



DEPARTMENT OF
FINANCE AND
ADMINISTRATION

Reference: DPG00/00105

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Dear s22

**MANGLES BAY MARINA SITE - POINT PERON, ROCKINGHAM,
WA**

I refer to your letter of 3 March 2000 and apologise for the delay in providing a final response to you.

This Department recently took legal advice on the Commonwealth's position as previous owner of the land. The advice we have received is to the effect that the Commonwealth, as previous owner, does not have any continuing binding legal rights in relation to the use of the land in issue. In particular, we have been advised that the Commonwealth does not have any legal right as previous owner to require the Point Peron land to be kept as a reserve.

As previous owner, the Commonwealth makes no objection to the conversion to freehold of the Point Peron land referred to in your letter. Of course, this Department has not made any review of whether the carrying out of your proposal will come within any of the provisions of the *Environment Protection and Biodiversity Conservation Act 1999*. Nothing said in this letter should be taken to provide a clearance - if any - required under that Act.

In light of this advice, we have not liaised with other interested parties in the Commonwealth as envisaged in our interim letter to you of 21 September 2000.

I hope this clarifies the Commonwealth's position in relation to this matter.

Yours sincerely

s22

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Director
Public Interest Estate
Portfolio Management Branch
Property Group
30 November 2000