



Your ref:  
Our ref: 00097-2013  
Enquiries: Kevin Emrose Ph: (08) 6552 4604  
e-mail Kevin.emrose@lands.wa.gov.au

29 May 2015

**Mr Rob Donkersloot**  
**Race Director**  
**Australian Ultra Runners Association Inc**  
**49 Harness Street**  
**KINGSLEY WA 6026**

Dear Sir

**KEP ULTRA - RUNNING EVENT SCHEDULED FOR SUNDAY 31 MAY 2015**

I refer to your application received in February 2015 for a licence to access Crown land for the holding of the 'Kep Ultra' running event scheduled for 31 May 2015.

Please be advised that this Office has not been able to solicit a response from the Department of Mines and Petroleum (DMP) to date on the issue of the proposed licence under section 91 of the *Land Administration Act 1997(LAA)*.

The simultaneous existence of an LAA licence and mining or petroleum rights is not prevented subject to there being an agreement between the Ministers administering the LAA and the *Mining Act 1978, section 91(5) of the LAA refers*.

Without receipt of the DMP response, which may have contained conditions similar to the 2014 response, see attached, section 91(5) provision has not been met.

Accordingly I am unable to make an offer of a section 91 Licence to you for the May 2015 event.

I acknowledge however that Australian Ultra Runners Association Inc has been successful in obtaining an event Licence issued under the LAA in past years and that for the 2015 event that you have made application, provided insurance certificate, emergency management plan and evidence of consultation.

Given the unfortunate circumstance outlined above, especially in light of the anticipated holding of the event this Sunday, your Association will need to assess its position regarding the lack of the licence and in particular its impact (if any) on your insurance cover. Should you conform with those conditions set out in the 2014 Licence and comply with all 2015 approvals / consent conditions, this Office will not negatively view future applications for event licences should you decide to proceed with Sunday's event.

In speaking of future applications it may be prudent for you to identify holders of mining or petroleum rights along the route and approach them directly for their consent (conditional or otherwise). These consents can be forward to DoL with your application to allow forwarding to DMP. I am sure that tardy response from mining right holders has contributed to DMP's late response.

Yours sincerely

A handwritten signature in black ink, appearing to be 'KE' followed by a stylized flourish.

Kevin Emrose  
**Assistant Manager**  
**Goldfields Esperance Wheatbelt Region**

Encl



Government of Western Australia  
Department of Mines and Petroleum

Your ref: 00097-2013-01, Job No. 140035  
Our ref: JP: A0512/201401, FNA No 11546  
Enquiries: John Pagotto - Ph 9222 3235 Fax 9222 3790  
E-mail: john.pagotto@dmp.wa.gov.au

Director General  
Department of Lands  
State Land Services  
PO Box 1143  
WEST PERTH WA 6872

Attention: Horace Graham

DEPARTMENT OF LANDS

3 APR 2014

OBJECTIVE ID: \_\_\_\_\_

Init: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**2014 KEP ULTRA MARATHON - NORTHAM TO MUNDARING WEIR**

I refer to your recent correspondence dated 13 March 2014 requesting comments and approval pursuant to section 91(5) of the *Land Administration Act 1997* for the land proposal above.

The proposed marathon route traverses agreement Act Mineral Lease 1SA and two exploration licences. In addition, the route traverses Gravel Reserve 23499.

Operations within the mineral lease are concentrated further south and does not raise any safety concerns. Exploration activities on the affected exploration licences should likewise, not raise any safety concerns. As a precaution however, the holders of the exploration licences should be contacted to determine if any on ground exploration activities are planned for the day of the marathon event. The licence holder details are listed hereunder.

The responsible agency for Gravel Reserve 23499 should likewise be contacted to determine if there are any past, current or planned gravel extraction operations on the reserve that may jeopardise the safety of marathon participants, spectators or officials.

The approval of the Minister for Mines and Petroleum required under section 91(5) of the *Land Administration Act 1997* has been given subject to the above provisos. Licence holder details are as follows:

Exploration Licence 70/3366 held by Bauxite Alumina Joint Ventures Pty Ltd and  
Exploration Licence 70/4288 held by Aurum West Pty Ltd

For   
Richard Sellars  
DIRECTOR GENERAL

1 April 2014