

IN THE CORONERS COURT
OF VICTORIA
AT LATROBE VALLEY

Court Reference: COR 2012 000193

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 60(2)

Section 67 of the Coroners Act 2008

I, F A Hayes, Coroner, having investigated the death of PAMELA D MATTHEWS

without holding an inquest:

find that the identity of the deceased was PAMELA D MATTHEWS

born on 30 April 1949

and the death occurred 16 January 2012

at Surf Beach

from: MULTIPLE INJURIES (MOTOR VEHICLE IMPACT – DRIVER)

Ms Pamela Matthews was aged 61 years and had recently married Mr Gerald Craig on 25 October 2011. They lived at 23 Alvina Crescent, Surf Beach Victoria. Ms Matthews conducted her beauty therapy business from home.

On 16 January 2012, Ms Matthews drove her Hyundai Getz motor vehicle, registration number UUM 629, to the Surf Beach General Store to collect her mail.

Ms Matthews was travelling on Phillip Island Road in a south easterly direction and she came to a stop, with her right hand indicator on, as she waited for a gap in traffic to turn right onto the service road which would take her to the general store.

Travelling behind Ms Matthews was Mr Joshua Turner who was driving a white Holden station wagon YIZ 144. Mr Turner was travelling two to three car lengths behind Ms Matthews and on approach to the general store he looked over to his right and saw some friends coming out of the shop. What he didn't notice was that Ms Matthews was braking, indicating an intention to turn right and slowing to a stop. He stated to police that when he did look back, he saw the stationary vehicle, but immediately crashed into the back of Ms Matthew's vehicle, causing it to be propelled forward into the on-coming traffic. Her vehicle immediately collided with an RACV Toyota Hilux utility, NID 603, driven by Samuel McCarthy and containing two passengers.

That impact resulted in a fatal injury to Ms Matthews.

Passers-by and other motorists rendered assistance immediately and alerted emergency services. Despite treatment at the scene, Ms Matthews could not be resuscitated.

Phillip Island Road at the site of the collision is a sealed single lane two way length of road, running south east – north west, with an 80 kph speed restriction. The road is straight and flat with good visibility, on both sides of the collision site. The road is separated by double white lines, interrupted by single broken white lines at the intersection of Dunnegan Road and at two entrances to the general store. There is no dedicated right turn lane for traffic wanting to turn right into the store or Dunnegan Road. The road is bounded by a continuous single edge line, with sealed shoulders on each side of the road.

At the point where Ms Matthews was attempting to turn right, there was a wide shoulder to her left for the purpose of a bus stop at that point. It was usual practice for those drivers who intended to turn right to pull as close as they could to the centre line, while the traffic behind pulled out to the left at the bus stop and continued around.

Mr Gerald Craig, Ms Matthews' husband, has raised significant concerns about the safety of the road design at the point. Mr Craig seeks that Vicroads build a "proper four lane highway with separate right turn lanes and a 20 kph reduction in the speed limit". He also submits that there is need for roundabouts at major junctions. These changes would, he submits, create a safer community for Surf Beach residents and visitors alike.

Mr Craig's submissions were provided to Vicroads for response. Vicroads provided its report into the collision involving Ms Matthews. Mr Sebastian Motta, Regional Director of Vicroads, also advised that a broader review of the Phillip Island Road had indentified the following options, for intended action:-

- 1) Reduce the current 80km/h speed limit to 60km/h from Sunderland Bay Road to The Esplanade, for the busiest months of the year. This is likely to be implemented prior to the Motor GP in October to after the V8 Supercars in May each year;
- 2) The introduction of road markings to create the impression of narrowed lane widths and new highly visible speed zone and road safety signs. This will also include modifying the centre line marking to prevent high speed overtaking movements while still allowing residents to access properties:

Mr Craig acknowledges that the above changes have been implemented but continues, along with the local community, to argue for more significant safety measures.

An external examination was performed by Doctor Malcolm Dodd, Senior Forensic Pathologist at the Victorian Institute of Forensic Medicine (VIFM), who formulated the cause of Ms Matthews' death as "multiple injuries (motor vehicle impact – driver)".

I find that Ms Matthews died as a result of injuries received when her vehicle was propelled into the path of an oncoming vehicle. The driver of that oncoming vehicle did nothing wrong and could not have prevented the collision. The collision was caused by the inattention of the driver immediately behind Ms Matthews, whose carelessness resulted in the collision which caused her death.

The design of the road at that time was insufficiently safe for traffic approaching from both sides. Vicroads has made some changes to remedy the safety issues, but should continue to work with the local community to ensure the safety of community members and visitors who use that road.

Ms Matthew's tragic death is mourned by her husband and community.

Signature: _____

Jane Harper



Date: *11 February 2014*

Recommendation

- 1) That Vicroads continue to work with the local community at the Southern Communities Planning Group to plan for appropriate road safety measures.

Distribution

- 1) Gerald Craig
- 2) Mr Sebastian Motta, Regional Director, Vicroads
- 3) The Honorable Terry Mulder, Minister for Transport, Victorian Government