

**Reference: Petition No. 182 / Now petition 027**

**To:** Standing Committee on Environment and Public Affairs, Legislative Council

**From:** Mary O'Byrne, , Lead petitioner "Preserve Percy Doyle Reserve Petition" tabled by Hon Alison Xamon MLC in the Legislative Council on 25 November 2020 with 2929 Signatures followed now with 235 signatures – **3164 signatures total** tabled by the Hon Brad Pettitt on 2 September 2021. The petition and submission both request that the DPLH does not sell off any part of the Percy Doyle Reserve (PDR) to the City of Joondalup under concessional acquisitions either for retail, housing or commercial purposes. Instead we ask you to support the maintenance of the PDR as Crown land and to its present designation as one of the Foremost Sporting, Cultural, Civic and Recreational Spaces in the City of Joondalup. Changes to the PDR Crown Land sites are presently organised through Memoranda of Agreements (MOU) between the State Government and the City of Joondalup – this process we support.

Duncraig's Percy Doyle Reserve identifies as a Regional Park both in form and function as it services the surrounding suburbs in the northern corridor. It has 4 active grassed sporting grounds, substantial sporting infrastructure and 10 buildings that currently service both the local community and over 40 sporting clubs and community groups. It provides sports and recreation to a regional population catchment. This land meets fully the Criteria set out in the Land Administration Act 1997 for the creation of a reserve and by inference for its maintenance as a reserve – it holds absolute intrinsic community value for civic, sports and community activities. Some limited, non-intrusive commercial in the form of a Day Care Centre and an After-School Child Care Centre is already on the Percy Doyle Reserve, close to residential on Beddi Rd. – but is in keeping with the normal community interactions on the Reserve. The Day Care attendees incorporate the Library, the Edible Garden and the little bush reserve into their own special excursion trips. A large-scale retail development will diminish community access and inclusion to (on) the site as enjoyed presently by all site users including the very elderly.

The Northern part of the reserve hosts a Library, Leisure Centre, a community garden, and the small bush reserve of 0.3ha which is attached to the Library – of high conservation value and should be preserved. It offers staging foraging to Carnaby Cockatoos and the author of this report has photographed 11 native birds on site. Also proximal to the Library is the Duncraig Edible Garden – the only community garden on Crown Land in the City of Joondalup. It's run on Permaculture Values (Ethics and Principles), Earth Care, People Care, and Fair Share, which values sustainable and regenerative living. Local residents attending the Library drop off their own garden produce to share as well as taking a handful of herbs home for their own use. In recent years the City gave permission for the gardeners to dig out grass and plant endemic natives on the verge out to the access road in front of the Library and the State Government gave funding for raised garden beds.

There's a high focus of over 55 accommodation in the immediate PDR area, in the Glengarry shops area, in nearby Marmion suburb and residents choose the area specifically for the wide range of community activities, the Library, Leisure centre and Edible Garden facilities open to them in the reserve. There's also staged age care in the area and even when seriously ill the independent elderly make their own way to the library which is spacious and well set up for social activity as well as research and study. It's one of the 10<sup>th</sup> most used libraries in the state and we don't want it buried under tarmac. We absolutely have enough shops in the local area.

The City indicated the northern part of the reserve as the 'approximate area of interest' in an attachment to the Major Projects and Finance Committee Minutes March 09, 2020, but since acquiring the Retail Needs Assessment Document 2014 under FOI a much larger retail facility is ahead for the Northern part of the PDR if the DPLH sells the PDR land off to the City under concessional acquisitions. Please remember Joondalup's Mayor Jacob is pro-development – a fact he fully acknowledged in a recent interview to Business News, where he also cited his happiness in being able to deliver on large scale projects. SEE: <https://www.joondalup.wa.gov.au/files/committees/MPFI/2020/Attach2agnMPF200309.pdf> Photo 5 for the 'Approximate 'area of interest'. It doesn't include, but it should include the Duncraig Leisure Centre.

The RPS FOI Doc is heavily Copyrighted, but referring to the Executive Summary pages 1 & 2 it seems that the Alexander Heights Shopping Centre with two Major Retailers is the best analogy of what's intended for the Percy Doyle Reserve. Committee Members may visit the FB Page 'Preserve Percy Doyle Reserve and view how it's possible to superimposed the Alexander Heights SC onto the C of J 'Approx. Area of Interest' in PDR.

**Logical Sequence to C of J seeks Retail on PDR, Duncraig.** At its meeting held on **19 August 2014** (CJ132-08/14 refers), Council amended the position statement re Percy Doyle Reserve and other large projects as follows:

“Multipurpose and shared use – where possible, facilities will be designed to be flexible spaces that are multi-purpose and allow co-location of groups / activities” and for **Master Planning**: “Private commercial facilities should also be considered within upgrades and developments of master planned community facilities”..

October 2014: City of Joondalup engaged the services of RPS, a specialist Subiaco Town Planner accustomed to integrating land users AND enabling commercial developers to invest BEYOND 'traditional building forms'. RPS undertook a **Retail Needs Assessment Report** for the City in **October 2014**, (Reference PDR Master Plan Site Analysis – Retail Needs Assessment, Pages 1 through to Page 42 - Copyright RPS).

This PDR investigative process halted whilst the City tackled the Performance Arts & Cultural Facilities issues then **resumed post June 2017** for PDR Reports to reappear in the C of J Mayor Projects and Finance Committee bi monthly meetings **from March 9 2020**. SEE: <https://www.joondalup.wa.gov.au/kb/resident/committees-agendas-and-minutes> and cites “Interest by two major commercial operators to acquire an area of land on the northern boundary of Lot 15074 has been indicated.”

March 09 Minutes recommends an up-to date RNA be undertaken should the City proceed with the retail project. City officers have done desktop analysis of problem areas to do with traffic, **Page 32**: “Matters for resolution were also identified by a recent internal review process. Traffic impact, land levels and potential power issues as an example” **Page 35**: Fate of the Library and Leisure Centre – “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 best overall value from any land disposal. Please not this is an active, not a passive statement.

From Mayor Jacob (Audio only, Aug. 18 Ordinary Council Meeting) and following a self-congratulatory statement on the Ocean Reef Marina – “The next Major Project in the City of Joondalup is Percy Doyle. That will bring change – will bring significant change for the local Duncraig Community – (M O’Byrne has full audio transcription – can supply on request)..

From the lips of the Dep. Mayor to a local shop keeper: “Coles were interested but have now gone away” Other FOI Documents obtained by “Save Duncraig Leisure Centre Group” make it clear that the City’s CEO, Mr Garry Hunt took steps to transfer the Duncraig Leisure Centre (DLC) to the Churches of Christ Sports & Recreation **from July 2018** with formal negotiations opening in Dec 2018. Handover was scheduled for July 2019 with a firm plan already in place to relocate DLC user groups. This was all sorted before the City started the meaningless DLC public consultation process which was finalised August 18. 2020.

It took 10 days to persuade shops to host the Legislative Council Petition, 10 days to raise just over 2000 signatures and in just one day Mayor Jacob almost ‘killed it’ with the release of the following: statement: “I want to place on the public record and make it very clear – the City has not agreed to sell or redevelop part of Percy Doyle Reserve for commercial purposes. ...” “And I am sorry that this propaganda has caused needless anxiety for our community and has wasted the City’s resources and time. It is false information, it is fiction, and I am calling it out as such.” After that it was virtually impossible to send out the petition to groups. I had to remove it from shops before filled in sheets were destroyed. I continued the signature gather myself and talking to residents personally made a difference. The Deputy Mayor, Russ Fishwick took exception to my collecting at the Sorrento Bowling Club, harangued me and told me to go away – ‘did I have permission from the City of Joondalup to be there? In no one’s way and not on private property. The petition was described by one councillor and reported in the community news as ‘dodgy. I know that Mayor Jacob’s statement *is only true in so far as the City does not yet own the land and I hope for the sake of the residents that this* Stand-Committee takes against eventual handover of the PDR Crown Land under Acquisition to C of Joondalup.

July12, 2021 Citing Community Concerns (infers this petition) The City ceased pursuing the Business case to purchasing under acquisitions stating “**The City has not contacted the DPLH regarding this matter. Due to community opposition, the investigations were discontinued into the acquisition of Crown Land.**” [https://api.joondalup.wa.gov.au/files/committees/MPFI/2021/210712\\_MPFC\\_MIN.pdf](https://api.joondalup.wa.gov.au/files/committees/MPFI/2021/210712_MPFC_MIN.pdf) Despite this outcome which seems to match the community required outcome – May I ask the committee to remember that the City of Joondalup has a major portion of the footwork done to convert the Northern portion of the PDR to large scale retail and could reintroduce it at any time through the Major Projects & Finance Committee system; that the community overwhelming requests that the PDR is retained as Crown Land to its present designation on into the future; that the committee makes its intentions clearly understood that it supports the community aspirations on into the future. Thank you for permitting this presentation. Mary O’Byrne / 01 October 2021