

Ms Zolee King
Coroners Registrar
Coroners Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000

Dear Ms King

INVESTIGATION INTO THE DEATH OF ARTHUR GAVARDINAS

I refer to your letter dated 19 July 2012, regarding a recommendation made by Coroner KMW Parkinson in relation to the death of Mr Arthur Gavardinas from a motorbike incident on 3 October 2010 on Boneo Road, Flinders.

The Coroner's recommendation in the supplied "*Finding into the death without inquest*" (Court Reference: 3816/10), requests "That VicRoads give consideration to the placement of an automated speed activated warning sign at the location of the speed advisory warnings" following a suggestion from the Police investigator that the location would be appropriate for such a sign particularly as the Mornington Peninsula is a popular location for weekend riders, many of whom may be unfamiliar with the roads.

VicRoads' own investigation into this fatality found that static warning signage was present at the time of the crash and was in accordance with VicRoads' signing standards. The existing signage consists of a left-right curve warning sign W1-4(L) with a supplementary 65km/h advisory speed plate.

It is noted from the *Finding* that:

- Mr Gavardinas had held a motorcycle licence for five years and, at the time of the incident, had been riding with a group of friends.
- The Coroner states in his findings that "Mr Gavardinas' capacity to respond to the road circumstances and to adequately control the motor bike he was riding was constrained by the consumption of cannabis. It is likely that the speed at which he approached the nominated bend was excessive having regard to the limitations in his capacity to react and to perceive risk arising from the intoxication. It is likely that his lack of familiarity with the road and his limited riding experience largely on weekends also contributed to the collision."

In light of the Coroner's recommendation, VicRoads has reviewed this location and notes the following:

- In 2006, the rural section of Boneo Road, (also known as Rosebud–Flinders Road), which includes this fatal crash site, was treated under the Motorcycle Safety Program to address motorcycle crashes along the route, based on five-year crash data between 2000 and 2004. Since project completion, crash data ending 2011 shows that there has been a 38% reduction in all vehicle type crashes. Motorcycle crashes have reduced by 50% and motorcycle fatality or serious injury crashes reduced by 67%.
- This fatal crash is the only recorded crash at the specific location of the crash since the start of data collection in 1987.
- Crash records show that in the five-year period preceding this fatality there was a single crash in the vicinity occurring between 1 and 2km of the fatality site. The crash involved a through vehicle and a right turning vehicle.
- The tree struck by Mr Gavardinas was removed by VicRoads as part of its investigation into the fatality.
- Vehicle activated warning signs have been installed as a trial at seven locations with high crash rates in Victoria with varying success. Due to the high installation and maintenance costs, locations for such a treatment are carefully selected and assessed for prioritisation under an appropriate road safety program. Key learnings have been that in rural locations the signs are prone to vandalism with one site, east of Melbourne at the Black Spur, having been targeted by vandals on a number of occasions.

Safety improvements to Boneo Road could be considered under two road safety programs. These being the Motorcycle Safety Levy Program or the Safer Roads Infrastructure Program (SRIP) run-off-road component.

As at the end of 2011, under the Motorcycle Safety Program there are 115 black length sites listed. The lowest ranking motorcycle crash rate on this list is two crashes per kilometre. In comparison, Boneo Road has 0.3 motorcycle crashes per kilometre. The only Mornington Peninsula road length that features on this list is Arthurs Seat Road, which was treated for motorcycle crashes in 2006-07 and in 2008-09 for general run off road crashes under SRIP.

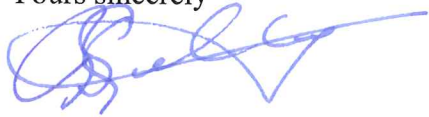
Under the SRIP program, two sections of Boneo Road are listed. Cape Schanck Road to Keys Road, ranked at 337 of 402 lengths, with 0.6 fatal/serious injury crashes per kilometre and the Mornington Peninsula Freeway to Browns Road, ranked at 279 of 402, with 0.84 fatal/serious injury crashes per kilometre. For comparison purposes, the highest ranking site has 7.32 fatal/serious injury crashes per kilometre.

Based on the above data, there are many other locations in Victoria that are considered to be a higher priority. The Coroner's recommendation has been previously considered and is unable to be implemented at this location for the reasons stated above.

VicRoads will continue to monitor this road to determine the need for any further improvements in the future.

Should you require any further information regarding this matter, Mr Adam Maguire, VicRoads' Acting Regional Director – Metropolitan South East (Tel: 9881 8800), would be pleased to assist.

Yours sincerely



BRUCE GIDLEY
CHIEF OPERATING OFFICER

31 /10/2012