



QUEENSLAND COURTS AND TRIBUNALS

TRANSCRIPT OF PROCEEDINGS

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MAGISTRATES COURT

NOUD, Magistrate

MAG-00088713/21(4)

**OFFICE OF THE WORK HEALTH
AND SAFETY PROSECUTOR**

Complainant

and

**CORONADO CURRAGH PTY LTD and
ANOTHER**

Defendants

BRISBANE

2.15 PM, MONDAY, 15 JULY 2024

DAY 1

Any rulings in this transcript may be extracted and revised by the presiding Judge.

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HIS HONOUR: I'll take the matter of the Work Health and Safety Prosecutor against Coronado Curragh Proprietary Limited and Teys Proprietary Limited. Just give me a moment. Yes, who appears to prosecute the matter?

5

MR S.R. DRINOVAC: May it please the court, my name is Drinovac, spelt D-r-i-n-o-v-a-c, initials S.R. I appear for the Office of the Work Health and Safety Prosecutor.

10 HIS HONOUR: Thank you. Who appears for Coronado Curragh Proprietary Limited?

MS A.C. FREEMAN: May it please the court, my name is Freeman, initials A.C., counsel instructed by Ashurst Australia for Coronado.

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HIS HONOUR: Thanks, Ms Freeman. Last man standing. Who appears for Teys Proprietary Limited?

20 MR C.J. MURDOCH: Yes, may it please the court, Murdoch, initials C.J. I appear for Teys, instructed by Allens.

HIS HONOUR: Thanks, Mr Murdoch. All right. What's happening?

25 MR DRINOVAC: Could your Honour please take the complaint of Coronado Curragh? That's a document filed, as I understand it, on 10 May 2021.

HIS HONOUR: Sorry, what's the document that I'm trying to find?

30 MR DRINOVAC: The complaint.

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HIS HONOUR: Against Coronado, is it?

MR DRINOVAC: That's right, your Honour. Your Honour, I do have a copy here as well.

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HIS HONOUR: Well, that would be helpful.

MR DRINOVAC: I can hand that up.

40 HIS HONOUR: I mean, can I have it? I just can't easily turn it up. Do I need it or what am I being asked to do?

MR DRINOVAC: I'm going to offer no further evidence upon that complaint, your Honour.

45

HIS HONOUR: All right. Well, I don't need it, do I, physically? I just can't turn it up. It'll be here somewhere but - - -

MR DRINOVAC: No. I understand - - -

HIS HONOUR: - - - sometimes these files come in boxes and it could be in a box downstairs, you see?

5

MR DRINOVAC: Yes. If your Honour can just mark the court file.

HIS HONOUR: All right. You don't have any problems with that, do you, Ms Freeman?

10

MS FREEMAN: No, thank you, your Honour.

HIS HONOUR: With respect to the defendant Coronado Curragh Proprietary Limited, the prosecution, having offered no evidence with respect to the complaint and summons filed on the 10th of May 2021, those charges are dismissed and that defendant is discharged. Anything arising out of that?

MS FREEMAN: No, thank you, your Honour.

20

HIS HONOUR: All right. Thanks, now, you're excused.

MS FREEMAN: Thank you.

HIS HONOUR: Or you can remain, I don't mind.

25

MS FREEMAN: Thank you, your Honour.

HIS HONOUR: Yes. What's happening with the other defendant?

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MR DRINOVAC: Your Honour, in respect of the other defendant, Teys Proprietary Limited, the prosecution has filed and intends to amend the complaint.

HIS HONOUR: Yes.

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MR DRINOVAC: And I understand from discussions with my learned friends that the parties can accommodate a pre-trial hearing date because that's opposed, the prosecution's intention to amend the complaint - - -

HIS HONOUR: All right.

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MR DRINOVAC: - - - on - - -

HIS HONOUR: So what do you need from me, a pre-trial hearing date - - -

45

MR DRINOVAC: Yes, your Honour.

HIS HONOUR: - - - for the argument of that?

MR DRINOVAC: For the argument of that, your Honour. Thank you.

HIS HONOUR: All right. When's the trial?

5 MR DRINOVAC: Your Honour, the trial begins on 2nd September.

HIS HONOUR: All right.

MR DRINOVAC: It's three weeks.

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HIS HONOUR: Three-week trial?

MR DRINOVAC: Three-week trial, that's right.

15 HIS HONOUR: Mr Murdoch, do you have dates available to argue this between

MR MURDOCH: Yes.

20 HIS HONOUR: --- now and September?

MR MURDOCH: Yes, your Honour. We've had some discussions and subject, of course, to the court's convenience, the remaining parties available for that argument on the 30th or the 31st of July. And I wouldn't anticipate that it would require more 25 than an hour of the court's time, your Honour.

HIS HONOUR: All right. All right. Might have to be the first day of the trial, gentlemen, because I'm told there's nothing between now and the – October.

When's the – what's the first day of the trial?

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MR DRINOVAC: Your Honour, 2nd September.

MR MURDOCH: Your Honour, that creates some practical difficulties.

35 HIS HONOUR: Yes.

MR MURDOCH: Given the length of the trial and when I say practical - - -

HIS HONOUR: Yes.

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MR MURDOCH: - - - difficulties, that's not said as a criticism of the court.

HIS HONOUR: Sure.

45 MR MURDOCH: It's just the fact - - -

HIS HONOUR: Yes. All I can offer you is this: I'll raise the matter with the Office of the Chief Magistrate, I'll bring it back on for mention. I can't do it today; these things require time.

5 MR MURDOCH: Yes, of course.

HIS HONOUR: We'll try and accommodate but I'll have to – the matter will have to be reviewed again, I imagine, probably in a week or two weeks' time and see what can be done.

10

MR MURDOCH: Thank you, your Honour.

HIS HONOUR: All right. Can you come back on the 29th of July?

15 MR MURDOCH: Yes, your Honour.

HIS HONOUR: That will be for mention.

MR DRINOVAC: Thank you, your Honour.

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HIS HONOUR: Is there a workplace health and safety callover?

MR DRINOVAC: There is, your Honour.

25 HIS HONOUR: When's that next?

MR DRINOVAC: Your Honour, I can look that up. I don't have that information to hand.

30 HIS HONOUR: You're not sure?

MR DRINOVAC: I'm not sure off the top of my head, your Honour, but I can look it up. It's on the court website, courthouse calendar.

35 HIS HONOUR: Is it every third Friday, is it?

MR DRINOVAC: Your Honour, just one moment. I'll be able to confirm that.

HIS HONOUR: Just can't read that.

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MR DRINOVAC: One second.

HIS HONOUR: I'm inclined to put it on to the workplace health and safety callover, actually, gentlemen. There's one on Friday, isn't there?

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MR DRINOVAC: Court 20, 19 July.

HIS HONOUR: There's one this Friday - - -

MR DRINOVAC: Yes.

5 HIS HONOUR: - - - isn't there?

MR DRINOVAC: This Friday, your Honour.

HIS HONOUR: Can you come back this Friday, Mr Murdoch?

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MR MURDOCH: Yes, your Honour.

HIS HONOUR: I'll do that.

15 MR DRINOVAC: Your Honour, that would be preferable because that allows more time between the mention date and the - - -

HIS HONOUR: All right.

20 MR DRINOVAC: - - - date of the proposed hearings.

HIS HONOUR: All right, with respect to the matter of Teys Proprietary Limited, that will be mentioned again in the workplace health and safety callover this Friday, court 20 at 9 am on the 19th of July 2024. I'll liaise with the registry to liaise with
25 the Chief Magistrate's Office, Mr Murdoch, and see if that can be accommodated and hopefully we'll have an answer one way or another for you on Friday.

MR MURDOCH: Thank you, your Honour.

30 HIS HONOUR: Okay. Thanks now.

MR DRINOVAC: Thank you, your Honour.

HIS HONOUR: You're each excused, thank you.

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MATTER ADJOURNED at 2.29 pm UNTIL FRIDAY, 19 JULY 2024