



OFFICE OF THE STATE CORONER

FINDINGS OF INQUEST

CITATION: **Inquest into the death of Kate Leanne ZULPO**

TITLE OF COURT: Coroner's Court

JURISDICTION: Maroochydore

FILE NO(s): COR 1441/07(8)

DELIVERED ON: 9 February 2009

DELIVERED AT: Maroochydore

FINDINGS OF: Mr Taylor, Coroner

CATCHWORDS: CORONERS: Inquest – motor vehicle accident, condition of roadway

I've heard the evidence that has now been given in relation to this inquest, and I have taken into account the documentary exhibits that have been tendered.

My findings in relation to this death must accord, of course, with firstly section 45 of the *Coroner's Act 2003*.

I find on the evidence before me as follows:

- (a) the name of the deceased person to be Kate Leanne Zulpo;
- (b) the deceased person died as a result of her motor vehicle, being a 2004 silver Toyota Corolla hatchback, Queensland registration number 412HYV of which she was the sole occupant and driver coming into collision with a 2006 white Western Star 4864 SER rigid truck towing a 2004 Lusty EM tipper trailer registration number VHT01 and VHT02 being driven by Vincent James Humphreys;
- (c) the deceased person died on the 3rd day of April 2007, having been pronounced life extinct by Dr Robinson at the Nambour General Hospital at 6.50 p.m. on that same date;
- (d) the deceased person died in the Queensland Ambulance Service helicopter en route from the accident scene being approximately 100 metres west of property 482 on the Eumundi-Kenilworth Road, Eerwah Vale to the Nambour General Hospital in the State of Queensland.

The cause of death as certified by Dr P Ellis, pathologist, to be:

1. (a) Head, chest and leg injuries;
1. (b) Motor vehicle collision (Driver).

By way of background, it should be shortly stated that Sergeant King, a very experienced forensic crash investigator attached to the Forensic Crash Unit, Coolool Police Complex raised valid concerns in relation to the death of the deceased in his report at page 15 and his recommendation thereto is to be found at page 16 of that report (see Exhibit 4).

I will not expand on that. It is suffice to say that the parties have been given a copy of the complete report with which we are here concerned, and are aware of its contents, as well as the supplementary report dated the 7th of May 2008 which now forms part of Exhibit 6.

This morning Mr Fisher, counsel for the Department of Main Roads, also provided to the parties copies of quite detailed statements compiled by officers attached to that department, see Exhibit numbers 1, 2 and 3.

It is accepted that Mr Tulloch is a very experienced and qualified crash investigation officer in his own right, and this was in fact acknowledged by Sergeant King.

The detailed contents of those statements has satisfied Sergeant King and also myself that the roadway in question with which this inquest is concerned has been suitably upgraded to ensure, as far as practicable, the safety of those persons who have occasion to use the roadway. And that of course was the primary focus initially of the inquest; and in saying that, I'm not in any way suggesting that the relevant roadway was in fact the causative factor of the accident.

I've said to Mr Fisher during the course of the inquest I do not intend to hand down any adverse findings so far as the Department of Main Roads is concerned; or for that matter, any other person or agency. It will follow that I do not intend to make any comment under the provisions of section 46 of the *Coroner's Act 2003*.

It is to be hoped that Mr and Mrs Zulpo can now find some closure in respect of the tragic death of their daughter. The inquest is now closed.