



SENATOR THE HON PENNY WONG
Minister for Finance and Deregulation

REF:C10/3549

Senator Rachel Siewert
Senator for Western Australia
Unit 1, 151 Brisbane Street
NORTHBRIDGE WA 6000

Dear Senator

Thank you for your letter of 7 December 2010, regarding the transfer of former Commonwealth land at Point Peron, Western Australia to the Western Australian Government.

I apologise for the delay in responding, however my department had to access files held by the National Archives of Australia to undertake thorough research regarding the terms of transfer and any caveats placed on the use of the land at Point Peron.

The original transfer in 1964 was made on the proviso that the land '*...shall be used for recreation and/or park lands.*' On 27 November 1968, the then Prime Minister, the Right Honourable John Gorton MP PC wrote to then acting Premier of Western Australia, the Hon David Brand MLA regarding approval for an exception to the caveat. Prime Minister Gorton wrote that:

'...the Commonwealth, on the understanding that the two areas which the state wishes to use for its proposed sewerage treatment plant and for its works in connection with its proposed harbour and transport complex will not be used for private industrial, commercial or residential development, has no objection to the particular areas of land, totalling some 160-180 acres, being used for the state development projects you have described...'

In general, it is the state government's responsibility to determine the use of its land, including planning and environmental considerations; however, due to the Commonwealth's ongoing legal interest in the site, I have asked my department to contact the Western Australian Department of Planning for further information regarding their plans for the site.

Thank you for bringing this matter to my attention. I have copied this letter to the Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, for his information.

Yours sincerely

Penny Wong