



Department of Environment and Primary Industries

Ref: SEC010499

File: FS/08/3050



Your Ref: COR 2013 001022

8 Nicholson Street
East Melbourne Victoria 3002
Australia
PO Box 500
East Melbourne Victoria 8002
Australia
Telephone: +61 3 9637 8890
Facsimile: +61 3 9637 8100
www.depi.vic.gov.au
DX 210098

Ms Claire Coate
Coroners Registrar
Coroners Court of Victoria
Level 11
222 Exhibition Street
MELBOURNE VIC 3000

Dear Ms Coate

INVESTIGATION INTO THE DEATH OF MR ADAM J ALWARD

I refer to your letter dated 30 June 2014 to Mr Adam Fennessy, Secretary Department of Environment and Primary Industries regarding the death of Mr Adam J Alward. Coroner Spanos found that Mr Alward died as a result of a trail bike crash in the Tallarook State Forest on 9 March 2013. The secretary has asked me to respond on his behalf as this matter falls within my area of responsibility.

On behalf of the Department of Environment and Primary Industries (DEPI) I would like to extend my condolences to the family and friends of Mr Alward.

Although DEPI is not a road safety agency, the department contributes to the work undertaken by those agencies to improve safety outcomes for the State of Victoria's trail bike riders.

Trail bike riding on the formed roads and vehicle tracks in State forests, parks and reserves is recognised as a legitimate recreational activity for licensed riders on registered motorcycles. Trail bike riders assume certain risks when riding on these roads which may be remote, narrow and steep. DEPI's role and ability to intervene in managing these risks is very limited.

The Whole of Government response to the Parliament of Victoria's Road Safety Committee *Inquiry into Motorcycle Safety 2012* was tabled in Parliament on 11 June 2013. **Attachment 1** contains the five recommendations directly related to off-road riding safety and the Whole of Government response to those recommendations.

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In accordance with the Whole of Government response DEPI is working with VicRoads, Victoria Police and the Transport Accident Commission to improve consultation with the motorcycling community and other stakeholders on off-road motorcycle safety issues.

DEPI has participated in two workshops organised by VicRoads in consultation with the Motorcycle Advisory Group (MAG). The first workshop focused on establishing engagement principles and topics where future engagement could occur, and the second addressed the issues surrounding motorcycle crash data and evidence. This workshop identified the lack of reliable off-road riding crash data as a significant issue.

A workshop specifically addressing off-road riding safety issues is scheduled for 2 October 2014. DEPI is assisting VicRoads in the planning and preparation for this workshop, which will lead to the development of an action plan to address off-road riding safety issues. With input from other agencies and stakeholders this action plan should be finalised mid-2015.

DEPI engages with trail bike riders to promote environmentally and socially sustainable, safe and legally compliant riding practices in the following ways:

- Conducting trail bike patrols in State forests across Victoria, providing information and guidance regarding safe and legal trail bike riding.
- Issuing permits for and having accredited Authorised Officers on trail bikes in attendance at approved recreational trail bike rallies.
- Producing a range of educational trail riding video segments for motorcycling programs broadcast on free-to-air and cable television.

The current print information product is *Trail riding - ride safe, ride legal*. Another more compact product *Trail riders' checklist* will be released later this year.

DEPI through its Trail Bike Project will continue to work closely with the road safety agencies to improve safety outcomes for Victoria's trail bike riders.

Yours sincerely



Travis Dowling
Regional Director Port Phillip

Encl:

29/09/14

OFF-ROAD RIDING AND MOTORCYCLE SAFETY

The Victorian Government recognises that off-road motorcycle safety should be considered together with on-road motorcycle safety and that the road safety partner agencies should increase their focus on off-road riding motorcycling safety projects. However, the Government also notes that the issues facing off-road riders are often different to those faced by on-road riders and that road safety countermeasures developed should reflect this.

Recommendation 13:

That VicRoads and the Transport Accident Commission treat off-road motorcycle safety no differently to that of on-road motorcycles.

This recommendation is supported in principle

The Government takes the view that equal weight should be given to addressing trauma, regardless of where it occurs. However, the needs of different groups, crash causal factors and feasible interventions will differ across the broad and diverse motorcycling sector requiring interventions to address specific needs, for example, through off-road rider education or training.

Recommendation 14:

That VicRoads and the Transport Accident Commission ensure all current and future motorcycle safety initiatives specifically include a component aimed at improving the safety of off-road riders.

This recommendation is supported in principle

The Government supports the principle that off-road safety should be considered alongside the safety of on-road riders. However, the nature of interventions will necessarily vary. Some will be applicable across off-road and on-road use but others will need to be targeted at specific road safety issues. The off-road action plan (see Recommendation 16) will ensure that the key off-road safety issues are addressed and identify the broader interventions that have a role in reducing off-road trauma.

Recommendation 15:

That road safety interventions, strategies and initiatives, focus on both on and off-road motorcyclists, relying on the definition of a road and road related area in the Road Safety Act 1986 as a basis for including or excluding motorcyclists.

This recommendation is supported in part

The Victorian Government agrees that road safety interventions, strategies and initiatives, focus on both on and off-road motorcyclists. The Victorian Government is committed to identifying and addressing unacceptable levels of trauma, wherever they occur. Responsibility for these actions will be shared between different agencies according to the nature of the issues and the locations in which they occur. Therefore, it is not intended to rely on the definition of a road and road related area in the Road Safety Act 1986 as this would restrict action to just these areas. For example, it would remove any obligation for agencies such as WorkSafe to promote the use of safe equipment when riding motorcycles on their own property.

Recommendation 16:

That the Department of Sustainability and the Environment be involved in the monitoring of off-road safety, and be included in the design, development, implementation and consultation stages of off-road safety initiatives, strategies and countermeasures and in the gathering and sharing of off-road crash data.

This recommendation is supported

To increase the focus on off-road motorcycling safety, the road safety partner agencies will continue to work closely with other agencies, particularly the Department of Environment and Primary Industries (formally known as the Department of Sustainability and Environment). VicRoads will lead the development of an action plan to address off-road riding issues with input from the Department of Environment and Primary Industries, other agencies and relevant off-road motorcycle stakeholders.

Recommendation 17:

That an ongoing public education campaign be undertaken by the Transport Accident Commission to educate off-road riders of the coverage they are afforded under the Transport Accident Compensation Scheme.

This recommendation is supported in principle

The TAC will investigate how to best educate and inform off-road riders about the benefits of third party insurance coverage under the Transport Accident Act and the consequences of not registering their off-road motorcycles under the available Road, Recreational or Agricultural registration regimes (where registration includes payment of the TAC Charge). The TAC, in conjunction with the Department of Environment and Primary Industries, is currently promoting the benefits of registration and the availability of TAC coverage to trail bike riders via the 'Trail Riding – Ride Safe, Ride Legal' brochure and this work will continue.