# USE OF KARRATHA CITY CENTRE RESERVED LAND

## 1. Citation

This Local Planning Policy has been prepared pursuant to Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions). The policy may be cited as Local Planning Policy 23 – Use of Karratha City Centre Reserved Land (LPP 23).

## 2. Introduction

The purpose of this policy is to provide clear guidance on the assessment of land use and development proposals that impact the land reserved under the *Land Administration Act 1997* within the Karratha City Centre, including road reserves. It establishes the City's expectations for when private use of public land is acceptable and ensures such land uses contribute to the amenity and character of the urban core.

The Karratha City Centre contains a network of public reserves designed for infrastructure, drainage and recreation. As the City Centre grows, there is increasing demand for private businesses to use this land for alfresco dining, car parking or landscaping. While some activities can improve the vibrancy and amenity of the area, it is important to ensure that proposals do not compromise the primary function of the reserve or public safety.

## 3. Objectives

3.1. The objectives of this policy are:

(a) To provide clear guidelines for the consistent application of development proposals that impact reserved land.

(b) To ensure any development on reserved land contributes to public amenity and safety.

(c) To facilitate a high-quality urban environment by encouraging businesses to contribute positively to streetscape amenity through landscaping and active frontages.

## 4. Application of this Policy

### 4.1. Extent of Scope

4.1.1. This policy applies to all development proposals on land within the Karratha City Centre that is:

(a) Reserved under Part 4 of the *Land Administration Act 1997* for a public purpose (including, but not limited to, Parks and Recreation, Civic Use, Drainage); or

(b) A road reserve, including road verges, where a Section 57 lease has been obtained.

## 4.2. Relationship with Other Instruments

4.2.1. This policy is to be read in conjunction with the City of Karratha Local Planning Scheme No. 8 (the Scheme) and any other relevant local planning policies. To the extent of any inconsistency between this policy and the Scheme, the Scheme prevails.

4.2.2. Proponents should note that approvals for commercial activities including alfresco dining or street trading on reserved land may also require:

(a) a Permit under the City of Karratha *Activities in Thoroughfares and Public Places and Trading Local Law 2017;* and/or

(b) a formal tenure arrangement under the *Land administration Act 1997* via the Crown Land Enquiry Form process.

Compliance with this policy does not exempt a proponent from other requirements.

## 4.3. Assessment Criteria

4.3.1. Development approval should be obtained for any building, structure or use of land on reserved land unless otherwise exempt under the Scheme or Clause 61 of the Deemed Provisions.

4.3.2. The City should exercise its discretion when considering the suitability of development on reserved land. The City should exercise its discretion having regard to:

(a) The primary purpose and functional requirements of the reserve;

(b) The potential to enhance the City Centre amenity and vibrancy through high-quality urban design, landscaping or public art;

(c) The impact on existing and future public infrastructure, including the functional requirements of drainage reserves and utility easements;

(d) Safety and accessibility, including specifically, potential impacts on pedestrian safety and the efficient movement of vehicles; and

(e) Site context including whether the proposed development or use can be reasonably accommodated within the adjoining private property.

# 5. Policy Provisions

## 5.1. Alfresco Dining and Street Trading

5.1.1. Alfresco dining should be designed to allow for the continued functional use of the reserve and allow for unobstructed pedestrian circulation.

5.1.2. Any proposed use of reserved land should demonstrate that it does not detrimentally impact the safety of pedestrians or the efficient movement of vehicles.

5.1.3. Adequate lighting should be provided to ensure the safety and amenity of the area after dark.

5.1.4. Proponents should consider the inclusion of public art or high-quality landscaping within alfresco areas to contribute positively to the vibrancy of the City Centre.

## 5.2. Private Use of Public Reserves

5.2.1. The use of public reserves for private purposes, such as car parking or commercial landscaping, may be considered where it can be demonstrated that the primary purpose and functional requirements of the reserve are not compromised.

5.2.2. Any proposed modification to an existing drainage reserve should be accompanied by a professional engineering investigation to determine impacts on the drainage network and identify necessary mitigation measures.

5.2.3. Structures or landscaping within a road reserve should be designed to maintain clear sightlines for motorists and pedestrians in accordance with relevant safety standards.

## 5.3. Design and Streetscape Quality

5.3.1. Development on reserved land should be of a high architectural standard and utilise materials and finishes that complement the surrounding City Centre character.

5.3.2. Where private landscaping is proposed on reserved land, proponents should provide a management plan to ensure the ongoing maintenance and quality of the vegetation.

# 6. Document Control

| Version | Decision to Adopt / Amend |
|---|---|
| 1. | 18 May 2015 \| Ordinary Council Meeting \| Item 11.3 |
| 2. | 26 October 2026 \| Ordinary Council Meeting \| Item 12.1 |
| 3. | |
| 4. | |

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| **Review Frequency** | Every 5 years | | |

| **Related Documents** | |
|---|---|
| **Internal** | **External** |
| City of Karratha Local Planning Scheme No. 8 | |

**Relevant Legislation**

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Land Administration Act 1997*
- *Activities in Thoroughfares and Public Places and Trading Local Law 2017*

**This policy takes effect from the date of adoption by Council and shall remain valid for a period of 5 years unless reviewed prior.**
All records created or maintained under this document must be captured in the City's approved recordkeeping or business system. These records are to be retained and managed in accordance with the *State Records Act 2000*, *Privacy and Responsible Information Sharing Act 2024*, the City's Recordkeeping Plan, and authorised disposal authorities.