

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	11	Date	18/7/2000	Time	1409 hrs
STATEMENT OF							
Name of Witness (in full)	Michael Robert Bakhash			Age	50		
Inspector taking Statement:	Sergio Cespedes			Office	Mount Isa		
Address of Witness	10 Millen Crescent Mount Isa Qld 4825						
Occupation	Safety Advisor	Home Telephone: 07 4743 6295	Business Telephone: 0412 601711	Date of Birth	17/12/49		

States that

On Tuesday 18 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of, Brett Sweeney, Senior Constable Mount Isa Police and Hermann Fasching, Inspection Officer and Nicole Freeman, Assistant Mining Registrar – Native Title.

I started at Mount Isa Mines in 1966, four year apprenticeship as a Fitter and Turner started in 1966 finishing end of 1969. National Service 1970 to 1971. Fitter Mount Isa Mines 1971 to 1976. I went into Comet Agent Transport for about 6 years 1976 to 1982. Mount Isa Mines 1982 to 1988. Selwyn Gold for 12 months (1988 to 1989). Mount Isa Mines as a Fitter/Safety Advisor for about 4 years, Industrial Officer for about 18 months, Personnel Officer for about 2 years. Mount Isa Mines as a Fitter/Safety Advisor. Steamit Contractors say about 1997 to 1998 as a Safety Advisor. From 1998 to now I work for myself as a Safety Advisor.

I was involved in the previous week at the IDC (Isa Distribution Centre) with the George Fisher Project Management Team discussing isolation lock out and just a general discussion on what was going to happen at the shutdown, the requirements. The requirements of contractors. I was involved on the first night shift which was last Monday night 10th July 2000. Starting I was a getting a feel for all the contracts that were out there even though I had gone to the pre-meeting I wanted to familiarise myself fully with all the contracts that were happening.

The first couple of nights I spent familiarising myself, talking to the supervision and safety advisor of each contractor, doing inspections and general safety duties such as going to tool box talks and pre-start meetings. I attended Epoca, A.E.T., Perrigan pre-starts and tool box talks. I found them to be of good quality, that was on Monday, Tuesday and Wednesday. After three days of being a Safety Advisor on the night shift

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF MICHAEL ROBERT BAKHASH

I had a good feel for the work that was being performed and the total shutdown work area. High risk work was given more attention, once identified.

Thursday night shift finishes at 6:00 am the following day, 14th July 2000 we have a hand over to the day shift safety and discuss any incidents or safety breaches that happened throughout the shift. I was asked by the A.E.T Safety Advisor (Dave Ryan) go through the work that was happening that night which was lifting the rolls crusher out of the building using a 110 tonne mobile crane. I did a sweep of the building, identifying if barricading was necessary to complete the lift in a safe manner, Dave then presented George Fisher night shift co-ordinator (Peter Carley) and myself with a lift method statement on how the lift was going to be completed. Both Dave and myself went through the lift again and all the hazards associated with the lift eg. The radius of the crane with respect to where the 223 crusher was positioned, the barricade we had in place, and just a general overview of the total work area. He wanted to make sure that everything was alright with the lift.

We attempted the lift which according to specs was rated at approximately 11.5 tonne, the crane in its position was rated to lift approximately 13 tonne. While trying to complete the lift it was found that the weight was in excess of the mobile crane capacity. So it was going to lift too heavy. It was decided to lower the crusher back into place and proceed with dismantling the rolls and parts of the crusher to alleviate some of the weight. I think the Mount Isa Mines overhead crane for lifting in that areas was out of action because of faulty rope. I had no further involvement with this work as I was on safety duties elsewhere.

Question from Senior Constable Brett Sweeney "Could you describe to me your role as a Safety Advisor at the Sinter Plant?"

Michael Bakhsh replied "My role on night shift was co-ordinating safety with all the contractors involved and Mount Isa Mines maintenance safety advisor and supervisors doing inspections, attending meetings and having physical presence."

Question from Senior Constable Brett Sweeney "Would you define this lift as high risk?"

Michael Bakhsh replied "No, this lift was like any other normal lift which has risk involved but to me the risk was managed."

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CONTINUED STATEMENT OF MICHAEL ROBERT BAKHASH

Question from Senior Constable Brett Sweeney “When you do your shift hand over at the end of your shift what does that consist of?”

Michael Bakhash replied “Discussion of the days events, what safety breaches were seen, what happened through the shift, were there any incidents, do we need to have follow-up work done, what jobs are in progress, where the contractor is at with the job, so what part of the job he is at, how was each individual contractor going.”

Question from Senior Constable Brett Sweeney “On the morning of Friday 14th July 2000 who did you do your hand over to?”

Michael Bakhash replied “Roger Nicholls.”

Question from Senior Constable Brett Sweeney “Did you tell him of any follow-up work that needed to be done?”

Michael Bakhash replied “I told him what we tried to do on night shift, and the job was now going to be completed on day shift.”

Question from Senior Constable Brett Sweeney “Is any written record kept of your hand over?”

Michael Bakhash replied “We keep a safety log and it would be mentioned in that log. This log is only for bullet points, serves as a quick reminder of what happened through the shift.”

Question from Senior Constable Brett Sweeney “On a lift of this nature would you have recommended the use of radios between the rigger and crane driver?”

Michael Bakhash replied “I thought we had radios.”

Question from Senior Constable Brett Sweeney “Are you aware of or have you heard of any difficulties experienced in using two way radios in the part of the Sinter Plant?”

Michael Bakhash replied “I’m not aware of it.”

Question from Senior Constable Brett Sweeney “Did you see the 223 crusher frame when it was dismantled?”

Michael Bakhash replied “No.”

Question from Senior Constable Brett Sweeney “Did you see the 223 crusher spike roll being lifted?”

Michael Bakhash replied “No.”

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CONTINUED STATEMENT OF MICHAEL ROBERT BAKHASH

Question from Inspection Officer, Hermann Fasching “Were you involved in the development of the work method statement or the job safety analysis for the stripping and removal of the 223 crusher?”

Michael Bakhsh replied “No.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	15	Date	19/7/200	Time	11:02 hrs
STATEMENT OF							
Name of Witness (in full)	Kerry James Coe			Age	54		
Inspector taking Statement:	Sergio Cespedes			Office	Mount Isa		
Address of Witness	8 Rutherglen Circle Kinross Perth Western Australia						
Occupation	Shutdown Manager	Home Telephone:	0419199137	Business Telephone:	0419199137	Date of Birth	02/11/45

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence, Hermann Fasching, Inspection Officer, Peter McGarvey District Workers Representative and Michael Coonan Lawyer from Freehills.

I started my apprenticeship in 1961 as a boilermaker first class welder and completed this in 1966, I worked on construction work from the time I finished my apprenticeship on various construction jobs around Australia and New Zealand, as a tradesman and leading hand up to foreman's level and in about 1976 I went to Port Headland as a supervisor on ship repair work servicing iron ore carriers and heavy industrial work. I left that company and worked for another company in Port Headland and worked as a supervisor working on fixed industrial plant e.g. salt plant iron ore plants and heavy equipment mining equipment. I then worked for myself doing repairs and maintenance work on exploration oil rigs, I did that for about 6 months and then I was asked to join a company Hunting Begley doing the same work on rigs rebuilding pipes, oil jacks and exploration rigs and general work. The Hunting side of the business then pulled out and went back to England and I became a partner with Begley and I ran the Port Headland north west operation for about 5 years. I then left that job I worked then for Monadelphous Engineering Associates as a construction supervisor I was with them for 10 years and my final job there was as a construction manager for the company last 12 months there I did a stint in the Perth office as an estimator. Then I joined Bateman Kinhill Killborn, that was in Mount Todd as a construction supervisor I was there for a few months and I was asked to take a construction manager's job in Roxby Downs. From there I was asked to go and do a job in Turkey (a gold Mine) for Bateman Kinhill, from there I was at Bulong nickel mine, Roxby Downs and then to Mount Isa. My position at this moment is shut down manager with area of responsibility the Lead Smelter.

I work for Bateman Australia now, but Bateman Brown and Root was the company that formed an agreement with Mount Isa Mines to formulate the George Fisher integrated management team. The client is Mount Isa Mines Limited they have a

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CONTINUED STATEMENT OF KERRY JAMES COE

contract with Boulderstone Hornibrook and A.E.T under AS 2124 and the George Fisher Project is made up of a team of Bateman Brown and Root, Batepro and Mount Isa Mines Limited personnel (There is contract between MIM and the Bateman and Batepro partnership on the operation of the project team). The George Fisher Project have been appointed as the Superintendent to look after the works under AS2124. I report to Terry Stott who is the superintendent appointed by the George Fisher Project. Reporting to me I have Danny McManus and Peter Carley, the support people Roger Nichols, Zac Tepsic etc.

I was originally going to be heavily involved with the Lead Smelter work in November last year 1999, but I was asked then to look after the underground infrastructure work at Hilton, I did that job in conjunction with some works for the shut down I was not fully committed to the shut down work till about a month ago (end of May). Basically I was reviewing a lot of the procedures, in the shut down manual, I helped set up the isolation procedures and getting familiar with the works that needed to be carried out at the shut down. I had not got into the nuts and bolts of it at this stage it was a management overview due the timeframe I had prior to the shut down.

Basically I know the area of the Sinter plant I know the equipment that's coming out, the crushers and where they are going in the overall scheme of things. The sinter machine and the scope of the works to be carried out and also the scopes of the whole shutdown work.

The contractor as a part of the contract does the job safety analysis and before he does the job safety analysis he does a work method statement. Once the contractor has done his job safety analysis method statement they come through for review, we don't approve them as such if we see anything we point it out, we can't tell a contractor how to do his work providing that we consider the work he is doing is a safe and reasonable manner. The review of the job safety analysis is usually spread around between Danny Peter and myself, it is not just one person who does them, we have a lot of experienced people and a lot of work to get through and the load is spread. The job safety analysis and work method statements were based on risk assessments that were done and were started late last year and these were done by the George Fisher Project and then the contractor did one for each job. These were based on discussion and reviewing and the scope of works etc.

The contractors through toolbox meeting pre-start works passed on the relevant information through their systems I have not been to any of their meetings and the level of information passed is not known to me. Part of our contract states that contractors must have toolbox meetings a job safety plan (the job safety plan spells out how each particular contractor manages the safety of each particular contract our safety adviser reviews each one. They are not generic they are contract specific). We have one permanent safety officer throughout the met plant area that is Roger Nichols, when we came into the shut down we have Mick Bakhsh on the opposite shift. Our safety advisers have verbal communication with the contractor safety advisers on a

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CONTINUED STATEMENT OF KERRY JAMES COE

regular basis 90% of the time daily. The safety issues on every job are brought up with all the contractors at 11:00 am on a daily basis at the Contractors Co-ordination meetings.

The drawings issued for the contract were the basis of the scope and risk assessments (the drawing were from our Brisbane office but the information was provided by Mount Isa Mines Limited – I assume that's where the majority of it comes from). The risk assessments were predominantly done by people who were very familiar with the Lead Smelter maintenance and operation.

In relation to the original schedule from memory the Sinter Plant job was marginally ahead and looking as if it was going to come in ahead, there was no external pressure the company was not behind in their work.

This statement was prepared from a number of prompts by DME officers. I was then asked these following specific questions.

Question from Hermann Fasching: Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant?

A. no

Question from Hermann Fasching: Are you aware of any written or verbal instructions that crane drivers and riggers are to utilise two way radios when performing lifts of this type?

A. No I am not aware of any written or verbal instructions but the contractors were issued with radios that had dedicated crane channels for their use and each crane channel was set up to be unique to two radios.

Question from Hermann Fasching: What is the procedure to be followed if the work being carried out deviates from the stated job safety analysis or construction plan?

A. The contractor is to advise George Fisher Project supervision and they are to supply us with another job safety analysis and or construction plan.

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CONTINUED STATEMENT OF KERRY JAMES COE

Question from Peter McGarvey: Do the drawings and plans issued for the people doing the job safety analysis cover the machinery being dismantled?

A. The basis of doing a job safety analysis is a method statement and this is usually done by supervision, off the drawings, site visits and inspections to establish the difficulties in the constructibility and removal of equipment. The contractor gets all the information available at the time (including drawings and manuals), if the contractor requires more information the correct procedure is to submit a technical query and these are held on our management system files.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	1	Date	15 July 2000	Time	0918
STATEMENT OF							
Name of Witness (in full)		Michael John Gatty			Age	41	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		138 West Street Mount Isa					
Occupation	Supervisor		Home Telephone: 4743 6562	Business Telephone: 4749 1754	Date of Birth	24 August 58	

States that

On Saturday 15 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Senior Constable Brett Sweeney, Mount Isa Police and Peter McGarvey, District Workers Representative.

I started my apprenticeship as Boilermaker in 1974 at Mount Isa Mines, I became a tradesman in 1978 and I was employed at the Mount Isa Mines as a boilermaker approximately until 1985. Then as an apprentice instructor in various staff positions until 1990. I left the company on my own accord. I worked in my trade until 1995 in New South Wales. In 1996 I returned to Mount Isa and I worked as supervisor with contractors until the present time.

I started working with AET Operations in April 1998, I worked all this time in the Mount Isa area, 99% of this time at Mount Isa Mines plant areas. I started on this project as a supervisor, approximately two months ago doing preparation work for the Lead Smelter shutdown. This work consisted of structural beam replacements, etc. This work could be done prior to the shutdown taking place.

I started the Lead Smelter upgrade shutdown (George Fisher Project) on the 11 July 2000 as a supervisor at 0600 hrs. I have a crew of seven men working on the sinter machine refurbishment, that is on the top level of Sinter Plant.

On the 14 July 2000 I started the work at 0600 hrs basically to get the safety locks and permits to work and plan my job for the day, before the crew starts at 0700 hrs. Approximately 1230 hrs that day I instructed my crew that they could not work at the tip end of the Sinter Machine due to the 223 spike roller crusher removal crew working below that area. At approximately 1300 hrs I thought I would check the progress on the removal of the crusher from the levels below. I did this by standing on the top level of the sinter plant at the tip end of the sinter machine. At the northern end of the sinter machine there is a crane access void where the crusher was being removed, I was standing on the east side of the void facing west observing and trying

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CONTINUED STATEMENT OF MICHAEL JOHN GATTY

to gauge the approximate time the crane would take to lift the crusher to the top of the sinter plant, so I could carry on with my work tasks at the tip end of the sinter machine.

I observed the crane starting to lift the crusher from the horizontal position, the crane was rigged up to the northern end of the crusher frame. The process of lifting the crusher frame into the vertical position was assisted by two chain blocks which secured the southern end of the crusher frame to the plant structure to control and restrict the movement of the crusher frame during lifting to the vertical position. This process took approximately ten minutes. I then observed the rigger (Peter Comerford) disconnect the west chain block from the crusher frame while the frame was in the vertical position. Another person disconnected the east chain block from the crusher frame while the crusher frame was in the vertical position. Peter Comerford steadied the load with his hands to take any movement out of the crusher frame while it was hanging in the vertical position. Both people then moved away to the south with the chain blocks, There were no other tag lines (chains or ropes) connected to the crusher frame other than the main lifting chains connected to the overhead crane. I noticed the rigger (Peter Comerford) walked back out on to the platform, and stood approximately six feet away on the south western side of the vertical crusher frame.

It was at this point, approximately 30 seconds after Peter physically steadied the crusher frame when I saw an object falling out of the crusher frame in the direction of the rigger (Peter Comerford). Peter turned to the south, took one step and the object smashed onto the platform with a very loud noise. I moved to my right in a northerly direction to gain a better view of whether Peter Comerford got out of the path of the falling object. Instantly I observed Peter Comerford lying on the floor and I immediately rang 4744 2222 (2222 is the emergency response number for MIM) on my mobile phone. The crane driver (Jason Pincott) yelled ring 2222. I spoke to the operator and advised that there has been a very serious accident at the Lead Smelter at Mount Isa Mines. At the time of the accident the crusher frame was hanging vertically, the long axis of the crusher frame was facing direct east west. The crusher frame was hanging vertical without movement of any kind.

After the phone conversation I ran down from the top of sinter plant to the emergency response point, 400 to wait for the ambulance to arrive as there were numerous personnel at the accident site.

Question from Rob O'Sullivan:

"Michael, were you involved in any of the planning activities in respect to the work at the accident site?"

Michael: "Yes, site inspection of what plant structure had to be removed to gain access for the crusher removal, this involved the removal of 224 dust hood section, which did not involve the actual removal of the crusher frame. I told the personnel involved that they would have to attach the wheels to the crusher frame so as to allow the removal of the crusher. It was originally intended to remove the crusher complete without flywheels attached. To the best of my understanding the approximate weight

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CONTINUED STATEMENT OF MICHAEL JOHN GATTY

of the crusher was eleven or twelve tonnes (we knew that the crane could lift 15 tonnes safe working load). I think at the time the overhead crane had a damaged rope rendering it inoperable. It was then decided to bring in a 110 tonne mobile crane to attempt to lift the crusher out. After positioning the mobile crane into the best possible position it was found the safe working load at that particular radius was 12.4 tonnes. As far as I know, they tried to lift the crusher out extending the crane to 12 tonnes which was not sufficient to lift the crusher safely. I think it was then decided to separate the crusher rolls and lift them out individually. Each crusher roll was found to weigh 4.2 tonnes.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 15th day of July 2000.

Witness

Justice of the Peace

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	20	Date	20/7/00	Time	10:03a m
STATEMENT OF							
Name of Witness (in full)		Peter John Gill			Age	39	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		26 Joan Street, Mount Isa					
Occupation	Operations Supervisor		Home Telephone: 47431069	Business Telephone: 47443886	Date of Birth	09/08/60	

States that:

On Thursday 20 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of, Senior Constable Brett Sweeney, Mount Isa Police and Hermann Fasching, Inspection Officer.

I am a rigger/dogman and crane driver I've been with Brambles in Mount Isa for nearly 3 years. I was employed here as a trainee supervisor and crane driver. Before that I was in Mackay with Brambles employed as a crane driver for approximately 4 months. Before that I worked for Walter Wright Queensland also in Mackay as a crane driver for a period of approximately 2 years. Prior to that I worked with Brambles in Mackay as a crane operator for 2 years, prior to that I worked for Mackay Port Authority as a crane operator for 9 months, prior to that going back to about mid 1991 I was on a working holiday working around Australia, just casual work basically. Before that I worked in Brisbane for Aitken Cranes Walter Wright for approximately 2 years as a crane operator. Prior to that I worked for Caboolture Crane hire as a crane operator for 6 months. Approximately 12 to 18 months was just casual work for various companies in Brisbane as a crane operator/rigger. Two years prior to this I worked for Ampol Refineries Limited in Brisbane. Before I went to work for Ampol I spent probably 4 years working for various constructions sites in Brisbane where I obtained my certificate as a dogman and was getting me time up as a rigger. Whilst I was working for Ampol I obtained my riggers and crane driver tickets.

I started on the Mount Isa Mines Lead Smelter shutdown with a 70 tonne mobile crane at 7:00am on Tuesday 11th July 2000. I was doing 12 hour dayshifts and I had one of my operators doing the night shift. I was there every day shift right up until Friday 14th July 2000, the crane was actually hired for four 24 hour shifts which would have finished 7pm Friday 14th July 2000. The first two days the Tuesday and Wednesday my crane was on the north eastern edge of the Sinter Plant and I was working for Baulderstone, but those 2 days Baulderstone had me working with Mount Isa Mines workers. On the Thursday 13th July 2000 I was in the same spot doing general lifts for MIM, Baulderstone and various other contractors who required lifts. On Friday 14 July 2000 morning when I started work the crane was set-up in the same position as it

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CONTINUED STATEMENT OF PETER JOHN GILL

was when the accident happened. The nightshift crane driver told me that we had to lift the crusher out and to do this it would need to be disassembled. My first 2 lifts were the rolls, which by memory were about 3.5 tonne each, I lifted a cover or something else out and then I hooked onto the crusher. The hook from my crane went right down into the Sinter Plant and the crusher I was hooked up to was I think on the first level. Peter Comerford was my rigger our means of communication was by two way radios which had been supplied (AET blokes have them to me, I think Peter Comerford gave me the radio) and worked quite well. Peter Comerford and I spoke about the lift and I needed to know how heavy it was because all the work I was doing in that area I had the fly jib fitted to the crane, which could only lift 7.5 tonne My load indicator showed that I had 1.1 tonne before I hooked up to the crusher. Peter Comerford said he thought the crusher was only about 6 tonne so I said yeah we'll give it a go then. Whenever I refer to loads of weights in this statement that is the total load including fly jib, hooks, lifting gear.

The way we came to decide it was 6 tonne was that we were told the original weight of the crusher was about 11 tonne and then we worked out how much weight we had removed from the crusher. I'm not a hundred percent sure but I think we might have hooked up to the crusher with the 3/8 chains I have the VIP's (these are a higher standard and have a greater lifting capacity than the other). I said to Torren at this time that I will need some bigger chains and I will go to the workshop and get some 16 mm chains. They had a set of 20mm chains there and told me to use those. So I hooked on to those and I noticed that as the hook was dropping down onto the load that the hammerlock was seized, as it wasn't straight, this was the hammerlock closest to me. This was the eastern chain. I assumed that because of the environment that it had a bit of lead slurry in it.

We hooked onto crusher with these chains and took a bit of weight after taking considerable weight the hammerlock did move but it still was not straight. So I called Peter Comerford on the two way and advised him that I could see that problem. At this stage I lowered the weight off the crane, Peter Comerford inspected the hammerlock, Torren Bocos went and got some penetrene and gave it to Peter Comerford who then poured the penetrene over the hammerlock and tried to free it up. He wasn't able to straighten out so he told me to take them out and go and get my chains.

At this time I went to the workshop and got my 16mm VIP chains. I returned to the Sinter Plant, hooked them onto the hook and I lowered them down to the crusher level. Peter Comerford was hooking one of the chains on and someone was hooking the other one on. I lifted the crusher to near vertical position and I could see at this stage I already had approximately 6 tonne, and I could tell by looking at the crusher that it was going to be heavier than first thought, so I advised Peter Comerford by two way that I wasn't happy lifting it on the fly jib, I told him if we can unhook it and I'll poke the boom out a little more and I'll tell you how much I can lift on the main hook. I poked the boom out to 39.9 metres at which time I was good from memory about 10.6 tonne. Peter Comerford said (via radio) the hook was right over the crusher so

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comprising 5 Pages.

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CONTINUED STATEMENT OF PETER JOHN GILL

we were right to lift it. I told Peter Comerford (via radio) that I would have to remove the fly jib to get the weight down, before I could do the lift.

Peter Comerford agreed and guided my hook out of the building I then slewed around to retract the boom to remove the fly jib but before I did that a Bullivants ute pulled up beside the crane with a new rope for the overhead crane. I lifted the rope to the top of the Sinter Plant and then proceeded to retract boom and to remove the fly. I took the fly by franner crane back to our (Brambles) yard for safe keeping and when returning to the Sinter Plant I saw Torren Bocos. Torren told me that they had moved the overhead crane up to where we were working and had already taken the winch rope off it and therefore I could not drop my hook back down there to lift the crusher as the overhead crane was in the way.

He said once they replaced the rope they would no longer need my crane, as the overhead crane could perform that lift once it was repaired. I asked Torren if I could have my chains back as they were still attached to the crusher and he told me he would look after them. At that stage I went and had smoko. After smoko I went back to the Sinter Plant to see if there was anything else I could do, I went up into the Sinter Plant to see Peter Comerford and spoke to him about my chains, I told him I wanted them back after the lift. While I was there I explained to him the safe use of the shorteners. The shorteners were hooked up the wrong way (I had seen this from the ground). I spoke to Torren and they put the load back down and put the shorteners round the right way. Before leaving I spoke to Peter Comerford just to explain to him why we hooked the shorteners that way and why we shouldn't hook them the other way, he was quite happy with that.

At that stage I left the Sinter Plant and went straight to Mark Ezzys office to see if he had any other work as the crane was free. At that stage which was approximately 2 or 3 minutes after I spoke to Peter Comerford we heard a crashing noise in the plant, Mark Ezzy and I looked out his office window and saw the crusher swinging from the crane and dust coming from the Sinter Plant. I ran straight over, I didn't go up into the Sinter Plant I went onto the ground floor of the Plant and from a safe spot tried to see what was going on. That's when I saw Peter Comerford lying down obviously badly hurt and I ran back and told Mark Ezzy we had a man down. Mark had already rung the authorities.

Question from Hermann Faching "When you were first made aware of that lift with the crusher and Peter Comerford spoke to you, did he show you or did he speak to you about a lift plan for that lift?"

Peter Gill replied "I asked him how they were going to hook it on and how they were going to lift it and he said that they were going to hook me onto the end of the building where the lift well is, where I was to take lift it approximately 6 to 8 inches so as he could chock the crusher off the rails which would allow him to then wrap the chains right around the main body of the crusher. I said how am I going to pull it out of the building are you going to tail it and he said yeah we'll have a couple of chain

This is Page 3 of a Statement comprising 5 Pages.		
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF PETER JOHN GILL

blocks of the end until we get it into the vertical position. And then he said we'll release the chain blocks and then I would just lift it out. He said we would then lift it out and tail it with a Franner to bring it back to the horizontal position to put it on the ground. As far as a lift plan, I don't know if they had a written lift plan or anything like that."

Question from Hermann Faching "When was the last time the crane computer you were operating was calibrated in relation to the accuracy of the weight it measures?"

Peter Gill replied "It was actually tested on 16/12/99, but never actually calibrated."

Question from Hermann Faching "How often is that calibrated and was that computer within its calibration time on the 14th July 2000?"

Peter Gill replied "We have a machinery inspection on the cranes every 12 months, part of that inspection is to accuracy of the weight gauge, the boom angle all that. It was fine when it was last tested. Through experience from the crane drivers myself and one other bloke that drives it we constantly as a prestart we are always checking the weights, how we do that we have counter weights that we check the crane with and check the computer because we have a fair idea of what the counterweight weighs."

Question from Sergio Cespedes "What is the normal procedure when the signals from the rigger are not clear?"

Peter Gill replied "If they are not clear myself, I would ask the rigger, if I can't hear them or I can't understand them I don't do anything. So basically two way radio is one of the best I find other than visual, it's the next best thing, because it's instant."

Question from Sergio Cespedes "Was the instructions given by the rigger clearly understandable?"

Peter Gill replied "Absolutely. The majority of the time when Peter Comerford was giving instructions with the radio he would pull his respirator down and speak in to the radio. I could sometimes see him and he would give hand signals. Earlier in the day Peter Comerford had been talking to me on the radio and I couldn't hear him. We weren't lifting anything at the time. He came back later and I don't know whether he got a new radio or battery and he said can you hear me and I could."

Question from Brett Sweeney "Have you ever been involved in lifts when the two way radios were fitted direct to the respirator?"

Peter Gill replied "No."

Question from Brett Sweeney "Are you aware or have you heard of any difficulties experienced with two way radios in that part of the Sinter Plant?"

			This is Page 4 of a Statement comprising 5 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF PETER JOHN GILL

Peter Gill replied “What I said above is the only time I have ever had a problem or heard of a problem.”

Question from Brett Sweeney “When you are performing lifts does either the computer or yourself keep a record of boom angle, safe working load or any other details ?”

“I couldn’t tell you 100 % with the computer this system the Licon you may be able to get information out of it. I know that with the later models you can. It may be possible. I myself do but only on particular jobs. For instance in the Sinter Plant 90 % of my lifts were out of sight, therefore most of the time you are really picking up from the same spot, so I am just looking at my boom angle and radius.

Question from Brett Sweeney “Did you keep any written records of the lifts you performed on 14th July 2000 ?”

Peter Gill replied “No. We do lift procedures if it is a multiple crane lift, you are working on power lines, if it is 90 % of the capacity of the crane, so basically none of the lifts we did in the Sinter Plant were in that range, we do have hazard sheets for every job basically a tick list the operators goes through in every job just to assess the dangers if you like.”

Question from Brett Sweeney “Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing lifts ?”

Peter Gill replied “No.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 5 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 20th day of July 2000.

Witness

Justice of the Peace

			This is Page 5 of a Statement comprising 5 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	14	Date		Time	08:16 hrs
STATEMENT OF							
Name of Witness (in full)		Barry Hall			Age	50	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		55 Forrest Street Barham NSW					
Occupation	Project Manager		Home Telephone: 03 54532851	Business Telephone: 0419739924	Date of Birth	15/01/50	

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Hermann Fasching, Inspection Officer and Peter McGarvey District Workers Representative.

I was an apprentice fitter and machinist five year apprenticeship with Colville Engineering, Following this I had 26 years in the construction industry on the tools, as a leading hand, foreman and superintendent. Then I was construction manager and project manager with about four years in that role. At the moment I am the project manager for Baulderstone Hornibrook in the Sinter Plant shut down works at the Mount Isa Mines Lead Smelter.

I have been on the Sinter Plant project since the date of award which was the 9th March 2000. In actual fact I was probably involved earlier I was involved in another project in the Lead smelter and I was involved in some of the pre-tender work. It came out for tender before Christmas last year, I was actually involved in the flux bin project in the lead smelter and at that tender time we attended the site visit and became familiar with the sinter plant. We won (Baulderstone Hornibrook – A.E.T.) the job and then we started in late March early May 2000 to place orders for the fabrication of the components we required to upgrade the sinter plant, this also included pre-shut down works consisting of 12 hour shutdowns every fortnight. Baulderstone Hornibrook and A.E.T Operations have an agreement of association for any work in this region, Baulderstone Hornibrook supply the management, systems and some supervision when required and A.E.T. Operations supplying supervision and labour.

My role as the project manager is to oversee the project in relation to contractual issues, organisation of the personnel to do the job, overview the schedule and of course look after the purse strings. I work dayshift mainly and if needed I will work nightshift if there is a problem that requires my attention. I report to Frank Castellari (Operations Manager – Baulderstone Hornibrook – Sydney based) and reporting to me directly on the Baulderstone side there is the project planner (Michael McIlveen),

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF BARRY HALL

Stuart Wilton (Nightshift supervisor) and the administration officer (Rohnda Moore). Kevin Bocos is the nominated supervisor (A.E.T.) and he is the main focus from the A.E.T side in the association i.e. he is not only the supervisor on this job but he is an A.E.T director I believe. Even though the A.E.T safety advisers report to Kevin Bocos they also report to me. The association between Kevin and myself is close we, basically I look after the contractual side and Kevin Bocos knows the plant and the people. In fact I think Kevin Bocos probably knows it better than most. The A.E.T personnel report to Kevin Bocos in real terms and the Baulderstone personnel report to me. There is an informal process on the project where if I ask A.E.T personnel to do something they do and visa versa for Kevin with the Baulderstone personnel. If there was difference of opinion between Baulderstone and A.E.T personnel on site Kevin and I would get together and sort it out.

All correspondence from George Fisher is directed to myself and all correspondence directed to George Fisher Project is from myself (on behalf of the Baulderstone Hornibrook – A.E.T association). I report to Terry Stott (Contract Superintendent) for the George Fisher Project, all direction is written and is normally in the form of a site instruction either to proceed with something or not to do something.

Part of the contract requirement is for a construction program to be submitted for approval by George Fisher, This program is a level 3 program and is done on a system called Sure Track. It basically details every activity in sequence or logical steps. e.g. you will have an area and it will break the area up into what is actually required, you have the overall project and you break it out into the sub areas and in the sub areas you break it out into detail for the sub area. It's based on the number of man-hours and duration's of activities. It's developed around the scope of work in the contract document and together those two documents give you a step by step plan of work.

To control the work in the Sinter Plant we have the program I spoke about and that gives you the time frame when to do the work i.e. when you need to start and when you need to have it finished. Attached to that for the control of the works out there is a quality plan which consists of ITP (inspection test plans) and mechanical installation check list sheets (they are basically to check the work once complete and is done in accordance with the contract documents). The other control method we use is the safety management plan, that consists of all the safety requirements for the project i.e. department requirements, clients requirements and requirements to do the job i.e. method statements and job safety analysis, toolbox meetings and pre-start meetings.

The work method statements and job safety analysis are developed directly from the scope of work, the schedule and the actual physical going out and looking at the job. These job safety analysis were developed prior to the shut down commencing (approximately 2 weeks prior to the shut down) by the safety advisers and the supervisors. That needed to be done that way because all job safety analysis had to be approved by George Fisher and Mount Isa Mines, this would take approximately 24 hours to turn around. There was no workforce involvement, as we did not have the full compliment of workers on the site. Once the method statements and job safety

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF BARRY HALL

analysis were developed and approved, and we had the men on site the supervisors would go through the job with the men at toolbox meetings. The method statement is developed first and is then used to develop the job safety analysis. In the case where the job deviates from the job safety analysis, it is up to the supervisor on the job to make the changes (let the boys know there is a change to plan) and then ensure these are followed. Depending on the magnitude of the problem will depend on whether it brought to the attention of the main supervisor or the safety advisers and maybe even myself.

In relation to the sinter plant crusher 223 it was planned from the start to pull it out piece meal (disassemble it to a point and then lift it out). To my knowledge the changes to lifting it out in one piece came about when they had the problems with the Mount Isa Mines overhead crane i.e. the rope bird caging. There was some talk about the weight of the 223 crusher, I spoke to Kevin Bocos (I can't recall the date or time but it was prior to it happening) and whether it had been out in one piece before. The drawing we had a weight of 11 tonne. Really there wasn't a problem to change from taking out in pieces or one piece i.e. the overhead crane could handle the lift either way.

I did not go to the 223 crusher area at any stage after the shut down commenced on Tuesday 11th July 2000.

Question from Peter McGarvey: When the Job Safety Analysis is being developed did the people developing the Job Safety Analysis have access to plans and drawings of the machinery to be dismantled?

A. Yes, they have access to all the drawing we were issued, the level of detail definitely lacks in some instances. The information we have on the entire sinter plant is ordinary in my view.

Question from Peter McGarvey: When the supervisors make changes to Job Safety Analysis on the jobs do they record those changes and inform the following shift coming on?

A. I don't believe they are recorded, we do a half-hour handover with the supervisors at the changeover of shift.

Question from Hermann Fasching: Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the sinter plant?

A. Yes.

Question from Hermann Fasching: What was that?

A. The issue was raised twice with radios, one problem they encountered and this was early in the piece was cross channel (like somebody coming over the top of them when they are working i.e. the rigger and the crane driver), I know this because I had a base radio in the office. The other issue raised on the use of radios in that environment

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CONTINUED STATEMENT OF BARRY HALL

due to having to wear a respirator (Kevin Bocos raised that at the daily George Fisher shut down meeting).

Question from Hermann Fasching: Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing this type of lift?

A. No.

Question from Sergio Cespedes: Is there any involvement or communication with the Mount Isa Mines Lead Smelter personnel or supervision during the development of the project?

A. Contractually no, we deal directly with George Fisher. However our supervision and workforce do have contact with Lead Smelter maintenance personnel.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

			This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	21	Date	21/07/2000	Time	08:04
STATEMENT OF							
Name of Witness (in full)	John Robert Hart			Age	61		
Inspector taking Statement:	Sergio Cespedes			Office	Mount Isa		
Address of Witness	19 Joan Street Mount Isa QLD						
Occupation	Crane Operator	Home Telephone:	074743 5010	Business Telephone:	Date of Birth	08/06/39	

States that

On Friday 21 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Hermann Fasching, Inspection Officer Peter McGarvey District Workers Representative.

I been in the crane industry for about 25 to 30 years and in Mount Isa for the last 16 years and on the coast in the construction industry all over Queensland as a crane operator working for quite a few different companies including Transfield, Clyde Ryan and Dodge, Simon Carves and others. I am working for Epoca now and have been for the past 2 years as a crane operator.

I was called in to see if I could do the lift of the 223 crusher in the Lead Smelter on Thursday 13th July 2000 at 7:00 pm. This was the time I arrived at the Lead Smelter with the Epoca 110 tonne Kaupp hydraulic crane. I spoke to Mr Kevin Bocos and he introduced me to the riggers and the people involved in the work they were doing, and do a test lift to see if I was able to lift it. Then the rigger (I can't remember his name) in charge had a pre-start meeting with me and the people involved (there were four or five others at the meeting but I can't remember their names). At the meeting we discussed what the job involved and what they were going to do, they wanted to lift it out in one piece. Then we continued on to set the crane in position and check radius of the crane for the safe working load, I think the radius was 12.5 metres and the safe working load was 13 tonnes with a 50 metre boom.

I was given a weight of 11 tonnes (that's what they estimated it at). This information was provided to me by one of the George Fisher men but I didn't get his name. Then my estimation was that it was heavier than 11 tonnes (this was from looking at it outside the building form the ground and I had also seen the 223 crusher many times before in past jobs at the Lead Smelter). I was not sure of the correct weight, so we set about to lift one end and see how much the weight of crusher went to. I took it to 10 tonnes then decided we would get a four point lift before I even attempted to lift it out. As we took the four point lift my weight went to 13 tonnes and the crusher had not looked to be lifting at all. What we call it the machine hadn't cracked. That was it as it was too heavy for my crane. The weights that I am talking about came off the crane's

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF

computer load readout. The scales on this crane had been calibrated and checked approximately 6 weeks ago this was carried out by Les Sporum (he works for Epoca), the crane has also been checked by Meers Construction (I think that's what they are called). That's when it was decided it was outside of my lifting capacity, I packed the crane up and left the site.

Question from Hermann Fasching "On the night of the 13th of July did you go up into the 223 crusher level?

John Hart replied "I didn't go the crusher level, I went in underneath".

Question from Hermann Fasching "While you were performing the lifts how did you communicate with the rigger?

John Hart replied "Hand signals and a two way. We used hand signals for the actual lift but I could talk to him through the two way"

Question from Hermann Fasching" How well could you see the hand signals given by the rigger?

John Hart replied "Quite good. The site was flood lit lighting".

Question from Hermann Fasching" How well could you hear the rigger through the two way radio?

John Hart replied "Quite clear".

Question from Hermann Fasching "Did you experience any problems with the two way radio while you were on site?

John Hart replied "No I didn't experience any problems"

Question from Hermann Fasching" Who provided you with the two way radio that you were using?

John Hart replied "I think it was a George Fisher bloke that gave it to me"

Question from Hermann Fasching "Did you see or were you involved in the preparation of a documented lift plan for the crusher lift you were asked to perform?

John Hart replied "I wasn't involved in it at that time, but I was going to be if I was able to lift it out, I was only doing a test to see if I could crack it".

Question from Hermann Fasching" Who told you that if you were able to lift it there would be a lift plan developed or written out?

John Hart replied "That was what I told them. That was what we would have to do".

Question from Hermann Fasching" Where was your crane positioned for the lift?

John Hart replied "The crane was positioned at the north east corner of the sinter plant and the crane was facing towards the northern end of the office block".

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF

Question from Hermann Fasching Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant?

John Hart replied “No more than anywhere else”.

Question from Hermann Fasching When you say no more than anywhere else what do mean by this?

John Hart replied “The two way system you can have problems at any time anywhere. I always try and have a backup plan in place if the radio fails”.

Question from Hermann Fasching Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing lifts of this type in the Lead Smelter shut down area?

John Hart replied “I wasn’t aware of anything written”.

Question from Hermann Fasching What about verbal instructions?

John Hart replied “You usually always talk to your rigger and get someone to watch from somewhere if you think you are going to have problems”.

Question from Sergio Cespedes For how long were you working at the Lead Smelter that night?

John Hart replied “About 8 hours all up”.

Question from Sergio Cespedes Do you remember what time you left the Lead Smelter?

John Hart replied “At about 2:30 am on Friday 14th July 2000”.

PM Do you have a standard work procedure for the use of radios when doing these types of lifts?

John Hart replied “I do, you get the rigger to keep talking if they stop talking I stop because your not sure if the radio is going to play up or not.”

Question from Peter McGarvey Do you know if there is a written standard work procedure requiring the use of radios to do these types of lifts?

John Hart replied “No, I don’t. I get my own plan I don’t rely on radios because they could cut out at any time.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and

			This is Page 3 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF

- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 21st day of July 2000.

Witness

Justice of the Peace

		This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	15	Date	19/7/200	Time	11:02 hrs
STATEMENT OF							
Name of Witness (in full)	Kerry James Coe			Age	54		
Inspector taking Statement:	Sergio Cespedes			Office	Mount Isa		
Address of Witness	8 Rutherglen Circle Kinross Perth Western Australia						
Occupation	Shutdown Manager	Home Telephone:	0419199137	Business Telephone:	0419199137	Date of Birth	02/11/45

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence, Hermann Fasching, Inspection Officer, Peter McGarvey District Workers Representative and Michael Coonan Lawyer from Freehills.

I started my apprenticeship in 1961 as a boilermaker first class welder and completed this in 1966, I worked on construction work from the time I finished my apprenticeship on various construction jobs around Australia and New Zealand, as a tradesman and leading hand up to foreman's level and in about 1976 I went to Port Headland as a supervisor on ship repair work servicing iron ore carriers and heavy industrial work. I left that company and worked for another company in Port Headland and worked as a supervisor working on fixed industrial plant e.g. salt plant iron ore plants and heavy equipment mining equipment. I then worked for myself doing repairs and maintenance work on exploration oil rigs, I did that for about 6 months and then I was asked to join a company Hunting Begley doing the same work on rigs rebuilding pipes, oil jacks and exploration rigs and general work. The Hunting side of the business then pulled out and went back to England and I became a partner with Begley and I ran the Port Headland north west operation for about 5 years. I then left that job I worked then for Monadelphous Engineering Associates as a construction supervisor I was with them for 10 years and my final job there was as a construction manager for the company last 12 months there I did a stint in the Perth office as an estimator. Then I joined Bateman Kinhill Killborn, that was in Mount Todd as a construction supervisor I was there for a few months and I was asked to take a construction manager's job in Roxby Downs. From there I was asked to go and do a job in Turkey (a gold Mine) for Bateman Kinhill, from there I was at Bulong nickel mine, Roxby Downs and then to Mount Isa. My position at this moment is shut down manager with area of responsibility the Lead Smelter.

I work for Bateman Australia now, but Bateman Brown and Root was the company that formed an agreement with Mount Isa Mines to formulate the George Fisher integrated management team. The client is Mount Isa Mines Limited they have a

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF KERRY JAMES COE

contract with Boulderstone Hornibrook and A.E.T under AS 2124 and the George Fisher Project is made up of a team of Bateman Brown and Root, Batepro and Mount Isa Mines Limited personnel (There is contract between MIM and the Bateman and Batepro partnership on the operation of the project team). The George Fisher Project have been appointed as the Superintendent to look after the works under AS2124. I report to Terry Stott who is the superintendent appointed by the George Fisher Project. Reporting to me I have Danny McManus and Peter Carley, the support people Roger Nichols, Zac Tepsic etc.

I was originally going to be heavily involved with the Lead Smelter work in November last year 1999, but I was asked then to look after the underground infrastructure work at Hilton, I did that job in conjunction with some works for the shut down I was not fully committed to the shut down work till about a month ago (end of May). Basically I was reviewing a lot of the procedures, in the shut down manual, I helped set up the isolation procedures and getting familiar with the works that needed to be carried out at the shut down. I had not got into the nuts and bolts of it at this stage it was a management overview due the timeframe I had prior to the shut down.

Basically I know the area of the Sinter plant I know the equipment that's coming out, the crushers and where they are going in the overall scheme of things. The sinter machine and the scope of the works to be carried out and also the scopes of the whole shutdown work.

The contractor as a part of the contract does the job safety analysis and before he does the job safety analysis he does a work method statement. Once the contractor has done his job safety analysis method statement they come through for review, we don't approve them as such if we see anything we point it out, we can't tell a contractor how to do his work providing that we consider the work he is doing is a safe and reasonable manner. The review of the job safety analysis is usually spread around between Danny Peter and myself, it is not just one person who does them, we have a lot or experienced people and a lot of work to get through and the load is spread. The job safety analysis and work method statements were based on risk assessments that were done and were started late last year and these were done by the George Fisher Project and then the contractor did one for each job. These were based on discussion and reviewing and the scope of works etc.

The contractors through toolbox meeting pre-start works passed on the relevant information through their systems I have not been to any of their meetings and the level of information passed is not known to me. Part of our contract states that contractors must have toolbox meetings a job safety plan (the job safety plan spells out how each particular contractor manages the safety of each particular contract our safety adviser reviews each one. They are not generic they are contract specific). We have one permanent safety officer throughout the met plant area that is Roger Nichols, when we came into the shut down we have Mick Bakhsh on the opposite shift. Our safety advisers have verbal communication with the contractor safety advisers on a

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CONTINUED STATEMENT OF KERRY JAMES COE

regular basis 90% of the time daily. The safety issues on every job are brought up with all the contractors at 11:00 am on a daily basis at the Contractors Co-ordination meetings.

The drawings issued for the contract were the basis of the scope and risk assessments (the drawing were from our Brisbane office but the information was provided by Mount Isa Mines Limited – I assume that's where the majority of it comes from). The risk assessments were predominantly done by people who were very familiar with the Lead Smelter maintenance and operation.

In relation to the original schedule from memory the Sinter Plant job was marginally ahead and looking as if it was going to come in ahead, there was no external pressure the company was not behind in their work.

This statement was prepared from a number of prompts by DME officers. I was then asked these following specific questions.

Question from Hermann Fasching: Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant?

A. no

Question from Hermann Fasching: Are you aware of any written or verbal instructions that crane drivers and riggers are to utilise two way radios when performing lifts of this type?

A. No I am not aware of any written or verbal instructions but the contractors were issued with radios that had dedicated crane channels for their use and each crane channel was set up to be unique to two radios.

Question from Hermann Fasching: What is the procedure to be followed if the work being carried out deviates from the stated job safety analysis or construction plan?

A. The contractor is to advise George Fisher Project supervision and they are to supply us with another job safety analysis and or construction plan.

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF KERRY JAMES COE

Question from Peter McGarvey: Do the drawings and plans issued for the people doing the job safety analysis cover the machinery being dismantled?

A. The basis of doing a job safety analysis is a method statement and this is usually done by supervision, off the drawings, site visits and inspections to establish the difficulties in the constructibility and removal of equipment. The contractor gets all the information available at the time (including drawings and manuals), if the contractor requires more information the correct procedure is to submit a technical query and these are held on our management system files.

OATHS ACT 1867-1988

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.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

			This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	21	Date	21/07/2000	Time	08:04
STATEMENT OF							
Name of Witness (in full)	John Robert Hart			Age	61		
Inspector taking Statement:	Sergio Cespedes			Office	Mount Isa		
Address of Witness	19 Joan Street Mount Isa QLD						
Occupation	Crane Operator	Home Telephone:	074743 5010	Business Telephone:	Date of Birth	08/06/39	

States that

On Friday 21 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Hermann Fasching, Inspection Officer Peter McGarvey District Workers Representative.

I been in the crane industry for about 25 to 30 years and in Mount Isa for the last 16 years and on the coast in the construction industry all over Queensland as a crane operator working for quite a few different companies including Transfield, Clyde Ryan and Dodge, Simon Carves and others. I am working for Epoca now and have been for the past 2 years as a crane operator.

I was called in to see if I could do the lift of the 223 crusher in the Lead Smelter on Thursday 13th July 2000 at 7:00 pm. This was the time I arrived at the Lead Smelter with the Epoca 110 tonne Kaupp hydraulic crane. I spoke to Mr Kevin Bocos and he introduced me to the riggers and the people involved in the work they were doing, and do a test lift to see if I was able to lift it. Then the rigger (I can't remember his name) in charge had a pre-start meeting with me and the people involved (there were four or five others at the meeting but I can't remember their names). At the meeting we discussed what the job involved and what they were going to do, they wanted to lift it out in one piece. Then we continued on to set the crane in position and check radius of the crane for the safe working load, I think the radius was 12.5 metres and the safe working load was 13 tonnes with a 50 metre boom.

I was given a weight of 11 tonnes (that's what they estimated it at). This information was provided to me by one of the George Fisher men but I didn't get his name. Then my estimation was that it was heavier than 11 tonnes (this was from looking at it outside the building form the ground and I had also seen the 223 crusher many times before in past jobs at the Lead Smelter). I was not sure of the correct weight, so we set about to lift one end and see how much the weight of crusher went to. I took it to 10 tonnes then decided we would get a four point lift before I even attempted to lift it out. As we took the four point lift my weight went to 13 tonnes and the crusher had not looked to be lifting at all. What we call it the machine hadn't cracked. That was it as it was too heavy for my crane. The weights that I am talking about came off the crane's

		This is Page 1 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF

computer load readout. The scales on this crane had been calibrated and checked approximately 6 weeks ago this was carried out by Les Sporum (he works for Epoca), the crane has also been checked by Meers Construction (I think that's what they are called). That's when it was decided it was outside of my lifting capacity, I packed the crane up and left the site.

Question from Hermann Fasching "On the night of the 13th of July did you go up into the 223 crusher level?

John Hart replied "I didn't go the crusher level, I went in underneath".

Question from Hermann Fasching "While you were performing the lifts how did you communicate with the rigger?

John Hart replied "Hand signals and a two way. We used hand signals for the actual lift but I could talk to him through the two way"

Question from Hermann Fasching" How well could you see the hand signals given by the rigger?

John Hart replied "Quite good. The site was flood lit lighting".

Question from Hermann Fasching" How well could you hear the rigger through the two way radio?

John Hart replied "Quite clear".

Question from Hermann Fasching "Did you experience any problems with the two way radio while you were on site?

John Hart replied "No I didn't experience any problems"

Question from Hermann Fasching" Who provided you with the two way radio that you were using?

John Hart replied "I think it was a George Fisher bloke that gave it to me"

Question from Hermann Fasching "Did you see or were you involved in the preparation of a documented lift plan for the crusher lift you were asked to perform?

John Hart replied "I wasn't involved in it at that time, but I was going to be if I was able to lift it out, I was only doing a test to see if I could crack it".

Question from Hermann Fasching" Who told you that if you were able to lift it there would be a lift plan developed or written out?

John Hart replied "That was what I told them. That was what we would have to do".

Question from Hermann Fasching" Where was your crane positioned for the lift?

John Hart replied "The crane was positioned at the north east corner of the sinter plant and the crane was facing towards the northern end of the office block".

		This is Page 2 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF

Question from Hermann Fasching Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant?

John Hart replied "No more than anywhere else".

Question from Hermann Fasching When you say no more than anywhere else what do mean by this?

John Hart replied "The two way system you can have problems at any time anywhere. I always try and have a backup plan in place if the radio fails".

Question from Hermann Fasching Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing lifts of this type in the Lead Smelter shut down area?

John Hart replied "I wasn't aware of anything written".

Question from Hermann Fasching What about verbal instructions?

John Hart replied "You usually always talk to your rigger and get someone to watch from somewhere if you think you are going to have problems".

Question from Sergio Cespedes For how long were you working at the Lead Smelter that night?

John Hart replied "About 8 hours all up".

Question from Sergio Cespedes Do you remember what time you left the Lead Smelter?

John Hart replied "At about 2:30 am on Friday 14th July 2000".

PM Do you have a standard work procedure for the use of radios when doing these types of lifts?

John Hart replied "I do, you get the rigger to keep talking if they stop talking I stop because your not sure if the radio is going to play up or not."

Question from Peter McGarvey Do you know if there is a written standard work procedure requiring the use of radios to do these types of lifts?

John Hart replied "No, I don't. I get my own plan I don't rely on radios because they could cut out at any time.

OATHS ACT 1867-1988

'I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and

			This is Page 3 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF

- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 21st day of July 2000.

Witness

Justice of the Peace

		This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	22	Date	24/7/00	Time	1:12pm
STATEMENT OF							
Name of Witness (in full)		Peter Francis McAllister McDougall			Age	29	
Inspector taking Statement:		Hermann Fasching			Office	Mount Isa	
Address of Witness		4/82 Miles Street, Mount Isa					
Occupation	Fitter and Turner	Home Telephone: 47432713	Business Telephone: 47442057	Date of Birth	19/6/71		

States that:

I have been working with Mount Isa Mines for the last 7 years as a tradesman. Before that I completed my apprenticeship as a fitter and turner between 1987 and 1991 with Mount Isa Mines. I am presently working at the Sinter Plant, in the Lead Smelter at Mount Isa Mines.

On Friday 14th July 2000 I was working dayshift which started at 7.30 am and finished at 2.00pm. We (my crew about 7 people total) were told on Thursday 13 July 2000 that the crane rope on the north overhead gantry crane was going to be repaired on the Friday. We were told that the rope was going to be repaired by another crew. When we started work on Friday morning we were told that we were actually going to be fixing the crane rope with the assistance of a couple of Dowrie crane guys. The replacement rope was taken up to the top level of the Sinter Plant by the mobile crane.

I asked Peter Comerford when he could take the rail lock off the crane rail, because he had to lock the crane out to use the mobile crane. I asked him to take the lock off so I could change the rope. He told me he had to do a lift and then he would take his lock off. We then went and had smoko.

When we came back from smoko I spoke to Peter Comerford and he told me he had not done his lift because it was too heavy. And we decided it would probably be better off waiting for the overhead crane. We could change the crane rope as he had taken his lock off. That was at about quarter to eleven or so. Between 10:45 and 11:55 am we changed the rope. As we are changing the crane rope we are also checking the crane as we go. There was no other work to be completed on that crane. After that I took my crane isolator lock off and told my Superintendent that the crane was right to go.

After that we went to have lunch, then we came back from lunch. I saw that an accident had happened and saw that there were about 20 people already there and didn't go up but spoke to Kevin Bocos and told them to get me if they needed a hand. I walked up to Mark Ezzy and asked him if he would like a lock put on the crane and

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF PETER FRANCIS MCALLISTER MCDOUGALL

he said he would. I had the lock that I had used that morning with the same tag. Usually I rip the brass button out of these "Danger" tags and then pull the core out and rip them in half. I still had the one from the morning with me as I had come straight from the job and gone to lunch and was then coming straight back from lunch. I went up to the top level and attached the "Danger" tag that I had used that morning and lock to the crane isolator on the north overhead gantry crane. The crane driver was still in the crane. I then told the crane driver that he had to come down from there and that he had to go to a meeting. I didn't know at that time it was the crane driver involved in the accident. I told Mark Ezzy that the lock was on, and he told me to get everyone (all maintenance personnel) and we would have a meeting in the crib room.

OATHS ACT 1867-1988

'I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 24th day of July 2000.

Witness

Justice of the Peace

			This is Page 2 of a Statement comprising 2 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	17	Date	19/07/00	Time	2:52pm
STATEMENT OF							
Name of Witness (in full)		Roger Adrian Nicholls			Age	51	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		10 Binburra Way, Mount Nasura, Perth, Western Australia					
Occupation	Safety Advisor		Home Telephone: 939934313	Business Telephone: Same as home	Date of Birth	23/11/48	

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Senior Constable Brett Sweeney , Mount Isa Police, Hermann Fasching, Inspection Officer, Peter McGarvey, District Workers Representative and Michael Coonan, Lawyer from Freehills.

I started in the construction industry approximately when I was 16 years old, I was apprentice trained as a shop fitter working all over England in various areas in England prior to coming to Australia I was manager of a small company installing wardrobes where I was the safety training manager there, I came to Australia in approximately 1981 where I continued in the construction industry on high rise buildings as a curtain wall fitter. Taken up various qualifications such as becoming a licensed scaffolder and licensed rigger also obtaining shot firers licence and various other training on the way through. Been involved in the safety industry for the 15 years approximately, on various mine sites, off and on shore and various construction sites. At the moment I'm employed as a safety advisor to Bateman, Brown and Root on the George Fisher Project on the MIM July Smelter Shutdown.

I've been here (for the George Fisher Project) since October 1998 working out at Hilton and in town working on the George Fisher Project. My involvement has been working on the project for all that time as safety advisor. Doing audits, conducting audits in various areas, giving reports to Terry Stott of those audits, carrying out induction's, writing induction procedures, offering safety advice and backup to Supervisors and Managers and offering safety advice to persons.

Prior to that I would be conducting audits of various areas for the previous 10 weeks I've been doing audits through there. The last one I conducted was numbered I think number 10 and that finished on the Friday or Saturday (7th or 8th July 2000) I can't remember exactly. Last week the audit was on the 9th of July the first shut down audit I conducted was on the 12th of July and there is a distinction between the shutdown

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CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

audits and the weekly audits. The second shutdown audit was conducted on the 13th of July 2000. The shutdown audits were meant to be on a daily basis covering all the areas that were still being worked on, the weekly audits on a weekly basis. I would visit work areas looking at safety problems that might arise such as anti-fall protection, glasses, equipment, ladders, scaffolds and just talking to the guys in general to encourage safety. Contacting their supervisors to rectify any problems.

I would have started work at 6.00am on Tuesday 11th July 2000. I checked the computer for any messages to conduct any induction's that have been arranged or as they come through on the phone, go up to the Smelter office talk to the supervisors and see if there are any problems. Then I would go up into the plant, I believe I went up into the plant I can't remember unless I refer to my diary. I would have passed by the 223 level either going past it on the ground or via the stairs used by yourselves.

I believe I was tied up with paperwork most of Wednesday I can't remember unless I refer to my diary. I believe on Thursday 13th July 2000 I was doing induction's that day for Monadelphous, ODG there were a number of people coming through being inducted. I may have gone out on the plant, I would have gone out to the Smelter office to see the supervisors out there.

6.00am start on Friday 14th July 2000 as per normal preparing for induction's that day and paperwork, 1.00pm I got the call, Danny McManus said there had been a an incident in the Smelter, I drove up there and arrived at approximately 1.15pm. I didn't go up to 223 level I was on the ground floor where I saw Mr Kerry Coe.

Question from Hermann Fasching "Were you involved in the development of job safety analysis or work method statement for the 223 crusher or any of the other jobs in the Lead Smelter shutdown?"

Roger Nicholls replied "No."

Question from Hermann Fasching "Were you involved in the review of any JSA's or work method statements submitted by the contractors to the George Fisher Project?"

Roger Nicholls replied "Low down in the process, they come across my desk, but I wouldn't have approved them. If there were glaring problems they would have been sent back."

Question from Hermann Fasching "Did you make any comments on them?"

Roger Nicholls replied "No."

Question from Hermann Fasching "Of those that you saw do you feel that they were adequate, suitable, appropriate?"

Roger Nicholls replied "The ones I saw were adequate."

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Question from Hermann Fasching “What is the procedure for the review of a JSA if the job that is being carried out has to deviate from the JSA ?”

Roger Nicholls replied “I believe it has to be review again if there is any deviation.”

Question from Hermann Fasching “So you believe that is documented as part of a procedure ?”

Roger Nicholls replied “It might have been, but it might have been at a higher level of management.”

Question from Hermann Fasching “Who developed the JSA’s and work method statements for the 223 crusher job ?”

Roger Nicholls replied “The contractor would be developing their JSA’s and work method statement for the work they have to do.”

Question from Hermann Fasching “Is there a record or report kept of the audits you carried out ?”

Roger Nicholls replied “There is.”

Question from Hermann Fasching “Where is this kept and how is it kept ?”

Roger Nicholls replied “It is computer generated and kept in the Bateman, Brown and Root Document Management System.”

Question from Hermann Fasching “ Did you audit any of the contractor JSA’s ?”

Roger Nicholls replied “No. It was left it to Bateman, Brown and Root supervisors in that area to monitor the JSA’s as the work was progressing.”

Question from Hermann Fasching “Are you aware if the contractors supervisors were carrying out audits of the JSA’s and the work being carried out ?”

Roger Nicholls replied “I’m not aware of any audits from the contractor of the JSA’s but we did have weekly check sheets of their work areas.”

Question from Hermann Fasching “Who carried out these weekly checks ?”

Roger Nicholls replied “The contractors.”

Question from Hermann Fasching ”Where are those weekly checklists kept ?”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Roger Nicholls replied “They would be in the Bateman, Brown and Root Document Management System.”

Question from Hermann Fasching “Did you on a regular basis participate in the contractor tool box meetings ?”

Roger Nicholls replied “I’d get to as many as I could around the site for various contractors.”

Question from Hermann Fasching “Do you have any formal meetings with either the contractor safety advisors or safety advisors from the George Fisher Project ?”

Roger Nicholls replied “We have meetings with the contractor and these are progress meetings and the first element is safety.

Question from Hermann Fasching “But do you have regular meetings with the contractor safety advisors “

Roger Nicholls replied “As a meeting we didn’t but now we do, I would do it on a one to one basis as I was going around the various areas.”

Question from Hermann Fasching “Who do you report to directly ?”

Roger Nicholls replied “Mr Terry Stott.”

Question from Hermann Fasching “Do you have any direct reports ?”

Roger Nicholls replied “Only via the contractor type relationship, I’m not in charge of any other personnel below my level.”

Question from Peter McGarvey “If a JSA has been reviewed does work on that job cease while that JSA is being reviewed ?”

Roger Nicholls replied “It will be reviewed by management, I might not be involved in the review unless invited in.”

Question from Peter McGarvey “If your working on the job and the JSA is being deviated from and then it has to be reviewed. While it’s being reviewed does that job stop until the JSA comes back “

Roger Nicholls replied “You would have to ask the contractor, it should stop.”

Question from Sergio Cespedes “Is there any contact with the nightshift safety advisor ?”

Roger Nicholls replied “Yes.”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Question from Sergio Cespedes “What information is given from one shift to another ?”

Roger Nicholls replied “I would make any notes in a safety book in the Smelter Annex office, general notes on what I have seen. I normally come in early and during the morning or start late to contact the incoming safety advisor and explain what has happened and review the safety book. As he is on the nightshift he would update the safety book as he was going.”

Question from Sergio Cespedes “How are personnel or workers made aware of any significant incident or accident that happen during your shift or nightshift ?”

Roger Nicholls replied “Any significant incidents would be brought up at their prestart meetings and we also have a monthly site safety committee meeting which safety advisers attend and any safety incidents on the lease are brought to the attention of personnel via safety alerts that are issued by MIM.”

Question from Brett Sweeney “On the morning of the 14th of July 2000 did anyone handover to you. That is the nightshift safety adviser ?”

Roger Nicholls replied “I think so I can check in my diary to make sure.”

Question from Brett Sweeney “Who was the nightshift safety adviser who made this handover ?”

Roger Nicholls replied “That would have been Mick Bakhsh I believe.”

Question from Brett Sweeney “Did he tell you anything about the 223 crusher ?”

Roger Nicholls replied “Not specifically just generally the work that was going on around the area.

Question from Brett Sweeney “Did you see the 223 crusher that morning ?”

Roger Nicholls replied “I would have passed by it but I wouldn’t have specifically looked at it. Before in my statement I said I would have been doing paperwork in my office as I went out early to see Mick at the handover I would have glanced up at that area from Track Hopper Road.”

Question from Brett Sweeney “Had you witnessed any safety concerns in the preceding days on the 223 level ?”

Roger Nicholls replied “That would have been part of my audits as I did my walk throughs.”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Question from Brett Sweeney “Did you speak to anyone about safety matters on the 223 level ?”

Roger Nicholls replied “I would have spoken to Danny McManus who would have accompanied me through those areas if there were any safety concerns.”

Question from Brett Sweeney “Did you provide any advice or support to either Managers or Supervisors in relation to 223 crusher ?”

Roger Nicholls replied “Through the project that would have been part of my safety audits.”

Question from Brett Sweeney “Had you been required to rectify any safety problems on the 223 level ?”

Roger Nicholls replied “I wouldn’t have rectified them but I would have made Bateman, Brown and Root management aware, who would have contacted the contractor unless it was a glaring major problem where someone was going to be injured, then safety precautions would have been put in place.”

Question from Brett Sweeney “Do you recall doing this at any time ?”

Roger Nicholls replied “Yes, I made Mr McManus and Terry Stott aware via my safety audits.”

Question from Brett Sweeney “Can you tell me what areas you reported to management as being of concern on the 223 level ?”

Roger Nicholls replied “Just in that area there was housekeeping, and other items that were attended to on an ongoing basis.”

Question from Brett Sweeney “What were those other items ?”

Roger Nicholls replied “Some were contractor items some were from MIM. MIM was still in the area conducting their normal work activities”

Question from Brett Sweeney “In particular can you describes these items ?”

Roger Nicholls replied “They would be all in my audits of the area for the last 10 weeks approximately.”

Question from Brett Sweeney “Do you have any independent recollection without referring to your diary what these items were ?”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Roger Nicholls replied “In one MIM area equipment had been removed and handrails not replaced. This is not part of the George Fisher Project it was an observation that I made as I went through doing my audits for the George Fisher Project.”

Question from Brett Sweeney “Were there any contractor items or areas that were of a concern on the 223 level ?”

Roger Nicholls replied “I think I went up there, because there was a concern with a handrail missing when they took the crusher out at the north end and just a general build up of sinter on the floor.”

Question from Brett Sweeney “Do you know of any written or verbal instruction that two way radios are to be used between riggers and crane drivers when performing lifts ?”

Roger Nicholls replied “The George Fisher Project did supply radios to all contractors for their use around the site. This would have included rigging and crane driving situations.”

Question from Brett Sweeney “Do you know whether two way radios were being used earlier in the day between riggers and crane drivers when performing lifts in the Sinter Plant area ?”

Roger Nicholls replied “I don’t know whether they were being used or not, they were issued to the contractors.”

Question from Brett Sweeney “Was any instruction provided to the contractors on how to use these radios ?”

Roger Nicholls replied “Yes, there was. This was a meeting that was convened in the George Fisher Project office and the contractors were given a run down on how to use these radios and also a printed handout with the various channels for the contractors to use.”

Question from Brett Sweeney “Do you know whether a register was kept of which radios were issued to which contractor ?”

Roger Nicholls replied “Yes, there was a register kept. That would have been kept on Document Management System electronically.”

Question from Brett Sweeney “Are you aware of or have you heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant ?”

Roger Nicholls replied “I’m not aware I didn’t hear of any problems associated with the radios.”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ROGER ADRIAN NICHOLLS

Question from Brett Sweeney "Did you see the 223 crusher prior to a lift being attempted on Friday 14th July 2000 ?"

Roger Nicholls replied "No. As I mentioned before I would have glanced from Track Hopper Road."

OATHS ACT 1867-1988

'I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 8 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 19th day of July 2000.

Witness

Justice of the Peace

		This is Page 8 of a Statement comprising 8 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	4	Date	16/07/00	Time	0814 hrs
STATEMENT OF							
Name of Witness (in full)		Jason Thomas Pincott			Age	32	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		7 Stubbings Avenue Mount Isa Qld 4825					
Occupation	Mechanical Supervisor	Home Telephone:	07 47433 967	Business Telephone:	07 4749 7154	Date of Birth	17/02/68

States that:

On Sunday 16 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Sergio Cespedes, Electrical Inspector of Mines, Senior Constable Brett Sweeney, Mount Isa Police and Nicole Freeman.

I was an apprentice Fitter and Turner at Currugh Queensland Coal Mine from 1984 until 1987. Completed apprenticeship in 1987. Then I went to Cloncurry, a gold mine outside Cloncurry called Mt Freda. (1987 to 1988) I was there for approximately a year. From there I come up here to Mount Isa late 1988 and started work with Barkly Welders until 1989 as a Fitter and then from there I think I went to Steelcon (from 1989 to 1991) as a Fitter/Welder looking after small jobs with three to four men under my direction. From there I went back to Barkly Welders (1991 to 1993) as a Fitter, then Barkly Welders and Schmider Steel Fabrications (1993 to 1996) joined up and I ended up being a Leading Hand/Fitter for about the last 12 months. I was with these people then I went to Epoca from 1996 to 1998, the last two years with Epoca as a Mechanical Supervisor. Then A.E.T Operations from 1998 until now as a Mechanical Supervisor.

Approximately a month ago I first got involved with the George Fisher project at the Lead Smelter. The first sought of things I knew about was just having a talk about it with the other supervisors and Project Manager (Barry Hall) looking at plans and drawings and just getting an overview of what was going to happen. Down to my job itself, about two weeks ago, so two weeks before the shutdown I got a set of drawings for my particular job which was 222 feeder then I had another bloke (Glen Cannon, Leading Hand) who had to look after his area and he was actually put up to the Leading Hand for this job but I was to look after the whole job, 223 crusher and the area directly above, which is 222 feeder. Glen Cannon as a Leading Hand was my subordinate on this job.

Tuesday dayshift the 11th July 2000 I started work at approximately 6:30 am to dismantle 222 feeder and 223 crusher. Before 223 crusher could be removed there was a lot of steel work and existing plant to be removed before we could actually

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF JASON THOMAS PINCOTT

remove 223 crusher. There were three chutes and two platforms, once they were removed we could remove 223 crusher. That took up until Thursday 13th July 2000, about half way through Thursday nightshift the existing plant was out of the way so we could then lift the crusher. There was a schedule that we went to which was verbal from Kevin Bocos then at a change of shift from dayshift to nightshift we would verbally discuss with the other cross shift supervisors on 222 and 223. There was a lift plan that we had to follow when lifting the crusher out. I think the lift plan was done by a rigger, then that would come back to the planners that have a look at it and say alright we will do it this way, if they were happy with what the rigger had planned. I first sighted the lift plan on Wednesday 12th July 2000 in the site office situated at the Lead Smelter. Myself and Glen Cannon went through the lift procedure and Peter Comerford had a copy as well as he was the most experienced rigger on the job from my point of view. I had known him and worked with him longer than James Sanderson who I had only met on Tuesday 11th July 2000, the first shift.

There was a platform on the 222 level western side (above the 223 crusher) to be removed so we could remove the 223 crusher frame. It was thought that this would give us enough room to remove the crusher as one whole unit except for the two fly wheels and two electric motors which were removed on the previous day, night shift (Wednesday night shift (that is Tuesday night from 7:00 pm and Wednesday morning to 7:00 am) and Wednesday day shift). I was given a total weight of the crusher by I think Torren Bocos who is the Safety Officer on day shift and also a very experienced rigger. He gave me the weight at 11.7 tonnes and that was actually the same weight noted on the lift plan previously. On the Thursday change of shift, 6:45 pm we (Glen Cannon and myself) had our change of shift and informed night shift supervisors that the 222 platform (above the 223 crusher) on the eastern side was ready to be removed. This would allow easier removal of 223 crusher.

I think on the Wednesday morning 12th July 2000, James Sanderson who is a rigger noticed a damaged rope on the overhead crane. Peter Comerford moved the crane away from the void to the south, put a rail clamp on the rail to stop anybody moving the crane and put a danger tag and lock on the rail clamp and James Sanderson tagged and locked the overhead crane isolator. Now that was to stay like that until they got a new rope and changed over the damaged rope. James reported it to myself, I got onto my safety officer Torren Bocos, then he has notified MIM, I think it was Mark Ezzy that the rope was damaged. At this time the crusher was ready to come out. The overhead crane, we couldn't use so at the change of shift, Wednesday day shift to Thursday night shift they set up a 110 tonne mobile crane to lift the crusher out because the overhead crane was out of order. Thursday morning on the change of shift from night shift to day shift we (Glen Cannon and myself) were told by the night shift supervisors that they had the crusher up on an angle and the crane had an 11.5 tonnes but still didn't have all of the weight of the crusher off the floor. I believe the crane was only good for 12 tonnes were he was positioned. Night shift supervisors (Tony Rooney and Darryl Williams) decided to put the crusher back down on the floor and do a direct lift on the crusher to ascertain its weight. Night shift supervision did this and they had 12 tonnes on the crane and it didn't even budge the crusher. So in

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CONTINUED STATEMENT OF JASON THOMAS PINCOTT

saying that its got to weigh a lot more than 11.7 tonnes. So sometime I think it must have been about half way through the night shift (Friday) they decided to pull the two spike rolls out of 223 crusher. This first needed the crusher cover to be removed which I'm told (by night shift supervision) went close to a tonne. At the start of Friday day shift 14th July 2000, approximately 6:40 am I visited 223 crusher work area as part of my change over with night shift supervision and was informed that they wanted (night shift supervision) to remove the cover and the rolls to make the crusher lighter. I witnessed the south roll rigged up to the 70 tonne Brambles crane (the 110 tonne crane had been taken away because it was only there to remove 223 crusher as a whole unit) and then the south roller hoisted about half a metre maybe, then sat back down in its bearing housings. The top halves of the bearing housings of the south roll were sitting on the floor. Night shift only lifted the roll up half a metre and sat it back down because it was their change of shift and the supervision wanted to ascertain if the roll would come out easily enough, I witnessed the south roll lifted and then sat back down in its bearing housings. I don't believe Glen Cannon witnessed the south roll being lifted, however he was there when we had our change of shift talk with night shift supervision. I was told by night shift supervision that the south roll weighed 4 tonnes. The 70 tonne crane was good for 7 tonnes were it was positioned.

On Friday day shift 14th July 2000, 7:00 am, Glen Cannon, Ron Moran, Wayne Stockdale, Gary Wright, Dave Furness were working on 222 feeder and Martin Bailey was working with Mick Gatty. Peter Comerford, James Sanderson and myself were working on 223 crusher which first involved lifting the south roll out. It was already rigged up to the crane and ready for removal, I had informed Peter Comerford and James Sanderson what we were going to do, to remove the crusher ie. Take the two rolls out and then remove the crusher frame. We had lifted the south roll straight up out of the void to above the top floor, slewed to the east and lowered to the ground level (outside all the structure). At this time I was on the ground level to unhook the south roll and then it was back to Peter Comerford who directed the crane hook back over to the centre of the north roll. I think the bearing housing caps of the north roll were still secured to the north roll bearing housings, I saw Peter Comerford and I think Glen Cannon remove the eastern bearing cap. I had walked over to the bottom of 223 crusher structure (I was on the ground) and noticed Peter Comerford and I think Glen Cannon removing the east bearing cap on the north roll. Once they were removed they rigged up the north roll (I was still on the ground) and removed it through the void, slewed east and lowered to the ground. I received a phone call on Friday morning approximately 9:00am from Mick Gatty informing me to get Peter Comerford and James Sanderson to remove their danger locks and tags because MIM were replacing the overhead crane hoist rope.

I then walked up on the 223 crusher floor and witnessed Peter Comerford direct (by radio) the 70 tonne Brambles crane to lower its hook over the centre of the crusher frame. It was James Sanderson, Peter Comerford and myself who rigged up the crusher frame on two lifting lugs that had been welded to the north end of the frame. Peter Comerford directed (by radio) the 70 tonne Brambles crane (driver, Peter Gill) to lift the crusher frame about a foot maybe in the air and hold the load until we had

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF JASON THOMAS PINCOTT

packed timber between the rail and the crusher frame so we could let the crane off and re-rig the chains around the main crusher frame. Peter Comerford then directed the 70 tonne Brambles crane to lift the crusher frame until the packers became free and we could remove them, then lower the crusher frame back down until it was just off the rails. Peter Comerford and James Sanderson then hooked up two tonne chain blocks, one on the east side and one on the west side, attached to the southern end of the crusher frame to secure the load from the swinging in a north direction when we started hoisting the crusher frame.

Peter Comerford directed (by radio) the 70 tonne Brambles crane to start hoisting the crusher frame up through the void whilst Glen Cannon and James Sanderson held weight on the two chain blocks at the southern end. The crusher frame was on an angle of approximately 30 degrees from the horizontal and I asked Peter Comerford how much weight the 70 tonne Brambles crane had. Peter Gill informed Peter Comerford (by radio) that he had 6 tonnes on the hook. I decided because the Brambles crane could only lift 7 tonnes in its present position, to lower the crusher back down and sit it on the packers to hold the chains from getting pinched between the rail and the crusher frame. Kevin Bocos had informed me to cut 700mm off the southern end of the crusher frame for ease of removal. This work was undertaken by Gary Wright and Glen Cannon.

I then informed (by mobile phone) Torren Bocos and Kevin Bocos that the 70 tonne Brambles crane probably couldn't lift the crusher frame. I had a discussion with Glen Cannon saying that there was two rolls which weighed 4 tonnes each, 223 crusher cover weighed approximately a tonne giving a total of 9 tonnes plus the 6 tonnes that the 70 tonne Brambles crane had on the crusher frame gave a total of 15 tonnes. Which is more than the 11.7 tonnes that I was told the 223 crusher unit as a whole weighed (less motors and fly wheels).

I then rang Kevin Bocos on the mobile phone and informed him that the MIM overhead crane would be ready at about 12:00 pm ie. The new rope would be put on. I believe I was told this by Torren Bocos. I think I sent Peter Comerford and James Sanderson to crib at this time approximately 11:30 am. At approximately 12:00 pm I noticed that there were no MIM workers on the overhead crane thinking to myself that they must have finished putting the new rope on. I then rang Mick Gatty by mobile phone and asked him to find out off Mark Ezzy if the overhead crane was ready to be used. He had rung me back and said it was okay and I could use it but could Mark Ezzy have it as soon as we had finished lifting the crusher out. I got up into the overhead crane after a pre-start inspection and lowered the hook to the 223 crusher floor where James Sanderson, Peter Comerford and Torren Bocos were to rig up crusher frame to the overhead crane. Under direction (by hand signal) from Peter Comerford, Peter was standing approximately 2 metres south from the most north westerly point of 223 crusher floor, adjacent to the western side of the crusher frame. I believe James Sanderson was on the south western end of 223 crusher frame controlling a two tonne chain block and Torren Bocos was on the south eastern end of 223 crusher frame controlling the other two tonne chain block. The only person I

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CONTINUED STATEMENT OF JASON THOMAS PINCOTT

could see was Peter Comerford fairly clearly. I was at the south western corner of the crane box leaning out and looking down. I started to hoist 223 crusher frame as directed by hand signals by Peter Comerford. I believe at the same time Torren Bocos and James Sanderson were steadying the load with the two chain blocks at the southern end. Under Peter's direction I kept hoisting up and moving the overhead crane north as in just moving north that little bit at a time to keep moving the crusher out in a northerly direction until it was in a near vertical position. I then noticed Mick Gatty standing at the hand rail on the overhead crane floor. Then I was directed by hand signals by Peter Comerford to stop hoisting and to move in a southerly direction so James Sanderson and Torren Bocos could remove the two chain blocks which James Sanderson and Torren Bocos unhooked from the bottom of the crusher frame (south end). At this time the crusher frame was in a vertical position hanging free of any other lifting device other than the overhead crane. I then noticed James Sanderson and Torren Bocos walk back in a southerly direction out of my view. The only person I could see at that stage was Peter Comerford and he gave me the hold signal, I thought this signal meant he was coming up to the overhead crane floor to direct the load from there. He turned in a southerly direction. I noticed something fall off the crusher frame. This was about one minute after the crusher frame was in a vertical position. I'm pretty sure that something fell from the east side. That's what I focused my attention on then heard a loud bang and a heap of dust and the next thing I noticed was I'm pretty sure it was Peter Comerford laying on the west side with something laying on him.

I then yelled out to Mick Gatty to ring 2222 and then I rang by mobile phone Kevin Bocos and said get up here now, he said to me have you got it out and I said to him get up here now, Comos on the deck. I remained in the overhead crane and watched as Kevin Bocos, and I think Torren Bocos and another two blokes try to move whatever was laying on Peter Comerford off him. After they had moved that off him I'm pretty sure it was Gary Wright got a handful of rags and was holding Peter's head. Gary Wright and Kevin Bocos appeared to be checking his carotid pulse. Then the ambulance people turned up, looked like they stuck an oxygen mask on his face then took it off again, then lifted him away from my view in a southerly direction. I stayed in the overhead crane until an MIM worker came up and said I'm going to lock the crane out you can come down now. Then he just told me that all the A.E.T. blokes were going over to the George Fisher site office area for a meeting straight away. I was probably up in the crane for about half an hour until someone came up because I still had 223 crusher suspended. I then came down out of the crane and went to the George Fisher site office area (across the road in the MIM workshop).

I had operated this overhead crane on numerous occasions before and it has never been a smooth travelling crane ie. North south direction. On Friday 14th July 2000 the north south travel of the crane was the same rough motion that I had experienced before. This rough motion was apparent when Peter Comerford had directed me to move in a southerly direction so the chain blocks could be disconnected from the bottom of the 223 crusher (southern end).

Question from Senior Constable Brett Sweeney "Were radios available for yourself

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CONTINUED STATEMENT OF JASON THOMAS PINCOTT

and Peter Comerford at the time of the accident?”

Jason Pincott replied “They were, yes”

Question from Senior Constable Brett Sweeney “Why weren’t radios used?”

Jason Pincott replied “We were having trouble actually receiving what the other person had to say, as in you couldn’t quite hear what the other person had to say”.

Question from Senior Constable Brett Sweeney “Had you reported that to anyone”

Jason Pincott replied “Yes, I think I reported it to Torren Bocos”

Question from Senior Constable Brett Sweeney “Was there any movement in the crusher frame when it was in the vertical position?”

Jason Pincott replied “No, it was just hanging that was it”

Question from Senior Constable Brett Sweeney “Did anyone steady the load at anytime while it was in the vertical position?”

Jason Pincott replied “I don’t think so”

Question from Senior Constable Brett Sweeney “Were any spotters going to be used during the vertical lift?”

Jason Pincott replied “No, I thought Peter Comerford was coming up to the crane floor to direct the lift from there. On the southern access of 223 crusher floor we had a barricade and no travelling unless authorised sign to prevent unauthorised people coming into that work area.”

Question from Senior Constable Brett Sweeney “Were there any tie lines or guide lines attached to the crusher frame”

Jason Pincott replied “No”

Question from Senior Constable Brett Sweeney “Is it usual procedure with a lift of that nature to attach tie lines or guide lines?”

Jason Pincott replied “No, I didn’t think so.”

Question from Senior Constable Brett Sweeney “Do you have a certificate to operate the overhead crane”

Jason Pincott replied “Yes, I do.”

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CONTINUED STATEMENT OF JASON THOMAS PINCOTT

Question from Senior Constable Brett Sweeney “Who did you obtain that certificate from?”

Jason Pincott replied “A bloke at Krause Health and Safety, I’m pretty sure it was Les McGilligot he is a safety officer and qualified trainer to give out tickets of competency”.

Question from Senior Constable Brett Sweeney “How long have you held that certificate for?”

Jason Pincott replied “I think I got it in 1996”

Question from Senior Constable Brett Sweeney “Could you estimate how many times you have operated that overhead crane?”

Jason Pincott replied “I would say in a block of 4 to 5 times before that”.

Question from Senior Constable Brett Sweeney “Are you aware of the weight that the overhead crane can lift and if you are how did you know?”

Jason Pincott replied “It is written on the crane, I’m pretty sure it is 25 tonne safe working load but because of the age of the crane its been de-rated to I think 15 tonnes”.

Question from Senior Constable Brett Sweeney “Can you just outline the process that you have in your handovers from each shift supervisors to the next shift supervisor?”

Jason Pincott replied “Whether we are coming on to the shift or leaving the shift myself, Glen Cannon discuss with Tony Rooney and Darryl Williams what has happened on the previous shift and what we are aiming for on the following shift.”

Question from Senior Constable Brett Sweeney “Is anything written down from those handovers”

Jason Pincott replied “No it is all verbal.”

Question from Senior Constable Brett Sweeney “Where do your aims from each shift come from?”

Jason Pincott replied “Supervision was told by Kevin Bocos and Stuart Wilson the final outcome of the project and reinforcing what had to be done at each milestone in the project.

Question from Senior Constable Brett Sweeney “Have you seen a plan of the crushers before?”

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CONTINUED STATEMENT OF JASON THOMAS PINCOTT

Jason Pincott replied “Yes”

Question from Senior Constable Brett Sweeney “If you have seen a plan why weren’t the bearings removed prior to the lift?”

Jason Pincott replied “I didn’t see any reasons why they had to be removed because they were secured by the adjusting bolts. I didn’t know why they had removed the rolls without the bearing housings as one unit because there is a lot more work for us to do, doing it that way because we had to clean the bearings and housing after they had been exposed to contamination, the bearings had only been replaced the week before. I was told this by Malcolm Barr, a MIM employee he is the Maintenance Supervisor for the blast furnace.”

Question from Senior Constable Brett Sweeney “When was the crusher to have been originally removed by?”

Jason Pincott replied “Thursday dayshift, I think.”

Question from Senior Constable Brett Sweeney “As you were the supervisor, did you make an examination of the crusher frame prior to the lift commencing?”

Jason Pincott replied “I had a look at it, yes”

Question from Senior Constable Brett Sweeney “What specifically did you look at?”

Jason Pincott replied “Just the whole unit really, nothing in particular, basically how the back end was rigged up to lift it out.”

Question from District Inspector of Mines, Rob O’Sullivan “Have you ever worked on this piece of equipment before?”

Jason Pincott replied “No”

Question from District Inspector of Mines, Rob O’Sullivan “Did you put together a work method, job safety analysis for this job?”

Jason Pincott replied “No, I didn’t. I just got together with my blokes and discussed how we were going to do it going by the lift plan.”

Question from District Inspector of Mines, Rob O’Sullivan “What role does the safety officer undertake in the operation”

Jason Pincott replied “Basically that we are working safely.”

OATHS ACT 1867-1988

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF JASON THOMAS PINCOTT

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 9 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 16th day of July 2000.

Witness

Justice of the Peace

		This is Page 9 of a Statement comprising 9 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	18	Date	19/7/00	Time	5:08pm
STATEMENT OF							
Name of Witness (in full)		Patrick Rochford			Age	52	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		55 Indigo Crescent, Mount Isa					
Occupation	Maintenance Superintendent	Home Telephone: 47 433 900	Business Telephone: 47 443238	Date of Birth	15/2/48		

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Brett Sweeney, Senior Constable Mount Isa Police, Hermann Fasching, Inspection Officer and Peter McGarvey, District Workers Representative.

I started with Mount Isa Mines in 1970 and was appointed to staff/shift supervisor in 1974. I held various positions between then and 1984 when I was promoted to Production Foreman for the Sinter Plant and baghouse. I held that position until 1992 when I moved to maintenance section seconded to the planning section. In 1994 I returned to the position of Production Superintendent with maintenance personnel reporting to me as well. When the 2 sections were split in 1996 I elected to take on the roll of Maintenance Superintendent for the Mount Isa Mines Lead Smelter. In early March of this year I was seconded to the role of Liaison Superintendent for the George Fisher Project.

My role as the Liaison Superintendent is as a link with Bateman, Brown and Root, MIM production and maintenance and the contractors. I presently report to Gordon McKean, Lead Smelter Manager and Steve Murdoch, Met Plan's Maintenance Manager. I have no direct reports at present.

As part of my daily routine regardless of whether it is a shutdown or not I walk the Lead Smelter and check on jobs that are being carried out. I do this at about 6:30 – 6:45 am everyday as I am on dayshift. Before I walk around I check on what's happened overnight if we are operating. I finish sometime between 4:00pm – 6:00pm. I am usually back in the office by about 8:00am after having walked around. During the early part of the shutdown I worked with Godfrey Kreutz in respect of the isolation procedures and the issue of permits to work. On Tuesday 11th of July 2000 I started at 1:00 am I spent most of the day with Godfrey checking isolations, I finished about 2:00pm that afternoon. On Wednesday, Thursday and Friday of that week I was back into my normal routine of dayshift.

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF PATRICK ROCHFORD

Question from Hermann Fasching “Were you aware of how it was intended to remove the 223 crusher ?”

Patrick Rochford replied “Yes, I was aware that it was going to be lifted out as one unit. During my walk round on the Friday I saw that rolls had been removed and were sitting on the ground and at the 11 o’clock contractors meeting it was stated that they were unable to lift it with a mobile crane. The previous day Kevin Bocos came to me and reported that there was a damaged rope on the MIM overhead crane, it was reported to Mark Ezzy, the crane was locked out and arrangements made for a rope change.”

Question from Hermann Fasching “Did anyone speak to you or did you provide any information to anyone on issues associated with the removal or stripping of the 223 crusher ?”

Patrick Rochford replied “The only time it was discussed with me back in February this year when I took Kevin Bocos for a walk round the plant and the various jobs associated with the George Fisher shutdown were discussed. It was also discussed in various meetings early in the pre-shutdown how the units would come out. It probably goes back a couple of years.”

Question from Hermann Fasching “In relation to the 223 crusher can you recall what discussions you had with Kevin Bocos ?”

Patrick Rochford replied “I recall discussing with him the best way of getting it out would be in one piece in one lift, he asked me if we had ever had it out and to the best of my knowledge we hadn’t, we had only replaced the rolls.”

Question from Hermann Fasching “Did you discuss with him how to strip the crusher and remove it ?”

Patrick Rochford replied “Not in a specific way, I explained that the crusher rolled out on its rails and from there he would be able to lift it in one unit.”

Question from Hermann Fasching “Did anyone speak to you about how to pull the crusher apart on either Thursday 13th July or Friday 14th July 2000 ?”

Patrick Rochford replied “No.”

Question from Hermann Fasching “Were you involved in the development of any work method statements or job safety analysis relating to the Sinter Plant ?”

Patrick Rochford replied “No, only the pre-shutdown work, the JSA’s had to come through my office, I had to sign off on them and I had to say the work method was acceptable. But I didn’t sign off on the 223 crusher one because that was a shutdown

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF PATRICK ROCHFORD

job. I had not sighted the JSA for the 223, I wasn't in the loop because once the shutdown started it was a George Fisher job."

Question from Hermann Fasching "Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in that part of the Sinter Plant?"

Patrick Rochford replied "No."

Question from Hermann Fasching "Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing lifts?"

Patrick Rochford replied "I haven't seen a written instruction, we make use of radios and lifts where the vision between the crane driver and the rigger is poor."

Question from Sergio Cespedes "Do you know if the 223 crusher has been removed sometime ago from its current location?"

Patrick Rochford replied "No, it's always been in that location. As far as I know the frame or the chassis has never been moved, the rolls have been taken out."

Question from Sergio Cespedes "Do you have any idea how old the 223 crusher is?"

Patrick Rochford replied "The plant was built in 1965 by Simon Carves, we had it inspected by Jaques in September 1998 just to give us an assessment of its condition and what work it needed during the shutdown. They were surprised at how good a condition it was in."

Question from Sergio Cespedes "As per your knowledge is this crusher a special crusher or a normal crusher?"

Patrick Rochford replied "There are several of these crushers in Australia, they are not common in Australia but they are common to Sinter Plants."

Question from Sergio Cespedes "Do you know what the process is to record any changes to machinery?"

Patrick Rochford replied "Currently its recorded in the MIMS maintenance system, previously En Garde maintenance package."

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CONTINUED STATEMENT OF PATRICK ROCHFORD

Question from Sergio Cespedes “Are the drawings of the machinery updated after significant changes ?”

Patrick Rochford replied “Usually but I wouldn’t say all the time, the only change on 223 was from white metal bearings to roller bearings.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 19th day of July 2000.

Witness

Justice of the Peace

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	8	Date	17 July 2000	Time	14:04
STATEMENT OF							
Name of Witness (in full)		Anthony Paul Rooney			Age	42	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		38 Dove Ave Altona Victoria					
Occupation	Fitter and Turner	Home Telephone:	039 3150260	Business Telephone:	Date of Birth	19/07/57	

States that

On Monday 17th July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Brett Sweeney, Senior Constable Mount Isa Police and Hermann Fasching, Inspection Officer.

I completed my Fitting and Turning apprenticeship in July 1977 working for Laverton Engineering and moved into the petro chemical industry soon after for approximately 20 years and over the last 15 years working as a leading hand fitter and the last three years supervision in heavy construction industry. I started with Boulderstone Hornibrook on the 6th January 1998. I started in Mount Isa on the 26th June 2000 at the Lead Smelter, leading into the shut down.

Pre-shut down work involved organising materials, equipment and looking over the job that we were going to be involved with in this role I am a foreman. I was on night shift for the shutdown Tuesday 11th July 2000, I had a crew of four people (Jason Lewis, Steve Lamont, Ron Mills and Matura). My crew and myself were working the level above the crusher on machine 222 level, which was to be stripped down and removed from that floor and we took over from where day shift had handed over to us. This involved the oxy cutting of plates covering a conveyor system. This project continued on right up until the time of the accident.

On Thursday 13th July 2000 night shift (Friday nightshift) I started work at 6:20 pm. We did our 7:00 pm sign on and proceeded to our job on machine 222. At approximately 3:00 am on Friday 14th July 2000 I was asked by my superintendent Stewart Wilton to have a look at the crusher and to see how to remove the rolls from the crushing machine. Because they believed it was too heavy to lift in one piece. So I went down spoke to Daryl Williams who was working on the crushing machine and went over with him the best way to remove the rolls from the machine. I directed a boilermaker/fitter who worked on the 222/223 crew to remove the bolts on the cover, to remove the bearing cover and trim a little bit of the splash guard to allow the shaft to be free. I helped to cut a bit of splash guard off with the oxy torch, I cut it off

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF ANTHONY PAUL ROONEY

myself. We removed the top cover and backed off the locking nut (I think it was Daryl Williams and another guy called Trent he was on hire from Steamit and Neal who worked for Steamit). We actually only worked on the south roll, we worked on this roll because we were asked to find out an actual weight of the roll. From start to stop we broke the locking nut (backed it off), backed off the tension on the bearings, removed the packing, removed the top cover of the crusher, removed the “c” channels above the bearings and tensioners, removed the “T” beam that separates the two tensioners to allow us to get to the cap screws that hold the bearing covers on.

Having everything been removed from the roll, the roll was slung up and lifted approximately one to two feet to find the weight of the roll, which was four tonne, this was done using a mobile crane. The roll was then returned to the bearing housing as it was too late in the shift to lift the roll out as advised by the safety officer (Dave Ryan). Because having change of people moving in and out of the job it would have been too late. At the end of the shift we had a discussion about the stages we were at with the jobs, telling our counterparts very little work had been done on 222 and the crusher had little work done on it to, that we had only removed the cover and one set of bearing covers lifted one roll to find the actual weight and placed it back in the bearing housings and that was the stage we were at of stripping down the machine.

Question from Senior Constable Mount Isa Police Brett Sweeney: Did you see a plan of the crusher before stripping commenced?

A. Yes I saw general drawings.

Question from Senior Constable Mount Isa Police Brett Sweeney: Did you see how the bearing housing blocks were mounted onto the crusher frame?

A. Yes, Sitting on the “T” beam, it is designed to move back and forward along the “T” beam it is held in place by the large adjusting screw which goes into the back of the bearing housing block.

Question from Senior Constable Mount Isa Police Brett Sweeney: Is the bearing housing block attached to the frame in any way?

A. Yes, by the adjusting screw which is bolted down to the “T” beam.

Question from District Inspector of Mines Robert O’Sullivan: Did you understand that the crusher frame would be lifted into the vertical position with the bearing housing blocks in place?

A. I understood it was going to be lifted in one piece, the way it turned out with the weights a decision was made to find out the weight of the rolls and then strip the machine. I was under the understanding the machine would have to be stripped down, rolls removed before the crusher frame was lifted out. I really don’t know what level it was to be stripped down to.

		This is Page 2 of a Statement comprising 3 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF ANTHONY PAUL ROONEY

Question from District Inspector of Mines Robert O’Sullivan: Were you involved in the preparation of a work method statement or a job safety analysis for the removal of the crusher?

A. No

Question from District Inspector of Mines Robert O’Sullivan: Have you see any of these documents?

A. Yes, There is a job safety analysis for both jobs, for that level 222 and 223 we sign on and off in a red folder on the other side of that folder is the job safety analysis and permit to work.

Question from District Inspector of Mines Robert O’Sullivan: As a night shift foreman can you describe the lighting on the 223 level?

A. Well it’s pretty clear there, we had mobile lighting towers, most of our lighting came from mobile lights, we had two mobile units one north and one south, which covered 222 and 223 floor levels. We had 32 volt fluorescent tubes on the job.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 17th day of July 2000.

Witness

Justice of the Peace

		This is Page 3 of a Statement comprising 3 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	12	Date	18/7/2000	Time	1525 hrs
STATEMENT OF							
Name of Witness (in full)		David John Ryan			Age	32	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		17 Lae Street Mount Isa Qld 4825					
Occupation	Safety Advisor		Home Telephone: 07 4749 0588	Business Telephone:	Date of Birth	06/12/67	

States that

On Tuesday 18 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of, Brett Sweeney, Senior Constable Mount Isa Police and Hermann Fasching, Inspection Officer and Nicole Freeman, Assistant Mining Registrar – Native Title.

In 1987 I started with Mount Isa Mines. I worked on the surface as a janitor for the first nine months. I then transferred to underground as a nipper and then ground support crew where I worked on 14 level for 4 years. I left there and went to work for my parents in Mooloolabah then I returned after 4 months to Mount Isa and worked with Barkly Welders and obtained my riggers tickets and 100 tonne crane ticket. I stayed there as a rigger for about 2 years. Then went to Home Hill with Barkly Engineering. I was there for about 4 months then I left there and went to Caboolture and worked as a rigger at Moreton Engineering for 8 months. I then got a job with the gas company as crew leader for 18 months. I returned to Mount Isa and worked for Epoca Constructions as a rigger, I think that was 8 months. I went to Steelcon as a rigger, from there I went to A.E.T. as a rigger About 14 months ago I started doing my safety courses and worked as a safety officer to this day.

About 2 weeks ago I started full time on the Lead Smelter shutdown project. Before that I had done some lead up work. In the shutdown, the Tuesday before the major shutdown I spent some time there having a look at safety and at other times I had discussions with Torren just on how things were going, mainly in relation to Job Safety Analysis. I mainly asked him how many there were to do and how he was going on them.

We had a tool box meeting on the first night, Tuesday 11th July 2000 at 6:30 pm. Kevin Bocos and myself spoke at the meeting. Discussed at the meeting was Personal protective equipment, lead counts, height safety. I inspected work on the 223 area and the level above 222, then men on the Sinter machine on the top level, the men around 203 area. We had some crane drivers in the area that I spoke to as well. On Tuesday we had a plate fall and also on that night I spoke to every crew with Mick Bakhsh to be aware of problems like this.

		This is Page 1 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF DAVID JOHN RYAN

Wednesday 12th July 2000 I started my normal duties. We held a tool box talk and the topics discussed were looking after each other, PPE, looking out for hazards. I did my normal walk through the plant, spoke to the crews on the job and generally spoke about the PPE, and what was going on around the place and asked them to clean up some areas. The area on 222 level, I asked them to clean that up as there was a little bit of rubbish in walk ways. Then I had another walk through the plant, I think I asked Mick Bakhsh to come through with me that night as well. They were preparing 223 crusher to be moved forward and rigged up ready for lifting. We then found that the eastern walkway would interfere with the lift and the decision was made to remove that walkway. I then went back for more general inspections.

Thursday 13th July 2000 I started by getting some guys to put some barricade around the cooling tower on eastern side of the Lead Smelter. Then I checked on the guys working in 307/308, then went back to 223 level. I seen the riggers and asked them their advice on the lift procedure. I spoke to Kev on a lift procedure and it was decided that we would write one. I then went down and wrote out a lift procedure. One of the riggers and the supervisor for that area (Steve Lamont, Rigger and Daryl Williams, Supervisor). After completing the lift procedure and Steve and Daryl came down to read it. I then took it to Peter Carley, Superintendent for night shift for George Fisher project. I had also shown it to Stuart Wilton my night shift supervisor. It was agreed on that that was how we were going to do it. I then went back to the job and started to inspect it, the riggers attached the chains to the load. We had a back-up set of chains, a lifting set of chains, before we started to lift I checked the load. The first lift we lifted it about 250mm then we stopped, I inspected with the rigger (Steve Lamont) the chains and found that the back-up chains were taking weight, we then put the load down and put some more slack in the back-up chains so the wouldn't take weight, crane in use at this time was the 110 tonne mobile crane. We lifted it again once everything was set to about 70% of the load, I then asked Steve Lamont what weight the crane had and he told me 9.5 tonne. I then went and saw the crane driver and asked him how long ago his scales had been calibrated and he said only recently. We put the load back down as we were now not sure of the weight which we were given. Then we had an unknown weight so we pulled the crusher out further in a north direction and re-slung the load to try and find an exact weight. We took the crane to its limit and still not have a known weight. The weight we took it to I think was 12.5 tonne. It was then decided to strip the machine, this was decided by Stuart Wilton. Then I left that job and I spoke to the 110 tonne crane driver and the decision was made to send him away. I then continued checking my other jobs. I returned to the 223 crusher as they were lifting the top chute cover off. I asked Peter Daley if he knew the weight of that top section. And he told me one tonne. We lifted that down with the Brambles 70 tonne crane. I went for another walk around and returned at about 6:30 am, I spoke to Daryl Williams who was on top of the crusher helping Steve Lamont place chains around the southern roller. I asked them not to lift the roller out as at this time of the morning it becomes a high traffic area with people changing shifts and I didn't feel we needed to have the chance of people wandering around under a load. I said if they would like to take the weight to see what it weighs, no

This is Page 2 of a Statement
comprising 4 Pages.

Witness

Justice of the Peace (Q) /
Commissioner of Declarations

Inspector

CONTINUED STATEMENT OF DAVID JOHN RYAN

worries but don't lift into the car park. I went in for my change over but can't remember exactly what was said.

Question from Senior Constable Brett Sweeney "Would you classify a lift of this nature as high risk?"

David Ryan replied "When we were doing it, no I wouldn't say that there was a high risk because I had checked everything."

Question from Senior Constable Brett Sweeney "Did you do a hand over on the morning of Friday 14th July 2000?"

David Ryan replied "I know I spoke to Torren every morning about safety matters. I can't recall my exact words."

Question from Senior Constable Brett Sweeney "Is anything written down at these hand overs?"

David Ryan replied "Not between Torren and myself."

Question from Senior Constable Brett Sweeney "Do you maintain a written log of what you do throughout your shifts?"

David Ryan replied "No, I don't"

Question from Senior Constable Brett Sweeney "Were you present at the 223 crusher when it was being dismantled?"

David Ryan replied "No"

Question from Senior Constable Brett Sweeney "Were you present at a tool box meeting on Wednesday 12th July 2000 at 7:15 pm with Kevin Bocos?"

David Ryan replied "Yes"

Question from Senior Constable Brett Sweeney "Do you recall whether at this meeting Kevin Bocos directly discussed that when lifting no one was to be underneath the load?"

David Ryan replied "Yes"

Question from Senior Constable Brett Sweeney "Are you aware of or have you heard of any problems with two way radios being used between riggers and crane drivers when conducting lifts in this part of the Sinter Plant?"

David Ryan replied "I personally checked the radios for most of the cranes and on that night I did swap the radios around (Thursday night shift starting at 7:00 pm Thursday night). They had some problem with them, I wasn't sure so I got a new set."

			This is Page 3 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF DAVID JOHN RYAN

Question from Senior Constable Brett Sweeney "Who specifically had the problem."

David Ryan replied "Steve Lamont and the crane driver John Hart."

Question from Senior Constable Brett Sweeney "On a lift of this nature would you recommend the use of two way radios between the rigger and crane driver?"

David Ryan replied "Different parts of the lift and different cranes we use different signals. It is up to the rigger and crane drivers as to what they use."

Question from Senior Constable Brett Sweeney "Where is the lift procedure that you wrote?"

David Ryan replied "I'm not sure where the copy is the original on a disk."

Question from Senior Constable Brett Sweeney "Were you present when the south roll was lifted?"

David Ryan replied "No."

Question from Senior Constable Brett Sweeney "Did you examine the 223 crusher frame before you finished on Friday morning?"

David Ryan replied "No, I didn't"

OATHS ACT 1867-1988

"I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

			This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	5	Date	17 July 2000	Time	09:10
STATEMENT OF							
Name of Witness (in full)		James Keith Sanderson			Age	27	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		82 Enid Street Mount Isa QLD					
Occupation	Rigger		Home Telephone:	Business Telephone:	Date of Birth	24/06/73	
			07 47490541				

States that

On Monday 17th July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Brett Sweeney, Senior Constable Mount Isa Police (part time) and Hermann Fasching, Inspection Officer.

When I left school I started as a roof tiler, I did that for about three years. Then I got into the metal side of roofing, I first come up here about 3 years ago and did the roof on the stacker reclaimer at MIM. After that I went to Darwin and worked in the construction industry as a roof plumber. Then I came back to Mount Isa and was employed by Simon Carves as a Trades Assistant underground, working on construction of a conveyor in the Enterprise Project. I left that and I moved to the Copper Smelter for the upgrade of the Copper Smelter after that I was employed by York Australia to install evaporative airconditioners. Then I started with AET over at the Lead Smelter on Friday 7th July 2000. I hold a basic riggers ticket, a basic scaffold ticket, elevated work platform ticket, forklift ticket and dogman ticket.

On Friday 7th, Saturday 8th and Monday 10th July 2000 dayshift I gave a boilermaker a hand to lift some 32mm steel plate up underneath another beam to be welded, that was beside the crusher on the 222 level of the Lead Smelter Sinter Plant.

On Tuesday 11th July 2000 I commenced work on the Lead Smelter Sinter Plant shut down this was dayshift at 6:30 am. On Tuesday I worked up the top floor level (two levels above 222 floor) removing duct work and floor plates. On Wednesday 12th July, we started to pull the crusher apart on the 222 level (Stocky, Jason Pincott, Glen Cannon, there was also another boilermaker but I don't know his name) Jason and Glen told us what to do and left Stocky, the boilermaker and I to complete the work. We also removed the walkway which was just outside the 222 level on the north western side in front and to one side of the 223 crusher. When we removed the walkway Glen was there, this was done before we removed the front of the crusher. The front of the crusher was like the front of the chute on the 223 crusher.

		This is Page 1 of a Statement comprising 5 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF JAMES KEITH SANDERSON

On Thursday 13th July 2000, we removed the (Stocky, and someone else) the bottom half of the pan conveyor (the top half had been removed by night shift) on the 223 crusher, this was lifted up using the MIM overhead crane. Lifting the last conveyor pan up through the hole I noticed something on the crane rope, I made my way up to the top floor and Torren showed me how the rope was not curled properly on the drum. I then said to him that I thought I noticed a burr or birdcage and on further inspection we found it and tagged out the crane. Then for the rest of Thursday we took all the stuff that was up on the top floor down to ground level using the Brambles 70 tonne mobile crane and then I unloaded and loaded some trucks.

On Friday 14th July 2000, I commenced work at 7:00 am the first thing I did on this day was with Peter Comerford and I spoke to one of the night shift guys and he was explaining where they were up to. He said that the crusher was too heavy and they couldn't lift it out and they had to pull it apart.

They had removed the top cover and it weighed about a tonne and it was just the rolls in the crusher now to be removed, he said the first roll was all ready to go and all we had to do was lift it out. After that we spoke to Jason Pincott and Glen Cannon about the removal of the rolls.

We used the 70 tonne mobile crane to remove the first roll. I was positioned on the top level to guide the roll out (this was because it was a smaller hole at the top I was using a steel bar to turn the load at the same time using hand signals with Peter to let the crane driver know what I wanted. Peter was talking to the crane driver on the radio) because the crane driver couldn't see it coming out through the top. Jason was on the ground and he disconnected it, Glen and Peter Comerford were down the bottom on the 222 level and they had connected up the first roll. Peter Comerford was the one with the radio communicating with the crane driver, after we finished the first roll Glen and Peter Comerford started to remove the bearing case on the second roll. Peter Comerford signalled for me to go down onto the crusher floor because Glen Cannon had to go to a meeting. So I gave Peter Comerford a hand to connect the second roll and also remove the bearing covers. Once we lifted it I went back up to the top level to guide it through and Peter Comerford was communicating to the crane driver with the radio. After that we tried lifting the crusher up with the 70 tonne crane, but the crusher was still too heavy for it. As we lowered it back down the chain block I was using was slipping, so once it was lowered down I replaced the 2 tonne chain block with another 2 tonne chain block. So they were talking about getting the 110 tonne crane in. It was also discussed that the crusher frame was too long to pull it out and was hitting the rails and not staying on its wheels. When we hooked the chains around it one of the hammer locks was not sitting properly so we tried to repair it but couldn't so the Brambles crane driver went and got a new set of chains. The Brambles crane driver suggested that we get the fly boom off his crane because he might be able to get over far enough to lift it with the main hook, so Peter Comerford and I went down onto the ground to give the crane operator a hand to remove his fly boom. But as we started that Peter Comerford spoke to the MIM personnel who were replacing the cable on the MIM overhead crane, and we couldn't lift the crusher with the 70 tonne

This is Page 2 of a Statement
comprising 5 Pages.

Witness

Justice of the Peace (Q) /
Commissioner of Declarations

Inspector

CONTINUED STATEMENT OF JAMES KEITH SANDERSON

crane because the overhead crane was in the way and it was then decided by Peter Comerford and Torren Bocos that the overhead crane would be finished before we were able to lift because the overhead crane was in the way. So then Peter Comerford and Torren decided to not use the mobile crane but use the overhead crane when they were finished with it. So me and Peter Comerford were told to go and have smoko because there was a wait. While we were at smoko Glen Cannon and another boilermaker chopped a portion off the back end of the crusher.

After smoko we came out of the smoko room and noticed Jason Pincott was getting into the overhead crane, so we (Peter Comerford, Torren and Glen) went to the crusher and started to connect it up. We started to lift the crusher after checking everything. Peter Comerford located on the western side of the crusher floor in the northern corner and was signalling by hand to Jason who was in the MIM overhead crane. I was level with the back of the crusher on the western side operating one of the two tonne chain blocks, Torren was on the eastern side operating the other chain block and Glen was standing behind us. We tried to lift the crusher and someone noticed that the chains were not hooked up properly (where you shorten the chains) so we had to lower it back down. Peter Comerford and the Brambles crane operator and myself corrected the chains. Then we started to lift again we got it right up this time in a vertical position (the MIM overhead crane had all the weight) so that it was no longer sitting on the rails. Peter Comerford disconnected my chain block and Torren disconnected his. I can't remember exactly how long it was but it was soon after I heard Peter Comerford yell out "look out" and he was pointing to Torren and I noticed a big block fall down on the eastern side and hit the inside of where the crusher had been sitting over (east side). I turned and ran south I didn't go very far at all about five paces and thought where's Peter Comerford, I stopped turned around and saw Peter Comerford curled up underneath one of the steel blocks.

The next thing I did, I ran over to Peter and as I got there Glen got there just after, Glen said don't move him, I said no we got to get this steel off him, as we moved the steel I said to Glen he's fucked and I let go of the piece of steel and walked away. Some time during this I remember Torren yell to someone to go and ring 2222. I stood back and watched everyone run around, the ambulance arrived they put him on a stretcher and took him away.

Question from Senior Constable Brett Sweeney. When the radios were being used between the 70 tonne crane driver and the rigger, were there any problems with the radios?

A. I think earlier on there were some problems and Peter had to signal with his hands and after he took it to someone and they adjusted the channel squelch or something and then it was working.

Question from Senior Constable Brett Sweeney. Do you know why Peter Comerford and the crane driver weren't using radios on this particular lift?

This is Page 3 of a Statement comprising 5 Pages.		
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF JAMES KEITH SANDERSON

A. No the only thing I can say is on all the other lifts with the MIM overhead crane the crane driver can see down the hole. I don't know of any rule that said we had to use the radio.

Question from Senior Constable Brett Sweeney. Which roll did yourself and Glen Cannon take the bearing caps off?

A. Glen and Peter started to take the first side off and then Glen had to go to a meeting so Peter signalled for me to come down and I helped him to take the west side of the northern roll. We also had to cut a piece of steel from the top of the shaft (a piece of about 3mm plate) to allow it to come out.

Question from Senior Constable Brett Sweeney. Do you know why the bearing blocks weren't removed prior to the lift commencing?

A. No.

Question from Senior Constable Brett Sweeney. When the crusher frame was in the vertical position was there any movement or swaying of the load?

A. They had to move it a little bit to be able to disconnect the chain blocks. There was no major swinging or anything.

Question from Senior Constable Brett Sweeney. Did you see anyone steady the load when it was in the vertical position?

A. No.

Question from Senior Constable Brett Sweeney. Had the uplift of the load started just prior to the accident?

A. No.

Question from Senior Constable Brett Sweeney. Do you know who made the decision to strip the crusher?

A. No.

Question from Senior Constable Brett Sweeney. Have you seen a plan of the crusher before?

A. No.

Question from Inspection Officer Hermann Fasching. When you removed the caps, did you slacken any of the adjusting screws?

A. Never touched any adjusting screws.

Question from District Inspector Of Mines Robert O'Sullivan. Were you ever involved in putting together a work method or job safety analysis statement for the removal of the crusher?

A. There were discussions on the job of how we were going to do the job, but I never saw a job safety analysis.

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF JAMES KEITH SANDERSON

Question from District Inspector Of Mines Robert O’Sullivan. Did you see and were you involved in the lift plan for the removal of the crusher?

A. There was discussion on the job, but no documented form. I have not seen a lift plan.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 5 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 17th day of July 2000.

Witness

Justice of the Peace

			This is Page 5 of a Statement comprising 5 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	16	Date	19/07/00	Time	1:46pm
STATEMENT OF							
Name of Witness (in full)		Terence John STOTT			Age	53	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		6 Marie Way, Kalamunda, Perth, Western Australia					
Occupation	Engineer/Project/Construction Manager	Home Telephone: 0747431111	Business Telephone: 0747443717	Date of Birth	6/2/47		

States that

On Wednesday 19 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Senior Constable Brett Sweeney (typing), Mount Isa Police, Hermann Fasching, Inspection Officer, Peter McGarvey, District Workers Representative and Michael Coonan, Lawyer from Freehills.

I graduated as a civil engineer in 1970, I've worked in the construction or mining industry from then till now, a brief summary would be for the first 15 years I worked for a contractor Hornibrook throughout Australia, Papua New Guinea and the Pacific Islands as a project engineer and then for the last 12 years as a project manager. For the last 15 years either in my own businesses or as a consultant to major engineers and other clients as a project manager or a construction manager. I've had other positions such as estimator and on feasibility studies. Once again this has been throughout the states of Australia. Most of this has been on major projects up to \$250 million dollars in value.

I suppose I first became aware of the George Fisher Project when I helped put the bid together in approximately June 1998. At that stage I came up and did a site visit and worked out the staffing plan and other essentials that were necessary to work out a staffing schedule and other costs for a major PS (Project Services) Contract tender. PS contract is the contract between Bateman, Brown and Root who I consult to and Mount Isa Mines. As far as the George Fisher Project is concerned I am the Construction Manager and that position reports to the Project Manager who is a Mount Isa Mines Limited person, Malcolm Lewis. All the construction personnel report to me. Without reference to some of the documents it is probably a bit difficult to give a description other than to say that there is included in the George Fisher Project a number of modifications, upgrades and rebuilding of various facilities within the existing Mount Isa Mines Lead Smelter.

The original schedule for the project indicated that the Lead Smelter shutdown was going to happen in July 1999. I'm not fully informed of the reason why it was

		This is Page 1 of a Statement comprising 3 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF TERENCE JOHN STOTT

postponed until July 2000. As of the 14th July 2000 was progressing basically on schedule with some activities ahead and some activities behind.

Question from Hermann Fasching "In the structure of the organisation as it is at the moment who has the responsibility for the development of job safety analysis's (JSA's) and work method statements (WMS'S)?"

Terence Stott replied "The contractors engaged by MIM to do the work."

Question from Hermann Fasching "Is there a requirement on the contractor to have these approved or authorised by either personnel from the George Fisher Project or MIM?"

Terence Stott replied "This is determined by the contract between MIM and the contractor, but in general it is the contractors responsibility to prepare and review their JSA's and method statements as Superintendent to the contract. We on most occasions review the JSA's and work method statements."

Question from Hermann Fasching "Have you reviewed any of the JSA's or work method statements that have been prepared by the Boulderstone Hornibrook/AET entity?"

Terence Stott replied "Personally, not in detail as it is one of the functions of the Superintendents Representatives that have been appointed to assist the Superintendent."

Question from Hermann Fasching "How is it managed or what process is in place to control or review the JSA's or work method statements when there is a significant deviation from these as a result of the work being carried out?"

Terence Stott replied "If there is any deviation the Superintendents Representative, would normally become aware of it through observations and would having become aware of it request the contractor to review and possibly resubmit there JSA's and WMS's. There is an alternative circumstance where the contractor knowing that there is a change to the circumstances will change the JSA and work method statement and submit it for review. It could be either or."

Question from Hermann Fasching "Are you aware of or have you ever heard of any difficulties experienced with two way radio communication in the Sinter Plant?"

Terence Stott replied "No, I'm not."

			This is Page 2 of a Statement comprising 3 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF TERENCE JOHN STOTT

Question from Hermann Fasching “Are you aware of any written or verbal instructions that riggers and crane drivers are to utilise two way radios when performing lifts inside the Sinter Plant?”

Terence Stott replied “No, I’m not aware of any specific instructions. Two way radios were provided by the George Fisher Project to all the contractors for general communications and also for crane use.

Question from Hermann Fasching “Did you visit the 223 level on either the 13th or 14th July 2000 prior to the accident ?”

Terence Stott replied “No.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 3 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 19th day of July 2000.

Witness

Justice of the Peace

		This is Page 3 of a Statement comprising 3 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.		Date	18/7/2000	Time	10:00
STATEMENT OF							
Name of Witness (in full)		TALBOT-SCOBIE, Duncan Boon Guy			Age	30	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		Room 1 Singlemens Accommodation, 5 Seventh Avenue, Mount Isa					
Occupation	Security Officer		Home Telephone: 47493370	Business Telephone: 47442595	Date of Birth	16/7/70	

States that

On Tuesday 18 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence, Senior Constable Brett Sweeney, Mount Isa Police.

At about 3.05 am on Tuesday 18th July 2000 I commenced duty as mobile 4 guarding the restricted area of the Mount Isa Mines Lead Smelter. To perform this guard I am located on the western side of the Lead Smelter offices and I have a clear view of the restricted area at the Lead Smelter. The restricted area is on the eastern side of the lead smelter, there is red and white tape around part of the Lead Smelter that shows the restricted area. My job is to make sure that no one goes into the restricted area and if they do to get their details and ring an officer from the Department of Mines and Energy.

At about 3:25 – 3:30 am that morning I was on the western side of the Lead Smelter offices watching the restricted area. I'm pretty sure it was on the second level in the restricted area that is two levels above the ground floor I saw a person walking North in the restricted area. I saw this person walk north to the railing of the restricted area and look down. I yelled out to the person and the person looked at me and I used hand signals to indicate for him to get out of the restricted area. I spoke to a bloke from AET who was near me and asked him if it was one of his blokes and he didn't know.

Then I grabbed my hard hat and safety glasses and went to some stairs that are to the south of the restricted area and went to the first level, round behind a mobile crane up some stairs onto the level that I saw the person on. I looked towards the restricted area. As I looked towards this area I saw that there was red and white ribbon preventing access to this part of the smelter. This ribbon is the same type of ribbon that is used at the ground floor to show the restricted area.

I couldn't see anyone in the restricted area and I couldn't see anyone, so I looked south and saw two blokes working there and I approached them and asked them if one of them was the bloke that went into the restricted area. One of them said it was him,

		This is Page 1 of a Statement comprising 2 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF DUNCAN BOON GUY TALBOT-SCOBIE

I asked him if he knew it was a restricted area and he said no, then I asked to sight his security tag and he said it was on the board. I asked him his name and he told me it was Wren WARD and he worked for AET. He was asking what this was all about and I told him that if anyone entered that area that I had to call the Department of Mines and Energy and notify them. I asked him to come down the bottom with me. When we got to the bottom Lil Sainty (Mobile 1) was there she is the Duty Inspector for Chubb Security. I said to her do I have to ring the Department of Mines and Energy and I was supposed to. Through mine control I was able to contact Hermann FASCHING from the Department of Mines and Energy. He took the details and told me he would like into it.

Then I was told by the Duty Inspector that his tag had been sighted and the name on the tag and the face matched.

I then finished mobile 4 guard duties at the Lead Smelter at 3:45 – 3:50 am and resumed other duties.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 18th day of July 2000.

Witness

Justice of the Peace

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	5	Date	16/07/00	Time	1405hrs
STATEMENT OF							
Name of Witness (in full)		Torren Aziz Bocos			Age	37	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		24 Patterson Crescent Mount Isa Qld 4825					
Occupation	Safety Officer		Home Telephone: 07 4743 1924	Business Telephone: 07 4749 1754	Date of Birth	03/12/62	

States that:

On Sunday 16 July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Sergio Cespedes, Electrical Inspector of Mines, Senior Constable Brett Sweeney, Mount Isa Police and Nicole Freeman.

Before I became a Safety Officer, I was a crane driver/rigger basically, then also in and around Brisbane. I got my safety officer ticket last August and basically doing that duty from about October last year, checking on jobs, JSA's and method statements. I started working with A.E.T on 13th April 1998 as a rigger/crane driver.

My involvement with the George Fisher Lead Smelter shutdown was basically getting everything organised for the men, supplies etc, from the middle of March or the beginning of June. I was also looking after a Hilton job at the same time.

My first day shift on the shutdown was Tuesday 11th July 2000. For the Tuesday, Wednesday and Thursday I was going around checking the jobs I was checking the blokes as well just to make sure that they had harnesses on, if they were over an opening or outside hand rail areas. Just making sure that their PPE was on. Checking scaffolds for their correct tags and just general checking.

I spoke to Bevan the night shift crane driver for Brambles about 6:15 am on Thursday 13th July 2000 and he informed me that he was out of his radius to reach the job. Through the course of the day I tried to organise the Epoca 110 tonne mobile crane to come and do the job of lifting the crusher out (less fly wheels and electric motors). I was informed with I think Michael Gatty or Jason Pincott by Mark Ezzy that it was 11.5 tonnes, I can't remember what day he told me that. I think we had a tool box talk on Thursday morning where we discussed checking jobs before lifting, making sure that nobody was underneath when lifting and making sure to barricade the area, if necessary. I found out that the 110 tonne crane was coming at 6:45 pm and was going to be there at 7:00 pm. When I left between 7:15 pm and 7:30 pm it was parked across the road from the Lead Smelter.

		This is Page 1 of a Statement comprising 7 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

I came in at 6:15 am on Friday 14th July 2000 and I noticed that the crusher hadn't been taken out yet. I spoke to Michael Gatty and was informed that it was too heavy for the 110 tonne mobile crane. I went back over to the Boulderstone office and I spoke to someone in regards to the crane. I just did my normal procedure in the morning and made sure that all the blokes were signed on and just to let them know that if they needed cartridges for their respirators to see Alan at the store. I just did my normal walk around on all the jobs checking various things like on Thursday checking PPE's. The guys working on the 222 and 223 crusher (Jamie Sanderson, Rigger, Peter Comerford was driving the MIM overhead crane and Glen Cannon, Leading Hand). I was up on the very top floor when they pulled a section of the pan out (223). Peter Comerford brought the load up to the top and I noticed the rope on the MIM overhead crane drum was going rope on rope and instead of the rope rolling onto the drum. I told Peter that the rope wasn't going on the drum straight and he suggested that we traverse to the west to take it over the opening so we could rope down and put the rope back on the drum level. We had to lower the pan down to the floor just below the crane where I removed the slings and Peter roped it back up again and traversed over to the opening then he roped down until the rope came back even. In the process I noticed that the crane rope had been severely damaged. I spoke to the blokes working on this job and asked them whether they had done this damage to the rope and they said no, the rope didn't come in contact with the beams or any other structure. Then I told Pete that the rope was damaged and said we couldn't use it anymore and got Jamie Sanderson to lock crane out with a safety lock and informed my boss Kevin Bocos.

I seen the 70 tonne Brambles crane lowering one of the rolls of the crusher to the ground. I spoke to Jason Pincott and he said to me that the 70 tonner could not remove the bottom half of the crusher. The crane had 6.5 tonne on the hook and it was only good for 7.5 tonne. I suggested to him that Peter Gill the 70 tonne crane driver could reeve it to two sheaves, which would give him a safe working load of 8.3 tonne. Mark Ezzy told me that the MIM overhead crane new rope had arrived and asked if we could get the crane driver to put it up the top so his men could change it. So I asked Peter Gill, Peter Comerford and Jamie Sanderson to rig up the rope reel. Jamie went up to the top floor to dog the load into position. Peter Gill mentioned to me he could take the fly off (extension to the boom) so he could remove the crusher, his safe working load was 10.9 tonne. I organised a Franner (mobile crane) to assist with the removal of the fly. This time MIM had positioned their overhead crane over the area which the 70 tonner was going to do the lift therefore the decision was made to wait until the new rope had been put on.

I went for smoko over at the Boulderstone office for approximately half an hour. When I arrived back at the front of the Lead Smelter offices the overhead crane was working again and I noticed the hook was down at the load. I went up to 223 floor, Peter and Jamie already had the crusher hooked up on the chains.

I was standing on the eastern side of the 223 level and Peter asked when he took the weight could I removed the steel block. I put the hook of the chain block into the

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

lifting lug, pulled down on it to take the back end up. At the same time Jamie was pulling on the chain block to lift the back end up as well on the west side. Peter was giving the signals to the crane driver in the overhead crane to rope up. Peter was standing on western side of the 223 platform between and up against the hand rail and half a metre south of the northern end of the platform and giving hand signals to the crane driver. So as the crusher is being raised we were coming down on the chain block to lower the base (south end).

Peter Gill came up and told me that the shorteners had been put on around the wrong way so I told Peter Comerford that the shorteners had been put on the wrong way and we would have to put it back into position and then I said as a joke this will give us practice when we have to put the new crusher in. Peter Comerford directed the crane driver to commence lowering the crusher back down and at the same time me and Jamie were pulling back up on the chain block to keep the back end up in the air. So when the load was back in position Peter Gill assisted Peter Comerford to fix the shorteners up.

Once Como had fixed up the shorteners he proceeded to give direction to the crane driver to rope up (to lift). And again at the same time Jamie and myself were taking the weight up at the back with the chain blocks. I think we got the crusher half way up into the vertical position and I heard a noise so I told Como to stop. So he stopped the load and I said that I heard something move and then I checked the load for any loosed bits that may have fallen in the centre or on the side, I didn't notice anything. So I told Pete to go ahead. Peter instructed the crane driver by hand signals to start to rope up. Again Jamie and myself continued to work chain blocks so the back end was kept free from the rail line (floor). The load (crusher) became vertical, I tried to take the hook out of the lug, there was still weight on it so Como instructed the crane driver to travel south a bit so the weight could come off the chain. Then I took my hook out of the lifting lug off the crusher frame, Como took the other hook out on the western side. After that all I heard was "look out". Then I noticed something coming down out of the corner of my eye and I've jumped and ran south. Out of the corner of my eye I saw Jamie running south and then I turned around and seen Como on the floor. I ran into the control room to try and find a phone, I've come out and I shouted out to some bloke ring four two's, ring four two's. Then I ran over in the direction of the Baulderstone office to inform my boss (Kevin Bocos), he met me half way. We ran back up onto 223 floor, I think he checked for his pulse. Then I asked is the ambulance coming is the ambulance on its way? I tried to get the Steamit truck and move it out of the road so the ambulance could get in, I couldn't find the drivers so someone else moved the truck at the same time the ambulance turned up. I just got two blokes to help the ambulance people get the stretcher out.

Question from Senior Constable Brett Sweeney "Have you previously been told about any problems with radio communications between riggers and crane drivers when performing lifts at MIM?"

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

Torren Bocos replied “Two guys that were working on the Sinter machine pallets, there was trouble, the driver couldn’t hear the rigger every so often so they changed their batteries. They even organised to get two radios for themselves. I didn’t hear that there were any more problems with the radios with respect to the crane drivers and the riggers.”

Question from Senior Constable Brett Sweeney “During previous lifts that day how were the rigger and the mobile crane drivers communicating?”

Torren Bocos replied “The guys on the Sinter machine were using two way radios and the guys in the Franners crane was done by hand signals and when Peter Comerford was operating the overhead crane the rigger (Jamie Sanderson) was using hand signals.”

Question from Senior Constable Brett Sweeney “Is it usual procedure when performing lifts of this nature to use radios for communication between the rigger and the crane driver?”

Torren Bocos replied “I wouldn’t say that it is usual procedure. I think it is up to the rigger and crane driver”

Question from Senior Constable Brett Sweeney “Did you check the crusher frame before the lift commenced?”

Torren Bocos replied “No”

Question from Senior Constable Brett Sweeney “As a safety officer is that usual?”

Torren Bocos replied “Yes, because your not there at every lift.”

Question from Senior Constable Brett Sweeney “You’ve said in your statement that when your performing a lift no one should be underneath a load. Why then was Peter Comerford under the load?”

Torren Bocos replied “Because he was the guy giving the direction to the crane driver that was the place that the crane driver could see. He wasn’t directly under the load he was back from the load.”

Question from Senior Constable Brett Sweeney “Were radios available?”

Torren Bocos replied “Yes”

Question from Senior Constable Brett Sweeney “Do you keep a log or any written record of either a shift handover with the nightshift safety officer or of the events that have taken place during the day?”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

Torren Bocos replied “No, I did not.”

Question from Senior Constable Brett Sweeney “Were there any tie lines or guide lines attached to the load?”

Torren Bocos replied “No”

Question from Senior Constable Brett Sweeney “In a lift of that nature would you usually attach tie lines or guide lines?”

Torren Bocos replied “No because you would have to be directly under the load to turn it and it is easier to turn it from the side. During previous loads we were able to turn the load on the intermediate levels by physically reaching out from that level and turning the load.”

Question from Senior Constable Brett Sweeney “When the lifts with the 110 tonne and the 70 tonne mobile cranes were being performed how was communication taking place between the rigger and the crane driver?”

Torren Bocos replied “With the 110 tonner I don’t know because I wasn’t on night shift and the with the 70 tonner Peter Comerford was using a two way radio.”

Question from Senior Constable Brett Sweeney “Were you aware of any difficulties with those radios?”

Torren Bocos replied “None that I was aware of.”

Question from Senior Constable Brett Sweeney “Do you know why the bearings weren’t removed before the lift started?”

Torren Bocos replied “No I don’t. I had no part of the dismantling. The only part that I was involved in was using the chain block.”

Question from Senior Constable Brett Sweeney “Did you see who removed the bearing caps from the spike roll crushers?”

Torren Bocos replied “No I did not.”

Question from Senior Constable Brett Sweeney “When the load was in a vertical position was there any movement or swaying of the load?”

Torren Bocos replied “The only movement was when he travelled to the south side to undo the hook. I didn’t notice it swinging.”

Question from Senior Constable Brett Sweeney “Did you see anyone steady the load when it was in the vertical position?”

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

Torren Bocos replied “No.”

Question from Senior Constable Brett Sweeney “Had the load commenced the actual lift when the incident occurred?”

Torren Bocos replied “I really don’t know. I just moved the hook and I didn’t see Pete give any signal.”

Question from Senior Constable Brett Sweeney “Were there any spotters in place for the lift?”

Torren Bocos replied “No there was three of us on the floor, myself, Peter and Jamie and just a crane driver in the control cabin of the MIM overhead crane. So we already had three people there.”

Question from Senior Constable Brett Sweeney “When was the crusher originally supposed to been removed by?”

Torren Bocos replied “I think it was Thursday or Wednesday afternoon.”

Question from Senior Constable Brett Sweeney “Have you ever seen a plan of the crusher itself?”

Torren Bocos replied “Only in the general plant arrangement drawings.”

Question from Senior Constable Brett Sweeney “Do you know who made the decision to strip the crusher?”

Torren Bocos replied “I think Kevin Bocos and the management of Baulderstone.”

Question by District Inspector of Mines, Rob O’Sullivan “Did you see the lift method plan for removing the crusher?”

Torren Bocos replied “No. I asked George Fisher Project team and they said because it’s the overhead crane and you only require them for a mobile crane. The reason they are needed for mobile crane is because the crane radius can change a number of times. This is not the case on the overhead cranes.

Question by District Inspector of Mines, Rob O’Sullivan “Were you involved in any work method statements or JSA’s for the removal of the crusher? If yes did you involve other parties”

Torren Bocos replied “Yes I did the JSA’s for them. There were no method statements done. I did them with the supervision, just to ask them what had to happen

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

then I just went up to have a look at the job to find any extra hazards that I could find ie. Electrical, confined spaces.”

Question by District Inspector of Mines, Rob O’Sullivan “Where is the JSA for this job?”

Torren Bocos replied “It’s in the isolation folder at the front of the Lead Smelter.”

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 7 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 16th day of July 2000.

Witness

Justice of the Peace

		This is Page 7 of a Statement comprising 7 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	24	Date	08 /08/00	Time	1300 hrs
STATEMENT OF							
Name of Witness (in full)		Torren Azis Bocos			Age	37	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		24 Patterson Crescent Healy Mount Isa					
Occupation	Safety Advisor		Home Telephone: 47431924	Business Telephone:4 7491754	Date of Birth	03/12/62	

States that:

On Tuesday 08 August 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Vicki Thomson, Administrative Officer.

This second statement is to complete the information to assist us in the preparation of the report of the Lead Smelter Sinter Plant accident that happened at Mount Isa Mines on 14 July 2000.

1. Who develop the documented Job Safety Analysis (JSA) for the stripping and removal of the 223 spiked roll crusher?

Torren Bocos replied "Myself and Supervisor (Michael Gatty)"

2. What personnel were involved in this process and who were they?

Torren Bocos replied "Michael Gatty trade is Boilermaker. Once I finished the JSA, it was given to George Fisher Project for approval"

3. What reference documentation was used in the development of the JSA, eg owner's operator manual, existing procedures related to the 223-spiked roll crusher, etc.?

Torren Bocos replied "I developed the JSA by looking at the job to identify any hazards that I could see around the 223 crusher area. This is done prior to the demolition is done".

4. What reference was made to existing drawings of the 223 spiked roll crusher?

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF TORREN AZIZ BOCOS

Torren Bocos replied “For me to do the JSA I did not need to look at any drawings as explained as above in question 3”.

5. What MIM Lead Smelter maintenance personnel were involved in the development of this JSA?

Torren Bocos replied “None”

6. Apart of JSA, which has been included in the documentation provided to us, what other support material did you have that relates to this?

Torren Bocos replied “No other material that I can recall”

7. Why the existing JSA not listed the task steps involved in the stripping and removal of the 223 spiked roll crusher?

Torren Bocos replied “JSA is done to identify any known hazards on the job. A method statement is done up for the method of removal. This method statement is not done by me”.

OATHS ACT 1867-1988

‘I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 2 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 8th Day of August 2000

Witness

Justice of the Peace

			This is Page 2 of a Statement comprising 2 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector	

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	7	Date	17 July 2000	Time	11:42 am
STATEMENT OF							
Name of Witness (in full)		Daryl John Williams			Age	37	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		6 Farrell Court Beaconsfield Macky QLD					
Occupation	Boilermaker		Home Telephone:	0417807240	Business Telephone:	Date of Birth	25/11/62

States that

On Monday 17th July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of Rob O'Sullivan, District Inspector of Mines, Brett Sweeney, Senior Constable Mount Isa and Hermann Fasching, Inspection Officer.

I did an apprenticeship as a boilermaker with Allied Engineering finishing in 1982, I worked with them for one more year and then I was offered a construction job in Victoria on grain silos with Ascon during this time I became a leading hand with Ascon about two years after I started, I spent four years on that job. In 1987 I was employed at Roxby Downs where I was a leading hand and in 1988 a paper mill in South Australia, all construction. In 1989 I worked in Egypt as a supervisor on grain silos with Ascon. I was then on high rise construction in Adelaide and then I was a leading hand pipe fitter with Pipe Mec for two years. In 1994 I started with Boulderstone Hornibrook and became a leading hand after some time, and have worked for them on and off up until now on oil refineries, chemical plants, steel mills etc.

Last year I worked on the Western Mining Acid plant from February to July, I did go on the lease for the last two months. I started on July 5th 2000 in the Lead Smelter and was erecting pipe work until the 9th July 2000. I started night shift on the 11th July 2000 working on the Lead Smelter Sinter Plant crusher, as a leading hand in charge of four other guys on the crusher 223. The crew consisted of two boilermakers a rigger and a trade's assistant (Quinny, Johnston, Daley and Darby). My immediate supervisor was Stewart Wilton he works for Boulderstone Hornibrook.

On the 11th and 12th of July 2000 we were demolishing on the 223 floor, so we could move the crusher out. I started work at 6:30 pm on Thursday 13th July 2000 (Friday nightshift). I start half an hour early, I went to the office met with Stewart Wilton who advised me that we were going to lift the 223 crusher with a 110 tonne mobile crane during that shift. But first I had to remove a floor above me using two riggers Peter Daley and Steve Lamont. I then met with Glen who was my opposite from day shift on

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF DARYL JOHN WILLIAMS

the 223 crusher floor. We went over the job of crusher 223, that was the hand over period. After completing the lift of the floor using the 110 tonne mobile crane, we were starting to get organised to lift the crusher. I went over to the office with Steve Lamont and Peter Daley to get the lift procedure, which was on the computer. I read the lift procedure which stated the crusher was 11.3 tonnes and that Steve Lamont was in charge of the lift. It also had detail of the lifting points the chain size, the angle at which the chains could lift and that we needed spotters on each floor and on the ground. And that everybody in the immediate area not associated with the lift was to be removed. We rolled the crusher north, lowered the mobile cranes hook down the well, slung the crusher up on its lifting points on the northern end had. There were two two tonne chain blocks on the southern end and then we stopped and checked everything with the safety officer Dave Ryan (I am not sure of his surname, but he is the safety officer on night shift he was on the floor at the time. There were also two other guys present at the time).

We lifted the crusher by the northern end and found the weight to be 10.5 tonnes, with one end still on its wheels. Which meant this crusher wasn't 11.3 tonnes. So after talking with Dave Ryan he decided to go and check with the crane driver of the weight on the hook and the crane driver told Dave that that would be correct because the mobile crane had just been calibrated. So we lowered it back down onto its wheels, and then I went over to Stewart Wilton in the office and told him this crusher was too heavy. He told me to roll the crusher north so we could get a direct lift with the 110 tonne mobile crane. To find out how much the crusher weighed. So we rolled the crusher north slung it up on four points, and took the crane to its limit, which was 12 to 12.5 tonnes. The crusher never looked like moving, at this stage Dave Ryan stopped the lift, because we had an unknown weight. So I went back to Stewart Wilton's office and told him that we took the crane up to its load limit and the crusher never moved, its just too heavy for that crane.

This is when Stewart Wilton told me that we have to strip the crusher (pull the crusher apart) and take it out section by section. I went back to the 223 crusher floor and then Stewart Wilton and Tony Rooney (fitter/foreman of 222 level) came to the floor where they were deciding how it was going to be stripped and how long it would take. After speaking with Tony Rooney, we (Darby and myself undid them and Tony watched) started unlocking the lock nut (there are four on the crusher, these lock the big thread up, it holds/pushes the rolls in and out). We undid all four of them, then we turned the threads, we didn't need to turn them far (5-6mm) which was enough room to get the packers out. We had to take the packers out to get to the allen keys of the bearing housing, then we took the top channel off, by this time there were two other guys a boilermaker and a fitter from Steamit who had been sent to help strip the crusher. We undid the four bolts on each end of the channel on each side of the crusher and removed the channel. We removed the stool in the middle of the crusher underneath the channel and then we began to undo the allen key bolts of the bearing housing on the southern roll. After getting them undone we took the top half of the housing off, we lowered the 110 tonne crane hook down the well rolled the crusher north and Steve Lamont and I slung the southern roll. We lifted it up about four inches and then Dave

This is Page 2 of a Statement
comprising 4 Pages.

Witness

Justice of the Peace (Q) /
Commissioner of Declarations

Inspector

CONTINUED STATEMENT OF DARYL JOHN WILLIAMS

Ryan and I spoke and decided because of the time of the day and the change of the shift there would be too many people walking in and out of the office complex, so we lowered it back down. That was the end of the shift, where-as Glen came up to the 223 crusher floor for our changeover and I told him the crusher was too heavy for the 110 tonne mobile crane, its been decided to strip the crusher. We've taken off top halves of the southern roll.

Question from Brett Sweeney Senior Constable: When was the crusher originally supposed to have been removed by?

A. It was to be at 2pm on one afternoon either Wednesday or Thursday, what held us up was the floors above us that had been put in for access. The MIM overhead crane that we were going lift it out with had a problem with its wire rope. As I understood it we had two days up our sleeve, we were two days ahead of the schedule.

Question from Brett Sweeney Senior Constable: Before you started to strip the crusher, did you see a plan of the crusher?

A. I did, a general plan.

Question from Brett Sweeney Senior Constable: When you were doing your hand over to Glen Cannon, on the morning of the 14th July 2000 did you tell him anything else specifically about the bearing housings?

A. Only that we had taken the top half off the southern roll and the crusher has to be stripped.

Question from Brett Sweeney Senior Constable: While you were stripping the crusher, did you look specifically at the bearing housing blocks?

A. We had to move them back, as we wound them back it moved back, so we could take the packers out. This was the whole block that moved back.

Question from Brett Sweeney Senior Constable: Why weren't the bearing housing blocks removed as well at this time?

A. It was the end of our shift and both the rolls were sitting on them at the time.

Question from Brett Sweeney Senior Constable: Did the bearing housing blocks appear to you to be attached in any way to the crusher?

A. Only at the bolt where the thread went in, because thats what pulled it back to enable us to get the packers out.

Question from Brett Sweeney Senior Constable: When the lift of the floor was occurring how were the rigger and the crane driver communicating?

A. Two way radio.

Question from Brett Sweeney Senior Constable: Do you know if when the floor was being lifted any problems were experienced with the radios?

A. I am not aware of that.

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CONTINUED STATEMENT OF DARYL JOHN WILLIAMS

Question from Brett Sweeney Senior Constable: Are you aware of any previous difficulties with radio communications in that area of the Sinter Plant?

A. I can remember one of the riggers changing a battery, but that's all I am aware of. The rigger and the crane driver checked the radio, I was there when that happened.

Question from District Inspector of Mines Robert O'Sullivan: Were you involved in putting together a work method statement or job safety analysis for the removal of the crusher:

A. Only in the process of the lifting procedure, I wanted to read that (this was the one on the computer).

Question from District Inspector of Mines Robert O'Sullivan: Did it occur to you that the bearing housing blocks would fall free from the crusher frame when the crusher was raised vertically?

A. Well stripping it means stripping it, they (the four) would not have been there if it was stripped.

OATHS ACT 1867-1988

'I make this solemn declaration by virtue of the provisions of the Oaths Act 1867-1988 that:-

- (1) This written statement by me dated and contained in the foregoing pages numbered 1 to 4 is true to the best of my knowledge and belief; and
- (2) I make it knowing that, if it were admitted as evidence, I would be liable to prosecution if I stated in it anything that I knew to be false.

.....Signature

Taken and declared before me at Mount Isa

this 17th day of July 2000.

Witness

Justice of the Peace

		This is Page 4 of a Statement comprising 4 Pages.
Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

INSPECTOR OF MINES STATEMENT OF WITNESS		Statement No.	9	Date	17 July 2000	Time	15:50
STATEMENT OF							
Name of Witness (in full)		Stuart James Wilton			Age	44	
Inspector taking Statement:		Sergio Cespedes			Office	Mount Isa	
Address of Witness		51 Knightsbridge Ave Laverton South, Victoria					
Occupation	Supervisor		Home Telephone: 03 93157351	Business Telephone: 4744 3395	Date of Birth	12/01/56	

States that

On Monday 17th July 2000, I attended the offices of Department of Mines and Energy at 13 Isa Street, Mount Isa. I provide this statement in the presence of, Brett Sweeney, Senior Constable Mount Isa Police and Hermann Fasching, Inspection Officer.

I was an apprentice Boilermaker/Welder the company Steel Mains finished in 1975, after that I went to Karrutha and worked for McFee engineering as a boilermaker and first class welder, I then worked as a foreman in the workshop for Ram Engineering for approximately 2 years. I then worked for Comeng Engineering as a leading hand for approximately four years, from there I went to Karrutha worked for Baulderstone Hornibrook as a pipe fitter this was for about three years. I then went to Porgera (PNG) as a foreman for about nine months and I have been with them as a foreman for seven years and a supervisor for the last three years.

I started on site at the Lead Smelter on the 31st of March 2000, looking at drawings and ordering all of the gear for the upcoming shutdown, there were also 12 hour shutdowns every two weeks during which time we carried out various work. I was not involved in any major job planning (job safety analysis and that) for the 223 crusher job only what I was involved with on the job with the boys. I was involved in a lot of work not just the 223 crusher and 222 apron feeder. Between the 11th and 12th of July 2000 I was the nightshift supervisor for the Lead Smelter Sinter Plant shutdown at Mount Isa Mines. I instructed Daryl Williams and Tony Rooney on what work had to be carried out for the removal of the crusher. At that time there was communication between the foreman on dayshift and the foreman on nightshift rather than me getting involved in that. The dayshift know where they are up to and the night shift know where they are up to. During this time the 223 crusher fly wheels were removed the gear box and motor were taken off and the wheels that sit on the rails were put onto the machine. This was part of the plan and part of the job safety analysis, the program was step by step, this program had been provided to me. Then the crew had to jack up the crusher and remove a couple of packers that had been found late in the day (12th July 2000) and they had to be removed that day. Once the crew took the packers out the crew pushed the crusher forward (north), the crew then looked around and realised

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Witness	Justice of the Peace (Q) / Commissioner of Declarations	Inspector

CONTINUED STATEMENT OF STUART JAMES WILTON

that the 223 crusher would not go out the hole (up to the top floor). The original plan was to lift it up using the 15 tonne MIM overhead crane. That was the end of the shift.

I commenced nightshift on the 13th July 2000 at 6:30pm (Friday nightshift), I was informed by Kevin Bocos that the platform was ready to be removed and they also told me that the 15 tonne MIM overhead crane that they had found a bird cage on the wire and we would not be able to use that crane but they had arranged for a 110 tonne mobile crane to come in for the night shift.

When the crane arrived the crew set it up into position and the position it was set up in it was good for between 12 to 12.5 tonne. And the information that I had on the crusher was that it weighed 11 tonne (this was from the drawing). The crew removed the platform, while this was going on. Dave Ryan and I did up a lift procedure to lift the crusher out in one piece. The crew rigged it all up, it was ready to go, Dave Ryan and the riggers checked to ensure it was ready to go, it was all clear to lift. The crew started to lift it, they lifted it about four to five feet and there was 10.5 tonne on the crane load dial and the rear of the crusher was still on the ground. This was about 75% of the load so it meant the 223 crusher would weigh about 14 tonnes. To make sure of this I asked them to put it back down push it fully forward north so that a direct lift could be made with the crane. So they re-rigged it all up to get the lift, and they took it up to its maximum weight which was 12.5 tonne where the crane was and it was not going to lift it off the ground. I knew I had an unknown weight.

I asked Tony Rooney to go down and have a look to see how the 223 crusher could be stripped and how quickly. The reason I wanted to know this was the 110 tonne mobile crane was there and if it was going to take four hours to strip I would let the crane go because we were not going to achieve anything with that crane. Tony said to me it would take three to four hours. In the mean time I spoke to the other crane driver who was operating the 70 tonne mobile crane and I asked him what weight he could pick up from that distance he said he was good for 6 to 7 tonne.

So then I sent the 110 tonne mobile crane away because once we started stripping the 223 crusher we could lift the components with the 70 tonne crane. Then I went back and spoke to Tony and asked him what did we have to do to pull it out and then he showed me what we had to do. Which was remove the cover, back the nut off on the bearing housing, unscrew the bearing housing to remove a packer which would allow the roll to come out. That's where I left it and the guys were doing this. I then went back to the office to do some work.

When I went back they had the south roll on the 70 tonne mobile crane, they had broken the seal (the shaft was lifted free of the housing) of it and the weight went 4.4 tonne. Dave Ryan decided that as it was close to change of shift and it would not be lifted out as there were too many people walking around. I was there for a bit of the changeover and told smeary (Jason – I don't know his second name) that we had to strip it and that's where I left the Foreman to do their handover.

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CONTINUED STATEMENT OF STUART JAMES WILTON

Question from Senior Constable Brett Sweeney: Could you give me a definition of your role as a night shift supervisor?

A. As a supervisor of all the guys make sure they have all the gear, make sure they understand what they are doing, normally I just talk to the Foreman. Ultimately I am responsible for five different crews.

Question from Senior Constable Brett Sweeney: Did you see the bearing housing blocks as they were on the crusher frame just prior to the end of your shift?

A. Yes

Question from Senior Constable Brett Sweeney: Did the bearing housing blocks appear to be attached to the crusher frame in any way?

A. Yes, I believe with the big adjusting screw.

Question from Senior Constable Brett Sweeney: Do you know how the rigger and crane driver were communicating when they were doing lifts on the night shift?

A. Two way radios.

Question from Senior Constable Brett Sweeney: Did anyone report to you or are you aware of any difficulties that may have been experienced with these radios in the sinter plant?

A. Not that I am aware of.

Question from Senior Constable Brett Sweeney: Who's decision was it to strip the 223 crusher?

A. Mine.

Question from Senior Constable Brett Sweeney: Why did you make that decision?

A. Because it was too heavy.

Question from Senior Constable Brett Sweeney: Did you view a plan of the assembly of the crusher before the stripping commenced?

A. The drawing we have is only a general arrangement there is no detailed drawing I am aware of.

Question from Hermann Fasching Inspection Officer: After you decided to strip down the 223 crusher was there a job safety analysis carried out?

A. Only that I talked to Tony Rooney about it, we didn't physically write anything down.

Question from Hermann Fasching Inspection Officer: Is this the normal procedure and why?

A. No it is not the normal procedure, I think there is a job safety analysis in the system but I didn't go looking for it. But the program we have does show the activities that you have to do and that's what we were doing at the time.

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CONTINUED STATEMENT OF STUART JAMES WILTON

Question from Hermann Fasching Inspection Officer: What did you understand that was going to be stripped off the crusher frame?

A. We were going to strip it to get the weight down to be able to lift it with the 70 tonne mobile crane.

Question from Hermann Fasching Inspection Officer: Can you describe to me what the normal procedure would be in this case?

A. Before we started work a job safety analysis would be completed, about a week or two weeks prior?

Question from Hermann Fasching Inspection Officer: Within your role as the supervisor was it within your area of responsibility to be able to make the decision to strip the crusher and carry on with the work?

A. Yes.

Question from Sergio Cespedes Electrical Inspector of Mines: Do you have to record any information on the progress of the job?

A. Yes

Question from Sergio Cespedes Electrical Inspector of Mines: What kind of information?

A. Where we are up to and what percentage is complete in each area. This is recorded straight onto the computer by the programmer (Michael McMilveen)

OATHS ACT 1867-1988

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