Prosecution Summary of Conviction

Technologies International Group Pty Ltd (ACN 071 424 783)

LEGISLATION:		*Work Health and Safety Act 2020*				
Charge	**Charge Number**	**Sentenced Date**	**Regulation**	**Section**	**Penalty**	**Offence Date**
1	**CA793/2024**	**14/10/2025**		**19(2) 32(1)**	**$450,000**	**25/07/2022**

BREACH(ES)

Being a person who had a health and safety duty, namely a duty to ensure, as far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of its business or undertaking, failed to comply with that duty, and the failure exposed an individual to a risk of death or of injury or harm to the individual's health. contrary to sections 19(2) and 32(1) of the *Work Heath and Safety Act 2020.*

DETAILS

PCBU's business or undertaking
Technologies Group International Pty Ltd (**TIG**) which trades as Welltech Total Water Management, operates a business which provides "water solutions" as part of civil mining operations. As part of this business, TIG supplies a number of different portable water towers, tanks and pumps. TIG hires out this equipment and also offers to set up and service certain plant at its clients' work sites. In addition, TIG has a separate division that deals with sewerage. At the time of the incident, TIG employed approximately 25 people across its divisions.

TIG hires out a piece of plant called the MegaFill pump as part of its "water solutions" business. The MegaFill pump is a mobile water pump that can be used as part of civil construction or mining operations. The MegaFill pump has two booms, an intake and a discharge boom. The booms extend out for use and are folded away for storage and secured for transport. At the time of the incident, TIG had approximately 35 MegaFill pumps in its fleet.

When in the folded position the booms on a MegaFill pump can unfold causing the boom to rotate away from the body of the pump, unless they are properly secured. The intake boom on a MegaFill pump is secured for transport in three ways: a chain is attached to the boom, a travel mount strap is placed over the boom and a travel mount bolt is installed which attaches the boom to the frame of the pump. The discharge boom is also secured by a travel mount bolt.

TIG had developed an installation and operating procedure (Operating Procedure) which contained information on the operation of the MegaFill pump as well as information on how to safely demobilise it for transport, including the securing of the intake and discharge booms. When the MegaFill pump involved in the incident was hired out, the most up to date version of the Operating Procedure was finalised in 2021, although earlier versions with information regarding safety restraints had been used before this.

When hiring out a MegaFill pump, it was TIG's practice to insist that truck drivers place a further strap over both the intake and discharge booms when leaving TIG's yard, providing an additional restraint. The intake boom on the MegaFill pump had a sticker on the top of it saying:
"Danger load must be securely fastened for transport", with the same sticker also found on the side of the discharge boom. However, there were no instructions or directions on the pump itself which identified how to properly secure the pump for transport. In addition, the restraint points were not distinctively marked on the pump.

Prior to the incident, MegaFill pumps had been returned to TIG's premises at the end of hire periods without all of the safety mechanisms in place. TIG was aware that this had occurred and had been aware since 2019. TIG also knew that the booms of the MegaFill pump would pose a hazard during transport if the restraints were not properly put in place by a customer.

Hiring of the MegaFill pump
On 24 March 2022, a civil mining contractor named Diverse Group Australia Pty Ltd In May 2025 DGA changed its name to Diverse Management Services Pty Ltd (DMS) (the **contractor**) sent a purchase order to the Accused for the use of a MegaFill pump on a mine site in the Pilbara near Newman. TIG and the contractor agreed that the MegaFill pump would be collected on 6 April 2022.

On 5 April 2022, TIG emailed a copy of the Operating Procedure to the contractor. TIG had a practice of providing a hard copy of the Operating Procedure with the MegaFill pump, however, none of the contractors using the pump on the mine site recalled seeing the Operating Procedure and no hard copy manual was recovered at the scene of the incident.

The collection of the MegaFill pump was the responsibility of the contractor. The contractor organised for the MegaFill pump to be collected by a trucking company named RGR Road Haulage Pty Ltd (the **trucking company**) that had previously transported MegaFill pumps on a number of occasions.

The MegaFill pump was used by the contractor at the mine site until on or about 23 July 2022.

On or about 23 July 2022, the contractor prepared the MegaFill pump to be transported from the mine site back to Perth. When the contractor demobilised the pump, the ratchet strap was in place over the intake boom. However, the contractor did not attach the chain or install the intake boom's travel bolt. The failure to install the travel bolt created a risk that the boom could rotate during transport.

On 23 July 2022, the MegaFill pump was collected by the trucking company.

The incident
On 25 July 2022, the MegaFill pump was being transported on the back of a semi-trailer to Perth. At some point during the journey, the strap securing the intake boom of the MegaFill pump failed and the boom became unrestrained. For an unknown amount of time, the intake boom of the MegaFill pump extended horizontally across the opposite lane of the Great Northern Highway. At about 9:27pm, the boom of the pump struck and killed a driver who was driving his truck in the opposite direction just north of Meekatharra.

After the incident
After the incident, TIG designed an engineering control in the form of new restraint system that can be installed on the MegaFill pumps to remove the risk of the booms being inadequately restrained during transport. The engineering control involves a mechanism where a catch is welded to the intake boom and, as the boom is folded, the weight of the boom ensures that the catch clicks into place on a retainer that is welded to the main frame assembly. The boom is then secured until released through the removal of a pin.

The mechanism was designed in house before being subject to an external safety review. Approximately 200 hours of work was utilised in the design and 100 hours in research and development. Each mechanism costs $500, with one mechanism required for each boom.

Practicable measures
It was reasonably practicable for TIG to install or fit an engineering control on the MegaFill pumps to ensure that the booms could not rotate or move during transport.

TIG failed to implement this practicable measure before the incident and thereby failed to comply with its health and safety duty under the Act.

OUTCOME	Pleaded guilty – convicted and fined
FINE	$450,000
COSTS	$8000.00
COURT	Magistrates Court of Western Australia – Perth