

SAND & STONE

The official magazine of the CMPA

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• CARTING QUARRY PRODUCTS

ISSUE 56

• NATA ACCREDITATION

• DIMENSIONAL STONE QUARRY

Apr/May 2011

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Is there light at the end of the tunnel?

CMPA General Manager, BRUCE MCCLURE, re-visits rehabilitation bonds and its imposition on the industry.

THE current application of rehabilitation bonds remains unsustainable and is creating a financial impediment for many of our Members' businesses. As a result the CMPA has kept this issue on our radar over the last decade. Most recently, the CMPA has been part of a Rehabilitation Bonds Working Group which is assisting the DPI's deliberations as to how to better meet the state's perceived risk while minimising the Work Authority holder's burden. This is part of the review of the *Mineral Resources (Sustainable Development) Act* review and it is expected that the DPI will be releasing a discussion paper before this edition of *Sand & Stone* is released.

Following are extracts from the CMPA's submission to the Working Group:

"The foundation of the CMPA in 1999 was largely built on the egregious nature of rehabilitation bonds imposed on the industry at the time, and the financial pressure being placed upon industry participants with a rise in rehabilitation bonds from 1995 to 1999 of approximately \$5million to \$20.2 million. Now some 11 years down the track with rehabilitation bonds now approaching \$70 million, it seems little has changed.

The rehabilitation bond system was originally established to ensure that worked out licensed areas were left in a safe and stable condition and the financial risk to the community and environment was covered. It has become increasingly obvious to the CMPA that this original objective has expanded over time imposing unjustifiable costs upon the industry.

Recent increases in the bonds for many CMPA members have destroyed their capital acquisition activities as the DPI-perceived liability has tied up assets in security for the bank guarantee. It is also creating a financial impediment for entry into the industry by new applicants. It needs to be recognised early in this debate that there are many fundamental differences between the extractive and mining sectors.

There is clear evidence that extractive sites which are terminal or unviable are acquired by others as they have further commercial life. This is supported by the limited number of calls on rehabilitation bonds being made

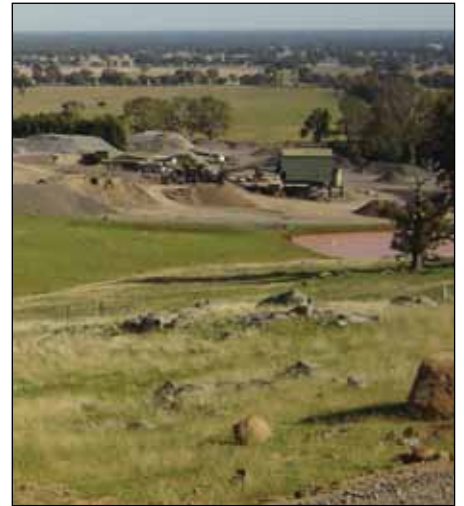
by the DPI for the extractive sector since the inception of the EIDA in 1966. To then link the extractive industry to the mining industry to justify the present rehabilitation bonds being placed upon them is neither accurate nor justified.

The question must be asked – why is the government nominating itself to be the final port of call to undertake the rehabilitation of extractive sites when the government has had no financial association or return with the activity throughout the site's life whilst there are many other parties who have had financial interests but who are presently not drawn to account (i.e. land owner/manager, and any others who have a vested financial interest)?

The Association sees great benefit to both the government and the industry if the following three conclusions were brought forward as key discussion points and a definitive position established by the government for the extractive sector before any further decisions are made.

1. The land owner/manager needs to be jointly accountable with the Work Authority holder for rehabilitation risks, thereby lowering the risk upon the government.
2. The assessment tool should be restricted to ensuring the site is left in a safe and stable condition.
3. The value of the site with respect to rock reserves, generated airspace, position, and permits held should also be taken into consideration within the assessment tool as offsets.

In conclusion, despite numerous studies conducted by Government and organisations such as the CMPA we still have not sorted out a system that is a win/win for all. To impose a system that currently ties up both bureaucratic systems and capital which could be used to upgrade plant equipment, to enhance a business by employing more staff and generally benefit the community beggar's belief." ■



COUNTDOWN TO ECHUCA MOAMA AGM & DINNER 2011

The CMPA AGM & Dinner 2011 in Echuca Moama is fast approaching with extra activities across the weekend now finalised, it looks like being an enjoyable weekend.

The Associate Sponsorship is almost fully subscribed and the entertainment is booked. There is now only three months to go, so it's very important to book your weekend away now to avoid missing out on a place of your choice.

Refer to the following website for all your accommodation needs www.echucamoama.com.

If you haven't already, put this date in your diary here are the details:

Date: Saturday 27th August 2011

Location: Moama Bowling Club

Time: 5.00pm for AGM,
6.00pm for Dinner

Cost: CMPA Members \$95.

The extra activities across the weekend include:

- Paintball
- Breakfast at Star Hotel, Echuca
- Golf, Ambrose event
- Paddlesteamer cruise

Invitations to the big event will come out in the second half of June 2011.

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JH Cuthbertson Pty Ltd

KATHLEEN CUTHBERTSON, reports on the history and changes to the family business JH Cuthbertson Pty Ltd.

LIKE the man who first bought it, the quarry on Old Telegraph Rd at Jindivick has a history that is entwined with Gippsland itself. As far back as the 1940's entrepreneurial loggers Jack Cuthbertson and Ray Richards were on the look out for bush blocks to clear. They would buy a block, clear the timber and put a dairy farm on the property. They also had forestry allocations and set up their own timber mills.

By the 1980's Jack and Ray had built up a healthy sawmilling, dairy farming and property development business that stretched from Drouin in West Gippsland to Canberra. All those logging roads and farm tracks needed rock, and Cuthbertson and Richards had a mobile crushing unit with which to do the job.

Jack bought the Old Telegraph Rd block in the 1960s. He first found the rock beneath the hills while he was clearing and asked a local geologist to look at the site.

Jack had owned other small quarries in the past but it wasn't until 1986 that he and son Peter decided to open the earth at Jindivick, trucking in their crushing unit as an experiment. Soon the quarry was producing the soft rock needed for the company's logging roads and cow tracks.

In 1991 the company was granted their work authority and began selling rock commercially. Peter became the quarry's first manager.

The company got out of the sawmilling business in the late 1990's and these days the quarry's main business is supplying

rock for farm tracks (including its own) and subdivisions. Soft rock for farm tracks to prevent cows becoming lame as they walk to and from the dairy is a niche product and the quarry produces around 100,000 tonnes a year. Demand tends to soar in wet years, when tracks need more maintenance. The quarry does also take on larger jobs when they arise. It supplied 90,000 tonnes of Type A structural fill for the Pakenham bypass.

In February 2009 the Jindivick quarry was one of the company properties to be damaged in the bushfires. Sensing the danger a few days prior, Peter Cuthbertson fortunately had all of the machinery moved into the middle of the site, which saved it from being destroyed. The brew room, pump house and other surface structures were burned. Ironically, exactly two years later the major challenge has been extremely wet weather.

These days the quarry employs between four and six people full time and according to Peter has enough untapped material to last well into the future. The plant recently received a multi-million dollar upgrade and is now fully computer operated.

JH Cuthbertson Pty Ltd is a long-term member of the CMPA and Peter Cuthbertson credits the organisation with helping keep him up to date with industry issues and developments, as well as changes in regulations and legislation.

Jack is 91 this year and still works every day. His old Ford can often be found parked at the quarry gate. ■

Pictured on the cover is Jindivick Quarry



60 SECONDS WITH A VOTING MEMBER...

What is your name?
Peter Cuthbertson

Who do you work for?
JH Cuthbertson Pty Ltd

How many years have you worked for this business?
Since I was 18, apart from a two year stint in the army, so more than 40 years

How many years have you been involved in the Industry?
Well over 50 years

What is your role at the company?
Director

What does your job involve?
I oversee the management of the site, make decisions about production rates, expansion, staffing levels etc.

What is the best part of your job?
Seeing the quarrying side of our business take off is satisfying because it has taken a long time to build up.



CMPA NEWS

By **CMPA SECRETARIAT**

CMPA Secretariat provides an update of the latest news and happenings.

RECENT EVENTS

Bruce McClure and Adrian Town visited Members' quarries in the Gippsland area and conducted a Slope Stability Workshop and General Meeting in Traralgon.

CMPA met with DPI as a part of a Rehabilitation Bonds Working Group. Also Ron Kerr and Bruce McClure met with Stephen Cheesewright from KPMG in regards to Rehabilitation Bonds.

Tim Bird, Gary and Bruce McClure attended an EPA forum in Bendigo regarding *Guidelines to Clean Fill*.

The Secretariat attended a CCF forum on contaminated soil.

Bruce McClure attended a seminar in Bendigo about the impact of the recent floods in the area.

Gavin Moreira visited regional Associate Members between Bendigo and Ballarat.

Sean Kinder and Bruce McClure visited Violet Town, Baxter and Wodonga Quarries to obtain information for *CMPA Reference Manuals*.

Bruce McClure met with Hugh Thomas the advisor to Ryan Smith, Minister for Environment and Climate Change.

The Secretariat attended the MRSDA Quarterly Stakeholders meeting at DPI.

Bruce McClure met with Terry Mulder, Minister for Roads.

MINISTER FOR PLANNING, MATTHEW GUY

On March 28 this year, the CMPA met with the Hon Matthew Guy, Minister for Planning in the current state government. The CMPA was represented at this meeting by Ron Kerr, CMPA's Honorary CEO, Bruce McClure, CMPA's General Manager, Peter Barro from Barro Group and Basil Natoli from Bell Cochrane and Associates.

The key issues raised included:

- Lack of State stewardship of the extractive resources, particularly in identifying strategic stone resources through targeted geological mapping and drilling initiatives and to ensure high level planning protection of identified strategic stone resources.
- The excessive financial burden resulting from native vegetation and cultural heritage. Both issues have unnecessarily added high cost and time to the industry and have the potential to affect future housing and infrastructure affordability.
- Need for streamlining of the planning approvals process through the central management of Work Authority/Work Plan applications by the Department of Primary Industries (DPI). The DPI should be empowered to manage planning referral obligations to referral agencies to achieve an endorsed Work Plan, eliminating duplication of referrals. Council approval processes should focus on offsite impacts.
- Improvements required to the VCAT process particularly the costs associated with it, the need to focus on the issues of the hearing on hand and the need to ensure re-submission is a last resort.

Those attending felt the Minister was genuinely interested in the concerns raised and the CMPA will keep in contact with him on matters pertaining to his portfolio.

ASSOCIATE VISITS BY SECRETARIAT

Administration Officer Gavin Moreira hit the road again on Monday 11th April for the third time in as many months; this time to visit Associate Members in regional Victoria between Bendigo and Ballarat.

A great opportunity once again to not only say hello and put faces to names but obtain valuable information on how the CMPA is travelling and how we can better help your companies grow.

The day involved site visits of three Associate Members; Claypro (Aust) Pty Ltd, Bendigo Regional Institute of TAFE and the Lincom Group as well as a potential member and a visit with Tim Bird at Allstone Quarry.

The Associates visited were very happy with the presentation, content and advertising opportunities in both CMPA publications *Sand & Stone* and the *Associates Reference Manual*. They are all very keen to contribute articles about their business and their latest products to keep Members aware of what they can provide. They also acknowledged the numerous networking opportunities associated with sponsoring the AGM and dinner, the General Meeting of Members and other workshops and training days throughout the year.

There is much anticipation around the 2011 AGM & Dinner in Echuca/Moama, which looks to be a very fun-filled weekend.

It was great to hear that all Associates were very appreciative of what the CMPA does for its Members. The CMPA's attitude towards safety and compliance is a major plus and draw card towards attracting membership. The Associates are all looking and hoping to get more involved with the association to improve and expand their businesses.

Thank you to all the Members recently visited by Gavin for taking the time to show him around your site and providing him with valuable information.

REFINING THE MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) ACT 1990

The DPI will be releasing in early May 2011 the eight discussion papers that will underpin the development of proposals for legislative change associated with work approvals processes that are governed by the *Mineral Resources Sustainable Development Amendment Act 2010* and other government acts/agencies. The list of discussion papers are shown below.

- Work Plans and Authorities
- Planning Requirements
- Work Approval Requirements and Streamlining Processes
- Stone Stewardship and Searching for Stone
- Decision makers, inquiry, review and dispute resolution
- Enforcement Provisions
- Rehabilitation Bonds
- Other Strategic Issues

Based on submissions received from industry bodies and any follow up discussions, policy position papers will be prepared by DPI that ultimately will form the basis of submissions to the state government cabinet for formalisation of the policy position and for the drafting of legislative changes.

DPI wants to have each policy position paper finalised and consolidated in July 2011 with the paper released for public comment in August or September 2011. This is an extremely tight timetable and consequently, the Secretariat will be seeking Members help in ensuring that you all have a say on all issues under discussion. If we are to have a viable workable industry into the future then your comments will be vital to ensure that this happens.

BRIT - SAMPLING TRAINING

The CMPA is presently working with Bendigo Regional Institute of TAFE (BRIT) in order to develop training specifically for quarries for those undertaking sampling onsite.

This training will be customised for the extractive industry as well as being within the Laboratory Operations Training Package. It may be able to be used within a trainee's specific quarry training.

Members will be kept informed of the development of this project and are invited to contact either the CMPA or Stacey on 5434 1653 for further information.

INQUIRY INTO VICTORIA'S REGULATORY FRAMEWORK

The Victorian Competition and Efficiency Commission (VCEC) released its draft report *Part 1-Strengthening foundations for the next Decade (DRI)* as part of its inquiry into Victoria's regulatory framework.

The CMPA has responded to the draft report. In its response the CMPA reiterated its plea for balanced regulation. Balance in the quest of increasing social and environmental needs with the need of industry to be able to confidently risk its capital and ingenuity in the pursuit of profit-making ventures in a fiercely competitive environment.

The CMPA also stated that it sees merit in strengthening the Commission.

An extension of this role in the CMPA's view would be to evaluate the effectiveness of new legislation shortly (one to two years) after its implementation to ensure its original intentions were being met without unintended consequences.

WORKSAFE VICTORIA - FREE WORKHEALTH CHECKS

WorkHealth checks provide Victorian workers with the opportunity to receive a free convenient and confidential health check in the workplace.

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Each check takes about 15 minutes, with feedback and advice provided immediately based on results. A trained health professional will visit the workplace to conduct the checks. Participating workers will:

- Complete a short questionnaire
- Have their waist circumference, blood cholesterol, blood pressure and blood glucose measured
- Receive immediate information and advice based on their results

Workers at high risk of type 2 diabetes may be eligible to take part in free programs to help reduce their risk. Participation is voluntary and each worker's results will always remain strictly confidential.

To apply, sign up your business by going to <http://www.workhealth.vic.gov.au/apply>.

ACTS & REGULATIONS PACK UPDATED

The CMPA Acts & Regulations Pack has been updated. Its purpose is to supply Members with a comprehensive collection of Acts and Regulations that they are required by law to hold on their sites. This collection will change from time to time and includes legislations from both a state and federal level.

There are over thirty acts and legislations in the pack including documents relating to:

- Environment,
- Dangerous Goods,
- Electricity
- Transport,
- Occupational Health & Safety,
- Privacy,
- Planning, and
- Road Safety to name just a few.

The pack which consists of a CD-ROM and selected documents in hard copy format is available to Members at a cost of \$100.

If you require further information on any of these Acts or Regulations; or would like to purchase the pack please do not hesitate in contacting the Secretariat.



Development of Guidance Note for

GAVIN MOREIRA, CMPA's Administration Officer reports on the development of WorkSafe Victoria's latest Guidance Note Preventing falls from quarry faces.

In March 2011, WorkSafe Victoria released a *Guidance Note for Preventing falls from quarry faces* with the intention of highlighting to operators the risks and possible controls faced by those working on or around active or inactive quarry faces.

The development of the Guidance Note involved meetings and consultations with a number of members, stretching back to March 2009 at Holcim Australia, Oaklands Junction. This document is significant for the industry, as it allows everyone from owners, operators and employees to better understand how this issue can be managed on the quarry site.

The Guidance Note was developed by WorkSafe Victoria in conjunction with the CMPA and other parties from within the industry. This was a result of initial concerns raised by the CMPA about safety at quarry faces. The CMPA is very pleased to see a document, which although brief, provides the user with a ready reference tool.

It is important that all members who work with active quarry faces comprehend the details below as they will ensure safe operations near faces.

The CMPA would like to thank Ross Outen and Gavin Merriman from Boral Resources, Brian Calovic and Tom Kerr from Conundrum Holdings, Frank Santoro from Orica Quarry Services, David Jones and Gary Pirie from Holcim Australia, Russell McIntyre from EB Mawson & Sons, Rodney Krins from Impact Drilling and Rhonda Barro from the Barro Group for all their time and contributions towards creating this document to improve safety within the industry.

Guidance Note

PREVENTING FALLS FROM QUARRY FACES

MARCH 2011, GUIO 142/01/03.11

Background

Extracting rock, sand, gravel and recycling from quarry faces puts workers and equipment at risk of falling over the edge.

As an employer, you must review tasks and identify any risks to workers, particularly of falling. Tasks to be reviewed may include bench preparation, drilling, charging blasts, clean up, loading and hauling. You must then select and implement suitable control measures to eliminate or reduce the risks. These must be reviewed and maintained to ensure they are effective.

Controlling the risks

If possible, consider relocating tasks away from the edge of the quarry face. If access is required, physically restrict access to edges. Bunds are preferable to other less substantial barriers but bunds may hide cracks or signs of instability along the edge of quarry faces. Bunds should be:

- constructed only after inspection of the quarry face area below. Faces need to be inspected for faults, change in appearance, loose surface, evidence of falling rocks, water seepage, joints and cracks
- constructed a metre or two from the edge where possible so any cracks or deterioration of the edge can be seen
- constructed of solid materials that are not easily shifted if contact is made by mobile machinery or equipment. Solid materials should be made of smaller materials so workers nearby are not at risk of injuries if part of the bund becomes dislodged over the edge of the quarry face
- regularly inspected and maintained

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Preventing Falls from Quarry Faces



Quarry face at EB Mawson & Sons, Lake Cooper Quarry

For pedestrians and shot-firing activities only, bunds should be a minimum height of one metre and constructed from a suitable material to avoid trip hazards. For mobile equipment, bunds should not be less than half the height of the wheel of the largest vehicle operating near the quarry face to stop it driving over the edge.

If it is not reasonably practicable to install bunds, other physical fall prevention barriers such as guard railing should be used. If the guard railing is installed close to a quarry face, the risk of falls during the erection and dismantling of the guard railing must be identified and controlled. If it is not reasonably practicable to install a physical fall prevention device (e.g. before blasting or due to the set-up of a drill), limit working positions. This can include using a travel restraint such as a harness connected at a fixed point (e.g. fixed equipment) to prevent workers approaching the edge.

Workers must be trained in the appropriate selection and use of harnesses before starting work. Ensure workers are closely supervised until assessed as competent.

Other factors to consider

When developing and implementing a site safety management plan, employers should:

- review and document how all tasks are undertaken to establish the hazards and risks. This includes reviewing and documenting risk control measures if there are any changes to the work process
- use the appropriate equipment or machinery for the task
- ensure workers are adequately trained and experienced
- use bunting or para-webbing to identify a two-metre clear zone away from the top edge if there is a worksite near a face
- ensure any worksite surface is clear of obstacles/rubble that may trip workers. Fine material can be spread to level out rough surfaces or uneven ground
- ensure equipment is set up in a stable manner on hard, level ground within working radius
- where possible, position equipment so it is facing any quarry face edge to reduce the need to manoeuvre when it is close to the edge
- establish exclusion zones using signs and/or earth barriers when access is not required or is restricted to areas of the quarry face
- develop a site-specific traffic management plan with directions of travel and site safety rules for accessing and operating equipment on and near benches
- ensure people accessing the worksite are inducted and, where applicable, trained in the control measures to reduce the risk of falls from quarry faces
- ensure water is allowed to run off benches. Water should be directed through drains away from bench floors and low spots should be filled to prevent puddles
- ensure there is clear communication between workers. ■

For members who would like a copy of the Guidance Note go to www.worksafe.vic.gov.au and search for “Quarry faces”.

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CARTING QUARRY PRODUCTS

BRUCE MCCLURE, CMPA's General Manager reports on the use of primary production registered trucks to commercially cart Quarry Products.

A number of Members have raised with the CMPA the situation where some vehicles registered for primary production are also being used to cart products from quarries to sites for customers undertaking construction works.

In most instances, the use of these vehicles is undercutting the livelihood of many cartage contractors who cart material using properly registered vehicles.

However, what is far more important and needs to be urgently acted upon is that all Members need to note that it appears from the *Road Safety Act* particularly *Section 7 (2) a or b* that unless the vehicle is being used solely in the business of the owner as a primary producer, then it is outside of the conditions of registration (refer to *VicRoads Registration Concessions*) and therefore in the circumstances described, an offence is being committed. If a registered operator applies for a *Registration Concession* as provided for by the *Road Safety (Vehicles) Regulations 2009*, that registration has been granted on the basis that the vehicle is to be used solely in the business of a primary producer, that is, Primary Producer means a person engaged solely or substantially in agricultural, horticultural, viticultural, dairying, pastoral or other like activities.

Consequently, if a vehicle registered with a concession (as provided by the *Road Safety (Vehicles) Regulations 2009*), then that vehicle cannot be used for any other

operation that does not relate to primary production. That is the registered owner cannot commercially compete on the open market as a contract carrier. The primary producer registration concession means that the primary producer has a distinct competitive advantage over any other transport operator that is required to pay full registration. This is anti competitive.

The above obviously has serious repercussions if such vehicles when carting non primary production products are involved in an accident. The insurance issue may be such that any such vehicle involved in an accident may not be insured for damage of his/her own vehicle or any other vehicle involved in the accident.

When this legislation was introduced it was intended to assist farmers in minimising the financial burdens experienced with operating expensive trucks in their agricultural pursuits. The legislation never intended that farmers could achieve cheaper registration for farm activities and then compete on the open market against transport operators that are required to pay 100% of the registration fee.

There is no offence under the legislation if a quarry actually loads a vehicle registered "primary producer", and allows the vehicle to depart to make a delivery, any offence is committed by the person using the vehicle or an owner allowing the vehicle to be used.



Only appropriately registered trucks should be used to cart quarry products

There is obviously a moral dilemma for quarry operators or other parties who knowingly engage vehicles (either directly or indirectly) that are not appropriately registered, even if the operator slashes transport rates to win the task against commercially registered transport operators. We have seen the introduction of Chain of Responsibility (COR) legislation for a range of offences and whilst this offence is not part of that legislation the moral responsibility is no less. ■

For more information relating to vehicle registration go to www.vicroads.vic.gov.au/Home/Registration/

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Is this the demise of dimension stone quarrying in Central Victoria?

With operating conditions restricting the re-opening of a productive Victorian granite stone quarry, BRUCE MCCLURE looks at the possible demise of dimension stone quarrying in Central Victoria.

THE CMPA was notified late last year by the DPI that the Work Authority for an established granite quarry (producing mainly dimension stone) on Mount Alexander at Harcourt, had lapsed with the previous operators having gone into liquidation.

The DPI indicated that one possibility for the site was that the quarry could be reopened with a new Work Authority (WA), and progressively worked and rehabilitated under an approved, contemporary work plan and rehabilitation bond. The quarry which is on Crown Land is part of the Mount Alexander Regional Park.

It has been operating there for many years, had apparently produced good quality stone and has a considerable quantity of stone left in reserve. Currently extraction of stone is permitted in a regional park, however any prospective businesses need to apply for a WA from Earth Resources, DPI and Parks Victoria would then need to provide land manager's consent for a WA to be granted.

All CMPA Members were contacted to see if any member was interested in looking at the potential of the site or who knew of someone who may have been interested in reopening the quarry.

Extracted stone left onsite at Harcourt Granite Quarry



A number of members did respond, however, Parks Victoria who are the land managers, has since identified a series of issues that would need to be considered before any quarry operator could recommence extraction.

Late in December 2010 Parks Victoria detailed the following issues that they wanted addressed before extraction could resume on site:

- The existing Harcourt Granite site cannot be expanded beyond its current boundary without vegetation loss, and permission to remove vegetation is problematical. If it involved the loss of ballantinia, then (as an EPBC listed species), permission could be expected to be withheld.
- There is other interest (from Regional Development Victoria and Tourism Victoria) in the site for use as public open space which would provide an economic return to the community; this potential loss would have to be considered when assessing any application.
- The cost of rehabilitating the existing site is in the vicinity of \$70,000, and if more works are to occur, the bond for a new WA is likely to exceed this amount.
- Parks Victoria has initiated the rehabilitation program and does not want to interrupt this work. If a proposal was to be submitted, then it would need to be within a short timeframe prior to the rehabilitation works being completed.

The CMPA members who had initially expressed an interest were again contacted and were advised of Parks Victoria's requirements for the site. A number subsequently decided that they no longer wanted to pursue the site.

Early in February 2011 a meeting was arranged on site for remaining interested parties, and representatives from both the DPI and Parks Victoria. Following this meeting only one member was still interested in possibly salvaging a quantity of stone that had been extracted but left on site, indicating that he would examine the



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economics of this proposition and would get back to the CMPA in March 2011. Following research, the member has indicated that it was not economical to salvage the extracted stone on site.

The DPI and Parks Victoria have since been advised that no members of the CMPA are interested in taking over the lapsed Work Authority or in removing extracted material on the site. Whether the DPI intends contacting other potential quarry operators who are non members of the CMPA is unknown, but given Parks Victoria's requirements it would seem unlikely that anyone would show an interest in this quarry.

Mt Alexander is well known for the quality of its granite and has seen the extraction of a considerable amount of dimensional stone over many years. Many buildings in Melbourne have Mt Alexander stone as part of their facades.



Dimensional stone untouched at Harcourt Granite Quarry

The Environment Conservation Council (now Victorian Environmental Assessment Council), in their *Box-Ironbark Forests & Woodlands Investigation 2001* indicated that low levels of extraction of stone is permissible from a Regional Park but recommended that this activity be transferred to private land.

While there are two quarries still extracting dimension stone from Mount Alexander Regional Park and they have no intention in leaving their sites, there is just one dimension stone quarry on private land in the area. With the closure of the Harcourt Granite quarry we may just be seeing the beginning of the end of an era on the mountain. ■

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Changes to NATA Testing Accreditation

NATA accreditation in Construction Materials Testing (CMT) is currently undergoing change with the new system being implemented over three years. The new system is outlined in NATA Policy Circular 26. At the time of writing, the policy is currently under review and will shortly be reissued as Annex 3.5 of the ISO/IEC 17025 Field Application Document for CMT.

This article describes the policy and incorporates some of the anticipated changes that will appear in Annex 3.5.

Written by BETTINA POXLEITNER and SONJA MCFARLANE from NATA.

THE National Association of Testing Authorities (NATA) has traditionally granted formal approval to staff in Construction Management Testing (CMT) who may sign test reports/certificates for work covered by the scope of accreditation. Such personnel are referred to as 'approved signatories' and their capability to undertake the role is determined by assessment of qualifications, experience, capability to perform tests, interpret test results and recent relevant employment.

From 1 July 2013, NATA will no longer formally recognise facility staff as approved signatories in the field of CMT. All applicant and accredited facilities in CMT will need to comply with the supervision requirements detailed in the section Laboratory Supervision shown below. This decision effectively shifts the responsibility for 'approved signatories' from NATA to the facility management in accordance with the requirements of ISO/IEC 17025.

LEVELS OF EXPERIENCE

Level 5 means a person who has either:

- a. Not less than 10 years full time experience in relevant construction materials testing duties involving at least 5 years supervisory responsibility in a CMT facility and including the issue and signing of test reports/certificates for work covered under the scope of accreditation;

- b. Degree or Advanced Diploma in Civil Engineering, Engineering Geology or similar relevant tertiary qualification with not less than 5 years full time experience in construction materials testing duties.

Level 4 means a person who has either:

- a. Not less than 5 years full time experience in construction materials testing facility duties involving 2 years supervisory responsibility in a CMT facility and including the issue and signing of test reports/certificates for work covered under the scope of accreditation;
- b. Degree or Diploma in Civil Engineering, Engineering Geology or similar relevant tertiary qualification with not less than 3 years full time experience in construction materials testing duties.

Level 3 means a person who has either:

- a. Not less than 3 years full time experience in construction materials testing duties in a CMT facility and including the issue and signing of test reports/certificates for work covered under the scope of accreditation;
- b. Certificate IV applicable to construction materials testing with not less than 3 years full time experience in construction materials testing duties.

Level 2 means a person who has either:

- a. Not less than 1 year full time experience in construction materials testing duties in a CMT facility including the issue and signing of test reports/certificates for work covered under the scope of accreditation;
- b. Certificate III applicable to construction materials testing with not less than 2 years full time experience in construction materials testing duties.

Level 1 means a person who performs construction materials testing under direct on-site supervision. The level of supervision needs to be defined in the facility's procedures and will be reviewed at assessment.

It is acknowledged that Level 1 may include a diverse range of individuals with a wide range of experience and competency. As such, the same level of supervision may not be required for all staff at Level 1. Each organisation needs to consider this when documenting how supervision will be provided.

Where the above definitions include the "issue of test reports/certificates prior to 1 July 2009 for work covered under the scope of accreditation", such persons would have been a 'NATA Approved Signatory' at a CMT facility.



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It is acknowledged that the qualification certificate obtained is general in nature and does not necessarily specify the area of testing. In these cases, the tester or facility must obtain evidence of the specific 'units of competence' undertaken, to show that construction materials testing has been covered. Where competence is required in a number of classes of tests, additional records of competency in the tests not covered by the certificate documentation will need to be developed and maintained by the CMT facility.

LABORATORY SUPERVISION

1. Supervision of Level 1 staff

Supervision of Level 1 staff involves a staff member of at least a Level 2 being available at the facility to instruct, witness and advise other staff at all times when testing is being performed.

Supervision of field/sampling activities must also be provided. For staff that work in both field and laboratory roles, supervision may be possible from the facility. Staff that work exclusively or primarily in the field need to have appropriate supervision in the field. For example, where basic field testing is conducted such as concrete or nuclear gauge testing, and regular contact with the facility is not able to be demonstrated, a monthly review to ensure competence in the field should be completed. Records of this review must be maintained.

2. Supervision of facilities

Management of the facility shall ensure that supervisors provide adequate technical control over tests covered by the scope of accreditation and that this person has demonstrable experience in those tests. Management shall also ensure the continuity of supervision when it is provided by more than one person.



NATA accredited testing is currently undergoing change

Supervision includes a number of activities as listed below:

- provide supervision of staff under their responsibility;
- approve and be responsible for operational practices and staffing of the laboratory;
- authorise staff to perform specific activities, including those who can issue reports/certificates;
- have a sound knowledge of the facility's management system, ISO/IEC 17025, NATA Rules, this document and pertinent NATA Technical and Policy Circulars;
- ensure regular review of the facility's internal quality control and proficiency testing/external quality assurance data and the methods used, and discussion of all aspects of the facility's performance with the technical staff;
- ensure that professional and technical staff involved in the facility work are deemed competent (in accordance with the facility's procedures) and participate in continuing training and development;

- ensure that work performed at the facility outside normal working hours is carried out by technical staff approved to do so by the designated supervisor, while providing appropriate supervision and having regard to their training and experience; and
- if relevant, attend other accredited sites under the technical control of the facility for supervisory visits in order to maintain compliance with this policy.

It is recognised that individual supervisors may not perform all of these tasks, and that staff at a variety of levels within the organisation will act to ensure supervision is effective with all of these activities adequately covered within the organisation. The adequacy of these arrangements will be reviewed at the NATA assessment.

a. Permanent (Base) Facility

A facility offering a wide range of testing, such as more than one technical unit (which is a measure of the assessment effort required to service an accredited facility per day), requires at least one Level 5 person.

– Continued on page 18

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Where activities are restricted to only one technical unit, at least one Level 4 person at the testing facility site may suffice.

Depending on the size of the facility, there may be a need for one or more full-time Level 4 persons and possibly some Level 3 persons at the facility to provide adequate supervision. Facilities will be expected to document how adequate supervision, including supervision of level 1 persons and any QC facilities shall be maintained.

b. Quality control or Annex facilities

A facility performing tests for internal quality control and acceptance testing of construction material products or processes. Examples include facilities at a quarry, concrete or asphalt plant or for construction control. Such facilities usually perform a limited range of testing and are not normally available for public testing.

A Level 4 or 5 person, normally from the base facility, shall be technically responsible for these laboratories and shall attend the site to provide supervisory visits at least:

- once every 3 months where testing is



performed under the supervision of a Level 3 person;

- once every month where testing is performed under the supervision of a Level 2 person.

Records must be kept of attendance by the Level 4 or 5 people at each quality control facility. Sufficient detail shall be included to identify the activities undertaken during supervisory visits. As a minimum, staff at these facilities must be under the technical supervision of a Level 2 person at all times when testing is performed.

PERSONS ISSUING TEST REPORTS/CERTIFICATES

From 1 July 2013, NATA will no longer formally recognise facility staff as approved signatories in the field of CMT. All applicant and accredited facilities in CMT will need to comply with the supervision requirements detailed in this annex.

Facility staff who issue test reports/certificates for activities covered by the scope of accreditation must be competent to assure the technical validity and accuracy of all information contained in the reports/certificates they authorise. Such staff shall:

- demonstrate sound knowledge of the principles of the measurements and tests performed;
- understand the significance of results generated;
- demonstrate sound knowledge of NATA's Accreditation Requirements, particularly in relation to reporting test results and the use of the NATA Endorsement;



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- hold a position within the organisation which provides authority over the testing activities;
- where necessary, initiate appropriate corrective action when they consider testing activities to be inadequate.

Each accredited site shall maintain records of all individuals who are authorised to sign test reports/certificates and which includes the individual's current role at that site. This evidence will be requested prior to an on-site visit (initial assessment, reassessment or surveillance visit).

If it is determined at a site visit that an individual the facility has approved to authorise test reports/certificates is not competent, all reports/certificates issued by that person for work covered by the facility's scope of accreditation will need to be reviewed. Where it cannot be determined that the results contained in a report/certificate are valid, the facility shall be required to withdraw the report/certificate and affected clients advised.

Facilities must have suitably experienced staff at the appropriate level(s) as detailed in this annex to issue test reports/certificates for the complete range of its scope of accreditation.

IMPLEMENTATION TIMETABLE FOR NEW ARRANGEMENTS

Qualifications are not the norm in most facilities and therefore it is foreseen that suitable persons having the qualifications as detailed above may not be available immediately. Persons who were current 'NATA Approved Signatories' may remain so until July 2013. After this date, facilities will need to comply with the supervision and qualification requirements detailed in this policy.

From 1 January 2010, NATA has been progressively removing the list of approved signatories on the scopes of accreditation and

recognition through the assessment process if all aspects of this policy are met for an individual facility. Until NATA has assessed a facility's compliance to this policy, the facility needs to ensure that a NATA approved signatory is based on-site (as required prior to the issue of this document).

From 1 July 2009 until June 2012, NATA will approve additional signatories upon request from a facility; however such staff will need to obtain a suitable qualification by July 2013 in order to be at a level of at least Level 2. Between July 2012 and June 2013, such approvals will no longer be carried out by NATA. Accordingly, facilities will need to develop an action plan to ensure compliance with this annex will occur on or before 1 July 2013. These plans (and progress reports) will be reviewed during NATA visits (initial assessment, reassessment or surveillance visit) since 1 January 2010.

After a facility has been assessed by NATA and implementation of this policy confirmed, it is the facility's responsibility to ensure continued compliance with this policy. This must apply as changes to key staff occur. Authorised Representatives are also reminded of their obligations to notify NATA in the event of changes to key staff (refer also to NATA Policy Circular 14).

Where a facility fails to comply with this policy by 1 July 2013, its accreditation will be reviewed and suspension will be considered.

In order to ensure compliance with this policy, reports on assessment at scheduled assessments after 1 January 2010 will generally include comments and conditions as follows:

- 1 January 2010 – 1 July 2010 An 'observation' on the facility's progress on compliance with this policy.
- 1 July 2010 – 1 January 2012 A 'minor condition' if a suitable plan covering all aspects of this policy has not been completed.



- 1 January 2012 – 1 July 2013 A 'condition' if any aspect of this policy, with the exception of qualifications, has not been documented. A plan and suitable progress on obtaining qualifications needs to be in place.

A 'condition' if suitable progress has not been made towards meeting the requirements of this Annex. Compliant policies and procedures need to have been documented and a plan for their implementation developed. ■

Information concerning qualifications at the certificate levels will be placed and routinely updated on NATA's web site (www.nata.com.au) under Field Updates for Construction Materials Testing.

The changes being put in place by NATA are far reaching and will affect all quarries which require testing of the products they produce. If you have concerns relating to the article and the impact that this may have on your family business (eg cost implications), please contact the Secretariat and let us know about them.

The Secretariat needs your comments to be able to further discuss with NATA the implications of the changes on our industry.

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MEMBERS DAY IN TRARALGON

ADRIAN TOWN, CMPA's Development Manager reports on the Secretariat's site visit to Gippsland and the Members Day in Traralgon.

ON 23 March 2011 Bruce McClure, CMPA's General Manager and Adrian Town Development Manager visited several existing and potential CMPA members in Gippsland.

The first member visited was Cuthbertson Quarries at Drouin.

Bruce and Adrian met Peter Cuthbertson at his Drouin office and discussed a number of topics with him in regards to the CMPA and recent meetings with government bodies. We then went to Peter's quarry to inspect the recently installed new crushing plant and to have a look at his operation there. The recent heavy rain in the area had effected production at the quarry as there had been a ground slippage that had allowed water to enter the lower level of the quarry.

The next stop for Bruce and Adrian was a drive down to Bairnsdale where they met with Mike Betts the Manager Quarry Operations for Whelan Earth Moving in Bairnsdale. Basil Natoli also joined the meeting as he was on site for other business. Discussions were held with Mike with regards to the CMPA and the possibility of his company joining the Association. Mike was aware of the CMPA, having attended meetings when working with David Jeffery at Casacir. Mike was positive in regards to the CMPA and stated that he was going to send one of his staff to the Traralgon Slope Stability Workshop to be held the next day. Whelan Earth Moving is the largest Quarry operator in the Bairnsdale area.

The Members Day at Traralgon was held on Thursday 24 March 2011 at the Quality Inn Latrobe Convention Centre, it involved a Slope Stability Workshop, a site visit to K & RJ Matthews Quarry at Tyers and a General Meeting.

The Slope Stability workshop was the second in the space of two months (due to an overwhelming response on the issue) with close to 40 attendees at the previous workshop at Holcim Australia, Oaklands Junction. The first speaker was Ian McLeod from the Department of Primary Industry (DPI) discussing the draft "Geotechnical Guidelines for Victorian Mines and Quarries". The final version of the draft will shortly be released via the DPI website for public comment. Lesley Munsamy from GHD spoke at length about Slope Stability in Quarries. He has extensive experience both overseas and in Australia and had some excellent examples of case

Site tour of K & RJ Matthews Quarry at Tyers



Crushing Plant at K & RJ Matthews Quarry

studies showing some major stability issues. Finally John Nolan from Nolan Consulting discussed Water Management Issues that affect all quarry operations. His address looked at many of the problems that usually occur and at ways of preventing many of the incidents through simple precautions. John was able to give numerous examples of what he discussed in his presentation from observations during the recent heavy rains in Victoria. The three presenters provided much insight into the issues and complexities of Slope Stability and everyone present was appreciative of their presentations. The workshop was then followed by a visit to K & RJ Matthews Quarry at Tyers. Unfortunately the site visit was hampered by the wet weather making it a bus tour only preventing attendees walking around the quarry and plant.

The site visit was followed by a General Meeting for members commencing at 5.30 pm, Bruce McClure, General Manager CMPA welcomed everyone to the meeting. Anne Bignell from DPI was the first presenter; she spoke about recent issues and concerns of the department. Of particular interest were the comments on the stability problem at the Yallourn Open Cut Coal mine that is impacting the local freeway. Next to present was Allan Beacom from WorkSafe who discussed a number of areas that WorkSafe had been concentrating on recently and what areas they were likely to be involved with in the immediate future. Mead Partners Justin Sparks and John Pititto then gave an excellent presentation on Succession Planning which was very informative and gave all present much to consider with their own businesses. Finally Bruce McClure presented an update of current and future events for the CMPA members. The meeting finished at 7.30 pm and concluded with an excellent dinner for all.

Overall the visit to Gippsland, the slope stability workshop and the general meeting were successful and well worth doing. Although numbers were low for the workshop and General Meeting the members who did attend were suitably impressed by the standard of speakers arranged to deliver the workshop and the topics at the General Meeting. It is important that the CMPA visit all areas of the state where we have members to see their issues and requirements first hand. ■

Crushing in the USA

STEPHEN RICHARDS, owner/manager of Richards Quarries & Concrete from the Victorian High Country, recently visited the West Coast of the USA. Here he reports on his visit to a quarry operation at Corona, 75km east of Los Angeles, California.

STEPHEN had arranged to visit several quarries in the area with Tim O'Brien a geologist with Vulcan Materials but the long arm of the law interfered. Tim was called up for jury duty that week and was only able to spend part of a morning showing Stephen around the Corona Quarry owned and operated by Vulcan Materials.

Tim O'Brien, as a geologist for Vulcan Materials, covers the California, Arizona and North West coast areas. He had recently completed a program of drilling trials and blasting to determine the ongoing feasibility of another quarry in Southern California.

An internet search shows that Vulcan Materials is one of the leading producers of construction aggregate in the country. They have over 300 aggregate plants and related facilities in about twenty two states. They are a leader in ready-mixed concrete, asphalt and road construction material. About 50% of the company aggregates produced is used to construct highways, bridges, roads and railroads.

There are three quarries (individual companies) working on the same mountain deposit at Corona. Vulcan Materials' Corona Quarry has excellent quality material and is in a high demand area. It services North San Diego, Orange County and the Western part of Riverside County. The rock is granite with an LA loss of 19.

Corona Rock and Asphalt plant is located about 3km from a residential area and 1km from an industrial zone and had been in operation for more than 40 years when



Site Photo – Vulcan Corona Quarry

Vulcan Materials purchased it in 1989. The operation covers about 400 acres and is a blue granite quarry which produces asphalt, asphalt aggregate, asphalt coatings, base material, concrete aggregate, railroad ballast and beaching.

Vulcan's Corona quarry is currently producing about 2 million tons per year although the plant has the ability to produce up to 4 million tons per year. The economic downturn has reduced the demand and thus production output has been scaled down.

Stephen was told that Sandvik cone crushers have replaced Nordberg cones as it was explained that they were easier to maintain and gave better liner life. Polyurethane

screening media gives good wear life but appeared to be prone to blinding when water sprays are used to control dust. When Stephen enquired about their use of foam for dust suppression he was informed they have one foaming unit at the secondary section but the rest of the operation just uses water.

The Corona site utilizes gravity to reduce electricity costs by conveying downhill. California electricity prices increase dramatically after midday, in summer when all the air conditioners are turned on. The quarry starts at 4.00am and shuts off at midday to beat the price increase. The design and construction of the new aggregate



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plant in Corona uses some downhill conveyors that generate electricity as it carries the rock to the processing plant below. It was suggested it may save up to \$30,000 in power costs annually.

An interesting idea Stephen observed| was screen discharge chutes sliding on rails to expose the ends of screens for easy cloth replacement. Fitters obtain unhindered access to screening media on the bottom deck for quick change out of polyurethane media.

Vulcan has an onsite hot mix plant; conveyors feed from under surge piles to top up overhead gravity bins as required.

Ballast for railroad use has the highest specification requirements of all materials produced. It requires hardness and must be washed to a standard far in excess of road aggregates.

Repair works were underway on the access bridge into the quarry site as the creek running between the asphalt plant and quarry had risen to a flood level not previously experienced. Readers may recall the storms and heavy rain events that afflicted the West Coast of America from California to Washington State and the extreme cold conditions experienced across the North Central and Eastern states prior to Christmas 2010.



Conveying downhill to reduce electricity costs

Several quarries that Stephen had arranged to visit in Northern California were closed with staff on extended leave due to the extreme amounts of rain forcing cancellation of jobs requiring quarry products.

A mobile crushing plant operator in Butte, Montana had also lost considerable time during the US summer and autumn due to exceptional rain causing screen blockages when working alluvial deposits. The majority

of aggregates used in Montana are gained from alluvial deposits including the 10mm minus grit spread on icy or snowy roads to gain grip. ■

Thanks to Stephen & Kaye Richards for contributing this article to Sand & Stone.

If any Members have interesting stories they wish to have included please contact the Secretariat on 03 5781 0655.

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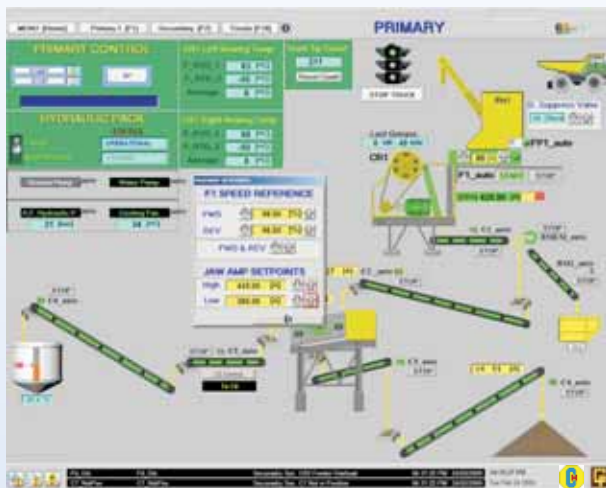
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Controlling Traffic Management

This latest safety alert from the DEPARTMENT OF JUSTICE AND ATTORNEY-GENERAL, Workplace Health and Safety Queensland looks at incidents involving traffic controllers.

THE purpose of this alert is to highlight the hazards and risks to workers performing traffic management and road construction work on roadways, following two recent fatalities. The information provided is designed to assist employers, self employed people, principal contractors, clients and project managers to meet their obligations under the *Workplace Health and Safety Act 1995*.

Background

Two traffic controllers were fatally injured in separate locations on 15 November 2010 when they were struck by reversing trucks at civil construction roadwork sites.

The first instance involved a traffic controller working on a site near Mackay. The traffic controller was positioned on the pavement area at an intersection to direct traffic around the bitumen spray seal operations. Trucks carrying pre-coated screenings were reversing along the road to the stockpile area for reloading. The worker was struck and suffered fatal injuries.

The second incident involved a traffic controller who was struck and fatally injured by a reversing tipper truck. The truck was delivering asphalt for road surfacing operations on Stafford Road north of Brisbane at night. The truck was fitted with an operating reverse beeper and reversing light at the time of the incident. The truck was also fitted with an external rear mounted reverse camera that was not operating at the time of this incident.

Contributing factors

These incidents are associated with the hazard of plant coming into contact with traffic control workers and other workers sharing the same work zone on road construction sites.

The risk to workers increases when mobile plant operators fail or are unable to see workers in close proximity. Risk also increases when the operator's line of sight is impaired due to direction of travel or size and shape of plant.

Action required

Control measures should be selected in accordance with the hierarchy of controls. Higher order controls that substitute, isolate or engineer out the risk should be selected in preference to an administrative control. In practice, a combination of higher and lower order controls will normally be adopted to appropriately manage the risk.

Elimination

This involves controlling the hazard at the source. Examples include:

- removing plant and people from the same work area by changing work processes
- using traffic lights instead of a traffic controller to control traffic at roadwork sites.

Substitution

This involves replacing the hazard with another that has a lower risk. An example may include replacing an item of mobile plant, which has a restricted field of vision to one that has a clear field of vision.

Isolation

This involves removing or separating people from the source of the hazard. Examples may include:

- using physical barricades
- using exclusion zones that are enforced and clearly marked
- segregating the work processes through distance and time

Engineering

This involves changing physical characteristics of the plant or work area to remove or reduce the risk. Examples may include:

- reversing cameras in mobile plant
- an externally triggered emergency brake control
- proximity detection technology
- re-design of plant to allow for clear line of sight
- audible warning devices activated when the vehicle is reversing.

Administrative

This includes policies, procedures, signs and training to control the risk. Examples may include:

- developing and implementing a traffic management plan for any traffic control activities being undertaken
- developing and implementing a construction safety plan for the work being undertaken
- developing and implementing a work method statement to identify any risks and implement controls measures
- organising, coordinating and monitoring work processes to reduce interaction between workers and mobile plant by:
 - developing a site access system or permit system that manages the movement of personnel on the worksite
 - using an onsite controller to authorise and monitor the movement of mobile plant in all circumstances
 - using a spotter to control all reversing operations
 - implementing measures where workers have clear sight of mobile plant operating and vice versa
 - providing equipment such as two way radios that allows for communication between mobile plant and ground crew
 - conducting pre-start meetings prior to commencing work to discuss all specific work site hazards/risks and control measures
 - thoroughly checking safety devices and audible working alarms of mobile plant prior to commencing any work
 - ensuring people are fit for work
 - ensuring worker training, experience and competency is consistent with the nature/complexity of the task

Control measures need to be regularly monitored and reviewed to ensure they are effective in preventing or minimising the risk. ■

For practical advice on managing exposure to risk when using plant, visit the Workplace Health and Safety Queensland website for information at www.worksafe.qld.gov.au

Proposed changes to Explosives Regulations

BRUCE MCCLURE, reports on the proposed changes to Dangerous Goods (Explosives) Regulations 2011.

WORKING in the hard rock, gravel, sand, masonry, clay, lime, soil, gypsum or recycling; a considerable number of our Members use explosives as part of their method of extracting material from their Work Authorities and/or to fracture the material down to a size that is readily accessible.

In Victoria the manufacture, storage, sale/import, transport and use of explosives is currently controlled by the *Dangerous Goods (Explosives) Regulations 2000*. The regulations incorporate the *Australian Explosives Code* which is the reference for uniform packaging, marking and transport of explosives in states and territories.

A licence is required from WorkSafe Victoria before you can manufacture, store, sell/import, transport and use explosives including discharging fireworks to ensure these activities are conducted safely.

WorkSafe Victoria until recently was seeking public comment on the proposed *Dangerous Goods (Explosives) Regulations 2011* which will be replacing the current regulations, which expire on 26 June 2011. The updated regulations cover the importation, manufacture, storage, sale and use of all explosives in Victoria, including fireworks.

Examples of explosives used by the extractive industry include ammonium nitrate/fuel oil mixes, blasting primers, detonators, smokeless powder and fuses.



Preparation for shot firing

The CMPA requested comments from members on the proposed regulations. The main concern from members was the proposed changes to the limit of explosives that approved shotfirers can transport reducing from 100 kgs of explosives and 500 detonators to 5 kgs of explosives and 125 detonators.

Based on the members' response, a letter was sent to WorkSafe expressing concern that the proposed regulations will impact severely on their operations. Reducing the amount of explosives able to be carried will result in considerable costs and hardship on many operations where the use of explosives is critical to the safe and economical operation of an extractives industry site. Also reducing the quantity would also result in unnecessary and dangerous repackaging for a shot firer to be compliant.

A number of members no longer have magazines in their quarries but rely on obtaining explosives from other licensed facilities. A reduction in the amount of explosives that shotfirers could transport in appropriate vehicles would have a major impact on many quarry operations particularly if they are country based well away from the regional centres or indeed, Melbourne.

The CMPA has indicated that they are prepared to discuss this issue further with WorkSafe. The outcome of the proposed changes should be known by the next issue of *Sand & Stone*.

Many thanks to the CMPA Members who provided comments on the proposed changes especially Frank Santoro from Orica Australia and Vin Oliver from Mount Granite Quarries.



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DPI Update

IAN MCLEOD, Acting General Manager, Minerals and Extractive Operations, discusses proposed changes to work plan requirements.

THERE are significant changes that are currently being developed to the legislation that is used to regulate mines and quarries in Victoria. Both industries are now regulated under the *Mineral Resources (Sustainable Development) Act 1990*. Industry specific requirements are provided in the regulations as follows:

- The *Mineral Resources Development Regulations 2002* – for mines
- The *Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2010* – for quarries

Whilst most of the changes are in the mining sector, there are a number of proposed improvements for quarries.

The most significant of these is the proposed “Statutory Endorsement of Work plans” which is being introduced to streamline the approval process by eliminating the need for Councils to duplicate planning referrals to agencies. DPI in effect will become a lead agency in relation to mine and quarry approvals and this will enable industry to appeal conditions imposed on endorsed work plans. DPI is also evaluating the information that is required to be included in work plans.

Work plans serve two main purposes:

1. When endorsed by DPI – they advise Council that DPI & DSE consider the work plan contains sufficient information & technical merit to be considered for planning permission.

2. When approved by DPI – they provide a record of what is approved for stakeholders and an essential tool to quarry managers in how to operate the site.

Work plan requirements for quarries are listed under Schedule 1 in the *Mineral Resources (Sustainable Development) (Extractive Industries) Regulations 2010*.

John Mitas recently lead an internal review of the Victorian work plan requirements. This included a survey of work plan requirements in other State jurisdictions and concluded that the current Victorian work plan requirements could be improved by:

- Applying more of a risk based approach;
- Standardising text to assist in gaining consistency; and
- Enabling minor changes to be undertaken without the need for a work plan variation.

The Earth Resources Policy Unit is preparing a discussion paper on this and other topics associated with the proposed legislation changes and these will be circulated to industry for comment soon.

The current Victorian work plan requirements were originally prepared for the introduction of the *Extractive Industries Development Regulations 1996*, fifteen years ago. Most of these requirements have remained unchanged ever since. The work plan discussion paper will provide stakeholders with a rare opportunity to

influence how work plans will be structured in the future, possibly for another fifteen years. Consequently, I encourage you to read the work plan (and other) discussion papers and to provide comments to assist in developing improved legislation in the quarrying sector.

STAFF NEWS

John Mitas is currently managing the Department’s response to the ground movement at Morwell which has resulted in the temporary closure of the Princes Freeway.

Mike Mathews, Manager Minerals and Extractive Operations (North East District), has resigned effective 1 May 2011. Mike joined the Department in July 1986 as an Inspector of Mines on the east side of Melbourne, relocated to Benalla in 1996 and was appointed as District Manager in 2004. He has seen many changes over his 25 years with the Department and is highly respected for his knowledge, experience, common sense, humour and humanity. Mike has advised that he has no immediate plans - just wants to take it easy for a while and plan the next stage of his life. He will be greatly missed as a colleague and a friend. ■



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VLPA Update

PETER MCCLUSKY provides an update on the Victoria Limestone Producers Association.

A successful Terang Field Day - Reducing Soil Acidity via Liming. The Commonwealth's *Caring for Our Country* program is continuing to provide funding for soil health extension programs involving use of lime to combat acidic soils. VLPA has been involved with several Catchment Management Authorities, Southern Farming Systems, Perennial Pasture Systems and WestVic Dairy in delivering seminars and field days under the program on this important topic.

The latest event was a field day at Terang organised by Jeff Lawes of West Vic Dairy, the dairy industry funded research and the training body based at Terang. The role of the VLPA and the Code of Conduct were explained by Peter McCluskey and participants were provided with a VLPA membership contact listing. A report on the Terang field day follows.

Dairy farmers have been advised to use lime to neutralise soil acidity caused by the removal of milk and other products from the farm or face a major impact on their production. A farm producing six million litres of milk per year will have to replace the equivalent of 24 tonnes of lime (calcium carbonate) that is exported off the farm in milk. Most agricultural products are slightly alkaline so their removal from a paddock or farm leaves the soil slightly more acidic. Lime is used to treat acidic soils as the carbonate component in the lime neutralises acidity.

A 'Reducing Soil Acidity through Liming and Nutrient Best Practice' field day at Bryan and Jo Dickson's farm near Terang on the 5th April 2011 was told that the replacement process was integral to maintaining healthy soils and maintaining good pastures. Department of Primary Industries Soil Health project officer from Geelong, Tim Johnston, said farmers needed to regularly test and monitor to protect against the dangers of acidic soils, and should apply lime at suitable levels to ensure best possible growth.

Mr Johnston said that for every 1000 litres of milk that leaves the property, the equivalent of about four kilograms of lime (100% calcium carbonate) is also removed. He said the Dickson farm, with an annual production of just over six million litres, would lose about 24 tonnes of calcium or lime equivalents every year. "To maintain the correct balance a farm of this size would need to consider applying about two and a half tonnes of lime per hectare every 10 years, depending on the quality of the lime," he said.

A one-metre deep soil pit was excavated for the field day to illustrate to nearly 50 farmers, students and service providers the different colour and composition of soil at various depths. DPI officers explained the soil testing process and the ribbon technique to identify soil texture. A number of lime samples were also on display.



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A pleasing aspect of the day was the degree of interest shown particularly by the Glenormiston agricultural students (the upcoming farming generation) who seeing the cross section of farmers and agribusiness practitioners present could sense that this is a serious topic and not just another compulsory academic class session.

ACT AND REGULATIONS REVIEW

The review of the mining and quarrying Act and associated regulations is continuing. DPI is conducting a survey of companies experiences with community consultation associated with expansion or new operations. Should members wish to record any negative or positive experiences in this area, please contact VLPA during May 2011.

MURRAY-DARLING BASIN PLAN

The draft plan as it currently stands gives priority to environmental flows ahead of economic and social needs. Two Federal Parliamentary Committees are conducting Inquiries into the Water Act and its impact on the Basin plan. Essentially the Act needs changing to give at least equal weight to economic needs. The Murray-Darling Basin stretches from Queensland well into northern Victoria where there is considerable acidic soils as identified by CSIRO. VLPA, along with NAA, has made recent submissions to the Senate Committee instituted by Senator Barnaby Joyce and to the House of Representatives Standing Committee on Regional Australia chaired by Tony Windsor MHR. The thrust of the submissions was to emphasise the importance of not jeopardising the productivity of the region which represents in the order of 30% of Australia's food production and is an important user of agricultural lime to improve and maintain productivity. ■

For further information contact Peter McCluskey 0408 496 588



WestVic Dairy's Project Manager, Jeff Lawes explains features of a soil profile at the recent acid soils field day near Terang watched by VLPA's Peter McCluskey (left)

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Directors OHS Responsibilities

As the nation moves to adopt the Work Health and Safety Act, commencing 1 January 2012, senior management and directors should start to look closely at their responsibilities for all occupational health and safety issues.

By JOHN SMITH of VECCI and SEAN MILLARD of CCI Lawyers.

THE new legislation will broaden the primary duty of care for the provision of a safe workplace and work practices from employers to all persons involved in the conduct of a business or business related undertaking.

Another important reform, which is one of immediate significance for senior management and directors, is that they will now be directly responsible for failing to provide a safe working environment.

In Victoria to date, senior management and directors have been personally exposed to liability when they've failed to take reasonable care to prevent an infringement of occupational health and safety obligations. Infringements arise when the director or manager has knowledge of a risk and the ability to take required action to prevent the risk, but fails to prevent or minimise said risk.

The change demonstrates movement away from senior management and directors potentially being able to avoid liability by showing they had done all that was within their control to prevent or reduce a risk to health and safety in the workplace.

The new duty will place a positive obligation on senior management and directors to exercise due diligence to ensure their company complies with its various obligations.

Due diligence will include taking reasonable steps to:

- a) Acquire and keep up to date with knowledge of work health and safety matters.

- b) Gain an understanding of the nature of business operations and the hazards and risks associated with those operations.
- c) Ensure the business has appropriate resources available to eliminate or minimise risk to health and safety.
- d) Ensure the business has access to appropriate information regarding hazards and risks and that it responds in a timely way to that information.
- e) Ensure the business has in place processes for compliance with legislative obligations; this includes consulting with workers and the provision of training and instruction.
- f) Verify the provision and use of the resources referred to above.

So what does it mean for busy CEOs on days when they must deal with shareholders, board members, financiers, suppliers, distributors, customers and the demands of a multi-divisional business?

Here is a hypothetical example:

The CEO might be comforted in the knowledge that his or her business has a health and safety system that:

- Is managed nationally by a group OHS manager
- Delivers information on work health and safety issues as part of monthly reports from divisional heads to the Executive Management Committee


- Is subject to external audits that confirm the health and safety system is compliant with Australian and international standards and benchmarks
- Is producing low and stable 'loss time' through injury statistics. However, the CEO has noted but not taken any action to investigate:
- A report from the human resources department (HR) documenting a recent spike in the level of sick leave being taken by employees
- An increase in the number of resignations of employees.


While aware of media reports that bullying and harassment claims are on the increase in the community, the CEO does not believe it is an issue within the business.

Then the HR department advises the CEO of a young female employee who has made allegations against her manager of sexual and general harassment and bullying, and that a WorkCover claim for stress has been lodged. The initial investigation into the allegations reveals the manager seemed to have raised performance issues with this particular employee.

The CEO starts to question the HR department about the circumstances in which the allegations took place. The responses provided are not encouraging. The recent resignations were by employees from within the area managed by the accused manager and they appear to have been due to employees feeling uncomfortable with his style of management and the amount of work

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allocated. The complaints made by the young female employee appear consistent with the manager's conduct over an extended period.

Further to this, while there is a policy on sexual harassment, there is no policy specifically addressing bullying and harassment. The CEO is now wondering about the prospect of the employee going to lawyers and the media.

Under both the new legislation and existing occupational health and safety legislation in Victoria, employers are required to consult with employees about the identification of hazards or risks to health and safety in a workplace, and the measures that might be taken to address such risks.

Among all the issues the CEO will have to deal with, he or she learns there has been no consultation with the workforce, nor any training or awareness programs conducted about the issue of bullying and harassment. Then, a WorkSafe Inspector knocks on the door.

This example highlights the underlying policy direction of the new legislative provisions dealing with the liability of senior managers and directors. Along with the ever increasing focus on the need for business to implement measures to support workplace health and

address issues related to an ageing workforce, senior management and directors will need to show leadership in ensuring a safe work environment is established and maintained.

Senior managers and directors will need to focus their attention on their exposure to a substantially increased penalty of up to \$600,000 and/or five years imprisonment for serious contraventions of the Work Health and Safety Act. However, that attention should not be diverted from also acting to prevent less obvious contraventions of legislative obligations, for example, consulting with a workforce on health and safety issues, such as bullying and harassment.

It will no longer be sufficient to ensure occupational health and safety systems are compliant with international and Australian standards and best practice. Only having the documentation in place and ticking all the boxes during audits will no longer satisfy a senior manager or director's obligation to act proactively under the Work Health & Safety Act.

Leading up to the implementation of the new laws, senior managers and directors need to ask themselves;

1. Are we fully aware of the new laws?
2. Do we have resources and systems in place that would satisfy the due diligence test?
3. Do we have an emergency strategy in place that would establish the best possible defence for officers if an unfortunate event occurs?
4. Under what circumstances would the organisation assist a senior manager or director under investigation or subject to prosecution?
5. Where an organisation will assist, what assistance would be made available to the manager or director?

It is becoming harder to attract good directors to boards because of personal liability issues. Having good systems in place that protect all employees, and the organisation, will provide a level of assurance to those potential board members and directors. ■

Sean Millard is Principal of CCI Lawyers, specialising in all areas of employment law. The late John Smith who passed away last month was VECCI's OHS Products and Onsite Training Consultant.

This article first appeared in (Vol 3, No 4 Summer 2011) VECCI Magazine, Business Excellence



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Mangasafe the standard for safe liner changes

TOM BRUCE, Managing Director, Crushing Equipment reports on their new Mangasafe jaw liner lifting tool.

AN innovative new jaw and cone crusher liner lifting tool, Mangasafe, promises to revolutionise the quarrying and mining industry as it quickly and safely lifts manganese liners saving valuable crane time and removing the need to weld lugs.

The result of several years of research and development by leading manganese liner supplier, Crushing Equipment Pty Ltd, Mangasafe is set to become the by-word for safety and efficiency in liner replacement. With extensive field-testing and rigorous NATA and AS3776-2006 load certification now complete, Mangasafe is ready for use in mines and quarries across Australia.

“This is a simple solution to what can be an extremely dangerous task in the industry,” Crushing Equipment Managing Director, Tom Bruce said.

“We have perfected a simple yet innovative response to the hazardous and time consuming method of welding lifting lugs to manganese liners. Mangasafe is simply inserted into the liner’s pre-cast holes, a stabiliser bar fitted and the lifting chains attached. It is a safe and efficient procedure which is done in less than a minute and also positions liners at the right angle to lower against the jaw face,” Mr Bruce said.



Installation of Mangasafe to jaw liners

“While we had an obvious focus on improving production in developing Mangasafe, our real motivation is to improve safety in the industry. “We expect Mangasafe will become the industry standard for safe liner change outs and all Crushing Equipment Pty Ltd liners are now cast to allow use of this innovative tool,” Mr Bruce said.

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“We have totally removed the need to weld lugs and the associated risks involved and can now lift a jaw liner in five simple steps in a process that is measured in a matter of minutes.”

The new cone crusher lifting tool is currently undergoing final testing and further development and is expected to be available soon, according to Mr Bruce.

With Mangasafe field tested for many months, Crushing Equipment Pty Ltd is undertaking an extensive marketing program to communicate the benefits of the innovative tool.

“We are keen to invest time in educating the industry about the safety benefits Mangasafe delivers and so developed the catchy name and are now undertaking an advertising and communications program to relay it to the industry,” Tom Bruce explained.

“I’m confident that anybody interested will be impressed with the simplicity and effectiveness of Mangasafe – our website videos demonstrate the system at work in the field already.

“We’re sure that over time, Mangasafe will become the first word associated with safe crushing liner change outs – just like Hoover is to vacuuming.” ■



Mangasafe in action safely lifting a jaw liner

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WAYNE HANSON, Marketing Manager for WAM Australia reports on the companies' new service arm to complement their state of the art range of equipment.

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To complement our state of the art range of equipment WAM is proud to announce the launch of our Service department. Tony Cavallaro the head of our department has over 20 years of materials handling equipment experience working on equipment in the Flour Milling, Plastics, Pharmaceutical, Cement and Concrete and Quarrying industries.

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Tony Cavallaro, servicing your needs

requirements and reduce down time for your business at industry competitive rates.

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WAM Australia is a long term associate member of the CMPA and is proud to be associated with this association and will continue to work closely with the group and its members to support the industry. ■



For further information contact
 Tony Cavallaro of WAM Australia
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Reference Manuals – which have been written for personnel working in the construction material processing industry by persons working in the industry.

- Work Safely
- Conduct Crushing Operations
- Conduct Screening Operations
- Combined Crushing & Screening Operations

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To obtain a copy of the CMPA publication order form please contact the CMPA Secretariat on 1300 267 222 or via email at enquiries@cmpavic.asn.au. ■

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Dates: Friday 8th & 22nd July 2011

Location: Box Hill Institute of TAFE, Whitehorse Road, Box Hill

Time: 8.30am – 4.30pm

Cost: TBA

To book, please contact Diane Wilson at Box Hill Institute of TAFE by phoning 03 9286 9711.

CMPA AGM & DINNER 2011

The CMPA AGM & Dinner 2011 in Echuca Moama is fast approaching with extra activities across the weekend now finalised, it looks like being an enjoyable weekend. Invitations to the big event will come out in the second half of June 2011.

Please ensure you put this date in your diary! Here are the details:

Date: Saturday 27th August 2011

Location: Moama Bowling Club

Time: 5.00pm for AGM, 6.00pm for Dinner

Cost: CMPA Members \$95

The Associate Sponsorship is almost fully subscribed and the entertainment is booked. There is now only three months to go, so it's very important to book your weekend away now to avoid missing out on a place of your choice. Refer to www.echucamoama.com for all your accommodation needs.

The extra activities across the weekend include:

- Paintball, 12pm Saturday at Splat Attack Paintball, Moama
- Breakfast, 8.30am Sunday at Star Hotel, Echuca
- Golf Ambrose Event, 9.00am on Sunday at YMCA Golf Course
- Paddlesteamer Cruise, 10.15am on Sunday at Port of Echuca

To book, please contact the CMPA by phoning 03 5781 0655 or emailing enquiries@cmpavic.asn.au



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