

6 February 2013

KEP ULTRA

Hon Brendon Grylls MLA
Minister for Regional Development & Lands
Minister.Grylls@dpc.wa.gov.au

Dear Minister

I am writing to advise of a situation I am currently facing re the holding of my annual ultra running event The Kep Ultra (www.kepultra.com) which takes place on the first weekend of June every year. It comprises 100km and 75km ultra running events starting in Northam, and finishing at Mundaring Weir. The 2013 event is planned to be the fourth official running of the event, which has been totally incident free every year it has been run.

In short my issue is with dealing with the various state departments and instrumentalities in regards to numerous approvals to hold this race, more specifically Department of Regional Development and Lands. Seven days ago on Wednesday 30 January I contacted the Department by telephone and left a message requesting a return phone call, none has been received. On the same day I sent the attached email requesting the Department let me know the details of the person I should deal with regarding the application for permission for my event to be held. Again, no reply has been received.

You may ask why I would wait just four months before the event date to make these enquiries. After the release of the 2011 Kimberley Ultramarathon Inquiry findings I read the document in detail, and was somewhat concerned the findings may affect the approval process for Kep 2013.

On August 21 2012 I met with my local member, Member for Kingsley Andrea Mitchell MLA as Ms Mitchell had been a member of the committee inquiring into the 2011 Kimberley Ultramarathon Event, with a view to seek guidance as to the best way to proceed with approvals for Kep 2013. I asked Ms Mitchell whether she thought that given the potentially onerous multi department / instrumentality approvals required whether she believed it would be of benefit for me to request a meeting attended by representatives of all the potential departments / instrumentalities involved. Ms Mitchell suggested it would probably be better to just follow the normal approval processes I had undertaken in previous years. As well Ms Mitchell advised it was certainly not the Committee's intent to impact the holding of community sporting events such as the Kep Ultra.

KEP ULTRA

I followed Ms Mitchell's advice and on September 20 2012 I emailed letters requesting event approval as well as copies of the Event's Emergency Management Plan to:

- Department of Environment and Conservation
- The Shire of Northam
- The Shire of Mundaring
- The City of Swan
- The National Trust

By early December formal approvals had been received from all except the National Trust. As by early January I still had not received any communication from The National Trust, I emailed the Trust again on January 11 asking how the approval was proceeding. Last Wednesday 30 January, over four months after initially writing to the Trust I received the following correspondence:

"Sincere apologies for not getting back to you sooner. This issue has become a bit more tricky given the problems associated with the Kimberley fire tragedy. The advice we have been given is that you will need to get permission from the Department of Regional Development and Lands regarding the use of trails on UCL. The primary tool for this to happen is under section 91 of their act. This provides a short term or one off use for the UCL. This will relate to the section of the trail in the Northam Shire.

With regards the section in the Mundaring Shire, you will need to contact the Mundaring Shire as the rail reserve is vested in them.

Once these permissions have been given the Trust will give its OK re it being on the Trust's 'Kep Track'.

Your very comprehensive preparations and experience from several years will be of great benefit in this process."

As I noted earlier in this letter I have already tried twice to contact the Department of Regional Development and Lands regarding the approval process as required by the National Trust in their email to me, however I have not had a reply. As the event is less than four months away I now need all approvals in place as a matter of urgency. I do not have another four months for the Department of Regional Development and Lands and the National Trust to work on these approvals, and as I am having issues just

KEP ULTRA

making initial contact with the Department of Regional Development and Lands I fear the approvals will not go through well before the June 2 event date.

It is important to note that I opened entries for the event as planned in January, and the event sold out the weekend general entries opened. I have taken entry fees from ultra runners from overseas as well as from around Australia, and as such cancellation at this stage is just not an option as entrants will have paid for travel to Western Australia, other entrants have given up the opportunity to run in alternative races, as well I have already personally spent funds in preparation for the event.

Could I please request you to make contact with the Department of Regional Development and Lands and ask them to expedite the approval process for my event.

I would appreciate a reply to this communication no later than Wednesday 13 February.

Yours sincerely



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