



**Crane Industry Council of Australia Ltd.**  
**ABN 73 002 565 773**

PO Box 136  
Mt Waverley Vic 3149  
Tel: 03-9561 5033  
Fax: 03-9561 5088  
Email: [admin@cica.com.au](mailto:admin@cica.com.au)  
Website: [www.cica.com.au](http://www.cica.com.au)

## **CICA Submission on National Review into MODEL OH&S LAWS July 7, 2008**

The Crane Industry Council of Australia (CICA) would like to make comments specifically relating to the Crane Industry as it exists in all States of Australia. We understand the scope of the National Review is far greater than our small segment but we feel sufficiently experienced and capable of dealing with the issues that we feel the comments included herein may assist the committee in its deliberations and we make ourselves available at any time should the committee wish to discuss the issues further. At all times, our comments and suggestions relate specifically for crane plant related issues. There may well be other areas that will benefit from our comments but we feel it is more beneficial to remain fixed on areas that we do have expertise that we believe, far exceeds any other source.

### **2. CICA Background**

CICA has been in existence since 1978 and it is unique in its structure that caters for all participants in the Crane Industry whether they are Hirers, Manufacturers, New Crane Distributors, Used Crane Suppliers, Ancillary Suppliers, or anyone providing a service to the Australian Crane Industry. It is represented on Australian Standards, Industry Advisory Group for the National Transport Commission, and regularly meets with both Federal and State Government Authorities representing the Australian Crane Industry. It is recognized as being the voice of the industry for any issues pertaining to Cranes, whether they are Mobile, Tower or Fixed versions.

It is associated with every State Crane Association and in 2003 it initiated a third party crane annual inspection program universally known as CraneSafe. CraneSafe conducts assessments of all types of cranes and in the 2007 calendar year, over 3,300 cranes were inspected. Further background information can be found on the CICA website [www.cica.com.au](http://www.cica.com.au).

### **3. Current Situation**

Quite bluntly, the current situation is a mess. This is not such an indictment against the current State Plant Regulations and Codes of Practice, but more a case of how these are policed.

Unfortunately, the crane industry in Australia is like the general community. The majority conforms to regulations, there is a group will never conform, and there is a middle group that will digress if they believe they can get away with the transgression.

The current method of self regulation is not working in the crane industry and the only ways any problems are encountered are when there is an accident or an audit is conducted. Accidents are relatively rare given the number of cranes in use, and other

than Queensland, audits in practice, are never carried out. This has enticed the middle group to also take chances and not conform to regulations.

CICA has spent a considerable amount of time looking at these problems and the attached submission on the impact of importation of used mobile cranes clearly illustrates the extent of the problems as they exist. Predominately, most of the issues relate to used cranes but the same examples and problems exist for new cranes as well.

#### **4. Australian Standards**

Australian Standards are becoming increasingly irrelevant in today's crane industry. There is only one mobile crane manufacturer left, Terex Franna, and all tower crane manufacturing has ceased. Furthermore, the actual standards as they exist are becoming dated and are not relevant to much of the equipment that is being imported. We favour a position where Australian Standards are referenced in codes of practice if any manufacturer wants to produce in Australia some time in the future but not to mandate them as a pre-requisite for design registration.

We propose the introduction of an alternative approval for fully imported cranes. The international standard that fulfils our requirements is EN with reference to certain areas of ISO which EN does not cover. There is one exception to these Standards that we should incorporate and this relates to stability. The European Standards do not allow pick & carry operations for crawler cranes, whereas it is normal practice in Australia, and is part of the American design requirements. We would request that in addition to the requirements of EN/ISO that mobile cranes used in Australia would have the following stability:

On Outriggers	75%
Stationary on rubber	75%
Mobile on rubber or crawlers	66.6%

We do not support the introduction of SAE/ANSI from USA as the safety factors are too low for our market nor should JIS be accepted unless the stability and mobile ratings are brought into line with the above stability chart.

#### **5. Design Registration**

The current design registration process in Australia is fatally flawed and requires urgent attention. Each State has subtly different requirements but all fail on the checking of information provided. It would appear that this has occurred through lack of manpower in State OH&S departments and the belief by these departments that if someone cheats the system, they will be caught if an accident occurs. The current overall requirement in all States is similar, but there is no checking of the information provided, and it would appear there is very little knowledge of crane design and issues.

We would propose that CICA take responsibility for Design Registration on a national basis. We envisage that part of the process would be to have Manufacturer's letter stating that the serial number specific crane conforms to whatever Standard is eventually selected, and a signed copy of the load charts. To avoid the possibility of forgeries, we have direct access to the manufacturers to ensure the information provided is correct. In the case where the manufacturer no longer exists, we have a

register of engineers who would review the reverse engineering that an importer provides and is required for design registration.

Each State would be provided with a copy of the design number register and it would also be possible for State OH&S inspectors to have web based access to the information through an individual secure identity log-in. The CICA database would recognize any incorrect design registration numbers at time of entry.

It is further envisaged that individual plant registrations would be formally required in each State stating the design registration number for each crane registered. CICA could provide this service and reimburse the individual States with the revenue.

## **6. Annual and Major Inspection**

CICA is strongly of the opinion that third party independent annual inspections of all cranes should be a mandatory requirement. The level of inspection should be to a level equivalent, or better than the existing CraneSafe program. All crane owners have had an obligation that varied according to the individual State requirements to inspect their cranes on an annual basis. The reality is that no-one has conformed to this obligation until the introduction of CraneSafe and the quality and safety of cranes had deteriorated to an alarming state. It is a clear example that the industry has regulated itself as can be seen from the attached statistics, but it is time for the requirement be set in regulation as there is still at least 40% of the industry that are not crane association members who are ignoring their moral and legal obligations.

CICA also believes that a Major Inspection is still required to confirm the continued safe operation of old cranes. This major inspection is also required for imported cranes with no history or cranes that have been overloaded in operation, or after an accident that requires structural repairs to the crane.

## **7. Age of Imported Cranes**

There are no age restrictions on imported cranes. CICA is not against the importation of used cranes, but firmly believes that sufficient checks of the condition of the cranes needs to be carried out before the crane can be plant registered. Our recommendations are included in the attached impact of used equipment document.

## **8. Conclusions**

We understand the scope of this enquiry is huge and far reaching and that our comments are limited solely to plant issues as they relate to cranes but feel we can contribute in our small way to assist in this task. We are very much of the opinion that the whole issue must be addressed on a National level and not the State by State system that is currently operating.

As advised previously, we are available to assist in the future in any manner that is requested.