

Date: **19 November 2021** | Your Ref: **A920769. Petition No. 27**
Enquiries: | Our Ref: **02056**

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Hon Peter Foster MLC
Chair
Standing Committee on Environment and Public Affairs
Parliament House
4 Harvest Terrace
WEST PERTH WA

Dear Mr Foster

PETITION NO. 27 - PERCY DOYLE RESERVE

Thank you for your letter dated 14 October 2021 concerning the above petition containing Ms M O'Byrne's submission.


I have attached information in response to matters raised in the petitioner's submission. The submission mainly appears to be addressing a past project relating to Percy Doyle Reserve.

Council resolved at its meeting held on 17 November 2021 that the City cease its investigations into a potential Crown land acquisition for part of Percy Doyle Reserve based on the community's reaction. No further action, therefore, has been taken.

Should you require any other information regarding this matter, please contact me again.

Yours sincerely

21CEO37


James Pearson
Chief Executive Officer

Response to the Standing Committee on Environment and Public Affairs Petition No. 027 - Percy Doyle Reserve

The petition and submission request that the Department of Planning Lands and Heritage does not sell any part of Percy Doyle Reserve to the City of Joondalup under concessional acquisition for retail, housing, or commercial purposes.

Reporting to the Major Projects and Finance Committee

The Major Projects and Finance Committee (Committee) meets every two months from March. In general, major projects and other land-related projects are dealt with by the Committee before being considered by Council. Part of the City Projects' Business Unit's role is to review City freehold and managed Crown land to report on potential optimisation opportunities on behalf of the City and the community.

At the Committee meeting held on 9 March 2020, it was reported that two major retail operators had shown interest in acquiring land on the northern portion of Percy Doyle Reserve, Lot 14077* (40) Warwick Road, Duncraig (Lot 14077). One of the retail operators had provided a concept plan that indicated an approximate location.

As local governments can apply to the Department of Planning Lands and Heritage (DPLH) for the concessional acquisition of the Crown land it manages, the report recommended investigations into the possibility of acquiring Crown land at a location yet to be defined on the northern boundary of Percy Doyle Reserve. Appendix 1 is a location plan.

The report detailed that *"If the concessional acquisition of Lot 15074* was successful, it would create a prime commercial site. A market-sounding exercise prior to disposal of the land would establish the level of interest of commercial developers. A high level of interest by developers could be a catalyst to include the examination of Duncraig Library and Duncraig Leisure Centre, which are two aged community facilities at this location with a view to achieving the best overall value from any land disposal."*

The two community facilities were referenced as commercial development can be designed around multi-functional community facilities creating a community hub. The premise was that if the community and DPLH supported the acquisition proposal, there might be the possibility for a successful, cost-effective negotiation with a developer that has significant benefits for the City and the community.

Percy Doyle Master Plan Project Concluding in 2015

The report highlighted that investigations had previously taken place into a potential commercial use on the northern area of Percy Doyle Reserve as part of the *Percy Doyle Reserve Masterplan Project*, which concluded in 2015 when an alternative approach was supported by Council (Item CJ061-01/15 refers).

* Initially, when reporting to the Major Projects and Finance Committee on the matter, the location of interest within Percy Doyle Reserve was incorrectly referred to as Lot 15074 (46) Warwick Road, Duncraig, rather than Lot 14077 (40) Warwick Road, Duncraig. The incorrect address was noted and corrected in a report to the Committee meeting of 7 September 2020.

Notably, the retail needs assessment (October 2014) associated with the *Percy Doyle Master Plan Project* referred to by the petitioner acquired via a Freedom of Information application is associated with this earlier project, and not the investigations reported on during 2020.

It is acknowledged that some of the content in the October 2014 retail needs assessment would have been of interest to the 2020 investigations; however, the location, potential lease area detailed, and commercial development mix had no relevance to the City's proposed 2020 investigations.

When reporting commenced on the commercial interest being shown in Percy Doyle Reserve in March 2020 that recommended that investigations commence, the following applied:

- No contact had been made with the DPLH by the City
- There were no firm plans or locations decided upon as the City had not met with either of the two retail operators.
- The City had made no progress on the investigations from its preliminary internal referral process conducted at the end of 2019/early 2020.

The above status continued until 17 November 2020 when Council decided on the matter via a Notice of Motion resulting in the following resolution by Council:

"1 REQUESTS the Chief Executive Officer to cease any further investigations into the acquisition of any part of Lot 14077 (40) Warwick Road, Duncraig for commercial purposes, at this time.

2 NOTES that any development of Lot 14077 (40) Warwick Road, Duncraig will be in accordance with the zoning of the land (currently "Civic and Community."

Related reports concerning this matter are shown on Appendix 2 with links provided.

Strategic Position Statement

Concerning community facilities, the following is the Council endorsed Strategic Position Statement last reviewed and adopted by Council at its meeting of 17 April 2018 (CJ061-04/18 refers):

"Major amendment to consider private commercial facilities in upgrade projects and to include opportunities for the decentralisation of services to other community facilities."

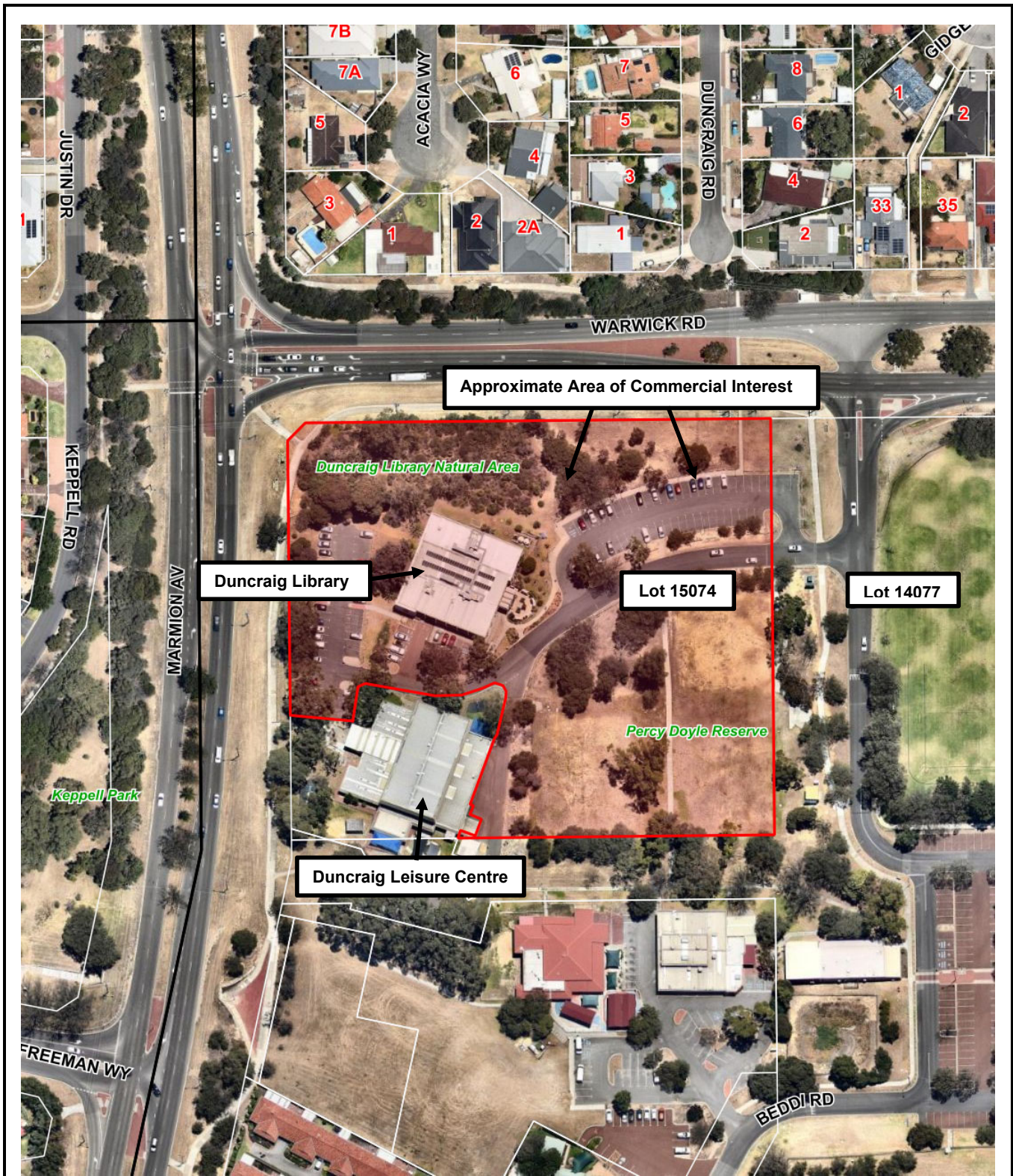
Conclusion:

The City has Council's endorsement via the above Strategic Position Statement to examine potential opportunities related to land optimisation be it driven by the City or developers. As part of considering an application for concessional acquisition of Crown land, the DPLH requires the affected community to indicate its support via community consultation.

Council needs to support a proposal in principle to endorse community consultation as a stage of the investigations.

Concerning the commercial interest in Percy Doyle Reserve, Council has requested the City to cease its acquisition investigations

Appendix 1



Appendix 2 – Schedule of Related Reports

Below are links to the Major Projects and Finance Committee minutes concerning the City of Joondalup's investigations into the potential acquisition of part Percy Doyle Reserve for commercial development on the northern boundary.

Committee and Council Meeting Date	Link to Related Minute	Report Update Summary
Major Projects and Finance Committee Meeting dated 9 March 2020 (Item 2)	Major Projects and Finance Committee Minutes - 9 March 2020	The first report where the Committee supports the recommendation of investigations into the potential concessional acquisition of part of Percy Doyle Reserve. Two major retail developers had indicated indicating their interest in the location.
Major Projects and Finance Committee Meeting dated 4 May 2020 (Item 7)	Major Projects and Finance Committee - 4 May 2020	This report refers to examples of issues already identified that may need to be dealt with before submitting a business case to the DPLH.
Major Projects and Finance Committee Meeting dated 13 July 2020 (Item 4)	Major Projects and Finance Committee - 13 July 2020	The report detailed that the City had not received the requested proposals from the two retail operators, potentially due to their management of the COVID-19 pandemic situation.
Major Projects and Finance Committee Meeting dated 7 September 2020 (Item 2)	Major Projects and Finance Committee - 7 September 2020	The information in the report was similar to that detailed above.
Major Projects and Finance Committee Meeting dated 2 November 2020 (Item No.2)	Major Projects and Finance Committee - 2 November 2020	The report clarifies the difference between the City's <i>Percy Doyle Reserve Master Plan</i> project that progressed from 2012 until 2015 and the 2020 investigations. The report also detailed that concerning the 2020 enquiries, no firm discussions had taken place with developers since the initial contact. Officers were conducting preliminary investigations into relevant matters regarding the site before anything was subsequently presented to Council.
Council Meeting of 17 November 2020 (Item Nos CJ119-11/20 and CJ120-11/20)	Notice of Motion by Cr Suzanne Thompson - Page 149 refers	<p>Cr Thompson moves a motion at the Council meeting regarding the City ceasing investigations into the acquisition of part of Percy Doyle for commercial reasons and that any development of Lot 14077 is to be in accordance with its current zoning of 'Civic and Community.'</p> <p>Pages 19 and 20 also provide information on the City's responses to questions raised on Percy Doyle Reserve by the petitioner.</p>