



# **SAFE DRIVE TRAINING (AUST) PTY LTD**

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WITHOUT PREJUDICE

Thursday 25 May, 2006

Mr. Keith Lewis  
Manager  
Queensland Raceway

**RE: Track Hire on Wednesday 24 May**

**Dear Keith,**

I write to request a complete refund of our Track Hire Fees from our Booking of yesterday Wednesday 24 May since our actual track time was from 4.52 pm until 5.26 pm. At 5.26 pm it was too dark to safely continue our activities. Therefore 34 minutes were supplied but we were charged \$642 for 60 minutes.

In addition, our clients did not get the package which was promised to them. SDT has suffered harm and loss in the following ways:

I remind you we had 11 senior executives of Suncorp Metway Insurance. This was the last of the 4 days they had pre-booked and paid for in June 2005. Each person was to drive their car on the circuit for 2 laps with our instructor, then drive our sports cars for 2 laps and then undertake a 4 lap Fast Car Hot Lap using our Subaru STI. Due to the time provided only 4 of the 11 got to drive their car, only 4 of the 11 got to drive our cars and thankfully all got to have their ride in the STI.

In addition we had 2 participants who attended for our Track Time Package. These people are supposed to get 4 x 5 lap sessions. Due to the limited time they only got 2 x 5 lap sessions.

Lastly we had a participant attend from the Sunshine Coast for his CAMS Observed Licence Test. Due to the reduced track time, he was unable to complete the necessary number of laps and therefore we cannot grant his CAMS licence. He was extremely upset, having taken time off work and driven down. He had planned to enter Dutton's Rally in a weeks time.

At 4.30 pm yesterday I briefed all of these participants about Queensland Raceways problems with our confirmed booking. They were all left with a clear understanding of Queensland Raceway's behaviour in this matter.

Under Fair Trading legislation I have no choice but to refund the monies paid by our participants as they did not get the opportunities/experiences which they paid for.

**Therefore I believe Fair Trading Legislation would deem Queensland Raceway liable to refund our track hire fees.**

I have included our Tax Invoice for this same and request payment before Thursday 1 June.

Not that you seem to care, however let me explain what transpired yesterday.

I had previously asked that you reschedule our booking to an earlier time, given by your own admission it would be dark before 5.30 pm. You refused to do this.

My events manager called Queensland Raceway yesterday morning and Ron confirmed our booking was from 4.30 pm to 5.30 pm.

I arrived to Queensland Raceway at 3.30 pm to setup for our session. I overheard the PA system announce that certain motorcycle groups would go out in particular order for 20 minute sessions. The number of groups being announced suggested that the motorcycle hirer would not finish by 4.30 pm. I then used my CB-radio and found that the motorcycle group was using Channel 20. I overheard them talking about finishing at 5.30 pm. I then approached the pit wall manager of the bike group and informed him we were booked from 4.30 pm. He knew nothing of this.

I then came into the Control Tower to discuss this with you. Your position was that I needed to be flexible and that I could use the track after they concluded. You seemed to miss the point of my argument, that we had a 1 hour session booked and paid for. It was not like we could start later than 4.30 pm given it would be dark before 5.30 pm. There was no room to be flexible.

You have suggested I was naive in expecting motorsport activities to finish on time. I am confused by what motorsport activities you are referring to, when your venue hirer was a Motorcycle Ride Day. All other venues we use (local, interstate and international), are able to control their hirers and ensure they finish on-time.

After I voice my complaint to you, you later approached me in the pit area and confirmed the motorcycle group was on their last session and would finish at approximately 4.45 pm.

After you departed I again switched my CB-radio to Channel 20 and heard the motorcycle group discuss whether another group could go out after the current group. A female voice said that this was not a problem. The pit wall manager then replied to the lady and said their was a car group expecting to use the circuit after us. She replied that we did not have a booking.

At this point I interjected and informed all people on channel 20 that we did indeed have a booking and that you had just told me that this was your last session. The lady replied to me, that you had just visited her and told her she could continue on the track as long as they liked.

Therefore you just told me (to my face) they were on their last session, yet by the lady's account you had just told them to run until any time.

I am disappointed in your behaviour with regards to our bookings.

I await your reply on these matters.

Regards,

**Joel Neilsen** B.Eng(Civil)  
Managing Director  
Safe Drive Training (Aust) Pty Ltd