

**ECONOMICS AND INDUSTRY  
STANDING COMMITTEE**

**INQUIRY INTO 2011 KIMBERLEY ULTRAMARATHON EVENT**

**TRANSCRIPT OF EVIDENCE  
TAKEN AT KUNUNURRA  
MONDAY, 23 APRIL 2012**

**SESSION THREE**

**Members**

**Dr M.D. Nahan (Chairman)**  
**Mr W.J. Johnston (Deputy Chairman)**  
**Mr M.P. Murray**  
**Ms A.R. Mitchell**  
**Mr I.C. Blayney**  
**Mrs M.H. Roberts (Co-opted Member)**

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**Hearing commenced at 1.03 pm****DONNELLY, MRS NADIA****General Manager, Kununurra Visitor Centre, examined:****GAFFNEY, MR GARY EDWIN JAMES****Chief Executive Officer, Shire of Wyndham–East Kimberley, examined:**

**The CHAIRMAN:** I will read an opening statement for both of you. You can respond to my query in tandem or otherwise.

Before we commence today, could I ask those around the room to refrain from using audio recording devices as they may interfere with Hansard's recording equipment. I also ask you to switch off your mobile phones during the hearing.

Thank you for your appearance before the committee today. This committee hearing is a proceeding of Parliament and warrants the same respect that proceedings in the house demand. Even though you are not required to give evidence on oath, any deliberate misleading of the committee may be regarded as a contempt of Parliament. Before we commence, there are a number of procedural questions I need answers to. Have you completed the "Details of Witness" form?

**The Witnesses:** Yes.

**The CHAIRMAN:** Do you understand the notes at the bottom of the form?

**The Witnesses:** Yes.

**The CHAIRMAN:** Did you receive and read the information for witnesses briefing sheet regarding giving evidence before parliamentary committees?

**The Witnesses:** Yes.

**The CHAIRMAN:** Do you have any questions about giving evidence before the committee today?

**The Witnesses:** No.

**The CHAIRMAN:** Good. Thanks for the use of your accommodation today.

**Mr Gaffney:** You are more than welcome.

**The CHAIRMAN:** The committee has received your submission, Mr Gaffney. Thank you for your contribution. Do you propose any amendments to your submission?

**Mr Gaffney:** No. No amendments.

**The CHAIRMAN:** What I would like to do first is go with Ms Donnelly and then Mr Gaffney. Ms Donnelly, you made no submission. Would you be willing or be interested in making a brief opening statement, or do you want to go directly to questions?

**Mrs Donnelly:** I am happy to go directly to questions.

**The CHAIRMAN:** Okay—good. First, what was your relationship or interaction with RacingThePlanet; could you go through a chronology of your interactions with RacingThePlanet?

**Mrs Donnelly:** We had some contact with RacingThePlanet in 2010 for the initial race here in Kununurra. We supplied them with a box of the visitor books that we produce on Kununurra and the East Kimberley for their racers. And then we supplied them with, sort of, contacts. As well, our office manager at the time was quite interested in volunteering for RacingThePlanet; so we allowed her to have two weeks off and she went and volunteered for the entire length of the race. After that,

we had very little contact with RacingThePlanet until probably about March 2011. Mary advised that they would not need the visitors' guides this year, because it was quite expensive for us to send them, that they would be in touch with us when they got into Kununurra and that they would like to sit down with us again to get our help with contacts and any local on-the-ground information that we could help with. Mary got in contact with me in mid-August and just said that they would be in town and would like to meet with me. So I went and met with her and Rita at the Kimberley Grande on 30 August. We spoke about—they asked about—the crocodiles. There was apparently a saltwater crocodile at Fletchers Creek, which was on the race.

**Mrs M.H. ROBERTS:** This is just a couple of days before the event?

**Mrs Donnelly:** Yes; it was when they got into Kununurra. So, before that I had no contact with her. So we spoke about the crocodile in Fletcher's Creek and she asked who they should speak to about possible bushfires as well as gifts for the racers that I could possibly help them out with, little pieces of Kununurra like zebra rock, and fruit for the racers. So I gave them a few contacts and also searched myself into farms and solicited sponsors and also went to a couple of shops in Kununurra looking for things, and that was about it. I then contacted DEC and well as Tony Stevenson from FESA and advised them both that the race was happening on 2 September.

**The CHAIRMAN:** What date did you contact them?

**Mrs Donnelly:** I contacted them on 30 August, straight after I had met with Mary and Rita. I contacted them and I actually got the opportunity to speak to Luke at DEC and he advised that with the crocodile he would like a map of the race so they could check. I did not hear back from Tony then, but I left him a message and wrote back to Rita and Mary that day saying that I had not heard from them but they could contact both Luke and I at DEC and Tony at FESA, as well as a bunch of contacts that I did not have the emails just for the gifts and entertainment and that sort of things that we were sourcing as well. Tony rang me about four o'clock, about 4.30 that afternoon. He said he was not aware of the race and had asked me if they had a risk management plan. I said I was not sure, that I was not involved in organising the race, and I said that I had passed on his details. He asked me if RacingThePlanet had then notified other agencies, like the hospital, the chemist, St John's Ambulance and the helicopter company of the race; to which I advised again that I was not sure but I would certainly let Mary and Rita know. So the following morning when I got to work I sent Mary and Rita an email saying that I had talked to Tony last night and that he had wanted to make sure that they had advised these people, chemist, hospital, St John's and the helicopter company, and that he was expecting to hear from them.

**The CHAIRMAN:** Do you know if he contacted them directly?

**Mrs Donnelly:** No.

**The CHAIRMAN:** You do not know that.

**Mrs Donnelly:** I am not aware.

**The CHAIRMAN:** Did you give him, Mr Stevenson, the RacingThePlanet phone numbers or contact details?

**Mrs Donnelly:** Not at that time.

**The CHAIRMAN:** Okay.

**Mrs Donnelly:** And then the next time, the following day, I organised for some fruit to be picked up and dropped off at their hotel the day before the race. I could not help them out with anything more than that, and prizes and gifts for the racers. And then that is the last time that we spoke to Mary and Rita until then I spoke to Tony from FESA on the day of the race at around 4.40 and he called me to ask what my involvement was in the race and —

**The CHAIRMAN:** Was that before the race started?

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**Mrs Donnelly:** It was after the race started.

**The CHAIRMAN:** After the race started and before the kerfuffle that happened during it?

**Mrs Donnelly:** It was after that when Tony rang me and said that he wanted to know exactly what involvement the visitor centre had with the race; and he said that he had never been contacted by the race organisers.

**The CHAIRMAN:** Okay. What about the 2010 race? You had one of your officers take leave and —

**Mrs Donnelly:** Yes.

**The CHAIRMAN:** Did you get feedback on that race?

**Mrs Donnelly:** She said it went off very well. She, you know, thoroughly enjoyed her time volunteering for them. However, there was a lot of sort of publicity in town and talk in town of a bit of dehydration during that race, and I know the chemist probably was not stocked adequately with enough dehydration powder for the dehydration that occurred during the race.

**The CHAIRMAN:** How many people did they have on that race in 2010?

**Mrs Donnelly:** I think it was about 120 people.

**The CHAIRMAN:** Quite a few.

**Mrs Donnelly:** Yes.

**Mr W.J. JOHNSTON:** When you were talking to us then about just before the 2011 race, it was about a week before, did they tell you how many competitors?

**Mrs M.H. ROBERTS:** No; days!

**Mr W.J. JOHNSTON:** Days before, within a couple of days. Did they tell you how many competitors there were?

**Mrs Donnelly:** They did not, but we sort of went onto their website and so I did see, and we had their media releases and things like that about the race.

**Mr W.J. JOHNSTON:** Did you see the Minister for Tourism's media release on that page?

**Mrs Donnelly:** I did not, no.

**Mr W.J. JOHNSTON:** Okay.

**The CHAIRMAN:** They contacted you mid-August.

**Mrs Donnelly:** Yes.

**The CHAIRMAN:** Okay. But you first had a communication with them on 30 August.

**Mrs Donnelly:** Yes; on the thirtieth.

**The CHAIRMAN:** Okay. Good.

**Mrs M.H. ROBERTS:** Were you advised by Eventscorp or Tourism WA of the event or have any communication with them about the event?

**Mrs Donnelly:** No, not directly.

**Ms A.R. MITCHELL:** You said "not directly".

**Mrs Donnelly:** Oh, I knew that Eventscorp and Tourism WA were funding the event or did put in money towards the event, but I have never had any conversation with them.

**Mrs M.H. ROBERTS:** So no-one from Eventscorp or Tourism WA contacted you or your local office?

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**The CHAIRMAN:** You mentioned in 2010 there was a lot of talk about problems, you know, dehydration issues. Around Kununurra is a small town, people talk. Was it widely known there were a few issues with the 2010 race?

**Mrs Donnelly:** I think it was widely known that there was a bit of dehydration issues because there were so many sorts of people involved: all the staff at the chemist and all the staff at the hospital. So, certainly —

**The CHAIRMAN:** There were issues at least with the health department about the ability of doctors to officially address their clients on the day.

**Mrs Donnelly:** Yes.

**The CHAIRMAN:** So would it be reasonable for someone who was monitoring the debate or discussions in Kununurra to be aware to have their ears pricked up that there was some issue in the 2010 race?

**Mrs Donnelly:** I suppose, yes. I suppose it would be. It was well known, I believe, that there were dehydration issues.

**The CHAIRMAN:** Did the RacingThePlanet people in August when they discussed it, did they address you, did they ask you for your local advice, other than on presents, about what issues to look for, what things we have to be worried about, forest fires, snakes, other than crocs?

**Mrs Donnelly:** No.

**Mr W.J. JOHNSTON:** Would you see the RacingThePlanet Kimberley event in 2011 as one of the key events in the Kimberley in terms of tourism for 2011?

**Mrs Donnelly:** I do not think at this stage, really, it was. It was only their second year doing the race. I certainly think that it could have been one of the key events in years to come. It was planned that they did it every year, so it certainly could have been, but I do not think at this stage that it was—no.

**Mr W.J. JOHNSTON:** What are the key events for the Kimberley?

**Mrs Donnelly:** Certainly the Kimberley moon experience and Ord Valley muster. The Kimberley writers' festival is another one. And then rodeos really.

**The CHAIRMAN:** What about the Gibb River bike ride?

**Mrs Donnelly:** That is part of the Argyle Diamonds' Ord Valley muster.

**Mr W.J. JOHNSTON:** How much does Tourism WA put into those events?

**Mrs Donnelly:** Quite a lot. This is a substantial amount, which Tourism WA has put into Argyle Diamonds' Ord Valley muster. I am unaware of how much money they put into the other events.

**The CHAIRMAN:** Could you describe your organisation?

**Mrs Donnelly:** We are a non-profit organisation. We work on a membership base. We have approximately 150 to 200 members at any one time and we apply for funding through the Shire of Wyndham—East Kimberley, annually, to help us fund our services. Other than that, we survive on funding from the shire as well as commissions and membership fees from our members.

**The CHAIRMAN:** Is the visitor centre represented on any local emergency management committees of the shire—for the shire?

**Mrs Donnelly:** No.

**Mrs M.H. ROBERTS:** You commented about them wanting you to source fruit and gifts and then you provided fruit to them. I am guessing from the way you put it that that was like donated fruit that they did not have to pay for.

**Mrs Donnelly:** It was.

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**Mrs M.H. ROBERTS:** So were they hoping that you could source for them donated gifts that they would not have to pay for as well.

**Mrs Donnelly:** Yes. I sort of was able to—some businesses gave me, you know, the wholesale price on products if I wanted them. The only thing I sourced absolutely for free was the fruit. Everyone else offered a bit of a discount on their products but they certainly did not want —

**Ms A.R. MITCHELL:** Would you expect that request from other event organisers?

**Mrs Donnelly:** Yes.

**Ms A.R. MITCHELL:** And you expect that sort of request on a regular basis?

**Mrs Donnelly:** Yes.

**Mrs M.H. ROBERTS:** It is probably unusual for it just to be two days before hand—isn't it?

**Mrs Donnelly:** It is, generally, yes. And the majority of them did say that if they had had a bit more warning they possibly could have done something a bit better for me.

**The CHAIRMAN:** Did you express to them—when they first contacted you on the thirtieth—why are you leaving it so late?

**Mrs Donnelly:** Not really because I just felt that they probably would have—I assumed that they had all this worked out and that they had been in contact with everyone and these were just a few little things that they heard—the crocodile in Fletchers Creek. I had no idea that there was a crocodile in Fletchers Creek and I do not know how they knew either. I just thought that it was a few little last loose ends that they wanted to tie up. With the fruit and prizes, I just thought that it was something that they thought, “Oh, it might be nice if we could do it”.

**Mr W.J. JOHNSTON:** Could I also just ask and you might not be able to answer: how long before—so you have known about the 2010 event, but how long before the 2011 event were you aware that there was going to be Tourism WA funding for their RacingThePlanet event?

**Mrs Donnelly:** I cannot remember. Not long: just when the first information came out. I do not have—I am not sure of the exact date.

**Mr W.J. JOHNSTON:** Do you mean the information that came out from RacingThePlanet?

**Mrs Donnelly:** Yes.

**Mr W.J. JOHNSTON:** Some time a month before or something like that.

**Mrs Donnelly:** It would probably be around there.

**Ms A.R. MITCHELL:** Your organisational structure: do you then link with the Tourism Council of Western Australia at all?

**Mrs Donnelly:** We are a member of the tourism council.

**The CHAIRMAN:** Do you think this race or its problems have harmed the reputation of events in the East Kimberley or the Kimberley?

**Mrs Donnelly:** No, I do not think it has ruined its reputation at all. I think events are run under separate management, and generally you hope that everything is in place but I certainly do not think it has. We have a lot to do with, say, the Argyle Diamonds Ord Valley Muster, and I certainly do not think that it has had any effect on any of our events, which are about 30 events over a 10-day period.

**Mrs M.H. ROBERTS:** Can I ask if Eventscorp or Tourism WA do get in touch with the office and have communication with you about events like the Ord Valley Muster?

**Mrs Donnelly:** Not with myself, no. Mellen Events is a company that helps us organise the event, and they are the ones that apply for the funding on our behalf.

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**Mrs M.H. ROBERTS:** So that is actually your event when you say “on our behalf”?

**Mrs Donnelly:** The company or the organisation is Ord Valley Events Incorporated, which is a local not-for-profit group that then hires Mellen Events to sort of help with the organisation of the event, and then the Kununurra Visitor Centre is contracted as a community coordinator for that event.

**The CHAIRMAN:** What do you do for that?

**Mrs Donnelly:** We handle a small portion of the sponsorship; we also handle the community events, programming, ticket sales and developing, sort of, new events in the calendar.

**The CHAIRMAN:** One of the issues that comes up—there are two issues, and I will go with the first. Tourism WA was the sponsor of the event, and it might have happened without them, but they facilitated this race significantly. They were of the view that they did not have the expertise to ensure that a risk management plan was undertaken or to vet the adequacy of that, and although it was a contractual requirement for RacingThePlanet to have it, they only sighted it the day before. I know you have a relationship with Tourism Australia, so if you do not want to answer that, I understand that, but do you have any comments on that?

**Mrs Donnelly:** Well, I certainly think that a risk management plan should be supplied well in advance of funding being approved. Generally how I saw it is I thought that these were requirements for fundings and that you must supply them before the event takes place so they can be not only sighted, but certainly gone through to make sure that there are no risks involved well before the event, certainly not the day before.

**The CHAIRMAN:** Clearly one of the issues is that we have to come up with some mechanism for triggering a local emergency management committee for events like this, but also there are a lot of events out there—some small, some large—in the community, and we do not want to overregulate them. Do you have any comments on that? What would be the appropriate trigger? What issues do we have to look for to address those that need to be looked at and give advice to those who need advice but not overregulate, particularly local community groups? Is that an issue also?

**Mrs Donnelly:** I think that every sort of event should have a risk management plan, but I think it is something possibly that the shires should really be looking at if events are happening within their shire. It is possibly not something that is then taken to higher government bodies. One of the shire’s responsibilities is to have a look at those.

**The CHAIRMAN:** Okay.

**Mr W.J. JOHNSTON:** You said that you thought that this could have become a bigger event. Do you think that the tragedy of 2011 sort of killed off a marathon running event in the Kimberley for at least some long period of time?

**Mrs Donnelly:** Possibly with that organisation, but there are other marathons that people have run through the area. There have been pastoral-run marathons, and also the 100-kilometre walk that took place as well. So I think possibly for RacingThePlanet as an organisation, but not for general marathons in the area.

**Mr W.J. JOHNSTON:** So do you think it is something that the Kimberley should be looking for, one of these ultra-marathons? Is that missing out of the schedule of tourism events?

**Mrs Donnelly:** I do not think it is missing. I think it would be lovely to have it; it is always great to have a variety of events that appeal to all ages and all types of people. I would love to see them on the calendar again. I suppose people want answers to how it was organised. I think if they have those answers and it was organised well and this was just, sort of, a freak tragedy, then they will all be fine for tourism in the future.

**The CHAIRMAN:** Mr Gaffney, do you want to make an opening statement?

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**Mr Gaffney:** Not an opening statement, but I should also let the committee know that I am the chair of the LEMC. Also, I do apologise that Mr Crumblin cannot be here today because his father passed away.

**The CHAIRMAN:** We were told that.

**Mr Gaffney:** Mark is more than willing to take questions on notice and provide answers.

**The CHAIRMAN:** Could you give some chronology of your interaction with RacingThePlanet both from 2010 until recently, if you can, briefly?

**Mr Gaffney:** I will start with 2010. In 2010 we were aware that the event was taking place over a period of time, and that it was finishing at El Questro station. As Ms Donnelly did say, we were aware after the event that there were some issues regarding hydration, and I think the event organisers had been warned before the event that the Kimberley is a place that—if you walk and run in the Kimberley, it does take effect on the body. They were given that warning in 2010.

**The CHAIRMAN:** By whom?

**Mr Gaffney:** By various people that they questioned; not myself, personally, but they had asked various people about hiking and walking in the Kimberley. I have been back through various sources, and they had warned them that they would need double the amount of fluids that they would normally take on these runs. Also, I spoke to Nick Israel, who is the ex-general manager of El Questro station, about the end of the event. Nick was a little bit dismayed about some of the events at the end; he felt there was a bit of disorganisation in the event, so that is probably part of the reason he was happy for it, in 2011, to start on the station but move off very rapidly. There have been comments this morning that have also been in that vein. When the 2010 event was over I know that the hospital was very concerned because their supplies had been drained, pardon the pun, and the chemist and so on. So a lot of the 2010 race should have probably given them a lot of information for the 2011 race. So, the 2011 race; we became aware of the event only through a requested booking to use our Celebrity Tree Park as the finish line. We went through —

**The CHAIRMAN:** When was that?

**Mr Gaffney:** That was on 17 August. We received an email from RacingThePlanet in Hong Kong, and that booking went through to our rec centre that does all the bookings for our parks. So the person then sent back all the information they required to use Celebrity Tree Park—the bonds, how many people were going to be there over what period of time, because it is an hourly rate hire. Then RacingThePlanet indicated they were going to use the running track basically from the bridge into the town. So that did not raise any high things on our radar because they were off road so they were using a running track which had been designed for running basically from Swim Beach into Celebrity Tree Park, so that did not raise any high priority in the person's mind. Normally if we have events, they actually have risk management and we have everything there from the Gibb River bike run, right through to a local circus.

**The CHAIRMAN:** So you have a basic layout—a pro forma sheet?

**Mr Gaffney:** Yes; we have a pro forma sheet that has a checklist. I am more than happy for you to have a look at that.

**Mrs M.H. ROBERTS:** Can I just ask about this? You have now said that 17 August was when they said that they were going to finish here in Kununurra. There were runners who showed up here in the Kimberley in the days before the race who still believed that the race was going to be starting in Kununurra and finishing at Emma Gorge. And they have given evidence that they booked accommodation at El Questro, and that when they signed up and paid their money to enter the Kimberley Ultramarathon 2011, the race was actually finishing at El Questro. So no advice was provided back to those runners that the race had essentially been reversed from the race that they had signed up for. I do not know whether you had any earlier advice prior to 17 August that they

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were running in the other direction, or whether the only advice the shire had was that they wanted to finish in the park here in Kununurra?

**Mr Gaffney:** The first contact was on the seventeenth when they requested booking the Celebrity Tree Park, so that was the first our people knew. They then sent the information and we went through the booking process.

**Mrs M.H. ROBERTS:** And that was always as the finish point, not the start point?

**Mr Gaffney:** That was always the finish point, and I have got emails to that effect.

**The CHAIRMAN:** When they contacted you on the seventeenth, there was just that request and you answered the questions?

**Mr Gaffney:** Yes.

**The CHAIRMAN:** Did you seek any advice on what they were going to do more widely and what was the nature of the race?

**Mr Gaffney:** It is usually done by conferences and bookings. So, in normal events, they generally come in, give us it in writing or come to the counter and start talking about the event. And I think we have events that happen two years into the future, and people have already started talking to us about them—what event management plan, what risk management plans we require. So, I think that a lot of the Australian-based companies are very knowledgeable about what is required for events in the different states; what is required with insurance and what is required with risk management. As I said, we have things like the Lake Argyle Swim, and basically six or seven months out they have their event management, risk management, and they come and talk to us. There is the Kimberley Moon; the Gibb River bike challenge, even though you do not need a massive risk management; Karunjie events always have a great risk management plan. So we are quite used to seeing them, and our guys, if they do the checklist, go, “Check, check, check, check, bang; this is what you need; these are the other things you may need for this event; maybe you need more in the risk management plan; maybe you need more in your health plan.” So our guys are pretty good at picking it up, but, like everything, we keep learning after every event.

[1.30 pm]

**The CHAIRMAN:** Just to confirm, there was no risk management plan—no; the 2010 race was not brought to LEMC?

**Mr Gaffney:** It was not brought to the shire; it was not brought to LEMC.

**The CHAIRMAN:** Did you have any correspondence with Tourism WA about the event?

**Mr Gaffney:** No.

**Mr W.J. JOHNSTON:** That is what I want to ask. Do you think it is good practice that Tourism WA gave this little-known \$30 000 or promised \$130 000 without speaking to you?

**Mr Gaffney:** I think that a government organisation that is going to give those levels of funding, I thought that they would probably check with the various authorities, including the local authority, about these types of event, because it is not an ordinary event; it is an extreme sport event, so therefore there are probably additional concerns when you get into ultra-marathons and things of that nature.

**Mr W.J. JOHNSTON:** So it would be good practice for them to talk to the shire before they make funding decisions of that magnitude?

**Mr Gaffney:** Yes.

**The CHAIRMAN:** Just to correct the record: was Christine Rose the person from the shire who took the —

**Mr Gaffney:** Christine Roe, yes.

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**The CHAIRMAN:** Roe?

**Mr Gaffney:** R-O-E.

**Mr W.J. JOHNSTON:** You said that when the official from RTP contacted your person to book the park, there was a discussion about how many people would be involved?

**Mr Gaffney:** There was a phone call from Hong Kong in, and then Christine responded with the email requirements of what we required for the booking. They came and paid—one second—they actually paid for the booking on the thirtieth of the eighth; so on the day they basically arrived in town they came and paid for it.

**Mr W.J. JOHNSTON:** Did they give an indication of how many people were going to be involved?

**Mr Gaffney:** They said they believed the number of competitors were 40, and that they were going to have 20 staff members, including four medical doctors.

**The CHAIRMAN:** Were they included in your submission?

**Mr Gaffney:** No.

**The CHAIRMAN:** Could you provide us copies of that?

**Mr Gaffney:** Certainly.

**The CHAIRMAN:** Do you know Mr John Storey?

**Mr Gaffney:** I do.

**The CHAIRMAN:** We were told that Tourism WA gave RacingThePlanet the names of two people—two locals—to give them some advice on, I guess, managing and operating in local conditions; and John Storey was one of them and I understand he was hired by or worked with RacingThePlanet. We have not interviewed him yet. I take it, from the advice given, that Tourism WA said, “Listen here, get some local advice.” Would a local have known, have needed to know or know that it was appropriate, given the nature of the event, that you should go through the local emergency management committee?

**Mr Gaffney:** It is difficult to probably have every event come through LEMC but I suppose back to my previous answer that I think that something of significance like an ultra-marathon where they were on pastoral leases; they were coming across farmland; they were coming across water resource asset and then they were coming into council asset, I believe it probably would have been wise of the organisation to give that information.

**The CHAIRMAN:** But a local person would have known it was a high fire period.

**Mr Gaffney:** Yes.

**The CHAIRMAN:** A local would have known about snakes and hopefully a local would have known about compatibility otherwise of phones and other communication devices—the difficulty in that area.

**Mr Gaffney:** Yes, that is correct.

**The CHAIRMAN:** This is particularly relevant because these people—they had an event here in 2010, but they basically do not know very much about the Kimberley. You would think, especially if Tourism WA was to give these organisations sponsorship, Tourism WA do not say they do not have any in-house skills with risk management, even assessing them whether they are valid or not and not much local knowledge. I will get back to that in a minute. They advised and RacingThePlanet hired John Storey. I do not know what the relationship is really—we will find that out tomorrow—but are there locals who could have advised them what you have to do?

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**Mr Gaffney:** John Storey is well experienced in hiking in the Kimberley. There are other locals who would have that experience as well. They often help out with other companies that do organised walking, long distance walking, and events like that. So, there are some other very experienced Kimberley people.

**Mrs M.H. ROBERTS:** If RacingThePlanet had approached the shire some months in advance and asked them for advice on how to go about things, what advice would the shire have given them?

**Mr Gaffney:** Well, the shire would have put them through a full process and we would have asked for risk management plans. We would have taken it to the different authorities, because often in our risk management plan we will seek advice from other authorities. I suppose it would have had a heightened awareness across those authorities if something could or may go wrong and we would have been able to say, “Look, fires are a real risk at this time of the year,” or “We believe that flooding is a risk during the wet”. I think that greater knowledge would have come to bear on the application.

**The CHAIRMAN:** If they had come to you on 30 August and said, “Here is a risk management plan, what do you reckon?” on race on the second, what would you have done?

**Mr Gaffney:** We would have assessed it immediately and tried to give immediate feedback. One of those immediate feedbacks would have been regarding fires at that time. Also, we would have probably put some questions about going across the diversion dam, because they were running across an asset that has no pedestrian access. We would have asked them where they had got the different permits to do things like that. That probably would have come into the immediacy of that application.

**The CHAIRMAN:** They also went on the highway. You do not have control over that area.

**Mr Gaffney:** That would be a Main Roads issue. Therefore, when we see these lists, we would be saying, “Have you talked to Main Roads?” Gibb River Road is a Main Roads. So, “Have you talked to Main Roads? Have you talked to FESA? Have you talked to DEC? Have you talked to the Water Corporation?”

**The CHAIRMAN:** You received that on the thirtieth and the race was on the second. You would have probably put the kibosh on the whole event.

**Mr Gaffney:** We would not have approved that turnaround, because we would not have had the feedback from the other authorities.

**Mr W.J. JOHNSTON:** An official or representative of WA Tourism came up here at the time of the event. Did he have any contact with you?

**Mr Gaffney:** Not with me personally, no, or with any member of staff.

**Mr W.J. JOHNSTON:** Did he have any contact with the visitors centre?

**Mrs Donnelly:** No.

**The CHAIRMAN:** Did he contact you before he came up and asked you for your advice?

**Mr Gaffney:** No.

**The CHAIRMAN:** Did he ask you anything about RacingThePlanet or the 2010 race?

**Mr Gaffney:** We have had no correspondence or contact regarding those events from Tourism WA.

**The CHAIRMAN:** Is there a tourism person here?

**Mr Gaffney:** Yes, I have an economic development person who has a bit of tourism, but mainly it is with —

**The CHAIRMAN:** They are with you.

**Mr Gaffney:** Yes.

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**The CHAIRMAN:** Are they funded by Tourism?

**Mr Gaffney:** No.

**Mrs M.H. ROBERTS:** In fact, Tourism told us that they did not have any personnel here.

**The CHAIRMAN:** Just checking. Do Tourism people come up often?

**Mr Gaffney:** They do for major events, like the Ord Valley Muster. That is when we meet up with a lot of the events crew, at the Ord Valley Muster or around that time of year. But it is a major event that draws in a lot of different people at that time.

**The CHAIRMAN:** Can you just describe who was on the local emergency committee and who controls it?

**Mr Gaffney:** It is under 2.5 of the emergency services act and the local emergency management committee is made up of myself, as the chair, and various representatives—Western Australia Police, St John Ambulance, the hospital, FESA, State Emergency Services and Red Cross. Then we bring in people as required depending on the event. DCP is another one. There are quite a lot of agencies and very good, collegiate activity amongst the agencies. Our last major event before the cyclone season was Warmun and that was quite a large LEMC operation for us all. We then brought in—because we had floods, the town did not have food. So, the supermarket were giving us advice on food. The water authority is also part of it. LEMC has quite a large cross-functional role. We come together about four times a year in organised meetings, but we will bring a meeting forward if there is an event. If there is something of significance, we may bring part of that LEMC together. It might be just a bit of a flood issue or it might be the start of a cyclone issue. So, the core will come together and we will expand out as required.

**The CHAIRMAN:** Is the shire the authority —

**Mr Gaffney:** We are the lead agency. We provide the secretariat.

**The CHAIRMAN:** Did you have LEMC consider other major tourist events?

**Mr Gaffney:** They are discussed. At the quarterly meetings we will discuss and we actually have events on most of our agendas. If we know something is coming up—I hear there is a Rotary car club coming in from Victoria and 150 cars or the Variety Bash is coming through. Sometimes it is just information because we know they are just travelling through. Things like the Ord Valley Muster, we know about it but there is a forward event management plan in place. Western Australia Police will know about it; FESA will know about it; Water Corp will know about it. Something like —

**The CHAIRMAN:** How did this one slip through the grapevine?

**Mr Gaffney:** The 100 kay, a bit like [inaudible], it was from only about 17 August that we actually knew about it. So it was almost like two or three weeks. Even though it had been advertised, it was not really that well-known around town.

**The CHAIRMAN:** It was advertised mainly internationally, as I understand.

**Mr Gaffney:** Yes, so locally all of a sudden, “Oh, there is a 100 kilometre ultra-marathon on.”

**The CHAIRMAN:** Have you ever had any events that LEMC discussed that were sponsored by Tourism WA and Tourism WA was involved in some capacity with LEMC?

**Mr Gaffney:** Not to my knowledge in the time that I have been in the position.

**Mrs M.H. ROBERTS:** How long have you been here?

**Mr Gaffney:** Just over two and a half years.

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**The CHAIRMAN:** Ms Donnelly, the other events that you know about, some are sponsored, you indicated, by Tourism WA. Do you know if Tourism WA is involved or knowledgeable about the risk management strategies of those organisations?

**Mrs Donnelly:** I think the shire really look at all those risk management plans. Certainly they are supplied to Tourism WA, Eventscorp, but as Gary said, there is quite an extensive event management plan or application that you have to submit to the shire.

**The CHAIRMAN:** So Tourism WA largely relies on the shire or LEMC to ensure that a risk management plan is carried out and adequate.

**Mrs Donnelly:** For funding I know we have to supply it to Tourism WA, but I am not sure whether they rely on the shire for it. I just know that we certainly do supply it to the shire. There are quite a few event applications throughout the year for generally the Ord Valley Muster.

**Mrs M.H. ROBERTS:** Do you supply that at the time of application? Is that what you are saying?

**Mrs Donnelly:** About four weeks out. Four weeks out is what they suggest to supply it to the shire.

**The CHAIRMAN:** But you have the work done long before you submit it to them.

**Mrs Donnelly:** Absolutely. A lot of my events that we [inaudible] are quite low risk except the Kimberley moon, which is a bit of a higher risk event, and certainly that is done 12 months in advance generally.

**The CHAIRMAN:** Have you ever submitted a risk management strategy to Tourism a day in advance of an event?

**Mrs Donnelly:** Not myself, no, nor would I think that is appropriate.

**Mr W.J. JOHNSTON:** Not only do you not think that is appropriate, you are saying that Tourism tell you to do it a month in advance.

**Mrs Donnelly:** Definitely for the shire where it is mandatory, is it not, at least four weeks in advance. More is preferable, but at least four weeks in advance of an event.

[1.45 pm]

**Mrs M.H. ROBERTS:** Is four weeks the shire's requirement?

**Mrs Donnelly:** It is the shire's requirement.

**The CHAIRMAN:** Just on another point, can you provide on notice the application forms submitted by RacingThePlanet to use Celebrity Tree Park or any of the company details that were attached to it? You mentioned it earlier.

**Mr Gaffney:** Certainly; we will take that on notice.

**The CHAIRMAN:** One of the issues that came up earlier is there is a large number of events out there that have risks associated, particularly up in the Kimberley. This one, RacingThePlanet, given its nature, I think, it is quite clear that LEMC should have had some carriage of it. What about smaller ones? You mentioned that LEMC does discuss these events coming through—a touring group or whatnot. How does LEMC adjust its level of paperwork and scrutiny to the scale of the operation or the risk of the operation? How can we get LEMC articulate so we do not choke-off good projects?

**Mr Gaffney:** I think they are probably more concerned with things that would be physically active. We have a dragon boat competition coming up going from dam to dam. They run it every two years. We know about it. We know that they have got risks associated with it. They have actually taken that into account. That is not on our asset at all. It is going from Lake Argyle down to diversion dam. We know about it. We know the club that is organising it so we have got knowledge of it. We know how many tender boats are going to be out there supporting it. That is in control. Something like an ultra-marathon or something major—if you have a motorcycle race that is cross-

country—you would want to be assured that there was a lot more event management over it. I know that the Apex club run the big fishing comp every couple of couple of years. We know that there are a lot of people out there fishing, but there are a lot of things put in place. Something with an extreme nature that is probably a long way from the population centres and something running 100 kilometres over the Kimberley—anybody who walks, hikes or runs in the Kimberley knows that it can be very harsh even if you are only out there for a couple of hours. I think they are the things that probably need to come through. I think it is around the levels of insurance and risk management; they should be heightened and the flag should go up.

**The CHAIRMAN:** You have addressed these issues already through the LEMC; that is, you said you hear about car rallies coming through and you discuss whether you know anything about it and what information you need from them and whatnot.

**Mr Gaffney:** So I think that at any time there could be quite a few hundred people out there walking through the Kimberley. I mean this municipality is 125 000 square kilometres, so we are not going to know what is going to be happening on the Mitchell Plateau or down out of El Questro or out of Home Valley Station with people out for a ride. In the middle of the tourist season there are 4 000 people in this town who are travelling through and they are travelling the Gibb River Road, they are going up onto the Mitchell Plateau, they could be heading out to Carlton station or out to the Keep River. We are very large; we cannot keep control of that. But when there are specific events that are being funded to a great level and have an element of risk about them, I think that should be a heightened awareness of everybody's and the LEMC would have put quality advice over the top of this event.

I suppose it goes back to the other situation as well. Local government has a major role in fire, yet are not scaled up. As you have heard, there are 125 000 square kilometres. The four Kimberley shires are very much advocates of saying that fire control does not belong with local government; it actually belongs with an authority that actually can do it. In other states there are rural fire brigades, country fire brigades. We believe that the Kimberley is so large that an organisation like FESA is probably more appropriately resourced and has the knowledge to look after fires.

**The CHAIRMAN:** Just trying to address this so it does not happen in the future, who do you think should have been required to bring this to the LEMC's attention—that is, that the race was on. RacingThePlanet might not have known.

**Mr Gaffney:** RacingThePlanet were here last year so they obviously knew the area and the environment. I think that number one, an organiser of any event is the first person who should be responsible. Secondly, that information should have flowed through to the relevant authorities, not talking to Mrs Donnelly two days before the event hits town, with us 13 or 14 days booking a facility. They were in long-term planning for this event and they are firstly responsible. Any company or any organisation within Australia or locally knows how to ring up, find out and get the information, and deliver appropriately. To me, firstly the company needs that information and secondly, there are organisations involved in it through sponsorship and others; maybe they should have also been part of information supply.

**The CHAIRMAN:** The Department of Health had issues in 2010 with the race and the aftermath. They had a meeting in mid-February 2011 with RacingThePlanet and they wanted to address some health-specific issues—it was not LEMC, it was Health subcommittee—and you never heard from the Department of Health about the issues they addressed?

**Mr Gaffney:** No, not at all, but I did hear from Damian Jolly, who is the operations manager at the hospital. Here Damian made sure that RacingThePlanet had adequate drips and other requirements for this race.

**The CHAIRMAN:** When did you hear that from him?

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**Mr Gaffney:** I heard that when we had the LEMC on the Tuesday after the event; he brought that information to the table. I did supply those minutes with our submission.

**Mrs M.H. ROBERTS:** Should the first part of any management plan, let alone an emergency management plan, be to contact the shire and advise them of the event and the details of it?

**Mr Gaffney:** I would think so. If you are within a local government area and it is an event of this nature, I believe that they should make contact with the shire.

**Mrs M.H. ROBERTS:** My view would be, and I would be interested in your response, that Eventscorp or Tourism WA, even if they are not funding event like this, if they are aware of an event like this and they have any communication at all with the event organisers, that top of the list for Eventscorp should be to contact the local shire. They are your first point of contact to find out anything in economic terms of holding an event within the shires boundary.

**Mr Gaffney:** Look, I am not sure whether Eventscorp or Tourism WA have events checklists. As I said, we have a checklist for events and things like that. It could quite easily be on a website and if you are considering an event you download this and do your own due diligence on your event.

**Mrs M.H. ROBERTS:** And you would hope that one of the key things at the top of the list is that the contact with the shire and providing them with proper information about the event.

**Mr Gaffney:** Probably relevant authorities; I think it is a very good idea.

**The CHAIRMAN:** Just to clarify, the health department met with RacingThePlanet in mid-February 2011. Then they had a Health subcommittee that we believe met in Perth that included WALGA, but that committee did not meet with RacingThePlanet, but did discuss the RacingThePlanet proposal. There appears to be some siloing or lack of communication between the various agencies here, but I can see why it happens to some extent.

**Mr Gaffney:** I understand. We are a long way from Perth; we do not get to those meetings. But I think locally, collegiately, if we know about something we might even jump on the phone and say, “Have you heard that the Rotary club of wherever are coming to town?” or “Did you know about such and such?” and so that information does track around and I think the heightened awareness, again, that we have—we keep learning from these experiences.

**The CHAIRMAN:** Are you getting increasing demand for these high-risk extreme sport events?

**Mr Gaffney:** We are not seeing that there is a rise in the events; I think it will be a progression. As Mrs Donnelly stated before, this event is one of many that we see. We have the Gibb challenge every year and that is growing in numbers, but is a well-managed and well-organised event. Karunjie has had a mini marathon, bike ride and swim, and again they understand the terrain, they understand the country and they put their risk management plans in place. The Lake Argyle Swim is a 10 or 20-kilometre swim; it is very well put together with a risk management plan in place. Again, they know Kimberly. So, I think that RacingThePlanet had people who had knowledge of the Kimberley; I think what we did not see was the actual organisation get in touch with the relevant authorities that they needed to deal with.

**The CHAIRMAN:** You never met the RacingThePlanet people did you?

**Mr Gaffney:** No.

**Mrs M.H. ROBERTS:** Mr Chairman, if I can just perhaps refer to your comments when you asked about whether one of the issues is silos between government agencies and whatever. As I understand Mr Gaffney’s response, he is saying that there is a good collegiate relationship between authorities here in the East Kimberley. We had a similar response this morning from both police and FESA where they say, “Look, we think communication and coordination between agencies here in the East Kimberley is very good.” What I am really thinking your comment is on is the relationship between that and what happens down in Perth. It occurs to me that Perth is about as far

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away from Kununurra as Melbourne is from northern Queensland. Do you see that as being part of the issue, and if it is, what do you think that agencies in Perth should do about that? I am also particularly interested because you represent local government here and I suppose that respect of it.

**Mr Gaffney:** It is a very good question. We always joke a little bit, that we are closer to Singapore than we are Perth. The feedback from agencies, especially large agencies—we do get good feedback via the district managers either in Broome or here in Kununurra, so I think that it works quite well on a local level when we hear stuff locally. But when decision making on major events is made in Perth—and as I said with RacingThePlanet, I am not sure we even knew that Eventscorp or Tourism WA was actually sponsoring the event, because we were not informed locally, which was disappointing. I think other agencies are very good at getting the message up here. We no longer have a representative from Tourism WA; there used to be a representative in Broome, but those positions were taken away in a restructure, so we do not have that.

**Mrs M.H. ROBERTS:** When did that happen?

**Mr Gaffney:** Twelve to 18 months ago; Nadia might be able to tell me when the Tourism WA position was abolished.

**Mrs Donnelly:** I think that was about 18 months ago.

**Mr Gaffney:** It was 18 months ago, therefore there is no local representation from Tourism WA—Broome is 1 200 kilometres away—so you lose that local flavour. If somebody had been sitting in that position in Broome, we probably would have had more knowledge of that.

**Mr M.P. MURRAY:** Just a quick one. Since the event and the issues that have come out of the event, has there been any work done by the shire about providing that intelligence? Is it possibly in conjunction with the health department?

**Mr Gaffney:** We have done some investigations on how and where a helipad may be set up there and have talked to both helicopter companies and CASA. At the moment, because of the amount of building that is going on, it would be very difficult to put that. You need to have some clear lines to bring helicopters in, so it is not an easy one. We have checked it all out. That actually came out of our debrief after the RacingThePlanet incident.

[2.00 pm]

**Mr M.P. MURRAY:** It would be difficult.

**Mr Gaffney:** It is difficult, because you have to have clear lines in. We do have a patient transfer set up at the airport, which is a new facility, to receive and transport patients in and out. I think the incident with RacingThePlanet was that basically all of our ambulances were actually out of town and had been taken out of town for this incident, so we were left critically short of facilities. I think that the conversations between the doctors and the medical staff was to get critically injured people as close to the hospital as possible. I think it was a stunning piece of work by that helicopter pilot, who has to be commended highly for the work that he did in not only getting those people out of the situation where he hovered that chopper on the ledge to get them in there but also to land it in fading light in front of the hospital. I think he should be highly commended.

**The CHAIRMAN:** Just to clarify, they had to do that because the ambulances had all been called out of town to address the event that the helicopter pilot was servicing.

**Mr Gaffney:** Yes. The four-wheel-drive ambulance had been taken all the way in, so it was a considerable distance off-road that the four-wheel-drive ambulances had taken. There were other patients, so you were coordinating between Wyndham, here. St John's will no doubt give you a clearer estimate on that. I think that that situation was that, yes, we were in a dire situation. The helicopter pilot called it well.

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**The CHAIRMAN:** Just to clarify, after the 2010 race, the tourism department did not contact you just to talk to you about the race, about your views on RacingThePlanet?

**Mr Gaffney:** No, we received no debrief.

**The CHAIRMAN:** Just an issue you might like to get Mr Crumblin to respond to—the LEMC meetings attached to the shire submission mentioned that when senior ranger Mark Crumblin first attended the event, there was a communication issue with the event organisers, and the information was not passed on.

**Mr Gaffney:** Mark, when he arrived at the checkpoint, he found all those people. He was communicating with one of the event organisers that had been brought in from Hong Kong or wherever. The gentleman's grasp of English was not of a high order. They just had no idea what was going on at that checkpoint. That is when Mark was having trouble with his satellite phone, headed straight into Wyndham to try to get information back to Tony Stevenson and FESA, but they had no idea where people were.

**The CHAIRMAN:** In what capacity did Mr Crumblin attend the event?

**Mr Gaffney:** I think in my notes Mark received a phone call at 2.25; immediately rang the local FESA office trying to get a bit more of a heads-up. He was heading back to Wyndham anyway. He grabbed a satellite phone to go out and see if they could make some sense of what was coming through, because it was pretty disjointed information that came in. There were people lost; there was a fire. He headed out to try to get more information to feed back to FESA to get out there rapidly. His response, he was out on the road within about 15 minutes of receiving the call.

**Mr W.J. JOHNSTON:** Who phoned him?

**Mr Gaffney:** He received a call from FESA comms in Perth saying that there were people lost and there was a fire out near El Questro on the Gibb River Road. That is when he rang and alerted Mr Stevenson. Mr Stevenson was on the phone. Mr Sears was in the office. They rang back to Perth trying to clarify the information that was coming through. Part of the problem, I believe, Mark was having with the telephone numbers he was given, the satellite phone numbers, the prefixes were not up to scratch. They did not give the full prefix numbers, so therefore it was an international satellite phone; it was not an Australian prefix satellite phone. Mark could not get his satellite phone to work at the period and decided to get back into Wyndham, which was the closest town to get communications back. That is when he got the information, and then he was told to stand down.

**The CHAIRMAN:** Who told him to stand down?

**Mr Gaffney:** Mr Stevenson asked him to stand down. He said that other areas like police, St John's and FESA were in on the act.

**Mrs M.H. ROBERTS:** I just wanted to go back to this coordination of government agencies in Kununurra and the Kimberley more generally. It occurs to me that the ones that are coordinating well are the ones that are on the ground here in the Kimberley—police, they are everywhere; FESA have representatives here; Health obviously have representatives here, and they are on the ground with the shire on a daily, weekly basis all year round. Your comment now is that the tourism not only is not there, any representatives of the Western Australian Tourism Commission in terms of paid employees in Kununurra, but the only representative that was on the tourism commission as a board member from the Kimberley is no longer there.

**Mr Gaffney:** No, he was a paid member who was based in Broome.

**Mrs M.H. ROBERTS:** So he is a paid staff member?

**Mr Gaffney:** He was based in Broome, but they restructured those positions, so there was no longer a paid representative.

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**Mrs M.H. ROBERTS:** So there is no paid representative, as far as you are aware, of Tourism WA in the Kimberley at all?

**Mr Gaffney:** Not to my knowledge.

**Mr W.J. JOHNSTON:** Even when they came up here, they still did not talk to them.

**Mrs M.H. ROBERTS:** That is where my question was going to lead. Given that they have got no representatives in a big region like this, which is clearly a mecca for tourists, how do you think they can address that? Is it only by having somebody on the ground in the Kimberley, or is there a way that they could enhance their relationship and communication and coordination with the various shires in the Kimberley and with the other agencies that do actually have staff here?

**Mr Gaffney:** Can I point out that LandCorp, probably they have a person who works between the Pilbara and the Kimberley. That person gets around the local governments, gets to all the different agencies. When that person comes to town, there is always a phone call, there is always a catch up. Even if they are doing stuff, that person facilitates the role, facilitates the visits of executives, and so you always know what is going on, because they have a representative that works the Pilbara and the Kimberley. Probably if other organisations such as Tourism WA had that same sort of person—it might be the Eventscorp–Tourism combined person—but it is just really the good organisations seem to have somebody who has a roving commission.

**Mrs M.H. ROBERTS:** So a key contact point for you is the shire—the key person who basically has the watching brief over the Kimberley and a communication brief with the shires and other relevant agencies that are on the ground here.

**The CHAIRMAN:** LandCorp has large assets that they manage—very large ones in the Pilbara. Tourism does not have any assets here. They could liaise with you. You have a tourism person, you are tourism coordinating. You could decentralise it by having them correspond with your tourism person and your organisation rather than have —

**Mr Gaffney:** Even if they had somebody in Perth whose responsibility was that.

**Mrs M.H. ROBERTS:** That is the point you are making, is it not—the person who can liaise with your people and equivalent people in Broome and maybe Halls Creek or wherever else?

**The CHAIRMAN:** Because if they would have talked to your person—you have at least a part-time tourism person—about this race, they would have relayed your views to them?

**Mr Gaffney:** For sure. Our person works with Mrs Donnelly very closely. I think both of them need a bit more about this. As you said, bringing local decision making does have better results.

**The CHAIRMAN:** We are going to have to wrap it up. I will read a closing statement. Thanks for your evidence before the committee. There are a number of questions that we have not been able to address today. Would you be willing to answer a series of further questions?

**Mr Gaffney:** Certainly.

**The CHAIRMAN:** The transcript of this hearing will be forwarded to you for correction of minor errors. Please make these corrections and return the transcript within 10 working days from the date of the covering letter. If the transcript is not returned within this period, it will be deemed to be correct. New material cannot be introduced by the corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on a particular point, please include a supplementary submission for the committee's consideration when you return your corrected transcript of evidence. Thanks again.

**Hearing concluded at 2.10 pm**

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