



# STATEMENT OF A WITNESS

**In the matter of:** Traffic Offence - CE81ZJ (NSW) Warringah Road  
**Place:** Frenchs Forest Police Station  
**Date:** 1yth July 2016

**Name:** First Name Middle Name LASTNAME

**STATES:**

1. This statement made by me accurately sets out the evidence that I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I will be liable to prosecution if I have wilfully stated in it anything that I know to be false, or do not believe to be true.
2. I am xx years of age.
3. On the morning of Sunday the 12th June 2016, I decided I would go for a bicycle ride on my Cannondale CAAD 9, Black and Silver road bicycle within the French Forest area. My bicycle is fitted with a Video Recorder that I use to record my bicycle rides and was activated to record on my journey on this day. The Video Recorder, features two video cameras for both front and rear video recording.
4. The front camera is mounted to the centre of my handlebars to capture footage directly in front of the bicycles path. This front camera is also combined with a white light and offsets the cameras lens by approximately fifteen millimetres (15mm) to the left of the centre of the bicycle. The rear camera is mounted on the seatpost below the saddle of my bicycle and is also combined with a red flashing light that was operational at the time of the offence. The lens of the rear camera is mounted in the centre of the housing and subsequently in the centre of my bicycle.
5. The internal clock and time stamp of front camera is correct, though the internal clock and time stamp of the rear camera is approximately one hour and thirty minutes fast.
- 6.

Witness~ \_\_\_\_\_  
Firstname LASTNAME  
Constable  
Northern Beaches LAC  
1 yth July 2016

Signature: ~~~'  
O1fr1Middlename LASTNAME  
th July 2016

**Statement of First Middle LASTNAME**

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Road

6. About 11 :50am on Sunday the 12'h June 2016 I was riding my bicycle in a southerly direction along Forest Way, Frenchs Forest. Forest Way is a main arterial road with three lanes available in both directions where the southern end intersects with Warringah Road. At this intersection, there is a single side lane that allows traffic to travel from Forest Way onto Warringah Road to bypass the intersections traffic lights. Warringah Road is also a main arterial road that has three lanes available in both directions with a speed limit of seventy (70) kilometres per hour.
7. As I cycled in a southerly direction along Forest Way in lane one of three, I proceed to cycle along the side lane where I began to merge with the east bound traffic into lane one of three on Warringah Rd, Frenchs Forest. I merged with the traffic in lane one of one and continued cycling in an easterly direction remaining in lane one of one. While I conducted this merge, a number of motor vehicles passed me providing a safe distance between their motor vehicle and my bicycle.
8. As I was approximately sixty (60) metres traveling east along Warringah Road, from the side lane that merges into lane one of Warringah Road, I heard a loud sound of a motor vehicle's engine that was much louder than the other traffic around me and distinctly sounded to be of a high performance motor vehicle.
9. I continued to cycle in an easterly direction along Warringah Road, where I heard the engine sound become louder and louder.
10. As I was approximately eighty (80) metres traveling east along Warringah Road, from the side lane that merges into lane one of Warringah Road, and approximately one hundred and forty centimetres (140cm) from the kerb on my left. I saw through my right peripheral vision a Green Holden Commodore SS Utility motor vehicle carrying a large sliver ladder at roof height over the top of its tray, travel in an easterly direction past me no further than half a metre away while straddling lane one and two of Warringah Road. This startled me quite significantly as I felt that I was almost going to be hit. I yelled out to the driver and also read out his number plate so it would be captured on the audio of my video cameras.

**I said:** "Hey!"

**I said:** "C E 81 Z J"

Witness:

Firstname  
LASTNAME  
Constable  
Northern Beaches LAC  
17th July 2016

Signature:             
<: July 2016

**Statement of First Middle LASTNAME**

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11. I continued to cycle in an easterly direction while remaining in lane one of three of Warringah Road. As I approached the intersection of Warringah Road and Forrest Way, I observed the green Holden Commodore to be stopped behind two cars from the intersection in lane one of three on Warringah Road due to red traffic signals. I lane split between a number of cars between lane one and two where I pulled up to the drivers side window of the green Holden Commodore.
12. I observed a male of eastern European appearance, approximately 30 to 45 years old, wearing a black baseball cap and a black long sleeved jumper seated within the driver's seat of the green Holden Commodore.
13. I turned my handlebars to the left so the front video camera would capture the appearance of the male in the front seat of the green Holden Commodore.  
**I said:** "Smile for the camera, you're on camera mate. Thanks for that."  
**He said:** "How about you give me a fucking metre"
14. The traffic lights turned green where the green Holden Commodore drove off continuing along Warringah Road in lane one of three. I continued to cycle along Warringah Road in lane one of three.
15. As I approached the intersection of Warringah Road and Allambie Heights Road. Warringah Road was banked up with a number of stationary vehicles. I cycled between the kerb and the stationary cars in lane one of three where I observed the green Holden Commodore was stationary in lane one of three approximately one hundred and eighty metres (180m) from the intersection of Warringah Road and Allambie Heights Road.
16. As I cycled slowly past the rear left corner of the green Holden Commodore, I observed the front wheels of the green Holden Commodore turn and point to the left, as I neared the front of the green Holden Commodore the engine revved quite loudly and suddenly lunged forward.

Witness: ~---

Firstname  
LASTNAME  
Constable  
Northern Beaches LAC  
1yth July 2016

Signature: ~~~~~  
~~~~First Middle LASTNAME~-----  
1 yth July 2016

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17. I continued to cycle past the green Holden Commodore and other stationary motor vehicles where I stopped at the red traffic lights at the intersection of Warringah Road and Allambie Heights Road. When the lights turned green I began cycling where I executed a hook turn onto Allambie Road and continued with my journey.
18. On Sunday the 1<sup>st</sup> June 2016, I reviewed the video recording of my video recorder.
19. As I reviewed the video recording of the green Holden Commodore closely pass me. I observed the left side of the green Holden Commodore's front left tire pass directly over the left hand edge of the '0' marking of the yellow and black '40km/h School Zone' road marking that is painted on the road in all three lanes of Warringah Road. The centre of my bicycle passed directly through the centre of the numeral '4'.
20. About 9pm on Monday the 13<sup>th</sup> June 2016, I attended the scene where the green Holden Commodore closely passed me at the '40km/h School Zone' road marking on Warringah Road. In referencing the green Holden Commodore passing over the '0' of the '40km/h School Zone' road marking, I used a tape measure to measure from the kerb to the left edge of the '0' on the '40km/h School Zone' road marking and found it to be a distance of two thousand, two hundred and thirty millimetres (2230mm).
21. Using the same tape measure I measured from the kerb to the interior top corner of the '4' and found it to be a distance of one thousand, six hundred and sixty millimetres (1660mm).
22. Using the same tape measure I measured from the kerb to the interior left acute corner of the '4' and found it to be a distance of one thousand two hundred millimetres (1200mm).
23. Upon returning home, I measured the width of my bicycles handle bars, being the furthest outside edges of my bicycle and found it to be four hundred and sixty five millimetres (465mm) wide.

Witness:

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LASTNAME  
Constable  
Northern Beaches LAC  
1<sup>st</sup> July 2016

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24. After considering the above measurements and conducting a number of calculations, the green Holden Commodore passed me at approximately seven hundred millimetres (700mm) when ignoring the additional width of the vehicles body work and mirrors. When considering the vehicles body work and mirrors the green Holden Commodore passed me at approximately six hundred millimetres (600mm).
25. When reviewing the rear camera, I also observed the green Holden Commodore to initially change lanes from the side road to lane one of Warringah Road well before approaching me though then straddles both lane one and two of Warringah Road before merging closer towards me and passing me at a close distance.
- ~ 26. Frustrated by the drivers behaviour of the green Holden Commodore, I wrote a letter containing the above version of events, still images, a edited image displaying the recorded measurements and a DVD containing video footage of both the front and rear cameras that captured the incident. I posted the evidence via Australia Post's registered postal service to Frenchs Forest Police Station.
27. On Thursday the 20<sup>th</sup> June 2016, I received a telephone call from Constable LASTNAME who advised me he would be the investigating officer. He provided me with a police event number and advised he would follow up with me in a few weeks to obtain an official police statement upon his return from holidays.
28. About 9pm on Sunday the 1<sup>st</sup> July 2016, I attended Frenchs Forest Police Station after receiving a phone call from CST LASTNAME requesting I attend the station to make the official statement.
29. At the time of making this statement, I have been riding Bicycles for ten years and am very familiar with the roads of Forest Way, Warringah Road and Allarnbie Road, having both ridden my bicycle and driven motor vehicles on these roads.

Witness:    Firstname  
              LASTNAME  
              Constable  
              Northern Beaches LAC  
              1<sup>st</sup> July 2016

Signature: *---z;~Jt~l*  
              First Middle LASTNAME-:-s----  
              1<sup>st</sup> July 2016

