

The New Zealand LIFT FAX

The New Zealand Lift Fax is produced bi-monthly for the NZ lift industry. Just send your email address to LEC to subscribe.

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WHAT'S GOING UP or DOWN THIS MONTH:

EDENDALE Gen2 LIFT FATALITY:

It is just on 7 months since Dave Shaw had his life crushed from him at the Fonterra Edendale factory near Invercargill while commissioning an Otis Gen2 passenger lift, and the wider industry is still yet to be given the respect of being informed how it happened.

Finally on the same day as my follow up for issue of this fax, we have now been informed through a media release issued by the Department of Labour that Otis Elevator Co. Ltd is to be charged under the Health and Safety in Employment Act, with failing to take all practical steps to ensure the safety of an employee.

The case is to be called in the Invercargill District Court on April 13th 2010.

Any result will be subjective as OSH focuses on culpability and not necessarily cause, but the critical issue is that the wider industry needs to consider the facts as well; as Otis has done and subsequently made adjustments to its practices to minimize a reoccurrence, but without this knowledge, the wider industry, especially those who have to work on these and similar equipment, are still in the dark.



Dave Shaw 1970-2009

EDITORIAL The Suppression Order:

The public good you would think means the legal process would be structured to ensure institutional and corporate practices that were found to be criminally deficient in design, practice or process, by bringing harm to employees or the public in general through poor design, their actions or irresponsibility's, would ensure these deficiencies were exposed for wider scrutiny beyond litigation.

But through observing some litigation involving the lift industry where we see insurance companies defend their public-office institutional clients, it seems where shortcomings are identified, the first tool of the insurer is to request a suppression order of the details before any settlement is agreed.

Now I suppose insurance companies representing institutional clients recognise human greed, and as they state, they are always concerned of a flood of litigation. eg: leaky buildings. I suppose it is what in the lower echelons on our society we call HUSH MONEY, used to protect the interests of the criminal act, or could the suppression order be being used as a similar criminal act against the public good.

Where do we as a society through our legal system draw the line between accepting the political spin of press releases, and being made aware of critical happenings in our society, so that we are sufficiently informed to be able to make rational decisions within this democracy.

In the lift industry it is critical to learn from accidents and even incidents so that similar mistakes are not repeated or processes can be evaluated and changed by those responsible to minimise future risk, even more so in this Laissez-faire lift compliance structure presently governing the building industry in NZ.

But in a competitive society where corporate reputation or institutional changes to safe process are found to not be being followed in courts of law, how can we sit back and allow suppression orders to seemingly remove this critical source of knowledge from which the wider lift industry can learn. Ed.

JIM WHYTE MOVES TO CREMER GROUP:

This industry stalwart of 30 years experience of late at Otis sales, has taken up the position of new equipment sales with the expanding Cremer Group.

Jim will bring good industry experience with 15 years with Otis and around 5 with Schindler to this 1990's company that has built its reputation on sound local lift engineering, and now has taken on the versatility of the Kleemann MRL, Meditec stairlifts and Aritco quality platform lifts to boost its role in the NZ market.

Apprenticed in the UK Jim has seen it all, now with 23 years in NZ he has held the roles of:- Service Technician - Repair Technician - Service supervisor - New lift sales - Modernisation sales, and Service Manager. Luckily, he hasn't been in Accounts . . . yet!

KONE SPARES:

A few years back the Finnish Lift Corporation KONE Elevators Pty Ltd set up the Spare Parts division in the US to service the increasing demand for non-KONE equipment they had service contracts for, as well as expand access to their own components in the market.

See: www.konespares.com



A FOND FAREWELL TO JOHN DAVIES IN RETIREMENT:

A fond farewell to John Davies, our Christchurch Branch Manager for Schindler Lift NZ Ltd, who retired on the 31st December 2009.

John was born in London and migrated to New Zealand in 1970. He obtained his General Engineering and Mechanical Engineering Certificates from the City & Guilds Institute of London.



John Davies



John Davies gift from Dirk Ryken

He joined TL Jones Ltd (whose elevator business was later acquired by Schindler in December 1989) on 29th January 1973 as a Design Draughtsman, and was eventually promoted to Design Engineer, Contracts Manager and later the Lift

Division Manager. John was therefore the obvious choice for the position of Southern Region Manager for Schindler Lifts NZ Ltd.

From January 1999 to March 2004 his responsibility expanded to include the management of the Wellington branch and from 2004 until today he has held the role of Christchurch Branch Manager and Service Manager for the whole of the South Island.



Leslie Davies

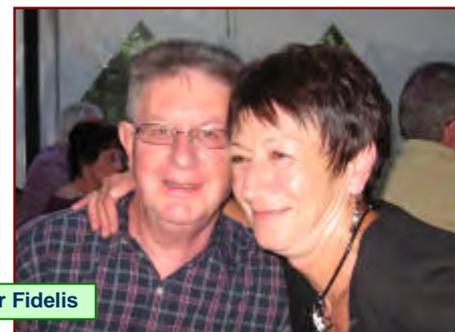
Apart from his family life (John is married to Lesley and has two grown-up children) he has had many interests outside of Schindler including Group Leader of the Halswell Scout Group and being an amateur wine buff.



We would like to thank John for all his hard work and commitment over the last 36 years and wish him all the very best in his retirement.

We will miss your sharp wit and should you ever feel

like some "the good old days" company, we can always do with your tongue in cheek humor to lighten the load at Schindler Lift NZ Ltd.



Super Fidelis

LEC wishes to also add a thank you John for the great years we worked together mainly at T.L.Jones Ltd, and hopes this new era will even surpass the past for both yourself and Leslie. Bob.

RISK AND INSURANCE?



Professional Indemnity insurance was always a bit of a conundrum, where you hire professionals because of their skills and expertise to limit the risk of non-performance, and then to overcome your trepidations in trusting those you hire, you demand they insure you against risk of non-performance. Whatever way you look at it, you are in most instances just adding an unnecessary overhead cost to placate irrational fears.

For in reality, if you place your faith in insurance and have to make a claim against an insurer for non-performance, you are destined to end up well up the creek without a paddle, and probably should be reconsidering why you let the work in the first place.

Now if you are an institution, you usually have experts on staff to monitor and oversee the professions you employ, but once again if you cannot trust your staff and your fears still demand professional indemnity insurance, you are only increasing your overhead cost. And you wonder why the budget blows out!

As an individual professional with many year of experience in this industry, I understand how critical my reputation is in the market to ensuring continued work, and so find it difficult to understand how these institutional vestiges of knowledge would succumb to these fears.

And yet now in our financial controller run market place, expertise, reputation and professionalism is being denigrated to how much professional insurance you carry.



Such is the encouragement by the RISK INDUSTRY to feed itself, closely accredited through the endorsement by the easy-fix brigade appointed to govern this country that rational consideration seems to have flown out the door.

Our major institutions are under threat, being encouraged by Government to address risk. ie. **(leaky building - one solution for all syndrome)**. And the promoted solution is for everyone to carry insurance much to the insurers delight. And so now as an individual where I used to carry a \$300k indemnity to satisfy these bureaucratic fears, the institutions have decided these fears now need a \$5 million PI cover. I have even heard of \$10m cover being asked for, although in that instance it was declined, as in this instance as well, where the only option to extortion is to drop the service.

Will the high overhead professional indemnity be retained? Probably!

Will the cost overhead to institutions and doing business in general increase? Of course!

Will the performance of the professional be retained? It's a toss up, because to succumb to extortion may reflect in ones integrity, and you cannot insure against that!

Interestingly, of the 40 plus years of working in the lift industry and 20 of them providing professional services, I have never seen a deadline met - a standard of installation achieved - a quality of work attained - or experienced a problem fixed with professional insurance. But I have seen all these achieved through the experience of a professional!



21-03-2010: Photo thanks to Ian McWaters of TDC Melbourne

OLD BOYS EPL REUNION IN MELBOURNE – 1959 to 1990:

One hundred and twenty one years ago in 1889 in Sydney Australia, the **Suburban Hydraulic Power Company** first used high pressure water to power wool presses and goods lifts, installing 69 machines by 1891.

In 1926, because of the proliferation of electric drives into the market the board decided to rename the Company to **Hydraulic Power, Electric & Hydraulic Lifts Limited**. The company also undertook the Agency for US **Westinghouse Lifts**.

By 1932 the **Express Lifts Co. Ltd** had also become associated as an Agency for supply of high speed gearless lifts into Sydney and its surrounds.



In 1934 the **Smith Major Stevens and Coats** lift company was purchased and the company became the sole agency for Express Lift Co. Ltd, installing the latest high speed lifts into the local market. By 1948 an agreement was made with Express Lifts that licensed local manufacture of the Express Lift Co. Ltd products in Australia.

With the decline in water hydraulic power use by the 50's, and growing use of electric lift solutions in the market a holding company was setup called **Hydelec Holdings Limited** that enabled the two subsidiaries, **ELEVATORS PTY LTD** and **Hydraulic Power Pty Ltd** to be **formed in 1955**.



In 1959 the local Melbourne company of **Lofts Engineering** in Palmerston Place Carlton was acquired as the first Melbourne branch of **EPL** under the management of John Loft.

With this public company never failing to pay a dividend between 1889 and 1960, the **Lend Lease Corporation** led by founder **Dick Dusseldorp** who emerged from the huge Snowy River Scheme project, acquired all the shares of Hydelec Holdings Ltd and Elevators Pty Ltd, and continued the expansion of EPL branches throughout all main centers in Australia over the 60's.

EPL will probably be renown for its apprentices, who today number hundreds and who are found in many facets spread all throughout the lift industry.

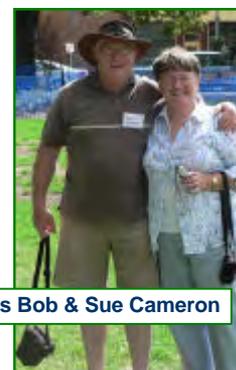
In Melbourne the first local apprentices were **Bob James, Ross Thomas** and **Cliff Sly**, and by 1966 they were joined by yours truly along with **Bob Nott** and **John Gracie**.

At that time **Ian Vine** was Melbourne Manager, with **Hugh Andrews** as the accountant, and **Des Murphy** looked after all contracts, with supervisor **Bob Allen** and **Angie Cassamento**, foreman **Pat Luttick** soon being joined by **John Fuscaldo, George Baynon, George Karametos, Fred Shubert** and the list goes on



And so from these early days until the first 10% shareholding was taken up by the Finnish KONE Elevators Corporation in 1988, which concluded in the full acquisition around 1990, the EPL old boys molded this industry in Melbourne.

Before they were likely to disappear into oblivion, Bob Cameron who also started his time with EPL in the heyday 60's; to be joined by his wife to be Sue (nee Jackson), let it be known that an old-time park reunion was to be held at noon on Sunday 21st March 2010 in Edinburgh Gardens, North Fitzroy, and all ex-EPL Melbourne branch employees were invited.



Organisers Bob & Sue Cameron

Approximately 70 persons including many present employees that had survived these times, such as Horri Palmeri, Glen Yeowitt, Phil Gigilio, Ray Atkinson, Stu Patterson, and Paul Steleni attended.

Des Murphy, Fred Shubert, Frank Trifiletti, Bob James.

If anyone would like an electronic copy of the official photo, I'm sure lift consultant Ian McWaters of TDC in Melbourne would be happily to forward a copy.



I will also place a named copy on my website at www.lifteye.co.nz for those who remember the face but not the name, or who don't recognize the face but will be surprised to associate the name. Unless I get it wrong, then please let me know. The memory ain't what it used to be!

WHO IS NZES's NORMAN HUGGETT:

New Zealand Engineering Services has been run by Norman Huggett in NZ since he started the business in 1991, after taking over the Lifts and Escalators Division from CPD Engineering where he was the NZ Manager.



CPD Engineering purchased the Lifts & Escalator Division from McConnell Dowell, whom Norm worked for at the time, after being seconded from the NZ Government in 1988 to look after and help set up their new Lifts and Escalator Division. It was at this time that Norm became associated with their German Lift Supplier.

After focusing on setting up a sound lift service, modernization and installation business, Norm was absconded to Australia in 2002 to assist in the establishment of LM Liftmaterial GmbH in Australia, before returning to NZ early in 2006 to further NZES's role in the NZ market.

By combining a group of proven suppliers in the German lift component and packaged lift supplier; LM Liftmaterial, Cibes Lift AB; the Swedish platform lift manufacturer and CNIM who provides escalators and moving walks, NZES can find a lift solution no matter the need.

But this is not all about NZES, it's about Norm Huggett and the experience he gained in lifts that was even before the formation of NZES.

It began around 1982 when Norm started working for the NZ Government, Marine Division, Ministry of Transport as an Engineer Surveyor and Surveyor of Ships. They covered two Acts of Parliament; The Boilers Lifts & Cranes Act 1950 and Shipping & Port Safety Act.

During Norm's time there he was heavily involved in the Certification of new lift systems and inspection of existing lifts using the NZ Power Lift Rules 1980, and the Under One Horsepower Code 1985 under John Critchley, the then Chief Engineer Surveyor based in Wellington.

The usual problem with prescriptive Rules as Norm saw it, was their obsolescence once written unless continually updated. He found there were those on the Lift Code Committee who wanted to rewrite the rules, but he firmly believed and suggested the adoption of overseas standards that were continually updated was the solution.

New Zealand reflected such a small percentage of the lift international market he felt, and overseas suppliers were unlikely to change their design to satisfy small parochial preferences.

Contradictions began to arise under the Building Act where 1.4m² lift cars were still sighted in the local NZS4332 lift and NZS4121 Disabled Access Standards, but the International ISO Standard had adopted 1.1m wide x 1.4m long minimum standard for the disabled access interior car size solution.

It was Norm Huggett and Ralf Abercrombie's (Vertrans Lift Surveys and Certification) concerns over the issue of Council Officers demanding compliance to NZS4332, that encouraged LEC to produce the (November 2009 Page 3) NZ Lift Fax article outlining these issues. see:- <http://www.lifeye.co.nz/NZLfax.html>

The main contention of Norm's argument was that this excessive floor size was also being applied to much simpler dedicated disabled access platform lifts that added a considerable cost penalty to building owners and users through necessitating a less flexible means of access, site footprint, and construction complexity on anyone wishing to provide suitable disabled access over 1 or 2 floors.

Norm was a founding member of the then Hera CBIP (Certification Board for Inspection Personnel) lift exam group, carrying out examination of Lifts & Cranes inspectors, and is a registered assessor with COMPETENZ, as well as a member of the IAEE (International Association of Elevator Engineers).



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LESA MEETING 17th March 2010.

With the EPL reunion held in March, LESA (Lift Engineering Society of Australia), were kind enough to arrange their meeting to be held a few days prior, so that I could also attend their special topic addressing **Lift Compliance & Inspection** relating to the UK, Australia and New Zealand.



Speakers: Bob Johnston, John Carroll & Rene Vodstrail.

Ian McWaters (TDC) and Wally Matthews (Corrtch) arranged the meeting with Manfred coordinating the meal.

A Melbourne speaker was **John Carroll of NDY** (Norman Disney Young) who spoke on the UK model for maintaining safe operation, which was regulated for lifts since 1999 using the European Lift Directives, and enacted under the UK Lift Regulations. These identify a series of mandatory Essential Health & Safety requirements similar to the NZ Building Code. Similarly, EN81 is an Acceptable Solution, but to deviate from it requires referral to a notified body in the UK for verification of the design solution (NZ PS2 peer Review).

Once the installation process is complete and verified (NZ Consent process), the Lift Operations and Lifting Equipment Regulations (LOLER) come into play for ongoing periodic examination. (Similar to the NZ Building Compliance Schedule).

The regulations don't explicitly require independent persons (NZ-IQP's), but are generally carried out by 'competent persons' acting on behalf of insurers such as Zurich, Allianz, Cornhill etc.



Shane Rose – John Lockwood.

A separate document produced by the Safety Assessment Federation (SAFed), provided details of all these supplementary tests with recommended frequencies. (NZ verification methods) When comparing the UK system to that in the State of Victoria in Australia, John found it difficult to see what mechanism could come into play to drive a similar inspection regime in Victoria; that all agree is badly needed, without further legislation at a State or Federal level.

To apply the insurance system in Victoria or nationally would require building owners to need to be insured as the present Building Code of Australia (BCA) sets the performance but not the means of Verification which fall under State responsibilities, and so until things start going badly wrong with increasing lift accidents or claims against lift maintenance companies attracting legal actions, it is unlikely insurance will play a role in lift inspection in Victoria.

With Standards Australia and Work safe both somewhat incapacitated in terms of lift knowledge or experience, the suggestion is maybe it is time for the lift industry collectively to provide the solution to the increased unreliability and reduced safety reflected in the market place since introduction of the BCA.

Rene Vodstrail – Worksafe Victoria

spoke on the present status of Worksafe and their work toward nationalising the present OSH legislation due to be implemented on January 1st 2012 to bring more consistency into the process of attaining an Australian wide safe work practice. They have been canvassing industry and are trialing pilot audits of present equipment operations.



Bob Johnston of Lifteye Consultancy, Christchurch New Zealand spoke on Compliance and inspection of lifts in New Zealand from introduction of the Building Act 1991 until the present day. He covered the demise and lack of consistency of a common standard of inspection throughout NZ over this period, and proposed a single centralized certification of inspectors and identification of clear processes inspection to be implemented before accidents and unsafe practices begin to reflect and take hold in our society.



The weaknesses in general to all these changes to Governance of Building processes through the removal of their past centralized Government inspections systems, seem to be in terms of the disbandment of past lift industry equipment type verification methods of design, testing and inspection, which has resulted in a steady decline in consistency in design, testing and inspection performance of lift systems in each nation.

Wally Matthews – John Whitfield.



Tony Watson – Al Pilley.