

COMMISSION OF INQUIRY INTO THE CFMEU AND  
MISCONDUCT IN THE CONSTRUCTION INDUSTRY

## Statement of Shannon Lee Farrington

I, Shannon Lee Farrington, Safety Consultant, of an address known to the Commission, affirm:

### A Background

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1. Between 6 February 2017 and June 2022, I was employed by the Office of Industrial Relations (**OIR**), working as part of Workplace Health and Safety Queensland (**WHSQ**).
2. During my tenure, I served as the Operations Manager for the Cairns and Far North Region. I oversaw a geographic area spanning from Cardwell to the Torres Strait at its northern-most point, and stretching west to Mount Isa. I also acted as the Operations Manager for the Townsville Region, as required from time to time. I estimate that approximately 90% of my duties and oversight were concentrated in Cairns.
3. Prior to joining the OIR, I served as a Lieutenant in the Australian Army Reserves, then the Regular Army between 2000 and 2007, before serving as a Flight Lieutenant in the Royal Australian Air Force between 2007 and 2016. My service as an officer included tours of duty in Afghanistan, the Solomon Islands and a pre-coup survey in Tonga. The deployment to Afghanistan was particularly dangerous, as we were frequently targeted by Taliban rockets and Improvised Explosive Devices. I received various awards and commendations for my service, including:
  - a. Chief of Army Gold Commendation; and
  - b. Chief of Airforce Silver Commendation.
4. My military background, specifically my role as a Safety Officer on HMAS Cairns and my studies of the 2005 Nias Island Sea King Board of Inquiry, formed the basis of my qualifications for the Operations Manager role.
5. Upon my commencement at WHSQ, my manager, Mr Paul Smith, informed me that the Operations Manager role required "*direct and unemotive leadership*". I understood that I was selected for my leadership capabilities and psychometric profile rather than deep technical WHS knowledge.

Shannon Lee Farrington

6. I left the OIR in 2022 and worked in several high-level ACT government safety roles, and currently operate a safety consultancy, though I am presently on a medical sabbatical.

#### **A.1 Management structure of the OIR**

7. I reported directly to Mr Smith, the Regional Director for North Central Queensland (**NCQ**). Mr Smith reported to the Executive Director in Brisbane, a role held by Julie Nielsen when I started at WHSQ and then Marc Dennett from 2018.

Annexed and marked **SLF-1** is an organisational chart dated 21 November 2019. It shows Mr Smith and three other Regional Directors reporting to Mr Dennett.

8. The chart also indicates that Ms Helen Burgess, Director of Construction Compliance and Field Services (**CCFS**), held equivalent seniority to Mr Smith and also reported to Mr Dennett. Construction inspectors in South-East Queensland reported to Ms Burgess via their respective Operations Managers. As such, CCFS had a distinct and separate geographical patch to NCQ. I had no reporting line to Ms Burgess, nor did any of the inspectors who reported to me.

#### **A.2 My role and responsibilities**

9. The team that I supervised had approximately 14 inspector positions and two administrative officers, but typically only about 11 active inspector positions were filled at any time. The Cairns office included construction and industrial inspectors, as well as specialised dive and investigative units who reported to other managers.
10. My responsibilities included regional management, evidentiary review of assessments in the Far North, stakeholder engagement, and personnel management, specifically ensuring the health, safety, and wellbeing of my staff.

#### **A.3 Work allocation and operational procedures**

11. The day-to-day work of the inspectors under my supervision primarily involved responding to "*notifiable incidents*" under the *Work Health and Safety Act 2011* (Qld) (**WHS Act**) and addressing general complaints lodged by workers or members of the public.
12. Inspectors used CISr, the OIR's central case management system, as the mandatory platform for digital records and generating enforcement notices.
13. Throughout my tenure as Operations Manager, there was generally a sufficient volume of reactive work — that is, work responding to a specific event or complaint — to occupy the inspectors' full capacity. When the volume of reactive work allowed this, staff also engaged in proactive work aimed at injury prevention. This proactive

engagement could be self-initiated by an inspector (upon observing a blatant safety risk), directed by me at a regional level, or part of a broader WHSQ statewide campaign.

14. In practice, the opportunity for proactive work was significantly constrained by limited inspector availability. Consequently, proactive work was often restricted to specific directions issued by the Brisbane head office.

## **B Overall pattern of conduct involving the CFMEU**

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15. After starting in my role, I observed pattern of conduct involving the CFMEU that recurred across multiple construction projects throughout my tenure with the OIR:
  - a. an expectation that union-lodged complaints be prioritised over all other regulatory work, regardless of risk profiles;
  - b. hostility, intimidation, and personalised abuse directed by CFMEU officials at inspectors;
  - c. the assertion of undue operational influence by union officials over OIR staff; and
  - d. OIR personnel in Brisbane receiving real-time information from union delegates.
16. I describe some examples of this pattern of conduct below.

### **B.1 Prioritisation of CFMEU complaints**

17. Throughout the period of my employment with OIR, there was a clear operational expectation communicated to my office by the Executive Directors (Julie Nielsen and then Marc Dennett) that if CFMEU officials demanded our presence on-site, we were to attend regardless of the circumstances.
18. As I describe below, OIR officials from the Brisbane office actively tried to interfere with the operations of the Cairns office on behalf of the CFMEU, directing that inspectors be sent in response to CFMEU complaints.
19. Under standard OIR operating procedures, a request for inspector assistance was to be initiated via a central 1300 number or an online notification. It would then be triaged by OIR's Assessment and Advisory (**AAA**) service. This ensured the request would be triaged, recorded, and allocated based on objective risk. On the weekend, calls to the AAA 1300 number were redirected to the Duty Manager.
20. The CFMEU systematically bypassed the AAA triage system by directly contacting the Brisbane office and, in particular, the Director of Construction Compliance and Field Services (**CCFS**) in Brisbane. From the commencement of my employment with OIR, I received regular calls from the Director of CCFS, Peter Twigg, directing me to

immediately send inspectors to deal with CFMEU requests. This practice continued when Kym Tollenaere replaced Mr Twigg. And, as I describe below, it further intensified when Ms Burgess became the Director of CCFS in early 2018.

21. Frequently, the CFMEU notifications that Brisbane wanted me to deal with were non-urgent, such as a lack of portable toilets for the number of workers. I considered this to be an inappropriate use of a busy regional workforce that covered a large geographical area
22. I generally refused to take directions from the Brisbane officials below the Executive Director level because they were not in my “*chain of command*”. As I explained above, I reported to Mr Smith, who reported to the Executive Director. Hence, when I received calls from Mr Twigg, and later Ms Tollenaere and Ms Burgess, directing me to send inspectors, I would generally respond with words to the effect that we all have a lot of work to do and that I report to Mr Smith. Usually, shortly thereafter I would receive a call from Mr Smith telling me that he was contacted by Mr Twigg, Ms Tollenaere or Ms Burgess (as the case may be) and directing me to send inspectors that they requested.

## **B.2 Interactions with Helen Burgess**

23. The Brisbane-based manager with whom I had the most frequent and challenging interactions was Ms Burgess. When Ms Burgess was appointed Director of CCFS in early 2018, she became the primary conduit for construction-related directives originating from Brisbane.
24. In my experience, Ms Burgess consistently involved herself in regional operational matters in a manner I considered intrusive, directive, and fundamentally inconsistent with proper WHS regulatory practice.
25. As with Mr Twigg, Ms Burgess was not in my reporting line and her authority did not extend to my region. It struck me as highly unusual for Ms Burgess to be involved in my region in circumstances where the organisational structure gave her no reason or authority to do so. As I explained above, when Ms Burgess called me, I generally did not act on her direct instructions but directed her to Mr Smith.

### **B.2.1 Ms Burgess by-passing the triage system**

26. A defining feature of Ms Burgess’s management style was her routine practice of calling me directly to issue operational directives. This bypassed all established regulatory pathways — the AAA triage system, the OIR’s case management system, CISr, and my direct supervisor, Mr Smith.

27. These directives were typically delivered abruptly and demanded immediate inspector attendance at union-involved sites, using phrasing such as:
- a. *“You need to get someone there now;”*
  - b. *“Roll in to that site immediately;”* or
  - c. *“Why isn’t someone already there?”*
28. These instructions were rarely accompanied by a formal CISr allocation at the time. When CISr entries were eventually created, they were often retrospective and lacked the detail necessary for an objective risk assessment. In my view, this conduct undermined lawful allocation processes and created an unsustainable and reactive operational environment.
29. This pattern of conduct was constant and recurring. During CFMEU campaigns on particular sites, these calls would come weekly or even daily. I describe specific examples of this below. It was well understood at the Cairns office that these CFMEU campaigns intensified during the time of enterprise bargaining and quietened once the targeted contractor had agreed to a CFMEU enterprise agreement or the project was complete. Outside of CFMEU campaigns, there was often a hiatus where I would not receive these calls for a month or more.

B.2.2 Ms Burgess directly communicating with the CFMEU

30. On numerous occasions, Ms Burgess told me that her demands were based on direct communications from union officials, including Cairns CFMEU organiser Roland (*“Rolly”*) Cummins and Michael Ravbar. I know this because Ms Burgess would often use phrases such as, *“Rolly called me,”* or *“They couldn’t reach you, so they called Michael Ravbar, and Michael rang me to say Rolly needs someone there now.”* She would also know the specific issues which she expected notices to be written for — information she must have been getting from the CFMEU.
31. This confirmed a pattern where union officials successfully bypassed regional management and the triage system to secure immediate directives from Brisbane executives. Consequently, inspectors were frequently deployed to service union agendas rather than address verified safety risks.
32. As set out above, when Ms Burgess called me to direct me to send inspectors to deal with a CFMEU complaint, I generally told her that allocation of inspectors was up to Mr Smith. Usually, Mr Smith would then call me shortly thereafter, passing on Ms Burgess’ request.

### B.2.3 Operational disruption from Ms Burgess' directions

33. Ms Burgess's directives, often relayed via Mr Smith, frequently compelled me to withdraw inspectors from other, higher-priority, investigations. This was not merely an administrative inconvenience — it required pulling staff away from complex, high-risk WHS matters, often in remote areas, to attend to minor or non-urgent union complaints. For example:
- a. On one occasion, as a result of a direction from Ms Burgess, I had to reallocate Inspector Karim De Ridder from a site involving a high-risk asbestos removalist to attend a different site in response to a CFMEU complaint.
  - b. On another occasion, Inspector Rob Duckworth was at a project referred to as the Crystalbrook Collection Projects, which was a set of three buildings being constructed near the Cairns Esplanade. Inspector Duckworth was at the "Riley" building, addressing serious "*working at heights*" risks involving the ongoing installation of large glass panels via installers using harnesses and scissor lift on the side of the curved building. However, despite this high-risk activity, as a result of a direction from Ms Burgess, I had to move him to another building, called the "Flynn" building, simply to verify whether the number of stretcher stairs included on scaffolding was sufficient should the ALIMAK lift fail. This was essentially an assessment of an evacuation plan, a matter that did not carry the same immediate risk to life.

### B.2.4 Aggressive and abusive communications by Ms Burgess

34. Ms Burgess' communication style was frequently aggressive and, at times, verbally abusive. She would regularly raise her voice and use profanity when inspectors were unable to attend a site immediately, regardless of the legitimacy of the delay. Ms Burgess' behaviour was not unique to me. I was told by the Townsville Operations Manager, Tim Anderson, that Ms Burgess called him "*fucking useless*" during a phone conversation.  
Henderson
35. I found these interactions with Ms Burgess psychologically distressing. Towards the end of my tenure, I began avoiding her calls because they were so emotionally dysregulating. Often, I would see a call from Ms Burgess and not answer it. Shortly thereafter, I would receive a call from Mr Smith passing on Ms Burgess' instructions. Mr Smith would mention Ms Burgess called him because she couldn't get to me directly.

### B.2.5 Social media activity of the CFMEU

36. In about 2018 (year of the alleged assault), I saw a derogatory Facebook post authored by Mr Cummins about Inspector Duckworth, calling him "useless". Another CFMEU member "tagged" Ms Burgess in this post, and she "liked" this tag. The "like" was removed the following day.
37. In my view, a senior OIR executive "liking" a post that disparages her own staff for their regulatory decisions is a profound breach of professional standards and signals a clear bias in favour of the union.

## C James Cook University project

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### C.1 **The initial interaction**

38. My first significant interaction with the CFMEU and the ETU occurred shortly after I commenced as Operations Manager on 6 February 2017.
39. The James Cook University (**JCU**) project was a seven-storey, purpose-built student accommodation facility located on McGregor Road in Smithfield, situated within walking distance of the JCU campus. ADCO Constructions was the Principal Contractor for the development. I understand that the project had an approximate value of \$35 million and was scheduled for a 16-month construction period.
40. On 9 February 2017, three days after I started, we received a complaint regarding a tower crane at the JCU project. I was formally notified of this by Mr Peter Twigg, the then Director of CCFS.
- Annexed to this statement and marked **SLF-2** is a copy of the complaint.
41. As set out above, Mr Twigg was not technically in my reporting line. I reported to Mr Smith, who reported to Mr Dennett. As the Director of CCFS, Mr Twigg had the same seniority as Mr Smith. Further, Cairns was not part of the geographic area managed by the CCFS, which was limited to Southeast Queensland.
42. Prior to attending, I was briefed by Inspector Robert Duckworth (who reported to me) and the previous Operations Manager Lara Carolan (as part of a handover). They warned me that the JCU project was notoriously contentious because of CFMEU interference and that inspections there were frequently unsettling for OIR staff. Inspector Duckworth described the environment as "combative" and noted that previous inspectors had felt personally intimidated by CFMEU representatives.
43. As he explained this to me, Inspector Duckworth was visibly distressed by the prospect of attending the site. It was of concern to me that an inspector would feel apprehensive about doing their job. I had no reason to disbelieve him, and I could see

he was emotional about the issue. So I decided to accompany him to deal with this particular JCU complaint. My intention was to provide management support and establish clear behavioural expectations with the union representatives present, if and when needed. At that time, the *"Two-Up"* policy (requiring inspectors to attend CFMEU sites in pairs) had not yet been introduced at the WHSQ.

44. As I was new to the WHSQ, I had not yet been issued my standard uniform or Personal Protective Equipment (**PPE**). Inspector Duckworth told me that I could attend the site office without PPE to meet the union officials, and he would then do the walk-around on the site. I wanted to attend the site office to set the tone for the union interactions and ensure that they remain respectful. I attended the site office, which was located just outside the actual construction site, wearing professional attire (a suit jacket, skirt and heels). While we prepared to leave for the site and on the way to the site, I received several calls from both Mr Smith and Mr Twigg inquiring as to our exact arrival time. There seemed to be some anxiety about us getting there as quickly as possible.
45. At the site office, we met with CFMEU organiser Mr Cummins and the ETU Organiser Rob Hill, alongside ADCO Constructions' management for the project. The union representatives were waiting outside and greeted us with hostility, stating words to the effect of, *"you took your fucking time"*. Their demeanour was aggressive and their language coarse, including general criticisms such as *"the site is fucked."*
46. Following the initial meeting, the parties drove to the construction site. Due to my lack of PPE, I remained at the site office while Inspector Duckworth conducted the inspection, accompanied by Mr Cummins and Mr Hill. The organisers were demanding a prohibition notice to shut down the entire site. We declined this demand as there was no evidence of a serious or imminent risk that would justify a prohibition notice under the WHS Act.
47. After departing the site, and while driving back to the office, I received a phone call from my Regional Director, Mr Smith, asking me why I had been *"walking around a construction site in a short skirt and high heels."* I explained to Mr Smith that I had remained at the site office and never entered the construction area.
48. Crucially, the speed with which this specific (and distorted) information reached Mr. Smith, within about 20 minutes of us leaving a site in Smithfield, indicated to me that union officials were communicating directly with senior OIR executives in real-time to report on our conduct and movements. There is no way Inspector Duckworth could have conveyed this information without me knowing nor, in my estimation, would he

have had any good reason to do so given I did not go onsite but only attended the site office. I did not ask, nor did Mr Smith tell me how he knew what I was wearing on site. But it was pretty clear to me that the CFMEU had conveyed the information.

49. This was the first time I experienced what I believed to be informal communication channels between the CFMEU and management about day-to-day issues. However, I soon realised that this was common practice, and it occurred very frequently during my time at OIR. It became something which was tolerated by me and my team and accepted and apparently condoned by senior management such as Mr Smith and Mr Dennett.

### **C.2 CFMEU abuse directed at Inspector Beattie**

50. During my subsequent visits to the JCU site, I observed Mr Hill and Mr Cummins repeatedly cross professional boundaries. Their conduct often escalated from objective safety observations to personal attacks on inspectors.

51. On one occasion in 2017, Mr Cummins said to Inspector Beattie: *"Cam, you're fucking useless."* Inspector Beattie snapped back, saying: *"I won't take that, not from you Rolly"*. I intervened immediately and told the union representatives that while I would tolerate the use of coarse language regarding the site, I would not tolerate personal abuse directed at my staff. I made it clear that I expected mutual respect and professionalism from all parties. Mr Beattie was visibly shaken by this incident.

52. I later learned that the CFMEU complained about this incident to Mr Twigg. During my subsequent discussion with Mr Twigg, he told me that the complaint from the CFMEU alleged Inspector Beattie had become unprofessional by making an angry outburst and had been *"dismissive and rude."* Notably, the complaint entirely omitted the prior verbal abuse and provocative behaviour of Mr Cummins and Mr Hill. I explained to Mr Twigg what in fact happened.

### **C.3 Weekend attendance in late 2018**

53. Another significant interaction occurred on a weekend in about late 2018. At the time, the NCQ region operated a weekend roster involving one Duty Manager (rotated between the four Operations Managers reporting to Mr Smith) and one to two *"on-call"* inspectors. On this occasion, the Duty Manager received a notification from Mr Cummins and Mr Hill alleging a *"serious and imminent risk"* on-site and demanding immediate attendance. Inspector Campbell Beattie was the rostered on-call inspector. I was not the Duty Manager for that specific weekend but became involved because Inspector Beattie contacted me.

Annexed to this statement and marked **SLF-3** is a copy of the union interaction report made by Inspector Beattie in relation to this notification.

54. Given Inspector Beattie's previous distress at this site on previous visits, I decided to attend with him.
55. Upon our arrival, Mr Cummins and Mr Hill were not present. The site manager was unaware of any specific risk or emergency. The only activity on-site was a scaffolding crew reconfiguring a specific section of the structure.
56. When Mr Cummins and Mr Hill eventually arrived in Mr Hill's vehicle, it became apparent that the alleged "*serious risk*", which reportedly related to a scaffold plank, had either been rectified or was non-existent.
57. Rather than addressing the specific hazard that triggered the emergency call-out, the union officials attempted to compel us to perform a comprehensive site walk-around. They employed the same aggressive rhetoric I had observed previously, kicking at scaffolding and debris while shouting that the "*site is fucked*" and that "*they are going to kill someone*." Both Mr Hill and Mr Cummins repeatedly demanded that we shut the entire site down.
58. I requested that the delegates identify any specific, ongoing serious and imminent risks. They were unable to provide clear or actionable information, pointing only to general housekeeping issues that did not meet the legislative threshold for emergency intervention. We refused to shut down the site. The union officials were not happy with this response. They made rude comments, to the effect that "*this is what we would expect from you*".
59. As the site visit progressed, I observed that Inspector Beattie was becoming increasingly stressed and agitated in response to pressure from Mr Hill and Mr Cummins. Having determined that the original hazard was rectified, and that the union was attempting to use the emergency on-call system for a general inspection, I made the decision to terminate the visit and refer the matter to normal business hours.
60. My decision to prioritise staff wellbeing and procedural integrity was later scrutinised by OIR management. I received a call from Mr Smith saying he was contacted by the Construction Services Unit (**CSU**) in Brisbane demanding explanations as to why we did not meet with Mr Cummins and Mr Hill before we went on site and why we did not write the notices that they wanted us to write. I told Mr Smith that when we arrived at the site, Mr Cummins and Mr Hill were not there and that, once they arrived, they could not identify any specific hazard.

61. This visit was part of a recurring pattern where the serious and imminent risk reporting mechanism was weaponised by union officials to force after-hours attendance and broad-scale inspections. It further demonstrated a continuation of the intimidating and combative behaviour of union officials directed toward OIR staff.

#### **C.4 Impact on Inspector Beattie's mental health**

62. Inspector Beattie was a highly experienced electrical tradesman and construction safety specialist who took immense pride in the technical accuracy of his work. He was a methodical officer who was deeply concerned with the long-term impact of his regulatory decisions on worker safety.
63. Prior to these interactions, he was known for his calm demeanour and his ability to educate PCBUs on compliance matters. Following these events, I observed a marked change in his temperament — he became increasingly agitated and reactive. In my view, having his professional expertise publicly disparaged by union officials struck directly at his professional identity.
64. In my view, the JCU visits served as the primary catalyst for a significant decline in Inspector Beattie's wellbeing that I have observed. The harm initiated at this site was compounded over time by similar confrontational interactions at other union-involved sites. Ultimately, this led to Inspector Beattie taking an extended period of sick leave and then being permanently removed from construction-related duties, as I describe below.

## **D Cairns Performing Arts Centre**

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65. Construction on the Cairns Performing Arts Centre (**CPAC**) project commenced in about the first half of 2016, and the facility opened on 15 December 2018.
66. During my tenure, the CPAC project became the most contentious and union-intensive worksite in the Cairns and Far North region. The frequency of complaints, repeated callouts, and escalating confrontations involving the CFMEU and ETU far exceeded the activity at any other site in the region.

### **D.1 Bypassing standard triage process**

67. At CPAC, the AAA triage process was systematically bypassed when union delegates were involved. Instead, I would receive direct phone calls from Mr Cummins, Mr Hill, or occasionally Royce Kupsch or CFMEU's Townsville organiser Mick Robinson. I also received phone calls from senior OIR management in Brisbane — initially from Mr Twigg, then Ms Burgess when she became director of CCFS, and on a couple of

occasions, the Executive Director Mr Dennett himself — directing me to send inspectors in response to a CFMEU complaint about CPAC.

68. Ms Burgess was notably more forceful and abrupt than Mr Twigg. She would typically call to state: *“The CFMEU is on-site”* or *“Rolly and Rob are there, you need to send someone now”*. When I told her that the request should be lodged through the standard 1300 number or referred to my supervisor, Mr Smith, a predictable pattern would follow:
- a. Mr. Smith would call me directly to ask which inspectors were available to be dispatched immediately; and
  - b. a one-line notification (e.g., *“Not enough toilets”* or *“Union on-site”*) would be retrospectively lodged in CISr.
69. In my view, this conduct created a cultural expectation within the OIR that union demands took priority over established regulatory processes and objective risk assessments.

## **D.2 Site conduct and “walk-arounds”**

70. Union-initiated attendances at CPAC followed a predictable pattern. Upon arrival, Mr Cummins and Mr Hill would be waiting at the site office but were rarely able to articulate a specific hazard. Instead, they relied on sweeping declarations such as, *“everything on this site is fucked”*.
71. Despite the lack of an identified serious and imminent risk, the CFMEU organisers would insist on a full-site walk-around. These walk-arounds were very time-consuming and would take more than half a day on a big site, such as the CPAC site. These walk-arounds often devolved into performative conduct, including CFMEU organisers kicking rubbish, striking tools with their boots, and making inflammatory statements exaggerating alleged issues on the site.
72. When I wasn’t there to support them, my inspectors usually agreed to these walk-arounds because of the pressure from CFMEU.
73. However, when I was there to support the inspectors, I usually pushed back on the CFMEU demands for these walk-arounds, telling organisers that we were called here to address specific issues, that we are happy to address any further specific issues they can identify, but if they cannot identify any specific issues of a serious and imminent nature, we have other work to do. In response, they typically said that there were risks all over the site but, when pressed, were unable to identify any specific risks. The conversation would then go around in circles, with me asking the CFMEU

officials to identify a specific risk and them making vague generalised complaints. After this continued for a while, we would usually leave the site.

74. Often, I would then get a call from Mr Smith asking me to explain why I didn't address the union concerns.

### **D.3 Interaction with Chris Lynch**

75. Another incident occurred in about 2018 when Chris Lynch, State Secretary of the ETU, flew from Brisbane to attend the site alongside Mr Cummins and Mr Hill.

76. Mr Lynch was overtly confrontational, specifically targeting Inspector Beattie. Despite Inspector Beattie's substantial expertise as a qualified electrician, Mr Lynch repeatedly questioned his professional competence and commitment to safety, asking rhetorical questions such as, "*How do you live with yourself?*" and "*How do you sleep at night?*"

77. Mr Lynch utilised physical intimidation, positioning himself in close proximity to Inspector Beattie and me while maintaining an intense, fixed stare.

78. During the inspection, a dispute arose regarding missing pole fillers in a switchboard. A pole filler is a piece of plastic that prevents someone inserting their finger into the switchboard and coming into contact with live wires.

79. When Mr Lynch insisted we move on, I refused to walk away from a hazard he had characterised as a serious and imminent risk. I insisted we remain at the switchboard until the issue was rectified, which appeared to exasperate the union representatives.

80. After the issue was fixed, we continued a site walk-around and Mr Lynch continued to antagonise Inspector Beattie who became visibly distressed. He was demanding a site-wide prohibition notice. However, while the walk-around identified some issues (such as inadequate lighting on stairwells), they were being rectified by the PCBU while we were still on site and did not justify shutting the whole site.

81. During the prolonged inspection with Mr Lynch, I was notified of another, more urgent incident. Inspector Beattie was the only officer available with the necessary expertise to respond.

82. Observing that Inspector Beattie was emotionally exhausted by the interactions with Mr Lynch, I determined the CPAC visit should conclude. When the delegates objected, claiming "*risk was everywhere,*" I challenged them to identify a single specific hazard beyond what was identified on the walk-around. They could not.

83. I withdrew Inspector Beattie from the site to respond to the other incident.

84. This was the final union-involved construction site Inspector Beattie ever attended. Following the visit, he spoke to me and told me that he could no longer endure these interactions. Shortly thereafter, I encouraged him to take a significant amount of sick leave, which he did. Upon his return after six weeks off, I later reassigned him permanently to industrial inspections and some proactive construction work.

#### **D.4 Incident involving Inspector Duckworth and Mr Cummins**

85. On 4 April 2018, a significant confrontation occurred at the CPAC site involving Inspector Duckworth and the union organiser, Mr Cummins.
86. Due to the known volatility of the site, I directed Inspector Duckworth to attend with Inspector John Dalamaras (who was at the time an industrial inspector) to ensure he was not alone. The inspection involved alleged asbestos issues and evacuation system inaccuracies.
87. During a debrief later that day, I was informed that a confrontation occurred in a stairwell. After Inspector Duckworth made a mildly sarcastic remark regarding evacuation diagrams, Mr Cummins lunged at him, forcibly poked him in the chest, and shouted, *"You're a fucking dog, Duckworth!"* three times.
88. The immediate impact of the interaction on Inspector Duckworth's wellbeing was profound. I found Inspector Duckworth visibly shaken and fearful. I immediately arranged for statements to be taken by an investigator. This incident resulted in Mr Cummins being charged under s 190 of the WHS Act. Mr Cummins was initially convicted but his conviction was overturned on appeal.
89. The impact of this incident on Inspector Duckworth was permanent. He became fearful of any site where union representatives were present.

#### **D.5 Internal integrity concerns**

90. Throughout the CPAC project, I became increasingly concerned about the apparent leakage of information from the OIR to the CFMEU. Inspectors frequently found that union officials were aware of the contents of enforcement notices before the inspectors had even returned to the office to process them, suggesting real-time communication between the union and personnel within the OIR. I describe one such incident below.

### **E The Bulmba-Ja Arts Centre Project**

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91. The Principal Contractor on the Bulmba-Ja Arts Centre Project on Abbott Street, Cairns was Hansen Yuncken. I understand the project to have been worth

approximately \$7 million. It is a public building designed to showcase artwork of Aboriginal and Torres Strait Islander Peoples.

92. In early June 2019, I attended the Bulmba-Ja site accompanied by Inspector Wayne Connors and Inspector Karim De Ridder. I specifically assigned Inspector Connors to this site, although he was not a construction-specialist inspector, as his background as a former police officer provided a strong regulatory presence that was necessary given the volatility of union interactions in Cairns at that time. Inspector De Ridder was also frequently paired for such visits due to his sheer size, calm disposition and ability to de-escalate confrontational situations.
93. During these visits, the inspectors identified several workplace health and safety non-compliances that warranted formal regulatory action and, after returning to the office, issued various notices to the PCBU.
- Annexed to this statement and marked **SLF-4** is a copy of notices issued by WHSQ in relation to the Bulmba-Ja Arts Centre Project on 5 and 6 June 2019.
94. On one of the return visits to the site, with Inspectors Connors and De Ridder, I observed Mr Cummins and Mr Hill in possession of a complete pack of the enforcement notices we had issued less than 24 hours earlier. The pack appeared to be an identical set to those issued to site management and retained within the OIR's internal repository.
95. These notices were statutory instruments issued under the WHS Act. Under the standard operating procedures in place at that time:
- a. the notices were provided exclusively to the PCBU to whom they were addressed;
  - b. the records were entered into the OIR's internal secure systems; and
  - c. there was no procedural requirement or legal mechanism for these notices to be provided to unions.
96. Neither I nor my inspectors provided copies of these notices to any union representative. Further, at the time of this incident, there was no legislative requirement for a principal contractor to provide such notices to Health and Safety Representatives (**HSRs**). Further, given the adversarial relationship that I had observed between the PCBU and the union officials, I consider it highly unlikely that the PCBU would have voluntarily provided the union with the notices.
97. The discovery of Mr Cummins having a copy of these notices was extremely alarming. The presence of these notices in the hands of Mr Cummins within such a short timeframe strongly indicated that an individual within the OIR had accessed our

internal systems and deliberately provided the documents to the CFMEU and/or the ETU.

### **E.1 Systemic implications for regulatory integrity**

98. The Bulmba-Ja leak mirrored a broader pattern I observed throughout my tenure, where:
- a. CFMEU officials appeared to possess advanced knowledge of OIR operational decisions before they were formally actioned; and
  - b. CFMEU officials occasionally referenced internal OIR documents or deliberations that had not yet been communicated to external stakeholders.
99. The Bulmba-Ja incident solidified my view that the OIR's independence had been compromised by an improper, undisclosed conduit between senior OIR management and union officials.

## **F Cairns Convention Centre**

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100. The Cairns Convention Centre project was geographically significant, the worksite being located directly across the street from the WHSQ Cairns office. This proximity profoundly influenced the expectations placed upon my team by both union representatives and Brisbane-based OIR personnel, as they perceived the site to be an immediate extension of our office.
101. The primary CFMEU presence was Mr Hayden Smith, who occupied two distinct roles: CFMEU delegate and site HSR. Mr Smith frequently alternated between these roles depending on the nature of the issue he wished to raise.

### **F.1 Direct interference from Ms Burgess and unrealistic attendance demands**

102. My team and I received frequent, urgent demands for immediate attendance at the Convention Centre. These calls systematically bypassed the OIR's standard complaint mechanisms (such as the AAA system or CISr allocation) and were instead routed directly from Brisbane-based personnel, including Ms Burgess and Mr Dennett.
103. It was usually Ms Burgess who contacted me, and occasionally my inspectors directly, in abrupt and demanding terms. I frequently received questions such as, "*Why aren't you there yet?*" or "*It's right across the road, send someone now.*"
104. I regularly explained to Brisbane leadership that my inspectors were not sitting idle. Even for a site "*across the road,*" deployment required inspectors to finish existing tasks (often hours away in remote regions), travel back to the office, and review the relevant legislative provisions to ensure a prepared and professional attendance.

Despite these explanations, Brisbane-based personnel maintained unrealistic expectations driven by union demands rather than a genuine prioritisation of safety risks.

## **F.2 Management of a vulnerable workforce**

105. By the time of the Convention Centre project in 2020-21, my team was severely depleted. Inspector Beattie had been removed from construction duties entirely (as I described above), and Inspector Duckworth was suffering from significant anxiety regarding union-involved sites following the physical confrontation at CPAC.
106. Consequently, I had to be extremely selective about inspector allocation. Inspector Beattie could not attend, and Inspector Duckworth required pairing with another WHSQ officer, such as Inspector De Ridder. This further limited our operational flexibility, a reality that Brisbane leadership frequently disregarded.

## **F.3 Examples of unreasonable expectations**

107. During one instance triggered by a CFMEU complaint, Inspector Jon Flower was the only construction inspector available, but he was on his lunch break. I received repeated calls from Ms Burgess demanding to know why he had not yet crossed the road. Inspector Flower, who was mindful of his rights, stated words to the effect of: *“I’m having my lunch, and then I’ll go. Unions fought for me to have this right.”*
108. I supported Inspector Flower’s position, reiterating to Ms Burgess that inspectors are entitled to meal breaks and should not be forced to abandon them for non-urgent union demands. In that specific instance, the complaint related to a lack of sanitary disposal bins, a matter that did not justify dropping all other regulatory priorities.
109. In another instance, an inspector’s attendance was delayed by approximately 20 minutes due to a vehicle battery failure. Despite the reasonableness of this delay, I was subjected to multiple calls from Ms Burgess and Mr Smith questioning the delay. This demonstrated the excessive and unrealistic pressure exerted by external union figures, which was then reinforced by senior OIR staff.

## **F.4 Systemic influence and regulatory distortion**

110. It became apparent to me that the Convention Centre was a site where union officials maintained direct communication channels with the OIR’s CCFS unit in Brisbane. Union officials often possessed advanced knowledge of:
- a. which inspectors were being assigned;
  - b. the timing of planned attendances; and
  - c. the specific contents of OIR internal deliberations.

111. This irregular information flow reinforced my belief that certain OIR personnel were prioritising CFMEU demands over established regulatory protocols. Brisbane's habit of issuing directives without verifying the actual risk level often undermined my local professional judgment and compromised the integrity of the enforcement process.

## G Raising concerns with senior management

112. I observed that the Executive Director, Mr Dennett, did not intervene to ensure Ms Burgess followed correct procedures.
113. During 2018, I raised concerns with Mr Dennett through Mr Smith on several occasions regarding the Ms Burgess' practice of:
- a. issuing direct instructions to Inspectors and Operations Managers; and
  - b. effectively supporting the CFMEU and often undermining or at least not supporting inspectors.
114. As Operations Manager, I regularly attended team-building meetings in Brisbane. These usually occurred about quarterly and were attended by Mr Dennett. During one of these meetings, I told Mr Dennett that the Cairns WHSQ staff felt vulnerable, fearing their livelihoods were at risk if they did not follow the instructions of Ms Burgess and prioritise the CFMEU complaints. Mr Dennett dismissed my concerns, saying words to the effect of *"that is the way we are operating at the moment in this political landscape, we give them what they want."*
115. During one of these meetings, I also described to Mr Dennett a stark divide in the organisation, saying words to the effect that *"the inspectors are combatants in a colosseum while OIR management remains detached in the stands as spectators."*
116. In about early 2020, I attended a meeting with the Deputy Director-General (DDG), who visited the Cairns office. I think the DDG at the time was Craig Allen, but I am not completely sure. Such visits occurred about once a year. Inspectors complained to the DDG about, among other things, being abused by CFMEU officials on site. The DDG said that he was spoken to in a similarly abusive manner by union officials like Mr Ravbar. I responded to the DDG with words to the effect of: *"The standard you allow is the standard you set."*

## H Impact on my career and decision to resign

117. The Cairns Convention Centre refurbishment became one of the most psychologically burdensome projects for my team. It illustrated a recurring pattern of direct exertion of union influence over OIR workloads.

- 118. The combination of these factors, including the constant pressure to attend sites instantly regardless of operational reality and the lack of support for staff wellbeing, contributed significantly to inspector burnout and team fatigue. These experiences were a primary factor in my own decision to leave OIR, shortly after completing my maternity leave.
- 119. I had a genuine passion for my role, a high-performing team, and a supportive direct supervisor in Mr Smith. However, the cumulative impact of Ms Burgess' interference, the aggressive communication, and the erosion of regulatory independence became untenable.
- 120. My decision not to return to the OIR following my maternity leave was primarily driven by a refusal to continue placing my staff, and myself, in a harmful and compromised working environment. The persistent union interference and the lack of executive support for regional autonomy were the definitive reasons for my departure.

This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.

AFFIRMED at Canberra on 6 May 2026

SHANNON LEE FARRINGTON

.. *Shannon Lee Farrington* .....  
signature of deponent

BEFORE ME:

JACK DOMINIC KERIN  
Solicitor

... *Jack Dominic Kerin* .....  
signature of witness

**Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry**

**ANNEXURE SHEET**

This is the document referred to as SLF-1 in the statement of Shannon Lee Farrington sworn at Canberra on 6 May 2026.

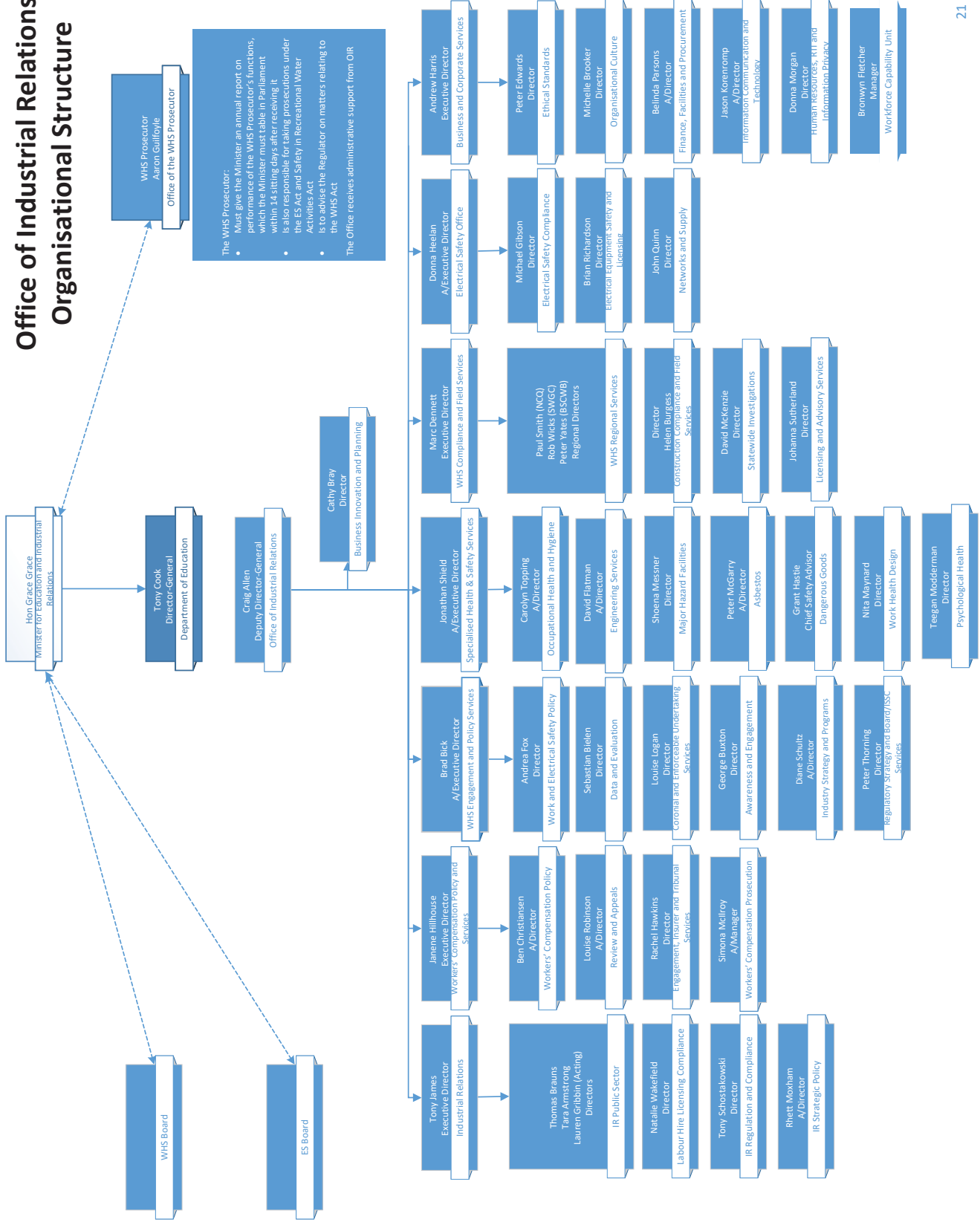
*Shannon Lee Farrington*

Shannon Lee Farrington

*Jack Dominic Kerin* .....

Witness

# Office of Industrial Relations Organisational Structure



**Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry**

**ANNEXURE SHEET**

This is the document referred to as SLF-2 in the statement of Shannon Lee Farrington sworn at Canberra on 6 May 2026.

*Shannon Lee Farrington*

Shannon Lee Farrington

*Jack Dominic Kerin* .....

Witness

#### Details of person making complaint

Reporter: **MR MICK ROBINSON**

Telephone: [REDACTED]

Email:

Relationship to the workplace: **UNION ORGANISER**  
Postal address:

#### Questions answered before complaint submission

| Question  | Answer | Special Notes                              |
|---|--------|--|
| Do you approve Workplace Health and Safety Queensland raising the issue with the relevant workplace parties?          | Yes    |  |
| Do you approve Workplace Health and Safety Queensland making the parties aware that the issue has been raised by you? | No     | <b>CONFIDENTIALITY HAS BEEN REQUESTED.</b> |

#### Details of business or undertaking directly associated with the Work Health and Safety issues

Legal name:  
Trading name: **UNKNOWN**  
Business Address: **14 - 88 MCGREGOR RD  
SMITHFIELD 4878 QLD**

ABN:  
ACN:  
Telephone:  
Mobile:  
Email:

#### Details of Work Health and Safety issues

Address where issue identified: **14 - 88 MCGREGOR RD  
SMITHFIELD 4878 QLD**  
Date aware of the issue: **09-Feb-2017**

Issue location description: **Adco site at James Cook Uni north Cairns.**  
Date issue last apparent:

Description of issue: **Nick - email - Fri 10/02/2017 1:15 PM - Shannon Farrington wants RR**

Hi Royce, I have been contacted in regards to a tower crane to be transported from Townsville to Cairns on Saturday for erection on Sunday at a Adco site at James Cook Uni north Cairns. The problem with this crane is when they pulled it down on the last project in Townsville they didn't make the repairs to the crane which were apparently identified back then. So this is what is wrong with it.  
Trolley rope starting to split 3/4 s of the way don the Jib.  
Hoist rope starting to split at beginning of rope on the drum. ( this rope already got replaced once on JCU TOWNSVILLE 12 months ago)  
Crane over heats in hot weather. Alarm will go off constantly.  
It's been advised in past to install a fan in electrical switch board at counter weights  
Slew limiter needs to be reset.  
Also the owner of the crane apparently does his own wiring of crane. Not a licensed electrician.

#### Hazard Classifications

| Hazard Category | Hazard Issue |
|-----------------|--------------|
|-----------------|--------------|

Issue raised with person conducting the business or undertaking directly: **No**

#### HSR details

Workplace has HSR: **No**

#### Other agency or person details

Other agencies involved in resolving the issue: **Yes**  
Agencies names, known actions: **CFMEU**

Any other person conducting businesses or undertakings involved in resolving the issue: **No**

**Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry**

**ANNEXURE SHEET**

This is the document referred to as SLF-3 in the statement of Shannon Lee Farrington sworn at Canberra on 6 May 2026.

*Shannon Lee Farrington*

Shannon Lee Farrington

*Jack Dominic Kerin* .....

Witness

Union Interaction report

|  |   |
|--|---|
| <b>Date of site Visit</b>                    | 10/02/2018  |
| <b>Event No.</b>                             | N/A Pro-active site visit.  |
| <b>Assessment No.</b>                        | 413483  |
| <b>Event</b>                                 | N/A   |
| <b>Inspector/s</b>                           | Cam BEATTIE and OM Shannon FARRINGTON   |
| <b>PCBU Details</b>                          | ADCO CONSTRUCTIONS PTY LTD, ABN 46001044391, 23 GRAHAM ST, MILTON 4064 QLD.   |
| <b>Site Address</b>                          | New student accommodation building, JAMES COOK UNIVERSITY, McGregor Road, Smithfield, Qld, 4878.  |
| <b>Name of Union</b>                         | CFMEUQ and ETU  |
| <b>Officials name</b>                        | Roland CUMMINS and Robert HILL.   |
| <b>Right of Entry Issue: (If applicable)</b> | N/A   |
| <b>Issues Outlined by Union</b>              | <p>Travelled to site and met Mel MARKE who said was JCU Manager of Capital Projects. We discussed the benefits of not allowing students to occupy the building yet. Met FARRINGTON and entered the site to be met by site manager for ADCO Mark WILSON (observed Roland CUMMINS from CFMEU on site on the phone. As he saw me he turned and entered the building). We discussed decision to delay occupation and impact on agreed actions from previous visit by PI Rob DUCKWORTH. WILSON advised he had forwarded photographs of fencing as agreed with DUCKWORTH and how they now changed it. He told us of an alleged student trying to access the site who was turned away. He told us that some JCU staff observed on site had been inducted and they were wearing safety helmets. I advised him of WHSQ policy to firstly talk with permit holders and create a list of issues and then tour the site to verify and action as found. Met CFMEU official Roland CUMMINS and then ETU official Robert HILL who both wanted me to act on issues but I advised of policy and asked them to accompany me to a site office. In office with FARRINGTON, CUMMINS, Hill and WILSON. CUMMINS asked SIMPSON to leave and I asked if he was told of all of their issues. CUMMINS said yes so I said he could stay. There was a discussion with issues being raised which I recorded (1 wanted 1.8m steel fence around whole site as agreed with DUCKWORTH, 2 temporary sw/bd behind fence, 3 mobile scaffolds with no internal ladders and 4 falling object issue at all lift foyers). After the meeting we went to go to the building and CUMMINS commented on the safety of a cyclist passing the site on a paved road well clear of any construction works. When I advised he appears to be safe he questioned my experience and I questioned his. The officials then did not accompany us on the site tour and left the site shortly afterwards. Farrington and I toured with SIMPSON and I observed an opening in the perimeter fence (Q1) for the</p> |

Union Interaction report

|                 |   |
|-----------------|---|
|                 | <p>landscapers, the sw/bd on ground level did not have access issues (Q2) due to no students being on site, no mobile scaffold being used on site that required internal ladder (Q3) and very minimal risk of dropped objects from the lift foyers with completed balustrading in place (Q4). I did identify missing top clamps on recently relocated steel fencing to east, a missing fence panel and signage at a rear entrance to the building near the internal paved road, some minor construction works at the BBQ and atrium area and barricading on stair wells along with a designated lift for minor construction work at the 5th and 6th floors (completing painting, vinyl floor laying, some A/C testing and adjustments and for cleaning). Took photographs.</p>  |
| <b>Outcomes</b> | <p>Observed fence panel and signage erected at rear of building and WILSON advised all perimeter fencing will be in place at end of work day (Q1), contractor already contacted about missing clamps. During the meeting I had to discount a number of very minor and not all regulated issues. I was met with ridicule and questions as to my ability and intellect which I reacted to by challenging them and I believe it stemmed from my position to only apply legislation to issues and not reinforce their views onto the PC. Cummins became increasingly arrogant and demeaning and eventually he said had no more to say to us. Construction Manager Matt ERSKIN told me that the morning toolbox included asking all workers to watch for any person who should not be on site and to challenge their entry. WILSON advised some lighting standards and fencing for the HWS not in due to JCU plan changes. They have marked with bollards and cones. FARRINGTON departed site at about 11:45 for a previously arranged engagement.</p> |

**Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry**

**ANNEXURE SHEET**

This is the document referred to as SLF-4 in the statement of Shannon Lee Farrington sworn at Canberra on 6 May 2026.

*Shannon Lee Farrington*

Shannon Lee Farrington

*Jack Dominic Kerin* .....

Witness

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053043****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|  |
|--|
| Site location  |
| First Floor - Contemporary arts Building<br>96 Abbott Street, Cairns, QLD 4870   |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(1), 33<br><i>Work Health and Safety Regulation 2011</i> - regulation 78(1) |

**Brief description of how the provision is being or has been contravened:**

The PCBU has not, under part 3.1 of the Work Health and Safety Regulations, managed the risks to the health and safety of workers associated with a fall by a person from one level to another that is reasonably likely to cause injury. I observed 900mm Parra-webbing suspended between plastic bollards in poor condition less than 2m from a live edge greater than 2m in height being used as a delineation.

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|  |
|--|
|  |
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**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 06-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053043**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

The Office of Industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by The Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053044****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Centre of Contemporary Arts<br>96 Abbott Street, Cairns, QLD, 4870  |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(3)(A), 33 |

**Brief description of how the provision is being or has been contravened:**

|  |
|--|
| The PCBU has not ensured so far as is reasonably practicable the provision and maintenance of a safe work environment where fire extinguishes observed to be used as risk control measures were not maintained to current test date. |
|--|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|  |
|--|
|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053044**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053045****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Ground Level - Contemporary Arts Building<br>96 Abbott Street, Cairns, QLD, 4870  |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Regulation 2011</i> - regulation 40(D) |

**Brief description of how the provision is being or has been contravened:**

|   |
|---|
| The PCBU has not ensured so far as is reasonably practicable that lighting is sufficient to allow workers to move within the workplace and safely during an emergency without risks to the health and safety of the workers. I observed general access ways, job areas and amenities to have poor lighting levels during a site visit to the workplace. |
|---|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|  |
|--|
|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 06-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.****I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053045**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

The Office of industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by The Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

FORM13  
V1.1.12

RECIPIENT'S COPY

Queensland  
Government

ABN 94 496 188 983

Work Health and Safety Act 2011  
Electrical Safety Act 2002  
Safety in Recreational Water Activities Act 2011**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053046****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Contemporary Arts Building<br>96 Abbott Street, Cairns, QLD, 4870   |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(3)(A), 33 |

**Brief description of how the provision is being or has been contravened:**

|  |
|--|
| The PCBU has not ensured so far as is reasonably practicable the provision and maintenance of a safe work environment. I observed a First Aid kit in the allocated first aid area of the construction site to have the last recorded service date listed as the 15/9/16. |
|--|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|   |
|---|
| Hansen Yuncken Pty Ltd must ensure that First Aid kits are maintained and restocked.  |
| Note: The WHS Act, Section 26A provides that PCBUs must comply with approved Codes of Practice, or manage hazards in a different way that provides an equivalent or higher standard of health and safety than the standard required under the Code. Refer to: Part 3.1 of the "First Aid in the Workplace COP 2014" |
| <a href="https://www.worksafe.qld.gov.au/data/assets/pdf_file/0004/58162/First-aid-in-the-workplace-COP-2014.pdf">https://www.worksafe.qld.gov.au/data/assets/pdf_file/0004/58162/First-aid-in-the-workplace-COP-2014.pdf</a>   |

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

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|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

The Office of Industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by The Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

-----  
**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date complied:    /    / **Notice No. I1053046**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053047****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Contemporary Arts Building<br>96 Abbott Street, Cairns, QLD, 4870   |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Regulation 2011</i> - regulation 40(A) |

**Brief description of how the provision is being or has been contravened:**

|  |
|--|
| The PCBU has not so far as is reasonably practicable ensured that the layout of the workplace allows for a persons to enter and exit and move about without risk to Health and Safety both under normal working conditions and in an Emergency. On site visit to the construction site, I observed tied steel foundation cages in a general access area on the external Abbot Street facing side of the building not allowing safe access and egress in the area of the workplace. |
|--|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|  |
|--|
|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.****I certify that the requirements of this notice have been complied with:**Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053047**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053048****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Contemporary Arts Building<br>96 Abbott Street, Cairns, QLD, 4870   |
| I, Karim De Ridder reasonably believe on 04-JUN-2019 at 12:00 that you are contravening a provision of the:<br><i>Work Health and Safety Regulation 2011</i> - regulation 315A(2) |

**Brief description of how the provision is being or has been contravened:**

|   |
|---|
| The Principle Contractor has not ensured that Amenities provided for use by workers are maintained in a hygienic condition. I observed and took photos of dust and mud on the wash sinks of the Male toilets during a site inspection of the construction site. |
|---|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVE HAY       | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.****I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053048**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Prohibition notice**

This notice is issued under the *Work Health and Safety Act 2011* section 195 or the *Safety in Recreational Water Activities Act 2011* applied section 195 *Work Health and Safety Act 2011* (which includes a body corporate, government department or public authority) who has or may be reasonably presumed to have control over the prohibited activity. This notice prohibits an activity which involves or will involve an immediate or imminent risk to the health and safety of any person. **The legislation requires that the person to whom a prohibition notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. P1029159****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of serious risk:**

|  |                           |
|--|---------------------------|
| Site location  | Direction given orally: Y |
| Contemporary Arts Building<br>Abbott Street side, block walls<br>96 Abbott Street, Cairns, QLD   |                           |
| I, Karim De Ridder reasonably believe on 05-JUN-2019 at 13:00 that an activity is occurring at the workplace that involves a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard and that this activity is contravening a provision of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(1), 32 |                           |
| I direct the person with control over the following activity to stop the activity of: Permitting unsupported block walls heights in excess of 1250mm when wind speeds/wind gusts exceed 17 knots or wind speeds/gusts are forecasted to possibly exceed 17 knots.  |                           |
| until an inspector is satisfied that the following matters that give rise to the risk have been remedied:  |                           |

**Basis for inspector's belief:**

|   |
|---|
| I observed and photographed unsupported block wall heights of up to 2930mm in height without exclusion zones set up when wind gusts are exceeding 17 knots. |
|---|

**Directions (if any) on the measures to be taken to remedy the risk, activities or matters or the contravention or likely contravention:** It is mandatory to comply with these directions

|  |
|--|
|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 05-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**Service method:**

|  |  |
|--|--|
| Delivered directly to the person named by electronic transmission  |  |
| STEVEN HAY   | Management Representative For Person With Management Or Control Of A Workplace |
| Notice given to  | Relationship to person to whom notice is issued                                |
| <b>Information about how to obtain a review of this decision is detailed on the back of this notice.</b> |  |

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.

You must comply with this notice. Failure to comply may incur a maximum penalty of \$100 000 for an individual and \$500 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

The Office of Industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au/](http://www.worksafe.qld.gov.au/).

## Internal review of decision

If a decision to prohibit an activity was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. The person with management or control of the workplace, plant or substance.
3. A person conducting a business or undertaking whose interests are affected by the decision.
4. A worker whose interests are affected by the decision.
5. A health and safety representative who represents a worker whose interests are affected by the decision.
6. A health and safety representative who gave a direction under section 85 of the *Work Health and Safety Act 2011* to cease work, that is relevant to the prohibition notice.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form within 14 days of receiving the notice. There is no application fee.

The operation of the prohibition notice continues unless a separate application is made to stay (that is suspend) the prohibition while the review is undertaken. The regulator may or may not grant the stay. The regulator will make a decision on the stay within one working day after the regulator receives the application.

If a stay is granted, it remains in effect until a decision is made by the regulator and whichever of the following is earlier - an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms, is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed within 14 days unless additional information is required. Applicants are provided with written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to prohibit an activity was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) for more information on how to apply for an external review.

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053049****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|   |
|---|
| Site location   |
| Contemporary Arts Building<br>Abbott Street side, Block Walls<br>96 Abbott Street, Cairns, QLD 4870   |
| I, Karim De Ridder reasonably believe on 05-JUN-2019 at 12:45 that you have contravened a provision in circumstances that make it likely that the contravention will continue or be repeated of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(1), 33 |

**Brief description of how the provision is being or has been contravened:**

|   |
|---|
| The PCBU has failed so far as is reasonably practicable to ensure the health and safety of workers engaged or caused to be engaged by the person. During a site visit I observed block walls built up to a height of 2930mm not supported appropriately from accidental collapse. I observed forecasts for wind gusts to be in excess of 17 knots on the day. |
|---|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

|  |
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|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|   |
|---|
| Guidance may be sought from the guide titled "Masonry Wall Safety - During Construction work" January 2010 edition available on the Worksafe QLD website. |
|---|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 06-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVEN HAY      | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date complied: / / **Notice No. I1053049**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**

**Improvement notice**

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I2030951****Notice issued to:**

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

**Details of contravention:**

|  |
|--|
| Site location  |
| Contemporary Arts Building<br>Mezzanine floor above Theatre and first floor above access stairs.   |
| I, Karim De Ridder reasonably believe on 05-JUN-2019 at 12:30 that you are contravening a provision of the:<br><i>Work Health and Safety Act 2011</i> - section(s) 19(1), 33<br><i>Work Health and Safety Regulation 2011</i> - regulation 78(1) |

**Brief description of how the provision is being or has been contravened:**

|  |
|--|
| The PCBU has not, under 3.1 of the Work Health and Safety Regulations, managed the risks to the health and safety of workers with a fall by a person from one level to another that is reasonably likely to cause an injury. I observed and photographed a mezzanine floor in the theatre area and a gap between the handrail and wall on the first floor of the main building to have a live edge with use of unsupported or removed ply giving rise to the risk of a fall. |
|--|

**Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:**

It is mandatory to comply with these directions

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|  |
|--|

**Recommendations (if any):** Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

**Issuing inspector:**

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1054                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 06-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

**This contravention must be remedied before: Service method:**

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVEN HAY      | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date complied: / / **Notice No. I2030951**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**



## Improvement notice

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053323**

### Notice issued to:

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

### Details of contravention:

|   |
|---|
| Site location   |
| Contemporary Arts Building, 96 Abbott Street Cairns QLD 4870 - south east corner of the building where recent demolition works have occurred behind the theatre area          |
| I, Wayne Connors reasonably believe on 05-JUN-2019 at 12:30 that you are contravening a provision of the:<br><i>Work Health and Safety Regulation 2011</i> - regulation 40(C) |

### Brief description of how the provision is being or has been contravened:

|   |
|---|
| Hansen Yuncken Pty Ltd has not ensured, so far as is reasonably practicable, that floors and other surfaces are maintained to allow work to be carried out without risk to health and safety.   |
| During a site visit on Wednesday 5/6/2019 I observed and photographed the floor where recent demolition work had occurred behind the theatre area in the south east corner of the building that contained broken block wall and protruding rebar approx 200mm high that caused a risk of slip, trip and fall. |

### Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:

It is mandatory to comply with these directions

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### Recommendations (if any): Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

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|--|

### Issuing inspector:

|                        |                                  |                            |
|------------------------|----------------------------------|----------------------------|
|                        | 1526                             |                            |
| Signature of inspector | Inspector's ID                   | Inspector's contact number |
| 06-JUN-2019            | PO BOX 5464 CMC, CAIRNS 4870 QLD |                            |
| Date issued            | Inspector's location             |                            |

### This contravention must be remedied before: Service method:

|                 |   |
|-----------------|---|
| 13-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVEN HAY      | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

#### PRIVACY COLLECTION STATEMENT

The Office of Industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by The Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

-----  
**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date complied:    /    / **Notice No. I1053323**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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The Office of Industrial Relations privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

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**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**



## Improvement notice

This notice is issued under the *Work Health and Safety Act 2011* section 191, *Safety in Recreational Water Activities Act 2011* applied section 191 *Work Health and Safety Act 2011* or *Electrical Safety Act 2002* section 146. This notice requires the person (which includes a body corporate, government department or public authority) to whom it is issued to remedy a contravention of the Act or Regulations. **The legislation requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.**

**Notice No. I1053324**

### Notice issued to:

|  |      |
|--|------|
| Legal name of person/business or undertaking: HANSEN YUNCKEN PTY LTD |      |
| ABN: 38063384056   | ACN: |
| Trading as: HANSEN YUNCKEN PTY LTD                                   |      |
| Address: UNIT 1 , 140 MULGRAVE RD, WESTCOURT 4870 QLD                |      |

### Details of contravention:

|   |
|---|
| Site location   |
| Contemporary Arts Building, 96 Abbott Street Cairns QLD 4870 - corridor containing main switchboard between foyer and theatre area  |
| I, Wayne Connors reasonably believe on 05-JUN-2019 at 12:30 that you are contravening a provision of the:<br><i>Work Health and Safety Regulation 2011</i> - regulation 40(A) |

### Brief description of how the provision is being or has been contravened:

|  |
|--|
| Hansen Yuncken Pty Ltd has not ensured, so far as is reasonably practicable, that the workplace is maintained so as to allow for persons to enter and exit and to move about without risk to health and safety both under normal working conditions and in an emergency. |
| During a site visit on Wednesday 5/6/2019 I observed the corridor from the foyer to the theatre area where the main switchboard is located had not been maintained so as to allow for safe entry and exit both under normal working conditions and in an emergency.      |

### Directions (if any) as to the measures to be taken to remedy or prevent the contravention or likely contravention:

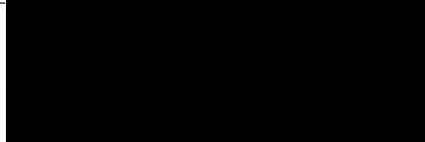

It is mandatory to comply with these directions

|  |
|--|
|  |
|--|

### Recommendations (if any): Recommendations may be followed or you may adopt and follow another way that gives at least the same level of protection against the risk

|  |
|--|
|  |
|--|

### Issuing inspector:

|   |                                  |   |
|---|----------------------------------|---|
|  | 1526                             |  |
| Signature of inspector  | Inspector's ID                   | Inspector's contact number  |
| 06-JUN-2019   | PO BOX 5464 CMC, CAIRNS 4870 QLD |   |
| Date issued   | Inspector's location             |   |

### This contravention must be remedied before: Service method:

|                 |   |
|-----------------|---|
| 07-JUN-2019     | Delivered directly to the person named by electronic transmission         |
| STEVEN HAY      | Management Representative For Person Conducting A Business Or Undertaking |
| Notice given to | Relationship to person to whom notice is issued                           |

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

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-----  
**This portion may be signed and returned where contravention has been remedied before the stated date.  
I certify that the requirements of this notice have been complied with:**

Name *in block letters*: \_\_\_\_\_ Position: \_\_\_\_\_

Signature: \_\_\_\_\_ Date complied:    /    / **Notice No. I1053324**

An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice. You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.

**PRIVACY COLLECTION STATEMENT**

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## Internal review of decision

If a decision to issue an improvement notice was made by an inspector, an eligible person may apply for an internal review of that decision.

An eligible person is:

1. The person to whom the notice was issued.
2. A person conducting a business or undertaking whose interests are affected by the decision.
3. A worker whose interests are affected by the decision.
4. A health and safety representative who represents a worker whose interests are affected by the decision.

### How does a person apply for a review of a decision?

The person must complete and lodge the Internal Review Application form before the date specified on the notice has expired or 14 days, whichever is the lesser. There is no application fee.

The operation of the improvement notice is stayed (that is suspended) once the application for review of decision is lodged with the regulator. The stay remains in effect until a decision is made by the regulator and whichever of the following is earlier ? an external review is applied for or 28 days have elapsed since the person became aware of the regulator's decision.

Information about how to apply for a review of decision, including application forms is available online at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au), or by phoning Advisory Services on 1300 362 128.

### What happens next?

Applications are reviewed as soon as reasonably practicable and within 14 days unless additional information is required. The applicant will receive written confirmation of the result of the internal review including the reasons for the decision.

## External review

If a decision to issue an improvement notice was made by the regulator or the regulator has made a decision through internal review, an eligible person may apply to the Queensland Civil and Administrative Tribunal for an external review. An external review application must be made within 28 days of the person becoming aware of the regulator's decision.

Please refer to [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au) or phone Advisory Services on 1300 362 128 for more information on how to apply for an external review.

## Privacy collection statement

The Office of Industrial Relations collects, uses, discloses and stores information in accordance with legislation it administers and all applicable privacy laws. This includes information collected by inspectors of the Department. Note that privacy laws do not apply if other laws conflict or allow or require the collection of information, and do not apply to the collection of information by the Office of Industrial Relations to the extent that it is exercising its law enforcement functions and non-compliance with privacy legislation is deemed necessary to fulfil those functions.

The Office of Industrial Relations' privacy information is on our website at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au).

**An inspector may make minor technical changes to this notice in certain circumstances. This does not change the validity of the notice.**

**You must comply with this notice within the period stated. Failure to comply with this notice may incur a maximum penalty of \$50 000 for an individual and \$250 000 for a body corporate, government department or public authority.**