

21 March 2022

VIA EMAIL: Office of Industrial Relations

RE: Draft Tilt-up and Pre-cast Construction Code of Practice

Thank you for the opportunity to provide further feedback on the draft Code of Practice (CoP).

While this submission predominantly addresses the issue of Back-up Lifting Systems, we have also raised outstanding issues in relation to Exclusion Zones and Wind Speed that must also be addressed.

We are concerned that there has not been a rigorous risk management process followed in developing the amendments to the CoP. It appears that Office of Industrial Relations (OIR) has departed from the process detailed in the “How to manage work health and safety risks Code of Practice 2021”.

This submission should be read in conjunction with Master Builders’ earlier submissions and feedback already provided.

Backup Lifting Systems

Master Builders reiterates that we do not support the backup lifting systems provisions in the current draft of the reviewed CoP.

By approving the backup lifting systems amendments, on the evidence available, the standard of health and safety will be lowered. The proposed changes will introduce new hazards and risks, with no reasonably practicable, evidence-based controls included. Such an outcome is inconsistent with public policy considerations and the objectives of the *Work Health and Safety Act 2011*.

OIR has acknowledged not only the lack of evidence to support the introduction of the backup lifting system amendments but also the fact that industry engineers have expressed significant concerns in relation to the amendments. Refer to **Attachment A** received from OIR stating that engineers have advised “there is difficulty in certifying some backup lifting systems due to the lack of information available on the performance of lifting equipment under shock loads”. Further, OIR’s own investigations found that there has been “limited analysis and testing undertaken to determine the response of lift equipment under shock loads”.

OIR is now looking to collaborate with industry to undertake testing to confirm that backup lifting systems can sustain the dynamic loads in the event of a single failure of a lifting system component. That testing has not yet commenced. It appears, based on current timeframes, that only two weeks of testing will be undertaken. This is contrary to OIR investigations that expected testing to take up to 12 months to complete (**Attachment A**).

MBQ has undertaken further consultation with industry. Several engineers and building contractors have provided a written response to specific questions regarding the integrity of the backup lifting system amendments proposed (refer to **Attachment B**).

These responses speak for themselves, though in summary, the proposed backup lifting system amendments are:

- contrary to Australian Standards;
- contrary to national and international practices; and
- not supported by any expert evidence.

We also note that the existing references to back-up lifting systems in the current CoP (2003) have been contentious since they were first introduced. Over the past 20 years there has not been a specific example of these provisions making a positive difference to safety outcomes.

We continue to recommend that any reference to back-up lifting systems should be removed from the COP. Our position is supported by professional opinion and is in the interest of ensuring the highest standard in health and safety is maintained across the building and construction industry.

Exclusion Zones

Currently workers who are not directly involved in installing elements are excluded from the Exclusion Zone. This includes workers slinging the load (riggers). We need to ensure that riggers are allowed to enter the Exclusion Zone safely when an element must be re-rigged.

Wind Speeds

The issue of lowering wind speeds for tower cranes has been previously raised. In effect there will be three Codes of Practice specifying different wind speeds which will lead to confusion and misunderstanding for the industry, particularly rigging teams.

Thank you for considering this submission.

Regards,

Paul Bidwell
Deputy CEO