

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>		STATEMENT NO:		2	
		DATE:		31/08/00	
NAME OF WITNESS: (In Full)		Peter David Clark			MARITAL STATUS:
WITNESS ADDRESS:	8, Bauhinia Street, Blackwater		PLACE OF INTERVIEW:	Cook Colliery	
EMPLOYER:	Cook Resources		OCCUPATION:	Miner	
HOME PHONE:	4982 - 5632	WORK PHONE:			DATE OF BIRTH:
INTERVIEWERS:	D Alcock				
OBSERVERS:	S Vaccaneo, Constable R Chapman				

2 ...I started work at 10pm on Tuesday 29<sup>th</sup> August driving loco supplies to the panels with Desmond Tracy  
3 and finished the shift at 8am on Wednesday 30<sup>th</sup> August. We then worked back doing rail maintenance,  
4 tightening nuts, about 12 --13 cut through on the hill on 101 main road. I saw the ambulance arrive, but  
5 there was no message on the Ped. I saw fitter Ian Lancaster talk to Des. He told us to clear the rails so that  
6 the ambulance could get through. Deputy Barry Williams told Des and I to go to the pit bottom and set up  
7 the dolly car for the emergency man car. We had to wait for the ambulance officers to come down before  
8 we could start to set up the dolly. We then put the the dolly car in the shunt ready. The first man car (No 9  
9 with Greg Fry) carrying the injured man came out about 5 mins later, we connected it to the dolly. I put it  
10 in creep speed until it was around the corner, then put it in heavy lift (2nd gear) to go up the drift as this  
11 would give a smoother ride than top gear. Ambulance men took over at the surface and lifted him out. We  
12 waited on the surface until the Deputy told us to take the ambulance car back underground. At pit bottom  
13 we took it around the corner and disconnected it. We then came out of the pit with Alan Evans, Lester  
14 Anderson and the rest of the blokes.

15 ...

16

**WITNESS:**

 JUSTICE OF THE PEACE/  
 COMMISSIONER FOR DECLARATIONS:

*Page 1 of 2*

**WITNESS:**

**JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**

**Page 2 of 2**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:		6	
				DATE:		30/8/00	
NAME OF WITNESS: (In Full)		Gary Dalbusco				MARITAL STATUS:	
WITNESS ADDRESS:				PLACE OF INTERVIEW:		Cook Colliery	
EMPLOYER:				OCCUPATION:			
HOME PHONE:				WORK PHONE:		DATE OF BIRTH:	
INTERVIEWERS:							
OBSERVERS:							

2 ...

3 When we inspected the ribs there were no cracks evident.

4 After the rib came in John called for us to get him out of the pit.

5 A piece of coal approximately 450 mm thick, 1000 mm high and 1200 mm long came down from rib near  
6 roof.

7 I jumped around John and physically lifted the lump of coal of him, it took a couple of attempts due to the  
8 size. His left arm was wedged between the coal and miner and both legs were pinned between ribs and  
9 miner. His head was turned towards front of miner.

10 We could not pull out John due to his legs being caught. We moved coal from around John's legs and  
11 pulled him out.

12 We put John in a secure area and layed him down. John said his chest was hurting and he was having  
13 trouble breathing. His chest was starting to inflate on the right hand side. He said left lung feels like blood  
14 in it. I think Greg (deputy) had got the stretcher. We put John on the stretcher and then onto the Domino.

15 We drove out of panel. Just before the track end I grabbed John's hand and he went unconscious. We took  
16 him off the stretcher and went to put him into the emergency car. I and Ian Lancaster checked his pulse.

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

1 There was no pulse or chest movement. ....started CPR, Greg on compressions and I was on inhalations.  
2 We changed over and John was breathing. We kept this up until the ambos arrived and they took over.  
3 We went out with ambos in car and assisted with compressions. We arrived at the surface and then the  
4 Doctor took over.  
5  
6 We meet the offgoing deputy at the track end and he relays the panel status. There were no concerns  
7 raised regarding conditions. The whole crew then decided on setting deciding props.  
8 Two props were set at the back of continuous miner and two props were set on the top of continuous  
9 miner. I think the rib knocked out the props at the back of miner.  
10 ...  
11  
12

**WITNESS:****JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:		5	
				DATE:		30/8	
NAME OF WITNESS: (In Full)		Wayne Koch				MARITAL STATUS:	Married
WITNESS ADDRESS:	45 Blain Street, Blackwater Qld 4717			PLACE OF INTERVIEW:	Cook Colliery		
EMPLOYER:	Cook Resource Mining			OCCUPATION:	Miner		
HOME PHONE:	4982 7300	WORK PHONE:		DATE OF BIRTH:	1/6/50		
INTERVIEWERS:	M Caffery D Alcock						
OBSERVERS:							

2 In March 1983 I commenced employment at Cook Colliery and performed the job as a production panel  
3 miner including miner driver, shuttle car operator and general panel work. In this time I worked in a  
4 number of pillar extraction panels as well as first workings. I also worked on the longwall as a spare man  
5 on production mainly operating chocks. I was retrenched in 1992.

6 In October 1993 I restarted back at Cook and have worked since then mainly in production panels. I have  
7 also carried out general outbye work.

8

9

10 I arrived in 12 East panel at approximately 7.20 am at the crib room. I put my crib bag down and there  
11 was generally good humour amongst the crew. I went and hosed down the wheeling road. After this I  
12 went and had a visual look around my shuttle car. I fixed the seat. My car was near the cable anchor point  
13 in D heading just outbye 5 ct . This was No 6 car. I had taken in a new cable sock and changed out the  
14 broken sock from night shift. I then got on my car and proceeded to cart coal from the continuous miner  
15 to the boot end. During the early part of shift for about 15 mins, John Maher was using Domino to clean  
16 up boot while I was carting coal. John finished cleaning up the boot at approximately 8.00 am. John

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

1 Maher then operated the other car. There were two cars operating in the panel. When I started wheeling  
2 the continuous miner had just commenced the first sump of D heading inbye 6 ct.

3  
4 At approximately 9 - 9.30 am (getting near smoko time) and after about 15 loads on my car, I was back at  
5 the car shunt and John Maher drove his car back and said Gary Dalbusco (Wally) the miner driver has  
6 broken the miner. John drove on past my shunt towards the boot. I believe his car was empty. We (John  
7 and I) walked back to the miner. Wally was trying to bring the continuous miner back out of the punch.  
8 The punch was the length of the continuous miner.

9 The left rib had fallen over onto the side of the continuous miner. Wally said he had the miner moving  
10 previously when the rib fell over and the miner stopped. We thought it had tripped the emergency stop  
11 button on the continuous miner. I recall Wally being along the side of the continuous miner trying to  
12 break up lump of coal. He had no success.

13  
14 We put some props up behind the miner, as there was some noise after the continuous miner had broken  
15 down. Props had been previously set across heading inbye of punch. (Wally), Rex Sandilands, Darryl  
16 Warwick, John Maher and myself were there. I believe some more props were installed behind the  
17 existing rows across the heading. Wally or maybe Darryl had the remote and was standing somewhere  
18 behind the tail out in D heading.

19  
20 I was standing behind the continuous miner between left corner and tail holding two props while waiting  
21 for Rex went to fetch some wedges to tighten the props. I can recall my back against the tail of the  
22 continuous miner. The area where I was standing had some loose coal on floor but no big lumps. I was in  
23 a position looking at the left rib of the punch with my right hand holding a short prop between roof and  
24 top of the continuous miner and my left hand holding a longer prop between roof and floor.

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

1 Rex had tried to move lump of coal from side of continuous miner. I recall Rex trying to use a mall and I  
2 think he had steel as well. He went to get some wedges to tighten props that I was holding.  
3 John Maher said he would try and lever the lump of coal off the left side of the continuous miner and  
4 away from the emergency stop button. John was approximately 1m forward of the rear of the continuous  
5 miner, and in a position whereby he was using a 6 or 7 foot drill steel to lever the coal. I recall that John  
6 was standing in a manner with his left shoulder turned away from left rib.  
7 I was watching the rib. I called out 'Look out John'. John turned towards me and the rib came in over  
8 him. The coal caught John across his back. There was a big lump resting on John. He was still standing, it  
9 had him pinned holding him up. I got onto the top of the continuous miner and tried to push the lump off  
10 him. John said 'my foot is caught too'. I think it was his left foot. The coal had pinned John down his back  
11 and also I think his left arm was also caught. We pushed the lump of coal off John towards rib and I think  
12 it then rolled back towards the rear of the machine. We then carried John back to D heading behind  
13 continuous miner and laid him down to make him comfortable. Someone went and got the stretcher.  
14 Someone also called the emergency number. John was talking about pains in his chest. Rex came back  
15 with Domino. We put John on stretcher and carried stretcher to Domino, which we met near boot end.  
16 John said he had chest pain regardless of which position he was in.

17  
18 **Question 1:** Did you notice any signs of weakness in the roof or rib prior to the accident?

19 **Answer 1:** There were no signs of weakness in the roof, we thought we were going to have a good run.  
20 Conditions looked good and there were no signs of rib peeling off.

21 **Question 2:** When you arrived at the crib room do you recall any discussion on the mining plan for that  
22 shift.

23 **Answer 2:** No.

24 **Question 3.** Who took the last car to the boot?

**WITNESS:**

**JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**

1 **Answer 3.** Mine was the last full car. John went to the face after me, I don't believe he filled the car. I  
2 believe the rib fell sometime after I left the continuous miner with my last car.

3 **Question 4.** When you start a sump how do you decide where to break off.?

4 **Answer 4.** They, continuous miner driver, work out how much block to leave between the two sumps or  
5 end of pillar and then break off.

6 **Question 5.** Have you driven the HM9 while mining in 12 East?

7 **Answer 5.** No, I only have a tramming ticket to move the machine if required.

8 **Question 6.** Prior to starting partial extraction and sumping coal in 12 East, what training and  
9 communication have you had?

10 **Answer 6.** The day we started sumping Alan Evans and Ron Giles took us into the training room and  
11 showed the general layout of the method of mining and discussed the sequence. They stated to leave coal  
12 between sumps as per managers rules, should be about 2 m as I recall, break off the sumps as per  
13 managers rules, to sump no further than the length of miner and as roof conditions allow. They discussed  
14 the sequence showing the areas to be mined and the order. They said to take care and don't do anything  
15 silly. To me this means don't take any chances and don't take the extra car. If there are any concerns  
16 discuss as a crew and if any further problem contact Alan or Manager.

17 **Question 7.** Prior to this session with Ron Giles and Alan Evans were you personally involved in  
18 discussing the method of mining?

19 **Answer 7.** No I don't recall.

20 **Question 8.** Is there anything that you would like to see done to prevent this type of accident?

21 **Answer 8.** I would like to see something done about the emergency stop buttons on left side. It is needed  
22 while using drill rigs, however while sumping they should consider disconnecting them to prevent a  
23 nuisance trip by a lump of rib.

24 **Question 9.** Have you noticed any deterioration in the performance of the HM9 in recent times?

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:



1 **Answer 9.** Yes, electrical and mechanical problems and it doesn't load as well as it used too.

2 **Question 10.** What discussions or training have been held previously on the proposed method of mining  
3 in 12 East?

4 **Answer 10.** In April this year I went to Charbon Colliery for 2 weeks to gain experience using Breaker  
5 Line Supports for proposed pillar extraction in 12 East. I understand that the plan changed due to  
6 concerns from the Mines Department. I recall eight people were sent to Charbon. No more were sent after  
7 Easter break.

8 **Question 11.** Did you have any concerns regarding proposed pillar extraction method?

9 **Answer 11.** No, however I thought our floor may be too soft for breaker line supports.

10 **END**

**WITNESS:**

**JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:		9	
				DATE:		30 AUGUST 2000	
NAME OF WITNESS: (In Full)		GREG MEREDITH				MARITAL STATUS:	
WITNESS ADDRESS:				PLACE OF INTERVIEW:		COOK COLLIERY	
EMPLOYER:		COOK COLLIERY		OCCUPATION:		DEPUTY	
HOME PHONE:				WORK PHONE:		DATE OF BIRTH:	
INTERVIEWERS:		R. CLARK					
OBSERVERS:		S. VACCANEO					

2

3 I am the 12 E Panel deputy, this is my second week at the mine , I was in the panel , with another deputy ,  
 4 last week, and worked one day , on my own , last week, in 12 E and we did not produce on Monday and I  
 5 was in the panel on Tuesday and today.

6 0700 : I went down the pit, got out at track end and walked down the belts to the panel to the face and  
 7 back to the crib room.

8 I spoke to the Dog watch deputy at Track end and waited for the men to come in.

9 I had a discussion with the crew on where they were , sequence, and they went up to the face.

10 They had some odd jobs to do, pull cable , anchor car, clean up boot end and water roads.

11 I might have been at the face for the first car or two, it might have been a bit after 0800, a bit of a rough  
 12 guess.

13 *Question: Did you notice any weight coming on or any thing out of the ordinary?*

14 Answer: it hadn't changed from the day before, there was a bit of a problem in the travel road the day  
 15 before but it was a different area. It had fallen where they had sumped out and the intersection had taken  
 16 weight.

**WITNESS:**

JUSTICE OF THE PEACE/  
 COMMISSIONER FOR DECLARATIONS:

1 *Question: It wasn't impacting on today's work?*

2 Answer: No

3 I came in and the machine wouldn't move and the crew were discussing why not.

4 We talked about the emergency stop , we still don't know if it was the emergency stop , only guessing.

5 Discussion took place about timbering it to go and clean up.

6 I started chasing up the fitter and electrician to get it fixed , to get it out so it wouldn't happen again.

7 Someone else had rang the electrician but I wanted a fitter in there as well.

8 I came back down to the machine, they were still standing timber I think, (I told them to put a couple on  
9 top of the miner, some more beside it and a few breakers at the back before ringing for the electrician)

10 We had a bit of a discussion as to where the emergency stop was and how to get to it.

11 They cleaned a bit of coal away from the bottom of the electrical panel on the off drivers side ( left)

12 It was quite a large piece of coal about 1metre long 1 metre high and 300m thick , only guessing.

13 I went to find out if the fitter and electrician were coming and I didn't see the rib fall , only heard the rib  
14 falling or John yelling, I'm not sure, and I came back.

15 By the time I got there, there were 2 on top or beside the miner , 4 men around him.

16 It looked as though he was pinned by the arm.

17 They weren't going to get him out without a lot of trouble

18 I talked to ????? and I went out and arranged for transport, he was still trapped when I left but I didn't see  
19 them get him out.

20 I told them ( surface??) he might have a broken arm and we needed an ambulance.

21 I spoke to Barry Williams ( out bye Deputy), he was going to organise the transport, the Dolly car and  
22 emergency vehicle.

23 On the way back I ran into Rex near the stretcher board, I got rex to ring up to make sure the PET came in  
24 and I took the stretcher in to the miner.

**WITNESS:**

*JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:*

1 It was a long delay before we could lift him as we didn't have enough men, Rex and Dollar were not at  
2 the face .  
3 It was after 0900 when the fall happened but I don't know the exact time.  
4 I went back to phone ( at the crib room) after we got him onto the stretcher to check everything was  
5 happening and to tell them the injuries were worse than first reported, one phone call was to ask for help (   
6 more men)  
7 We put him onto the Domino and started taking him out to track end.  
8 I walked ahead to make sure everything was organised at track end when they got there.  
9 I checked with Barry Williams if the transport was ok and organised to put him into the emergency car.  
10 Barry explained that it goes all the way to the surface and is the quickest way.  
11 They turned up with him and put him into the emergency car.  
12 Someone said he had stopped breathing.  
13 They got him out and I started CPR and I got the others organised in a circle to take turns giving mouth to  
14 mouth.  
15 Kochy was counting, I taught him how to count.  
16 When I first asked them about CPR I got a lot of dumb looks and I kept going until the ambulance  
17 arrived.  
18 I kept going for a while the ambulance put a bag on him for oxygen/ breathing.  
19 They said stop and checked him out and they said to load him into the emergency car.  
20 I then walked away.

21 END

**WITNESS:**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:		10					
				DATE:		31/08/00					
NAME OF WITNESS: (In Full)		Ronald Glen Page				MARITAL STATUS:		SINGLE			
WITNESS ADDRESS:		21 Walsh Avenue, Blackwater			PLACE OF INTERVIEW:		Cook Colliery				
EMPLOYER:					OCCUPATION:		Deputy				
HOME PHONE:		4982 5784		WORK PHONE:				DATE OF BIRTH:		6/1/53	
INTERVIEWERS:		D Alcock M Caffery									
OBSERVERS:		Nil									

2 ...

3 I commenced work at Cook Colliery in ..... Since I have been employed as .....

4 At present am employed as a deputy at Cook Colliery working on afternoon shift, where I am responsible  
 5 for ..... I have relieved as deputy in 12 East panel on occasions.

6

7 On Tuesday 30<sup>th</sup> August I started work at 11.00 am.

8 I visited the accident site on Friday afternoon with the accident investigation team. Later that night, after  
 9 the Inspectorate had completed their inspection I went with Ken Miller into 12 East panel and assessed  
 10 the site to prepare for recovery of the HM9. We took an eimco in and cleaned up the lumps of coal from  
 11 behind the continuous miner to gain access. We then set some props to the rear of the machine. I then  
 12 looked down the left side of the continuous miner and under the large lump of coal resting against the top  
 13 of the machine to the position of the stop button. I could see that there were lumps of coal resting on  
 14 hoses in the vicinity of the forward stop button. I then used a long steel bar and by hitting the bar with a  
 15 hammer a few times I was able to split the lump resting against the hoses. While doing this I heard a

**WITNESS:**

 JUSTICE OF THE PEACE/  
 COMMISSIONER FOR DECLARATIONS:

1 'tweek' noise from the machine which indicated that the power had reset to the pump motor control. I  
2 concluded that the stop button had reset.  
3 I then tried the remote and started the pump motor up and then commenced to reverse the continuous  
4 miner. The machine trammed straight out of the sump without any problems. We trammed the machine  
5 back to just outbye 6 ct in D heading.

6 **Question:** Do you know how far the continuous miner was back from the face prior when you saw it?

7 **Answer:** I thought the machine was still at the face, maybe only inches back.

8 **Question:** Were there any problems with the traction while tramping the machine out?

9 **Answer:** Only when we used one of the other functions, like tail swing. It stopped tramping and when I  
10 stopped using that function the machine continued to tram.

11 ...

12

13

**WITNESS:**

*JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:*

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:		8	
				DATE:		30 AUGUST 2000	
NAME OF WITNESS: (In Full)		REX SANDILANDS				MARITAL STATUS:	
WITNESS ADDRESS:				PLACE OF INTERVIEW:		COOK COLLIERY	
EMPLOYER:				OCCUPATION:		MINER	
HOME PHONE:				WORK PHONE:		DATE OF BIRTH:	
INTERVIEWERS:		R. Clark					
OBSERVERS:		None					

2

3 0700 I left pit top for the panel, 12 E, with the crew

4 0730 (approximately) arrived at 12E panel; crew hosed roads, pulled up cable and started work punching  
5 with the miner.

6 Wally was on the miner, me and Darryl were on timberman, cablehand, Kochy and John were on cars.

7 We all noticed the roof starting to work on the other side of the breakoff, it had already fallen and was  
8 taking weight.

9 A piece of rib on the left hand side of the miner fell and hit the stop buttons on the side of the miner and  
10 you could not start the machine, they are the emergency stop buttons.

11 Wally couldn't reset it on the box (remote) it wouldn't start because of emergency stop button.

12 We started to set up a few legs, tom props, one either side of the miner, behind the machine and then 2  
13 shorter props on top of the machine, they may not be there when you get down as the heads creep down  
14 and the arse goes over and they probably fall out.

15 Then I went in to roll a couple of lumps over back away and I came out and I think Darryl might have had  
16 a go at it then John Maher and he said we might put up a support prop and I said righto I'll go and get one.

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

*Page 1 of 3*

1 I sorta walked away and I heard him yell, I had my back to him, I just heard him yell, Help Me Help Me.  
2 We all ran in to help.  
3 He was pinned up against the side of the miner by the coal.  
4 We got the lumps off him, we got him out to behind the miner, the other boys comforted him and I ran for  
5 the stretcher.  
6 They put him on the stretcher and carried him out to the machine (Domino loader) we had to put him  
7 down a couple of times as he said he wanted to sit up and we packed his back with a couple of bags.  
8 I drove the Domino to track end and they got John off the domino and put him onto the emergency man  
9 car.  
10 Someone said he had lost his pulse and they got him out of the emergency man car and they started CPR  
11 until the QATB ambulance men arrived.  
12 When they arrived they wanted a bit of room so I got out of the way.  
13 *Question : Did you notice any movement in the rib coal when you were in clearing out the coal from the*  
14 *buttons.*  
15 Answer: No it was all quiet there.  
16 *Question: Was there any noise from the rib*  
17 Answer: First of all there was , but on the other side of the break off in the other heading, but we put up a  
18 couple of extra props in front of the breakers and it settled down after that.  
19 *Question ; Was anything out of the ordinary?*  
20 Answer: No , it was all quietened down.  
21 *Question : So the machine didn't move?*  
22 Answer: No, we couldn't release the button and couldn't get the machine to go. When John got hurt we  
23 left it as it was .  
24 *Question: Was the deputy in the panel?*

**WITNESS:**



1 Answer: Yes , somewhere behind us, he went to ring for assistance.

2 *Question : Has this rib fall onto the buttons ever happened before?*

3 Answer : Yes, but it was the first time in this panel for us.

4 *Question: Was the action to reset the last time the same?*

5 Answer : Different machine different panel, we had to first roll a few lumps off and reset but the machine  
6 was different, the buttons were at the arse end of the miner and it wasn't a remote miner.

7

8 END

**WITNESS:**

**JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**

**Page 3 of 3**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>		STATEMENT NO:		3	
		DATE:		31/08/00	
NAME OF WITNESS: (In Full)		Lionel Wilson Saron			MARITAL STATUS:
WITNESS ADDRESS:	15, Comollatti Street, Blackwater		PLACE OF INTERVIEW:	Cook Colliery	
EMPLOYER:	Cook Resources		OCCUPATION:	Electrician	
HOME PHONE:	4986 - 1979	WORK PHONE:			DATE OF BIRTH:
INTERVIEWERS:	D Alcock				
OBSERVERS:	S Vaccaneo,				

2 ...I am on permanent days and started work at 7am. I was on the surface working on the dolly car when I

3 was called underground to get the continuous miner in 12East going. It wouldn't start and I was told that

4 a rib fall had pushed the emergency stop button in (I was told that but it was not verified). That was about

5 9-30am. Ian Lancaster (fitter) was waiting at the pit bottom to take me in. Travelling in we met the loco

6 drivers who were repairing rails, they let us through. I did not know that anyone was injured at this stage,

7 just thought that the continuous miner (a Joy HM9) was broken. When we got to the track end we got a

8 'phone call from Alan Evans stating that there was an emergency in 12East panel, man injured, get there

9 as quickly as possible. Ian was driving Pet. I jumped out to drop the brattice to let the vehicle through. I

10 took my tools out of the vehicle, Ian went to see what was happening. The vehicle was parked opposite

11 the crib room, a Domino was coming out with three men on the engine bay with the injured man (I did

12 not know who it was) plus the driver. I did not know what Ian was doing. The Domino kept going (the

13 brattice cloth was down), they weren't stopping for anyone.

14 I followed them to the track end, assisted in taking the stretcher off the Domino and helped to carry it to

15 the First-Aid man car. While putting him in the man car, some one took his pulse and said that there was

16 no pulse so CPR was started. The man car was started just in case. The Deputy phoned the surface to pass

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

1 on the information. CPR was continued. Ian Lancaster brought the man car round and it derailed next to  
2 the points, trapping the ambulance if it wanted to go out. I got on the Domino loader, got chains and  
3 towed the man car out and parked it up. I checked the tracks, then went to assist with the CPR.  
4 The ambulance officers arrived on the scene and took over the patient. We got the vehicles running, put  
5 air onto the machine so that it was ready to start. They put the patient into the First-Aid vehicle then it  
6 went up the drift.  
7 Myself, Cookie, Rex, Alan and Dollar (don't know his proper name) got the man car on the rails so that it  
8 could come out.  
9 Just before putting on the dolly car, the vehicle from 403 panel arrived and Alan told them what had  
10 happened.  
11 Alan wanted me to take the man car back to the track end to pick up the rest of the crew from 403 panel. I  
12 took them back to the pit bottom and went up the pit with them. All the first aid equipment was still on  
13 the Pet. Then I stayed on the surface.  
14 I have worked here since two weeks before Easter as a Cook employee and was here for six weeks before  
15 that as a contractor. I worked with G&S mostly in Open-cut. I worked for 4.5 years with Cap Coal of  
16 which 2 years was underground.  
17 At the start of shift briefing there were no breakdowns as such, so I went to the dolly car.  
18 Before work started in 12East panel, there was a briefing session on what was going to happen but I  
19 missed out on this because I was called to a shuttle car break down. The shuttle car was out for 1.5 days.

**WITNESS:****JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:****Page 2 of 2**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>		STATEMENT NO:		4	
		DATE:		30/08/00	
NAME OF WITNESS: (In Full)		Ivan Stanley Sleeman			MARITAL STATUS:
WITNESS ADDRESS:	14, Walsh Avenue, Blackwater		PLACE OF INTERVIEW:	Cook Colliery	
EMPLOYER:	Cook Resources		OCCUPATION:	Deputy	
HOME PHONE:	0408-770- 804	WORK PHONE:	DATE OF BIRTH:		
INTERVIEWERS:	D Alcock				
OBSERVERS:	S Vaccaneo,				

2 I was the day shift deputy in 403 panel. I started work at 7am and went underground to 403 panel. The

3 Aro bolter was broken down so we were going to put flexi-bolts in 'A' heading. I rang Alan Evans to let

4 him know and got Lisa in the office. She told me that 555 had been rung and asked me to keep off the

5 'phone. She put Alan on the 'phone, I told him about the plan to put in Flexi-bolts and he said to go

6 ahead. Myself and Tommy Bryant (bolter operator) went to look for flexi-bolts. Alan had said that the

7 accident was to Johnny Maher and they thought that it was a broken arm.

8 On arriving at the track end, we parked the vehicle and saw a lot of activity. Barry Williams walked up. I

9 asked how is he. The reply was "not good". I looked over and saw two people giving CPR. I kept a

10 distance away but saw that it was John. When the emergency man car arrived I went to give assistance

11 but it was not required. I saw that his shirt was open. I could see no marks on his chest but it looked

12 extended, his face had a purple colour and his eyes were swollen, blue slits.

13 I knew that Alan Galloway in my crew was close to John so I went to 403 panel, got all the crew together

14 and told them what had happened as gently as possible. Alan was very upset and was a bit hysterical for a

15 while.

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

*Page 1 of 2*

1 I rang the crib room and talked to Glen Page (afternoon shift deputy and union president). He said to keep  
2 the crew in the crib room and that he would let us know what was happening as soon as possible. About  
3 five minutes later he called back and told me to bring the men out. Glen met us at the dolly car when it  
4 got to the surface and told us that John had passed away. I stayed on the surface. I asked Alan Galloway if  
5 he needed counselling but he went home.

**WITNESS:**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>		STATEMENT NO:		1	
		DATE:		30/08/00	
NAME OF WITNESS: (In Full)		Desmond Tracey			MARITAL STATUS:
WITNESS ADDRESS:	8 Comollatti Street, Blackwater		PLACE OF INTERVIEW:	Cook Colliery	
EMPLOYER:	Cook Resource Mining		OCCUPATION:	Miner	
HOME PHONE:		WORK PHONE:		DATE OF BIRTH:	
INTERVIEWERS:	D Alcock				
OBSERVERS:	S Vaccaneo, Constable R Chapman				

2 ...I was working on the loco delivering supplies to the panel with Peter Clark, started work at 10pm on  
3 Tuesday 29<sup>th</sup> August and finished the shift at 8am on Wednesday 30<sup>th</sup> August. I then worked back on rail  
4 maintenance and was tightening rail nuts at 16 cut through. I saw the ambulance car come in. Fitter Ian  
5 Lancaster came in from inbye and said that there had been an accident, so we took the loco back and put  
6 it in the shunt to let the ambulance car through to the track end. Barry Williams, driver of the ambulance  
7 car, asked us to go to the pit bottom and clear all vehicles so that the ambulance would have a clear run.  
8 We got the dolly car down to the pit bottom and when the ambulance arrived we hooked it to the dolly car  
9 and brought it to the surface. We then took the ambulance back underground in case it was needed again.  
10 ...

11

12

**WITNESS:**
**JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:**
**Page 1 of 1**

1

<b>Department Of Mines And Energy</b> <b>STATEMENT OF WITNESS</b>				STATEMENT NO:			
				DATE:		30/08/00	
NAME OF WITNESS: (In Full)		Darryl John Warwick				MARITAL STATUS:	
WITNESS ADDRESS:		Unit6, 14 Wilga Street, Blackwater		PLACE OF INTERVIEW:		Cook Colliery	
EMPLOYER:		Cook Resources		OCCUPATION:		Miner	
HOME PHONE:		4986 - 1944		WORK PHONE:		DATE OF BIRTH:	
INTERVIEWERS:		D Alcock					
OBSERVERS:							

2 I was working on day shift today as a cable hand/timberman in 12East panel. We had sumped into the  
3 first entry and Gary Dalbusco, the miner driver, was pulling the machine back from the face when it lost  
4 power. He couldn't get it restarted so we called for an electrician and put a couple of props behind the  
5 machine so that he could get in to restart the machine. Coal had fallen from the rib onto the machine. We  
6 went between the machine and rib and tried to re-set and use the remote control but it wouldn't start. We  
7 thought that some coal had hit the emergency stop and that was the problem. We stood a short prop on top  
8 of the miner to give warning if the roof was giving way. Someone was watching the rib, everything was  
9 quiet and nothing was working in the roof or rib. We didn't get as far as the emergency stop when the rib  
10 went 'whoosh'. John must have been between the the rib and the machine at the back, not far up. Out of  
11 the corner of my eye I saw a big piece of of rib falling, no noise before it fell, we were watching the rib  
12 but there was no noise. I yelled and took off. John was standing there in pain, had his arm caught with a  
13 piece of coal, at that point it seemed that his main concern was his arm. We got the coal off his arm, he  
14 was in a lot of pain saying "get this off me". One of his legs was caught so we moved the piece of coal  
15 that was trapping it. The big piece that got him didn't seem to be touching him but we rolled it out of the  
16 way. He was standing upright. We lifted him out approx. 20 metres away from the face area. While

**WITNESS:**

JUSTICE OF THE PEACE/  
COMMISSIONER FOR DECLARATIONS:

*Page 1 of 3*

1 someone went to get a stretcher and first-aid, we lay him on the ground in the most comfortable position  
2 that we could.

3 We put him on the stretcher when it arrived after approximately 15 to 20 minutes. We put him on the  
4 man-car and took him to the track end. I was not sure if the deputy was there when the accident happened  
5 but he was there when we were getting him out. The deputy made a 'phone call. John was sort fo talking  
6 but in a lot of pain and was filling up with air – blowing up.

7 On the way out we were talking to him, he was responding, until we got to the track end. I was right next  
8 to John on the way out and he seemed to be breathing virtually until we got to the track end. Emergency  
9 man-car was there, we started CPR. People doing it were myself, Gary Dalbusco, the deputy Greg  
10 Meredith, not sure of others. I have a CPR ticket. We carried on until the ambulance men arrived and they  
11 then took over. We started the CPR because we couldn't get a pulse because his neck was swollen and we  
12 didn't like the look of things.

13 I guess that the accident happened at 9.40am and the ambulance men arrived at 10.30am. This is very  
14 rough, only a guess because I didn't look at my watch.

15 When the machine stopped we tried the remote, etc. We didn't have a conference, it was mainly  
16 interaction between us.

17 There was power to the machine because the lights were on all the time even though the machine would  
18 not move.

19 I have worked on pillar extraction at two mines in NSW as well as at Cook. The HM9 continuous miner is  
20 a big, clumsy machine and too awkward for this type of work.

21 Some blokes went from here to Charbon in NSW to see the pillar extraction there.

22 I was involved in the pillar extraction risk assessment but this did not include sumping.

23 We had a talk in the training room before we started work in 12East, but it was not a big meeting.

**WITNESS:**



- 1 The HM9 has stopped before, sometimes it may stop half a dozen times in one day, then nothing the next.
- 2 This has been reported and I think that people from Joy have been to look at it.
- 3 I first drove this machine some 10 to 12 months ago. The performance has deteriorated since then. I was
- 4 driving ti full time until 5 months ago, Then I had a break and have only driven it intermittently since then
- 5 but noticed that the cutting ability was down.
- 6 I have not noticed any unplanned movements except that the head creeps down which is a bugger when
- 7 you are trimming the floor
- 8 When tramming, either forward or backward, if the conveyor was swung, then the machine would stop.
- 9 This may have been a safety feature.

**WITNESS:**