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Coroner Jamieson
Coroners' Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

4 November 2016

Dear Coroner Jamieson

Name of Deceased: Thomas KELLY
Coroners' Court Reference: COR 2009 004900
WorkSafe Incident Number: 167599

Following WorkSafe's response to Your Honour's recommendation dated 26 August 2016, the enclosed communiqué has been distributed to:

- Foundations for Safety Victoria - the peak tripartite forum for construction industry Occupational Health and Safety in Victoria;
- Concrete Pumping Association of Australia - the national body representing the interests of the concrete pumping industry within Australia; and
- Cement Concrete & Aggregates Australia - the peak body for the heavy construction materials industry in Australia.

If you require any further information, please do not hesitate to contact Mai Pham, Coronial Lawyer, on 9940 4828.

Yours faithfully

A handwritten signature in black ink, appearing to read "Dmitry Rozkin".

Dmitry Rozkin
Principal Lawyer, Enforcement Group
WorkSafe Victoria

November 2016

Communiqué to the Construction Industry

Finding into workplace fatality involving boom-type mobile concrete placing pump

Victorian Coroners' Court Reference COR 2009 490



Background

In June 2016, the Coroners' Court of Victoria released a finding in relation to a workplace fatality involving a truck mounted boom-type mobile concrete placing pump (concrete pump).

The Coroner's full findings can be viewed at:

<http://www.coronerscourt.vic.gov.au/home/coroners+written+findings/finding+-+490009+thomas+anthony+kelly>

The incident occurred on 15 October 2009 at Pentridge Village, corner of Pentridge Boulevard and Stockdale Avenue Coburg Victoria 3058, where concrete was being pumped to the second level of a building under construction.

The concrete pump operator was also positioned on the second level (remote from the concrete pump) in order to observe the hose end and move the boom as the pour progressed.

The outriggers/stabilisers of the pump truck sank into the ground, causing the truck to tilt and the boom to move unexpectedly, striking the worker on the back of his head resulting in fatal injuries.

Coroner's Findings

The Coroner identified issues with the absence of a traffic controller on site and highlighted that the lack of an operator (or observer in proximity of the concrete pump) meant that opportunities were missed to prevent the incident from occurring. Placing an operator on the pump as well as the boom to monitor the plant's stability and pumping characteristics could have reduced or eliminated the risks relating to the passenger side stabiliser sinking and causing the truck to tip.

The Coroner also found that multiple factors contributed to the events, including:

- The lack of an observer proximate to the concrete pumping truck;
- Unknown and untested ground conditions; and
- Inadequate packing or absence of engineered bog mats for the outrigger/stabiliser pads.

The Coroner states that these factors existed in an unsatisfactory and pervasive culture of permitting unnecessary risk and unsafe conditions that ultimately led to the worker's death.

WorkSafe's Message

In light of the Coroner's findings, WorkSafe seeks to remind the construction industry of relevant guidance and risk control measures contained in the Victorian Concrete Pumping Industry Standard (2004), which can be downloaded at www.worksafe.vic.gov.au.

In relation to this incident, the following sections are of particular relevance:

- Advice on ensuring adequate locations and ground bearing capacities for pump operation is provided at sections 3.2, 3.3, 4.2 4.3, 4.4 and 4.5.
- Advice on ensuring adequate packing for outrigger/stabilisers is provided at sections 3.3 & 4.5.
- Advice on ensuring enough workers are available to safely pump concrete is provided at sections 3 and 5.1.
- Sections 5.3 and 5.4 advise that the operator should not leave operating equipment unattended and be located at the pump controls; if not present at the hopper (e.g. using a remote control) a worker should be positioned there to operate the emergency systems and to control the discharges process.

If the operator is not in attendance at the truck during operation, then the worker assigned that task (in accordance with sections 5.3 and 5.4 above) should also be instructed in, and directed to monitor outrigger stability during their absence.

A review of the Victorian Concrete Pumping Industry Standard (2004) will be undertaken subsequent to the implementation of the Occupational Health and Safety Regulations in 2017. This process will involve further consideration of the Coroner's findings and further industry stakeholder consultation.

This communiqué should be distributed widely among construction industry stakeholder networks.

Further Information

If you would like more information, please contact:

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