

Inquest into the death of Navina Friedericke Villinger

Navina Villinger died on 10 January 2011 at the Granite Gorge Nature Park. Ms Villinger drowned after entering flood waters at the park and being swept into an underground cave system beneath massive granite boulders.

Coroner Jane Bentley delivered her findings of inquest on 29 October 2014.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The Office of Fair and Safe Work Queensland re-open its investigation into the death of Ms Villinger to consider the further factual information that has been obtained during this inquest and the current safety measures in place at the park.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Treasury.

On 12 September 2015 the Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships responded:

The Office of Industrial Relations Queensland considered the information provided by the coroner and re-opened its investigation into whether the entity referred to in the coroner's findings may have failed to perform duties required under the *Work Health and Safety Act 2011*. It is anticipated the review will be completed by the end of 2015.

On 10 March 2016 the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs responded:

The Office of Industrial Relations Queensland considered the information provided by the coroner and re-opened its investigation into whether the entity referred to in the coroner's findings may have failed to perform duties required under the *Work Health and Safety Act 2011*. The decision to take no further action was reconsidered by the Legal and Prosecution Unit and on 21 August 2015, the Director Legal and Prosecution Services advised there would be no further investigation.

Recommendation 2

The Office of Fair and Safe Work Queensland consider whether the information now available requires that a prohibition notice be issued to Granite Gorge Nature Park Pty Ltd prohibiting visitors from undertaking any activities in the park until Office of Fair and Safe Work Queensland inspectors are satisfied that:

- A. Granite Gorge Nature Park Pty Ltd has engaged an independent expert to conduct a risk assessment on all activities offered at the park.
- B. All recommendations made by that expert have been fully implemented at the park.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Treasury.

On 12 September 2015 the Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships responded:

The Office of Industrial Relations Queensland reviewed the evidence heard at the inquest to determine if a prohibition notice should be issued. As a result of this review it was determined that a prohibition notice could not be issued. To issue such a notice at this time without any further competent inquiry would be an improper exercise of an inspector's powers for the reason that the inspector would not have a proper basis to form the necessary reasonable belief about the statutory preconditions for issuing the notice. However the Office of Industrial Relations Queensland is conducting additional enquiries as a result of recommendation one of this inquest which may result in enforcement action being applied if deemed necessary.

Recommendation 3

The Organisational Response Group of the Office of Fair and Safe Work Queensland, in consultation with other agencies, consider the introduction of guidance material relating to undertakings concerned with the interaction of the public with nature activities, such as those offered by the park.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Treasury (lead) supported by the Department of Tourism, Major Events, Small Business and the Commonwealth Games and the Department of National Parks, Sport and Racing.

On 12 September 2015 the Treasurer, Minister for Employment and Industrial Relations and Minister for Aboriginal and Torres Strait Islander Partnerships responded:

The Organisational Response Governance Group of the Office of Industrial Relations Queensland sought the cooperation of the Department of National Parks, Sport and Racing (DNPSR) in developing appropriate guidance material for undertakings concerned with the interaction of the public with nature activities.

In this regard the Office of Industrial Relations Queensland wrote to DNPSR highlighting the coroner's recommendation and seeking agreement for DNPSR to jointly develop appropriate guidance material for undertakings concerned with the interaction of the public with nature activities. It is proposed that this initiative be completed jointly so as to address the diverse issues activities across Queensland.

The development of appropriate guidance material is likely to be completed by the end of 2015.

On 23 December 2016, the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs; the Minister for Education and Minister for Tourism and Major Events; and the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef responded:

The Office of Industrial Relations revised its fact sheet about safety at [public events](#), providing guidance on the application of work health and safety laws to public events and interactions with the natural environment. The fact sheet will link to relevant information published on the Department of Tourism, Major Events, Small Business and the Commonwealth Games website and the Department of National Parks, Sport and Racing website.

The Department of Tourism, Major Events, Small Business and the Commonwealth Games will publish information about the need for tourism operators to be aware of the potential hazards around nature activities and recreation.

The Department of National Parks, Sport and Racing will review and expand their existing online material on natural hazards.

The government will ensure this web-based information is easily accessible to organisations concerned public interaction.

On 6 April 2017, the Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs; the Minister for Education and Minister for Tourism and Major Events; and the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef responded:

A joint response by the agencies resulted in the development of an information sheet titled *The application of work health and safety laws to public events and interactions with the natural environment*. A copy of this information sheet was presented to the Queensland Tourism Industry Council.

The Department of National Parks, Sport and Racing updated their website to include messages around [water safety in Queensland's parks and forests](#).

In conjunction with North Queensland Tourism Forum, the Department of National Parks, Sport and Racing are developing a campaign on water safety to be delivered to backpackers.

The Department of National Parks, Sport and Racing will also include messages about water safety in signs and brochures about National Parks and forests. New safety signs will be installed at the following sites with waterways to reflect best practice:

- Cedar Creek, Tamborine NP, SE Queensland
- Purling Brook Falls, Springbrook NP, SE Queensland
- Crows Nest Falls, Crows Nest NP, SW Queensland
- Rainbow Falls, Blackdown Tableland NP, Central Queensland
- Alligator Creek, Bowling Green Bay NP, Central Queensland
- Finch Hatton Gorge, Eungella NP, Central Queensland
- Little Crystal Creek, Paluma Range NP, North Queensland
- Wallaman Falls, Girringun NP, North Queensland
- Josephine Falls, Wooroonooran NP, North Queensland
- Murray Falls, Girramay NP, North Queensland
- Davies Creek NP, North Queensland

The Department of Tourism, Major Events, Small Business and the Commonwealth Games is developing and will publish information about the need for tourism operators to be aware of the potential hazards around nature activities and recreation.

On 12 July 2017, the Minister for Education and Minister for Tourism and Major Events and the Commonwealth Games responded:

Information for tourism operators about the hazards of the natural environment and recreational activities is published under the tourism section on the Business Queensland [website](#).