

IN THE CORONERS COURT  
OF VICTORIA  
AT MELBOURNE

Court Reference: COR 2015 003119

**FINDING INTO DEATH WITHOUT INQUEST**

*Form 38 Rule 60(2)*

*Section 67 of the Coroners Act 2008*

I, ROSEMARY CARLIN, Coroner having investigated the death of NICHOLAS CHARLES LANGMAID

without holding an inquest:

find that the identity of the deceased was NICHOLAS CHARLES LANGMAID

born on 14 August 1956

and the death occurred on 24 June 2015

at Keilor Park Drive and Slater Parade, East Keilor, Victoria

from:

1(a) MULTIPLE INJURIES

**Pursuant to section 67(1) of the *Coroners Act 2008* there is a public interest to be served in making findings with respect to the following circumstances:**

1. Nicholas Langmaid was born on 14 August 1956. He was 58 years old when he died as a result of being struck by a motor vehicle. Mr Langmaid lived with his wife in Keilor, Victoria. He is survived by his family including his mother and children.
2. Victoria Police provided a brief to the Coroner that included statements from Mr Langmaid's wife, witnesses and investigating officers. I have drawn on all this material as to the factual matters in this finding.
3. Mr Langmaid rode his power assisted bicycle to and from work on a regular basis. According to his wife, he was a cautious and methodical rider and always wore his 'fluoro vest' and helmet. He was an experienced power assisted bicycle rider and had ridden to work for

approximately two years. He rode to work via bicycle paths in Brimbank Park, the Western Ring Road and Keilor Park Drive.

4. On 24 June 2015 at around 8 a.m. Mr Langmaid left home on his bicycle wearing his fluoro vest and helmet. Shortly before 8.20 a.m., he was riding east along Keilor Park Drive footpath approaching Slater Parade. At the same time a prime mover driven by Hendrik Van Kralingen and a car driven by Bozana Mihaljcuk were driving east along Keilor Park Drive intending to turn left into Slater Parade. They passed Mr Langmaid on the approach to Slater Parade.
5. The prime mover followed by the car entered the left hand turn slip road. Drivers on the slip road are faced with a white dotted line and give way sign at the intersection with Slater Parade. Approximately 5 metres prior to the white dotted line is the crossing point for pedestrians and cyclists to get from their path to the traffic island. There is one sign prior to this crossing advising pedestrians and cyclists of the crossing.
6. Mr Van Kralingen paused at the dotted white line at Slater Parade to give way to traffic turning right into Slater Parade from westbound Keilor Park Drive. At this time Mr Langmaid's bicycle rode up alongside the stationary truck to the crossing point which was level with the truck cabin.
7. Mr Van Kralingen then continued his left turn into Slater Parade. As he did so the left side of his truck struck Mr Langmaid, who was thrown to the ground. Tragically the rear wheels of the truck ran over Mr Langmaid and dragged him for approximately 22 metres onto Slater Parade. Mr Van Kralingen was unaware of what had happened and continued to drive to a nearby location to unload his truck. Upon being informed by a witness, Mr Van Kralingen immediately returned to the scene.
8. Witnesses stopped to render assistance to Mr Langmaid but he was unresponsive. Emergency services were called and attending paramedics confirmed that Mr Langmaid was deceased.
9. Police also attended the scene and breath and drug tested Mr Van Kralingen with negative results. They established that he held an appropriate driver's licence and his work diary did not reveal any breaches. The prime mover was in a road worthy condition. They interviewed Mr Van Kralingen later on the same day and he stated that he did not see Mr Langmaid. He was not charged with any offences in respect of the collision.

10. Dr Michael Burke, Senior Forensic Pathologist with the Victorian Institute of Forensic Medicine, performed an autopsy on Mr Langmaid's body. The examination was consistent with the circumstances of death and the injuries sustained indicated that death would have occurred very quickly. Dr Burke reported the cause of death as 1(a) multiple injuries.
11. Keilor Park Drive at the site of the incident is a major 3 lane divided highway with many heavy vehicles making deliveries to nearby industrial areas. The left hand turn from Keilor Park Drive slip road into Slater Parade is quite sharp. Tyre marks on the grass verge between the slip road kerb and the adjacent pedestrian/bicycle path indicate that heavy vehicles often cut the corner in the vicinity of the pedestrian/bicycle crossing. A police reconstruction with the prime mover making a 'tight' turn into Slater Parade demonstrated that its wheels mounted the grass verge.
12. I am satisfied on the evidence that further investigation is not required and that Mr Langmaid's death was the result of an accident. The evidence indicates that the design of the left turn lane and pedestrian/bicycle crossing may have contributed to the collision.
13. I find Nicholas Langmaid died on 24 June 2015 as a result of multiple injuries.
14. I extend my condolences to Mr Langmaid's family and friends.

## **RECOMMENDATIONS**

**Pursuant to section 72(2) of the *Coroners Act 2008*, I make the following recommendation(s) connected with the death:**

1. I recommend that VicRoads examine the circumstances of this collision and take remedial action to improve pedestrian and cyclist safety at the Keilor Park Drive slip road intersection with Slater Parade.

I direct a copy of this Finding be provided to the following:

The family of Nicholas Langmaid;

VicRoads;

Investigating Member, Victoria Police; and

The Interested parties.

Signature:



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ROSEMARY CARLIN  
CORONER

11 May 2016

