

20<sup>th</sup> May, 2013

Ms J Hendtlass  
Coroner  
Coroners Court of Victoria  
Level 11, 222 Exhibition Street  
Melbourne VIC 3000



Dear Ms Hendtlass

**Investigation into the death of Gaylee Kati (Investigation)**  
**Court reference: COR 2004 002249**

We refer to and thank you for your findings in relation to the above Investigation (Findings) received by MacDonald Johnston Pty Ltd (MacDonald Johnston) on 24 January 2013.

As noted in our submissions to the Investigation dated 18 February 2011, MacDonald Johnston manufactures and installs garbage handling equipment onto cab chassis assemblies. The garbage handling equipment includes compactor bodies and lifting arms and the associated controls. Relevantly, MacDonald Johnston manufactured and fitted the Mark IV Side Loader to the Volvo garbage collection truck (Vehicle) Ms Kati was driving on the day of her death.

MacDonald Johnston notes that at paragraph 125 of the Findings, and paragraph 71 of your Comments, your Honour states that you could find no evidence of an emergency stop mechanism for the side loader arm on the outside of the Vehicle. Further, MacDonald Johnston notes that your Honour recommends that 'Cleanaway ensure that there is an emergency stop button on their domestic side loader vehicles which is accessible from outside the cabin' (see Recommendation 4).

It is true that the documents provided to the Coroners Court during the Investigation did not expressly refer to any external emergency stop button within the Mark IV Side Loader. For the avoidance of doubt however, MacDonald Johnston notes that the Mark IV Side Loader was designed and manufactured with a red, external emergency stop button. The Mark IV Side Loader fitted to the Vehicle, and supplied to Cleanaway, was fitted with an external, emergency stop button.

The external emergency stop button was positioned next to the slide arm and bin lifter on the Mark IV Side Loader. When pressed, the external emergency stop button shut down all hydraulic power to the slide arm and bin lifter and also triggered the sounding of a warning buzzer. MacDonald Johnston also notes that all subsequent and current Side Loaders designed and manufactured by the company are designed, manufactured and supplied to customers (such as Cleanaway) with an external emergency stop button.

MacDonald Johnston, as a designer and manufacturer of garbage handling equipment, is committed to eliminating, as far as reasonably practicable, any risks to health and safety associated with its equipment and we thank your Honour for your time in considering our response to the Findings.

Yours faithfully



**David Waldron**  
Managing Director  
MacDonald Johnston Pty Ltd