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Gavin John MILNER

Findings and Recommendations

The Mines Regulation Act 1964 -

Findings and recommendations of reviewers and mining warden following an inquiry into fatal injuries received by Gavin John Milner at Tichum Creek Quarry on 17 October 1994

Before: Mr W S Christensen Warden

Findings:

Nature of accident:

As to the nature of the accident we find:

The single vehicle accident which caused the death of Gavin John Milner at the Tichum Creek Quarry on 17 October 1994 occurred at about 2 pm on that day when the deceased was driving a loaded Wabco 35C dump truck on a haul road to the primary crusher rock bin.

At the place where the accident occurred the haul road passed between an upper bench highwall on the driver's right hand side and a lower bench footwall on the left hand side. There was a gravel safety berm on the left hand edge of the haul road of approximate dimensions varying from 1.5 to 3 metres (wide) x .4 metre (high). The approximate available width for the passage of vehicles between the highwall and the safety berm was 5.8 metres at the point of impact narrowing to 4.9 metres approximately 2.5 metres further on. The width of the Wabco 35C dump truck was 3.6 metres plus the right hand wing mirror width of .3 metres (being an overall width of 3.9 metres).

The right hand side of the truck struck the highwall with a reasonable amount of force. This initial impact caused severe damage to the steering mechanism of the truck. The truck then veered at an approximate 45 degree angle across the haul road through the safety berm and fell about 11 metres before striking the floor level of the lower bench in an inverted position, severely crushing the driver's cabin.

Prior to impact with the highwall the course of travel of the truck was in a straight line straddling a rill left by a grader over a distance of over 30 metres to the point of impact and the evidence suggests that the vehicle was travelling at a speed in excess of 34 kilometres per hour.

Cause of accident:

We have given consideration to all possible causes of the accident and we are satisfied that there is no evidence of any defect in the Wabco 35C dump truck involved in the accident which caused or could have contributed to the accident.

We are also satisfied that the accident was caused by any one or more of the following reasons:

- Inattention of the driver

- Misjudgment by the driver
- Physical or mental incapacity of the driver

We find there is no evidence to show which of these factors was the primary cause.

We find that the deceased was not restrained by a seat belt at the time of initial impact. We are unable to find whether the correct wearing of the seat belt would have assisted the deceased in regaining control of the vehicle.

Although there is no evidence to show that the following factors were a cause of the accident, or contributed to the accident, we find:

- There is evidence that the speed of the dump truck leading to its impact with the highwall was excessive, having regard to the available width of the haul road; and
- That the width of the haul road was not adequate for the size of the vehicle or any other vehicles of similar size likely to be using the haul road at the speed indicated in this instance by the evidence.

Recommendations with a view to prevention of a similar accident

We recommend with a view to prevention of similar accidents that all regulations governing mine operational safety be amended to:

- Prescribe a minimum haul road width of (in the case of a single carriageway) 1.5 times and (in the case of a double carriageway) 2.5 times the maximum width of any vehicle permitted to use the haul road;
- Prescribe a minimum safety berm height of one metre or one-half the wheel diameter of the largest truck permitted to use the haul road;
- Prescribe minimum specifications for the design of, and the kind of material used in the construction of, safety berms;
- Provide for a breach of the regulations where a vehicle exceeding the dimension limits governed by the width of the haul road and dimensions of safety berms is permitted to travel on that haul road.

We also recommend that greater importance be placed on ensuring compliance with existing regulatory requirements with regard to operator training and induction.

Warden's report:

I report that I agree with the reviewers' findings of the nature and cause of the accident.

The inquiry is closed.

2 march 1995.

Last Updated 21 October 2007

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Great state. Great opportunity.