026.

From: Toby Adams
To: Lucas Kennedy
Cc: David Freeman; Anahita Ebrahimi
Subject: Re: [External] PN Tennyson - WHS Dispute - One Man Shunts
Date: Thursday, 15 October 2026 2:29:45 PM
Attachments: image001.png
image002.png
image003.png
image005.png
image006.png
image007.png
image008.png
image009.png
image010.png
image.png
image.png
image.png

Hi Lucas

Thank you for your correspondence.

Pacific National complies with all applicable work health and safety legislation, irrespective of jurisdiction.

Since this dispute was raised, PN has repeatedly asked the RTBU and HSR to identify:

- the particular task or movement alleged to be unsafe;
- the specific hazard that is not addressed by PN's existing controls;
- any deficiency or failure in those controls; and
- the evidence supporting the assertion that a second ground shunter is required.

The RTBU's latest correspondence refers generally to the size and configuration of Moolabin Yard, curved tracks, potential line-of-sight obstructions and the use of a second ground shunter. However, it does not identify a particular movement that cannot be performed safely or demonstrate that PN's existing controls are inadequate.

PN's National Shunting Procedure states:

"Shunting activities are carried out with a minimum of two competent workers. A single driver in the locomotive cabin must be assisted by a competent worker performing ground duties for the shunting movement."

The procedure includes controls relating to shunt planning, communication, route verification, points, propelling movements, three-step protection and stopping a movement where the required controls cannot be maintained.

PN's competency framework also supports this crew configuration. Relevant competencies, including RSW-VOC-0018 Shunting and RSW-VOC-0004 Communication, cover shunting undertaken by a train driver and one ground shunter. Employees are assessed as competent to perform the required shunting tasks and are not deemed competent based on two Terminal Operators performing the ground duties.

The National Shunting Risk Assessment, reviewed on 2 July 2026, applies across PN yards and

terminals, including Moolabin. It addresses the relevant risks associated with shunting, including workers being struck, communication failures, incorrect routes or points, visibility and degraded operating conditions.

A preference for two ground shunters, historical practices or the arrangements adopted by other operators does not establish that PN's existing controls are deficient or that a local procedure is required.

Despite repeated requests, the RTBU and HSR have not provided specific evidence of an unaddressed hazard or control deficiency that would prevent shunting from being undertaken safely by a competent train driver and one competent ground shunter.

Accordingly, PN considers this dispute closed. Should new and specific safety information be provided, PN will assess it through the appropriate processes.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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From: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Sent: Monday, October 12, 2026 09:22

To: Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: David Freeman <David_Freeman@pacificnational.com.au>; Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Morning Toby,

The Shunting work carried out at the PN Tennyson has been a long established means of controlling risks both to Yard Staff and Traincrew. The presence of a second person on the ground ensure that there another competent person observing and managing the movement of rollingstock.

Additionally, Moolabin Yard is a complex yard with a large variety of roads in varying lengths (long enough to fit 700m long trains) and directions. This includes traffic travelling in all four cardinal directions across long curved portions of track. Additionally, the inherent nature of the yard creates line of sight obstructions that are ameliorated by the presence of a second shunter's involvement in shunts.

A second shunter is itself a control measure, one that the business has not demonstrated it is unreasonably impracticable to maintain two shunters present in every shunt. This is what the law expects the PCBU to do as does the Union.

Consequently, we are still seeking the implementation of a local operating procedure that maintains the mandatory nature of two shunters being involved in a shunt.

Kind Regards
Lucas Kennedy
Principal Industrial Officer | Workplace Health and Safety Officer
RAIL TRAM AND BUS UNION (QLD BRANCH)
1/457 Upper Edward Street, Spring Hill 4000
P: (07) 3839 4988 | F: (07) 3832 1278
E: lucas.kennedy@rtbu.com.au
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Are your details up to date? Have you changed locations?
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Please check and update your contact details: https://rtbu.com.au/contact/
or email info@rtbu.com.au

From: Toby Adams <Toby_Adams@pacificnational.com.au>
Sent: Monday, 21 September 2026 11:46 AM
To: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Cc: David Freeman <David_Freeman@pacificnational.com.au>; Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Morning Lucas,

Thank you for your email.

PN's position regarding work health and safety legislation is straightforward: PN complies with all applicable work health and safety legislation and regulatory obligations, irrespective of the jurisdiction in which it operates.

At our previous meeting, PN requested that the HSR and the RTBU provide the specific safety basis for their position that shunting must cease when undertaken by a competent driver and one competent ground worker.

In particular, PN requested identification of:

- the specific Moolabin hazard that is not addressed by the existing controls;
- the particular task or movement that cannot be safely completed;
- the control deficiency that requires a second ground shunter; and
- the basis for asserting that two ground shunters are a mandatory or primary safety control.

It was understood that this information would be provided following the meeting. To date, PN has not received a response from either the HSR or the RTBU addressing these matters.

This information is required to progress the issue-resolution process and allow PN to meaningfully assess the RTBU's position. A general preference for two ground shunters, or reference to the practices of other rail operators, does not identify a specific hazard or demonstrate that PN's existing controls are inadequate.

PN's current National Shunting Procedure requires a minimum of two competent workers: a competent driver and a competent worker performing the ground duties. The National Shunting Risk Assessment identifies and assesses the relevant hazards and controls associated with that configuration.

In the absence of the requested information, PN remains satisfied that its existing National Shunting Procedure and National Shunting Risk Assessment provide an appropriate framework for safely managing shunting at Moolabin. PN therefore does not accept that a separate local procedure is required at Moolabin.

I also want to be clear that it is becoming increasingly difficult to progress this matter when PN is repeatedly required to restate the same position and provide clarification on matters that have already been addressed in previous correspondence and discussions. I appreciate that the RTBU and the HSR may maintain a different view; however, continuing to revisit the same points without addressing the specific information requested of the RTBU and HSR does not assist either party in moving the issue forward.

PN remains willing to engage constructively with the RTBU and HSR, and to consider any specific evidence or identified hazard that may demonstrate a deficiency in the current controls. However, for the matter to progress meaningfully, we need to move beyond repeating the existing positions and address the specific safety concerns and evidence underpinning them.

Please provide the information requested above so that the matter can be properly considered and progressed.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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From: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Sent: Thursday, 17 September 2026 11:17 AM
To: Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: David Freeman <David_Freeman@pacificnational.com.au>; Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Afternoon Toby,

I have always found it quite annoying that Pacific National claims that they are not required to comply with Queensland's workplace health and safety laws. Can the business please direct me to the provisions of the Commonwealth Act that provide Pacific National (Qld) Pty Ltd (not Pacific National Services Pty Ltd) as being specifically exempt from the purview of the Work Health and Safety Act 2011 (Qld).

Because my understanding is, much like any harmonised system of legislation, the Commonwealth and State laws run concurrently and bind PN (with one exception) to both laws simultaneously unless they are a transitional licensee holder to which Pacific National Services is, but not Pacific National (Qld) Pty Ltd.

Nonetheless, the RTBU appreciates the willingness of the business to meet and discuss the national approach to shunting procedures. However, the RTBU still remains apart from the business with respect of its decision to simplify shunting to a national procedure and risk assessment in contrast to the other two major RSOs in this State who operate both local and state-wide operating procedures and risk assessments in tandem.

Consequently, the RTBU is seeking clarity on whether the business has the willingness to sit down with ours and other local workplace representatives to develop a local risk assessed shunting procedure that acknowledges the safety control of having two shunters assisting a member of traincrew in the shunt is one of the primary mechanisms of safety control for dealing with shunt movements at the yard.

If the Union does not receive correspondence from the business with respect of these matters within a reasonable time period, we will be seeking to escalate the matter to the QIRC for conciliation and ultimately arbitration as per the Work Health and Safety Act 2011(Qld).

Kind Regards
Lucas Kennedy
Principal Industrial Officer | Workplace Health and Safety Officer
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or email info@rtbu.com.au

From: Toby Adams <Toby_Adams@pacificnational.com.au>
Sent: Thursday, 10 September 2026 1:31 PM
To: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Cc: David Freeman <David_Freeman@pacificnational.com.au>; Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Subject: Re: [External] PN Tennyson - WHS Dispute - One Man Shunts

Afternoon Lucas

Further to our meeting regarding this matter, Dave Freeman has provided the following information relating to the dispute:

- The RTBU's correspondence incorrectly relies upon the Work Health and Safety Act 2011 (Qld). Pacific National operates within the Commonwealth WHS jurisdiction administered by Comcare and is therefore subject to the Work Health and Safety Act 2011 (Cth). While Pacific National recognises that comparable duties exist under the Commonwealth legislation, it maintains, as outlined in its previous response, that it meets those obligations and does not accept that the current shunting arrangements

constitute a breach.

- Pacific National does not consider "one-person shunt" to be an accurate description of the operation. The PN-PRO-OPS Shunting Procedure provides:

    - "Shunting activities are carried out with a minimum of two competent workers. A single driver in the locomotive cabin must be assisted by a competent worker performing ground duties for the shunting movement."

  The procedure therefore requires a minimum of two competent workers: one qualified driver operating the locomotive and one qualified Terminal Operator or ground person controlling and directing the shunting movement. It does not require two ground persons or shunters.

- Pacific National's preferred operating arrangement is to use two ground personnel where resources allow, as this generally provides greater operational efficiency. However, where staffing availability does not permit this, shunting can be safely undertaken with one qualified ground person directing the locomotive driver. This arrangement maintains a single and continuous point of contact, avoids any transfer of control between ground personnel, and is supported by Pacific National's national training, procedures, and risk controls.

- No evidence has been provided to support the assertion that this arrangement breaches an "industry standard" or jeopardises workers' health and wellbeing. If the RTBU maintains these assertions, please provide the evidence relied upon. Otherwise, Pacific National requests that the assertions be formally withdrawn.

- Pacific National has moved away from bespoke work instructions across its 55 operating locations and adopted nationally consistent procedures and risk controls. Tennyson operates in accordance with these national standards and has not been identified as presenting an elevated risk profile compared with other Pacific National intermodal terminals.

Following the meeting with the HSR and RTBU representative, Pacific National has not identified a basis for changing its current operating arrangements. However, Pacific National is prepared to provide the HSR and a representative

group of Terminal Operators with the opportunity to meet with site management and HSE professionals to review the relevant controls within the National Shunting Risk Assessment and improve their understanding of the national standard.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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From: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Sent: Thursday, September 3, 2026 07:10
To: Toby Adams <Toby_Adams@pacificnational.com.au>; Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Subject: Re: [External] PN Tennyson - WHS Dispute - One Man Shunts

Morning Toby

Thank you. See you at 10:00 am!

From: Toby Adams <Toby_Adams@pacificnational.com.au>

Sent: Thursday, September 3, 2026 6:42 am
To: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Cc: Stef Whyte <stef.whyte@rtbu.com.au>
Subject: Re: [External] PN Tennyson - WHS Dispute - One Man Shunts

Morning Ana,

Thanks for sending through last night, I am still available 1000-1030 this morning with back to backs prior and afterwards.

Look forward to meeting with you this morning.

Regards

Toby Adams
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From: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>
Sent: Wednesday, 02 September 2026 17:24:52
To: Lucas Kennedy <lucas.kennedy@rtbu.com.au>; Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: Stef Whyte <stef.whyte@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Hi Toby

My details are below in my email signature. I am happy to attend at 10:00 am tomorrow if you confirm this works on your end.

Thank you.

Ana Ebrahimi
Organiser - Rail Operations and Admin Division
RAIL TRAM AND BUS UNION (QLD BRANCH)
M: 0419 769 128 | E: anahita.ebrahimi@rtbu.com.au



We acknowledge the Traditional Owners and Custodians of the lands on which we live and work and pay our respect to Elders past, present and future.

From: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Sent: Wednesday, 2 September 2026 2:59 PM
To: Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Morning Toby,

Anahita, RTBU Organiser, and Sheldon will be available to meet with you at 1000 tomorrow.

Kind Regards
Lucas Kennedy
Principal Industrial Officer | Workplace Health and Safety Officer
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or email info@rtbu.com.au

From: Toby Adams <Toby_Adams@pacificnational.com.au>
Sent: Tuesday, 1 September 2026 5:39 PM
To: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Hi Lucas,

I am happy to meet with yourself, I won't be available this week until Thursday anytime from 1000 – 1400hrs or Friday 0930 – 1500hrs.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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From: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Sent: Tuesday, 1 September 2026 12:22 PM
To: Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: Re: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Afternoon Toby,

The RTBU respectfully disagrees with Pacific National's position on the matter and consequently, we will still require a meeting.

I have availability tomorrow afternoon from 1300 until 1700 to meet in person at the Yard. I have spoken to Sheldon, who has a day off but is willing to come into work to attend during that time as well.

Kind Regards
Lucas Kennedy
Principal Industrial Officer | Workplace Health and Safety Officer
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Please check and update your contact details: https://rtbu.com.au/contact/
or email info@rtbu.com.au

From: Toby Adams <Toby_Adams@pacificnational.com.au>
Sent: Monday, August 31, 2026 5:10 PM
To: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Afternoon Lucas,

Thank you for your email, I've now had an opportunity to review in more detail.

PN does not accept that the provisions of the Work Health and Safety Act 2011 cited in your correspondence establish that the current shunting arrangement at Moolabin is unsafe.

Sections 17 and 19 (3) (a) to (d) and (f) impose general duties on PN to eliminate or minimise risks so far as reasonably practicable and to provide a safe work environment, safe plant and structures, safe systems of work, safe use and handling of plant, and appropriate information, training, instruction and supervision. PN is already compliant with these obligations through its current National Shunting Procedure, National Shunting Risk Assessment, established operational controls, competency requirements, training, and supervision arrangements. These provisions do not prescribe a minimum number of ground shunters or require two Terminal Operators to be on the ground shunting for

every shunting movement.

For clarity, the arrangement is not "one-man shunting." It involves a competent locomotive driver and a competent Terminal Operator undertaking the ground duties. This complies with PN's current National Shunting Procedure, which requires a minimum of two competent workers and specifically provides that a single driver must be assisted by a competent ground worker.

The current National Shunting Risk Assessment, reviewed on 2 July 2026, applies to all PN yards and terminals, including Moolabin, and addresses the relevant risks and controls associated with shunting. Both documents were provided to the HSR on 17 August 2026.

Accordingly, PN does not accept that a breach of the cited provisions has been established. Nevertheless, PN is prepared to meet with the RTBU and the HSR to discuss any specific Moolabin hazard or control the RTBU considers has not been adequately addressed.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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We deliver what matters



From: Toby Adams
Sent: Monday, 31 August 2026 9:14 AM
To: 'Lucas Kennedy' <lucas.kennedy@rtbu.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: RE: [External] PN Tennyson - WHS Dispute - One Man Shunts

Good Morning Lucas,

I was off on Friday, confirming I have received email this morning, I will revert after reviewing the below.

Regards

Toby Adams
Operations Superintendent – QLD Narrow Gauge Intermodal South

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We deliver what matters



From: Lucas Kennedy <lucas.kennedy@rtbu.com.au>
Sent: Friday, 28 August 2026 12:10 PM
To: Toby Adams <Toby_Adams@pacificnational.com.au>
Cc: Anahita Ebrahimi <anahita.ebrahimi@rtbu.com.au>; Stef Whyte <stef.whyte@rtbu.com.au>
Subject: [External] PN Tennyson - WHS Dispute - One Man Shunts

Dear Toby,

I hereby wish to advise you that the Australian Rail, Tram and Bus Industry Union, Queensland Branch ("RTBU") is in dispute with Pacific National ("PN") in respect to the failure of PN to properly discharge their obligations under the *Work Health and Safety Act 2011* (Qld) (the *Act*) in the matter of PN directing workers to undertake shunting duties in an unsafe one-man configuration at PN's Moolabin Yard.

Location of Dispute

Pacific National's Moolabin Yard, Tennyson, Queensland

Provisions of Importance

- s 17, *Work Health and Safety Act 2011* (Qld)
- s 19(3)(a), *Work Health and Safety Act 2011* (Qld)
- s 19(3)(b), *Work Health and Safety Act 2011* (Qld)
- s 19(3)(c), *Work Health and Safety Act 2011* (Qld)
- s 19(3)(d), *Work Health and Safety Act 2011* (Qld)
- s 19(3)(f), *Work Health and Safety Act 2011* (Qld)

Details of Issues

It has been identified that PN has directed Terminal Operators to engage in One-Man Shunting tasks. These directions represent a significant undermining of industry standards to prevent serious injury, or death when workers carrying out shunting tasks.

This deviation from historical and industry practices clearly jeopardises the health and wellbeing of staff, especially that of Terminal Operators.

Additionally, it appears that the business has not provided the workforce access to succinct safe working methodologies/procedures for the carrying out safe shunting duties specifically at the Moolabin Terminal. Especially noting local working instructions are the industry norm in Queensland for RIMs and RRMs that provide shunting services.

Both substantive matters constitute a breach of PN's duties as a PCBU under the *Work Health and Safety Act 2011(*Qld). Consequently, this matter should be addressed with the utmost urgency.

Proposed Solution

We propose that PN engages in consultation with the Workplace's HSR, Sheldon Marris, and the Union's Principal Industrial Officer, me (Lucas Kennedy). With a mind to commence remedy the issues with the creation of a new succinct local safe working procedure that captures the unique workings and infrastructure at Moolabin Yard.

I have availability to meet on Tuesday afternoon at the earliest.

We also request that this matter be dealt with under model dispute resolution procedure in line with the requirements of the WHS Act.

Kind Regards
Lucas Kennedy
Principal Industrial Officer | Workplace Health and Safety Officer
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Have you been to our website: http://www.rtbu.com.au
We are on Facebook: https://www.facebook.com/RTBUQldBranch

You're receiving this because you are a member of the Rail, Tram & Bus Union (Qld Branch)
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or email info@rtbu.com.au