Minister for Transport; Planning; Lands

Our ref: 72-08339

Mr Stephen King
PO Box 36
YARLOOPO WA 6218

Dear Mr King

FREEDOM OF INFORMATION APPLICATION 72-08339

I refer to your Freedom of Information application to my Ministerial Office dated 19 January 2018, requesting the following:

a) "All documents including notes, meeting minutes, briefing papers, correspondence, reports, investigations including draft documents, community consultation processes, studies, impact analysis on the town of Yarloop.

b) All documents including notes, meeting minutes, briefing papers, correspondence, reports, investigations including draft documents, in relation to the future of the town of Yarloop.

c) My letters Ref: 72-01072 & 72-3494 & 72-03494-3.

d) Dates from April 2017 to January 2018.

e) All correspondence with Alcoa Wagerup to land perching agreements BUFFER AREAS, that Alcoa call Area A and Area B also SPPP. Buy back. What period of time does each of these areas last for, and the valuation of properties.

f) All documents in relation to a Buffer around Alcoa WAGERUP, from all governments agencies, that the Minister’s office should have." (Application)

I have today made a decision to grant you full access to copies of 19 documents and refused access, in full, to two (2) documents, which have been determined to fall within the scope of your Application. I have determined that three (3) documents are publicly available and released nine (9) documents as outside the FOI Act.

The reasons for this decision are stated in the enclosed Notice of Decision.

If you are not satisfied with this decision, you have a right to apply for an external review. Details of the review process are set out in the Notice of Decision.

Yours sincerely,

HON RITA SAFFIOTI MLA
MINISTER FOR TRANSPORT; PLANNING; LANDS
30 MAY 2018

Enclosed: Notice of Decision

Level 9, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005
Telephone: +61 8 6552 5500 Facsimile: +61 8 6552 5501 Email: minister.saffioti@dpc.wa.gov.au
Notice of Decision
under Section 30
Freedom of Information Act 1992 (WA) (FOI Act)

Applicant
Mr Stephen King
PO Box 36
YARLOOP WA 6218

Decision Maker
Hon Rita Saffioti MLA
Minister for Transport; Planning; Lands

Decision
For the reasons set out below, I have decided to grant full access to copies of 19 documents falling within the scope of your application. I have refused access, in full, to two (2) documents falling within the scope of your application. This is on the basis that the information is subject to the deliberations and decisions of Cabinet/Executive Body\(^1\). I have considered that three (3) documents are publicly available\(^2\). I have also provided nine (9) documents outside of the FOI Act.

Scope of Application
1. On 30 January 2018, the Department of the Premier and Cabinet’s Freedom of Information Unit (FOI Unit) received your Freedom of Information (FOI) application, which was validated on 7 February 2018. Your application was made to my Ministerial Office requesting:

1.1. "All documents including notes, meeting minutes, briefing papers, correspondence, reports, investigations including draft documents, community consultation processes, studies, impact analysis on the town of Yarloop."

1.2. All documents including notes, meeting minutes, briefing papers, correspondence, reports, investigations including draft documents, in relation to the future of the town of Yarloop.


1.4. Dates from April 2017 to January 2018.

1.5. All correspondence with Alcoa Wagerup to land perching agreements BUFFER AREAS, that Alcoa call Area A and Area B also SPPP. Buy back. What period of time does each of these areas last for, and the valuation of properties.

1.6. All documents in relation to a Buffer around Alcoa WAGERUP, from all governments agencies, that the Minister’s office should have."

1.7. You indicated on your application form that you consented to all personal information of third parties and prescribed details of agency officers being deleted from the requested documents. (Application)

\(^1\) Clause 1(1) Schedule 1 FOI Act
\(^2\) Section 6(a) of the FOI Act.
Additional Charges for Access to Documents
2. No additional charges have been levied for access to documents.\(^3\)

Facts
3. On 30 January 2018, your Application was received by the FOI Unit, which is responsible for assisting with the processing of FOI applications made to Ministerial Offices.

4. On 31 January 2018 you were advised that your initial application was invalid due to the cheque being made out to the incorrect entity.

5. On 7 February 2018 the correctly addressed cheque was received and your application became valid.

6. On 8 February 2018, searches were requested by the FOI Unit to be undertaken by my office for documents potentially falling within the scope of your Application.

7. Staff in my ministerial office were instructed to search hard copy files, computer files and Microsoft Outlook accounts for any documents they held that may fall within the scope of your Application.

8. The instructions suggested that a search be completed for all items in Microsoft Outlook and computers, including but not limited to emails and calendar entries using the following search criteria keywords:
   8.1 Wagerup and ALCOA
   8.2 72-01072
   8.3 72-03494

9. Staff in my Ministerial Office were instructed to search hard copy files, computer files and Microsoft Outlook accounts for any documents they held that may fall within the scope of your Application.

10. The instructions suggested that searches be completed for all items on computers and in Microsoft Outlook, including but not limited to emails and calendar entries, using the search criteria keywords given at [8.1 – 8.3] of this decision.

11. Searches were completed for my Microsoft Outlook for all Microsoft Outlook items using the search criteria keywords suggested at [8.1 – 8.3] of this decision.

12. My Ministerial Office conducted searches in the records management database (HP Records Manager – formerly TRIM) using the search criteria keywords suggested at [8.1 – 8.3] of this decision.

13. It was requested that staff also identify those documents that potentially fall within the scope of your Application using any other terminology, which may differ from the search criteria keywords suggested at [8.1 – 8.3] of this decision.

\(^3\) Section 16 FOI Act
14. Documents potentially falling within the scope of your Application were identified by my Ministerial Office as a result of the searches outlined above and were provided to the FOI Unit.

15. On 22 March 2018, the FOI Unit contacted you by email to advise that due to the large number of recently lodged applications the FOI Unit required additional time to finalise your Application. The revised due date will be 18 April 2018.

16. On 24 March 2018, you responded via email agreeing to the above revised due date.

17. On 16 April 2018, the FOI Unit contacted you by email to request an additional three weeks to finalise your Application. The revised due date will be 2 May 2018.

18. On 17 April 2018, you responded via email agreeing to the above revised due date.

19. On 30 April 2018, the FOI Unit contacted you by phone to request additional time to finalise your Application. You have agreed to an extension until 23 May 2018, confirmation email was sent by the FOI Unit advising of your agreement.

Findings on Questions of Fact
20. I have decided to grant full access to copies of 19 documents falling within the scope of your Application; being Documents 1, 1a, 1b, 2, 3, 3a, 4, 4a, 5, 6, 6a, 8, 9, 10, 11, 11a and 12 – 15.

21. I have decided to refuse access, in full, to two (2) documents falling within the scope of your Application; being Documents 7 and 7a on the basis that their disclosure would reveal the deliberations or decisions of Cabinet/Executive Body.

22. I have considered that three (3) documents are publicly available and in accordance with section 6 of the FOI Act access procedures do not apply. You have not been provided with these documents; being Documents 2a, 2b and 5a.

23. I have also provided you copies of nine (9) documents outside of the FOI Act.

24. All information falling outside the scope of your Application has been removed from the documents, see [1.7] of this decision.

25. No further documents falling within the scope of your Application could be identified within my office.

26. The documents are identified in the enclosed Document Schedule.
Cabinet and Executive Council

27. An Executive Body is defined in Clause 1(6) to mean Cabinet, a committee of Cabinet, a subcommittee of a committee of Cabinet or the Executive Council.

28. The exemptions found in Clause 1 aim to protect the confidentiality of Cabinet discussions and of consultations between ministers, in order to maintain Cabinet solidarity and collective responsibility. 6

29. All deliberations or decisions of an Executive Body are exempt from disclosure. The basic intent of the Cabinet and Executive Council exemption is that a matter is exempt "if its disclosure would reveal the deliberations or decisions of an Executive Body... All that is intended by paragraphs (a) to (f) is to make obvious some of what is covered by the exemption". 7

30. The Cabinet and Executive Council exemption is not subject to a public interest test.

31. A copy of Clause 1 of Schedule 1 to the FOI Act is enclosed for your information.

32. I have reviewed Documents 7 and 7a and in my view, it is clear that the documents are an incoming government brief of matters for the Minister at Cabinet.

33. This information was prepared to brief the incoming Minister and, in my view, if released, would reveal information provided for Cabinet deliberations. 8

Limits on Exemption

34. I have considered whether the limit on exemption at Clause 1(2) applies to the documents.

35. The question for my determination is whether the information is merely factual, statistical, scientific or technical or would reveal any deliberations or decisions of an Executive Body and whether the deliberations have been officially published.

36. I am satisfied that the documents contain information prepared to brief an incoming Minister for Cabinet. The limit on exemption in Clause 1(2) has no application.

37. I have therefore decided to refuse access, in full, to Documents 7 and 7a in accordance with the Cabinet and Executive Council exemption. 9

Right of Review:

38. If you would like to appeal this decision, please note you have the right to lodge a complaint with the Western Australian Information Commissioner seeking external review of the decision. You are required to lodge your complaint with the

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6 Environmental Defender's Office WA (Inc) and Ministry for Planning [1999] WACmr 35 at
7 P.7017 of Hansard vol.302 (1992), the former Minister for Justice in charge of the FOI Bill 1992
8 Clause 1(1) Schedule 1 FOI Act
9 Clause 1(1) Schedule 1 FOI Act
Office of the Information Commissioner within 60 days after being given written notice of this decision.

39. A complaint to the Information Commissioner must:
   39.1 Be in writing.
   39.2 Have attached to it a copy of this decision.
   39.3 Give an address in Australia.

40. There is no charge for lodging a complaint with the Information Commissioner.

41. The address is:
   Office of the Information Commissioner
   469 Wellington Street
   PERTH WA 6000

42. Should you have any further queries or require any further information about your review rights at this stage, you may contact the Office of the Information Commissioner on (08) 6551 7888.

Feedback on Service:
43. If you wish to provide any comments or feedback on the service provided by the Minister’s Office in relation to your Freedom of Information Application, please visit; www.premier.wa.gov.au/Ministers/Rita-Saffioti/Pages/default.aspx or contact the office, by telephone on (08) 6552 5500 or via email at Minister.Saffioti@dpc.wa.gov.au.

HON RITA SAFFIOTI MLA
MINISTER FOR TRANSPORT; PLANNING; LANDS
30 MAY 2018
Attachments:
- Clause 1 of Schedule 1 to the FOI Act
- Section 6 of the FOI Act
- Document Schedule
- Documents for Release under the FOI Act
- Documents Released Outside of the FOI Act

FOI 72-06865 Notice of Decision
Exempt matter

1. Cabinet and Executive Council

Exemptions
(1) Matter is exempt matter if its disclosure would reveal the deliberations or decisions of an Executive body, and, without limiting that general description, matter is exempt matter if it—

(a) is an agenda, minute or other record of the deliberations or decisions of an Executive body;
(b) contains policy options or recommendations prepared for possible submission to an Executive body;
(c) is a communication between Ministers on matters relating to the making of a Government decision or the formulation of a Government policy where the decision is of a kind generally made by an Executive body or the policy is of a kind generally endorsed by an Executive body;
(d) was prepared to brief a Minister in relation to matters —
   (i) prepared for possible submission to an Executive body; or
   (ii) the subject of consultation among Ministers relating to the making of a Government decision of a kind generally made by an Executive body or the formulation of a Government policy of a kind generally endorsed by an Executive body;
(e) is a draft of a proposed enactment; or
(f) is an extract from or a copy of, or of part of, matter referred to in any of paragraphs (a) to (e).

Limits on exemptions
(2) Matter that is merely factual, statistical, scientific or technical is not exempt matter under subclause (1) unless —

(a) its disclosure would reveal any deliberation or decision of an Executive body; and
(b) the fact of that deliberation or decision has not been officially published.

(3) Matter is not exempt matter under subclause (1) if it, or, in the case of matter referred to in subclause (1)(f), the original matter, came into existence before the commencement of section 10 and at least 15 years have elapsed since it or the original matter (as the case may be) came into existence.

(4) Matter is not exempt matter under subclause (1) if it, or, in the case of matter referred to in subclause (1)(f), the original matter, came into existence after the commencement of section 10 and at least 10 years have elapsed since it or the original matter (as the case may be) came into existence.

(5) Matter is not exempt by reason of the fact that it was submitted to an Executive body for its consideration or is proposed to be submitted if it was not brought into existence for the purpose of submission for consideration by the Executive body.

Definition
(6) In this clause Executive body means —

(a) Cabinet;
(b) a committee of Cabinet;
(c) a subcommittee of a committee of Cabinet; or
(d) Executive Council.

[Clause 1 amended by No. 57 of 1997 s. 62(3); No. 19 of 2010 s. 59.]
Section 6

Access procedures do not apply to documents that are already available

Parts 2 and 4 do not apply to access to documents that are -

(a) Available for purchase by the public or free distribution to the public;
(b) Available for inspection (whether for a fee or charge or not) under Part 5 or another enactment;
(c) State archives to which a person has a right to be given access under Part 6 of the State Records Act 2000 despite this Act;
(d) Publicly available library material held by agencies for references purposes; or
(e) Made or acquired by an art gallery, museum or library and preserved for public reference or exhibition purposes.

[Section 6 amended by No. 53 of 2000 s.6.]
**Applicant:** Mr Stephen King  
**Decision Maker:** Hon Rita Saffioti MLA  
Minister for Transport; Planning; Lands  
**Decision:** For the reasons set out below, I have decided to grant full access to copies of 19 documents and refused access to two documents as per the exemption clauses outlined in the below schedule. I have also provided you copies of nine documents outside the FOI Act.

<table>
<thead>
<tr>
<th>DOC NO</th>
<th>DATE</th>
<th>DOCUMENT DESCRIPTION</th>
<th>DECISION</th>
<th>EXEMPTIONS APPLIED</th>
<th>REASONS FOR DECISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>8 November 2017</td>
<td>Emails between Office of Minister Saffioti and the Department of Planning, Lands and Heritage. Most recent email sent at 1:56pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
</tr>
<tr>
<td>1a</td>
<td></td>
<td>Attachment: Background information.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that the document falls within the scope of the application.</td>
</tr>
<tr>
<td>1b</td>
<td></td>
<td>Attachment: Maps.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that the document falls within the scope of the application.</td>
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<tr>
<td>2</td>
<td>15 September 2017</td>
<td>Emails between Office of Minister Saffioti and a third party. Most recent email sent at 8:04pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
</tr>
<tr>
<td>2a</td>
<td></td>
<td>Attachment: Draft State Planning Policy 5.4 - Road and Rail Noise.</td>
<td>Section 6a</td>
<td>No Exemption</td>
<td>Access procedures do not apply to a document that is publically available. This document is available at: <a href="https://www.planning.wa.gov.au/dop_pub_pdf/DRAFT_SPP_5.4-Road_and_Rail_Noise.pdf">https://www.planning.wa.gov.au/dop_pub_pdf/DRAFT_SPP_5.4-Road_and_Rail_Noise.pdf</a></td>
</tr>
<tr>
<td>2b</td>
<td></td>
<td>Attachment: Report and Recommendations of the Environmental Protection Authority.</td>
<td>Section 6a</td>
<td>No Exemption</td>
<td>Access procedures do not apply to a document that is publically available. This document is available at: <a href="https://www.planning.wa.gov.au/dop_pub_pdf/DRAFT_SPP_5.4-Road_and_Rail_Noise.pdf">https://www.planning.wa.gov.au/dop_pub_pdf/DRAFT_SPP_5.4-Road_and_Rail_Noise.pdf</a></td>
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<tr>
<td>3</td>
<td>5 September 2017</td>
<td>Meeting Request.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
</tr>
<tr>
<td>3a</td>
<td></td>
<td>Attachment: Meeting Record.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>4</td>
<td>5 September 2017</td>
<td>Explanatory File Note.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>4a</td>
<td></td>
<td>Attachment: Handwritten notes.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>5</td>
<td>4 September 2017</td>
<td>Emails between the Office of Minister Saffioti and the Department of Planning, Lands and Heritage. Most recent email sent at 5:13pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>6</td>
<td>31 August 2017</td>
<td>Meeting Notes.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>6a</td>
<td></td>
<td>Attachment: Location and Management Map.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that the document falls within the scope of the application.</td>
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<td>7</td>
<td>13 July 2017</td>
<td>Email between the Office of Minister Saffioti and the Department of Planning, Lands and Heritage, sent at 2:25pm.</td>
<td>Access Denied</td>
<td>Clause 1(1)</td>
<td>Access is denied on the basis that the document contains information which, if disclosed, would reveal the deliberations or decisions of an Executive Body / Cabinet.</td>
</tr>
<tr>
<td>DOC NO</td>
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<tr>
<td>7a</td>
<td></td>
<td>Attachment: Incoming Briefing Note.</td>
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<td>Clause 1(1)</td>
<td>Access is denied on the basis that the document contains information which, if disclosed, would reveal the deliberations or decisions of an Executive Body / Cabinet.</td>
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<td>8</td>
<td>13 July 2017</td>
<td>Email between the Office of Minister Saffioti and the Department of Planning, Lands and Heritage, sent at 10:50pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<td>8a</td>
<td>Duplicate of Document 6a</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>9</td>
<td>7 July 2017</td>
<td>Emails between the Office of Minister Saffioti and a third parties. Most recent email sent 5:25pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>9a</td>
<td>Duplicate of Document 2b</td>
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<td>10</td>
<td>27 June 2017</td>
<td>Handwritten Meeting Notes.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<td>11</td>
<td>12 June 2017</td>
<td>Email between the Office of Minister Saffioti, sent 3:53pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>12</td>
<td>9 June 2017</td>
<td>Email between the Office of Minister Saffioti, sent 3:47pm.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<tr>
<td>13</td>
<td>Undated</td>
<td>Draft letter from the Minister for Transport; Planning; Lands to Mr Stephen King.</td>
<td>Full Access</td>
<td>No Exemption</td>
<td>Access is granted on the basis that some but not the entire document falls within the scope of the application. The document has been edited to remove information falling outside the scope of the application.</td>
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<td>Undated</td>
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<td>15</td>
<td>Undated</td>
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<tr>
<td>16-23</td>
<td>Various</td>
<td>Correspondence to/from Mr Stephen King.</td>
<td></td>
<td></td>
<td>Access is provided to the documents, in full, outside of the FOI Act, on the basis that it is reasonable to consider that the applicant already has access to a copy of the documents.</td>
</tr>
</tbody>
</table>
Hi No. They are attached. Sorry!

140 William Street, Perth WA 6000
www.dplh.wa.gov.au

The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

Disclaimer: this email and any attachments are confidential, and may be legally privileged. If you are not the intended recipient, any use, disclosure, distribution or copying of this material is strictly prohibited. If you have received this email in error please notify the sender immediately by replying to this email, then delete both emails from your system.

Is this coming up in the snail-mail?

Regards

Office of the Hon Rita Saffioti MLA
Minister for Transport; Planning; Lands
Level 9
Dumas House
2 Havelock Street
WEST PERTH WA 6005
Ph: (08) 6552 5500 | Fax: (08) 6552 5501
Website: www.dpc.wa.gov.au

From: [Redacted]
Sent: Tuesday, 7 November 2017 5:34 PM
To: [Redacted]
Cc: MPS DoP <MPS@planning.wa.gov.au>
Subject: RE: Alcoa Wagerup / Yarloop

Hi

Apologies for the delay with this advice, which is as follows:

There are the 6x maps total between the three refineries. I have also included a map of each assessment area showing the classes of dwelling analysis from the VGO data. There are also three tables – the analysis showing only private owned land with Alcoa properties removed for each area and the count of how they were classified in the VGO data. I also included the raw data from the ownership table extracts (note these contain 1 record for each owner for each lot, which was dissolved in my analysis to one record per lot).

Please do not hesitate to contact me if you require further information on this matter.

Kind regards

140 William Street, Perth WA 6000

The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

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Hi

Could you please arrange for advice relating to Alcoa Wagerup / Yarloop, specifically:

1. How many properties in Yarloop (i.e. Zone B) are privately owned (i.e. not currently owned by Alcoa)? This would be best split into those with and those without dwellings.
2. How many properties in Yarloop (i.e. Zone B) are privately owned (i.e. not currently owned by Alcoa) and have not been bought back from Alcoa? This would be best split into those with and those without dwellings.

Could I also have prepared, 2 plans for each of the three refineries – all at the same scale – one showing aerial, cad and region planning scheme and the other cad and local planning scheme.

Could we please have this by CoB 6th November?

Regards

Office of the Hon Rita Saffioti MLA
Minister for Transport; Planning; Lands
Level 9
Dumas House
2 Havelock Street
WEST PERTH WA 6005
Ph: (08) 6552 5500 | Fax: (08) 6552 5501
Website: www.dpc.wa.gov.au
Policy and Priority Initiative – Response:

**Question 1:** How many properties in Yarloop (i.e. Zone B) are privately owned (i.e. not currently owned by Alcoa)? This would be best split into those with and those without dwellings.

**Response:** Analysis conducted on 1 November 2017. Dwelling data used in this analysis was obtained from the Valuer General’s Office survey in August 2017. Private property statistics also include commercial entities. The statistics for Hamel Area B have been included to enable a direct comparison with the Alcoa-supplied data referred to in Q2.

<table>
<thead>
<tr>
<th>Yarloop Area B</th>
<th>With dwelling</th>
<th>Without dwelling</th>
<th>Not assessed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private (other than Alcoa) Freehold</td>
<td>67</td>
<td>89</td>
<td>16</td>
<td>172</td>
</tr>
<tr>
<td>Private (other than Alcoa) Crown</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Alcoa owned Freehold**</td>
<td>3</td>
<td>5</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Alcoa owned Crown</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**Note 7 of these properties have been purchased by Alcoa after the fire in January 2016.**

<table>
<thead>
<tr>
<th>Hamel Area B</th>
<th>With dwelling</th>
<th>Without dwelling</th>
<th>Not assessed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private (other than Alcoa) Freehold</td>
<td>1</td>
<td>1</td>
<td>34</td>
<td>36</td>
</tr>
<tr>
<td>Private (other than Alcoa) Crown</td>
<td>30</td>
<td>3</td>
<td>46</td>
<td>79</td>
</tr>
<tr>
<td>Alcoa owned Freehold</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Alcoa owned Crown</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

**Question 2:** How many properties in Yarloop (i.e. Zone B) are privately owned (i.e. not currently owned by Alcoa) and have not been bought back from Alcoa? This would be best split into those with and those without dwellings.

**Response:** It is not possible to analyse previous ownership data from the available cadastral data. A title search would need to be undertaken for each individual property to determine this information.

To be eligible for purchase under Alcoa’s Land Management Plan, owners must have owned the property prior to 1 January 2002. There are currently three privately owned properties (all with dwellings) that have been in the same ownership since before 2002 i.e. wouldn’t have been bought by Alcoa and then on-sold. An additional two properties have been owned by the Catholic Church since before 2002 (both of which are vacant - the church and adjoining caretaker residence were destroyed in the fire).

In addition to this, Alcoa’s website contains reports on the implementation of its Land Management Plan. Its *Wagerup Alumina Refinery Land Management Report 2014: Summary of Land Management Plan Implementation for the period 2002 to 2014* stated that 28 private properties remained eligible for purchase within Area B (note that this includes both Yarloop and Hamel). An extract from this report is below.

Under the 2002 Land Management Plan, owners within Area B would have at least five years to decide if they wish to sell to Alcoa. During that time, Alcoa would conduct a benchmark survey of property values in the area and, if values declined due to the refinery’s presence, Alcoa’s commitment to purchase properties would be extended for a further five years.
4. Area A and Area B

Area A covers a geographic area of 8442 hectares, comprising 337 properties. Since January 2002 Alcoa has purchased 168 properties in Area A, increasing its ownership in Area A to a total of 285 properties. Forty titles with 14 residences remain eligible for purchase in Area A.

Area B is 358 hectares and comprises properties in the townships of Yarloop and Hamel. Since 2001 Alcoa has purchased 175 properties in Area B and on-sold 153 of these as per the intent of the Wagerup Land Management Plan. Twenty eight properties in Area B remain eligible for purchase under the terms of the Wagerup Land Management Plan. (Table 1)

As of January 2014, 97% of the eligible land within Area A has been purchased by Alcoa and will be held by the company for the life of its operations at Wagerup.

As of January 2014, 88% of the properties eligible for purchase within Area B had been bought with 87% of the purchased properties then sold back into the community.

Table 1. Wagerup Land Management Plan Purchase Data

<table>
<thead>
<tr>
<th>AREA</th>
<th>Total Properties</th>
<th>Number of Properties Purchased by Alcoa</th>
<th>Privately Owned Properties eligible for purchase</th>
<th>% Title purchased</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area A</td>
<td>337 *</td>
<td>265</td>
<td>40</td>
<td>87%</td>
</tr>
<tr>
<td>Area B</td>
<td>203</td>
<td>175</td>
<td>28</td>
<td>86%</td>
</tr>
<tr>
<td>Properties Purchased by Alcoa to be resold in Area B</td>
<td>Properties resold by Alcoa in Area B</td>
<td>Properties in Area B remaining to be resold by Alcoa</td>
<td>% Titles resold</td>
<td></td>
</tr>
<tr>
<td>Area B</td>
<td>175</td>
<td>153</td>
<td>22</td>
<td>87%</td>
</tr>
</tbody>
</table>

*32 Properties are not eligible for purchase as they are government owned or of a compatible land use
* Table represents counts of only private dwellings (GPR Prefix of 'Z' or 'P'). Dwelling information is calculated from Valuer General Office survey - August 2017.

<table>
<thead>
<tr>
<th></th>
<th>With dwelling</th>
<th>Without dwelling</th>
<th>Not assessed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hamel</td>
<td>32</td>
<td>4</td>
<td>80</td>
</tr>
<tr>
<td>Yarloop</td>
<td>67</td>
<td>91</td>
<td>18</td>
</tr>
</tbody>
</table>
Hi

FYI please see below and attached, have included EPA Assessment of Alcoa Expansion Noise section Bulletin 779 for further reference.

The only real solution here is:-

The implementation of a 10km buffer zone will give an exit strategy for all people who wish to leave, having the same formula for the buffer zone as Area A, i.e. market value for properties based on the Harvey, Waroona index plus 35% compensation plus $7000 relocation costs, (NB: farms/business will have a different relocation costs, depending on the size of farms/business). This would protect people from having to put their hands in their own pocket and we anticipate that approx. 90% of the residents would leave.

This will alleviate a lot of heart ache and create a win/win for all parties concerned.

On Thursday, 14 September 2017, 13:38, "Department of Planning, Lands and Heritage" <communications@planning.wa.gov.au> wrote:
Draft State Planning Policy 5.4 - Road and Rail Noise

14 September 2017

Call for public submissions

The Western Australian Planning Commission (WAPC) is seeking public comment on proposed changes to State Planning Policy 5.4 Road and Rail Noise and associated guidelines.

Read more

Statutory Planning Committee

The agenda for 18 September 2017 meeting is now available.

Read more

Department of Planning, Lands and Heritage | Western Australian Planning Commission
140 William Street, Perth 6000 | Privacy policy

You have received this because you subscribed via our website or requested notification of services. Every effort has been made to ensure accessibility of this content. Please contact us if you require an alternate format.
Hi All
Thank you for your assistance. I trust this time can be accommodated in the diary
 Regards

From: Outside Ambit
Sent: Wednesday, 30 August 2017 1:46 PM
To: Outside Ambit
Cc: Outside Ambit
Subject: Alcoa's Wagerup refinery - Yarloop residents

Rita has requested I schedule a meeting between her, to discuss Alcoa's Wagerup refinery and ongoing pollution complaints by nearby residents.
Is this something that needs to be coordinated by your office, with the Ministers coming to Hale House. BN attached.
Thanks

Outside Ambit
# Meeting Record

<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>5 September 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time of Call</td>
<td>12.00pm</td>
</tr>
<tr>
<td>Subject</td>
<td>Wagerup Alumina Refinery – buffer/heath issues</td>
</tr>
<tr>
<td><strong>Attendees</strong></td>
<td><strong>Outside Ambit</strong></td>
</tr>
<tr>
<td></td>
<td>Minister Transport; Planning; Lands,</td>
</tr>
<tr>
<td><strong>Reason for Meeting:</strong></td>
<td><strong>Outside Ambit</strong></td>
</tr>
<tr>
<td><strong>(2 sentence background)</strong></td>
<td>The Minister for Transport; Planning; Lands office is receiving significant correspondence about buffer issues for the Wagerup Alumina Refinery near Yarloop and Hamel</td>
</tr>
</tbody>
</table>

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Office of the Hon Rita Saffioti MLA  
Minister for Transport; Planning; Lands  
Level 9  
Dumas House  
2 Havelock Street  
WEST PERTH WA 6005  
Ph: (08) 6552 5500 | Fax: (08) 6552 5501  
Email:xxxx.xxxxx@dpc.wa.gov.au | Website: www.dpc.wa.gov.au
Outside Ambit

- Noise
  - Lawler
  - Particles
- Site Alcoa
- Run Back
- Buffer
- Mandate
- Options

- March 2011
  - Input on zones?
  - 5 items

- "Alcoa Variation
  - Lawler
  - Lawler can it be revised?
  - Have reviews?

- Alcoa - lawler - fines?

- Vol's etc - Review underway.
  - EPA review 2007?

- Purpose: Degradation vs Quality

- Consistent response.
Explanatory File Note
Alcoa Wagerup / Yarloop
Meeting 5.09.17

• The notes in the top right of page are my pre-meeting notes for possible discussion (e.g. matters raised by people in correspondence).

• The note relating to 'purpose -' relates to whether a 'buffer', as is proposed by some Yarloop residents, would be intended to result in depopulation of the area or simply to provide clarity to landowners/the public within the 'buffer'.

• Items marked with an '*' are for future action or noting.