

A panoramic view of the Perth city skyline, featuring various skyscrapers and buildings, with a bridge visible in the foreground. The image is set against a blue sky and a body of water.

**City of Perth**  
**City Planning Scheme**  
**No. 2**

**Part 1**

# **Introduction**

## 1 Title

This town planning scheme may be referred to as the City of Perth City Planning Scheme No. 2.

## 2 Commencement

This Scheme commences on the gazettal date.

**NOTE:** 1. The “gazettal date” is defined in Schedule 4.

## 3 Scheme Documents

(1) This Scheme comprises the following documents -

- (a) the Scheme text;
- (b) the Scheme map;
- (c) the Plot Ratio Plan;
- (d) the Maximum Bonus Plot Ratio Plan;
- (e) the Public Facilities Bonus Plot Ratio Plan;
- (f) the Heritage Bonus Plot Ratio Plan;
- (g) the Residential Bonus Plot Ratio Plan;
- (h) the Special Residential Bonus Plot Ratio Plan;
- (i) the Maximum Building Height Plan;
- (j) the Street Building Height and Setback Plan;
- (k) the Deemed Provisions; and
- (l) the Supplemental Provisions contained in Schedule A to the Deemed Provisions.

(2) Documents made and amended pursuant to the Scheme include:

- (a) each precinct plan;
- (b) each planning policy;
- (c) each local government register;
- (d) the functional road hierarchy map;
- (e) each structure plan;
- (f) each activity centre plan;
- (g) each local development plan; and
- (h) the Heritage List.

(3) Notes are provided for information only and are not part of the Scheme.

**NOTE:** 1. The Deemed Provisions are set out in the Planning and Development (Local Planning Scheme) Regulations 2015: Schedule 2 gazetted on 25 August 2015.



2. The “Scheme text”, “precinct plans”, “planning policy”, “local government register”, “Scheme map” and “functional road hierarchy map” are defined in Schedule 4.
3. The amendment procedures applying to precinct plans, planning policies, local government registers and the functional road hierarchy map are set out in clauses 4, 5 and 6 of the Deemed Provisions.
4. The amendment procedures applying to structure plans, activity centre plans and local development plans are set out in the Deemed Provisions.
5. Subject to Amendment No. 5 gazetted on 11 September 2007, No. 25 gazetted on 26 February 2013, No. 26 gazetted on 18 July 2014 and No. 35 gazetted on 24 February 2017.

#### 4 Scheme Area

- (1) This Scheme applies to the Scheme area which covers all the district of the local government, apart from the area illustrated on the Scheme Map comprising the land that is in the DevelopmentWA Area.
- (2) The land depicted on the Scheme Map as the Normalised Redevelopment Area is subject to this Scheme and the City of Perth Local Planning Scheme No. 26 (Normalised Redevelopment Areas), and is not subject to the provisions of the Central Perth Redevelopment Scheme.

**NOTE:** 1. Parts of the Scheme area are also subject to other planning laws such as the Metropolitan Region Scheme (see clause 7) and minor town planning schemes (see clause 8).  
2. Subject to Amendment No. 5 gazetted on 11 September 2007, No. 28 gazetted on 17 March 2015, No. 35 gazetted on 24 February 2017 and No. 46 gazetted on 6 May 2022.

#### 5 Responsible Authority

The authority responsible for administering this Scheme is the local government.

**NOTE:** 1. The “local government” is defined in the Deemed Provisions.  
2. Subject to Amendment No. 35 gazetted on 24 February 2017.

#### 6 Objectives and Intentions

- (1) The local government has prepared this Scheme for the purpose of controlling and guiding development and growth in a responsible manner and which can initiate, accommodate and respond to change.
- (2) The overall goal of this Scheme is to ensure that the local government and its environs will be widely recognised as a viable world class city providing a high level of services and amenities in a friendly and accountable manner.
- (3) The general objectives of this Scheme are -
  - (a) to recognise and reinforce the role of Perth as the capital of Western Australia and the administrative, financial and political centre of the State;
  - (b) to cater for the diversity of demands, interests and lifestyles by facilitating and encouraging the provision of a wide range of choices in housing, business, employment, education, leisure, visitor accommodation and attractions, transport and access opportunities;
  - (c) to protect and enhance the health, safety and general welfare of the local government’s inhabitants and the social, physical and cultural environment of the local government;

- (d) to ensure that the use and development of land is managed in an effective and efficient manner within a flexible framework which -
  - (i) promotes development of a sufficient intensity within the city to reflect its capital city status;
  - (ii) recognises the individual character and needs of localities within the Scheme area;
  - (iii) can respond readily to change; and
  - (iv) is consistent with the Region Planning Scheme and wider regional planning strategies and objectives;
- (e) to promote the development of a sense of local community and recognise the right of the community to participate in the evolution of localities;
- (f) to promote and safeguard the economic well-being and functions of the local government;
- (g) to co-ordinate and ensure that development is carried out in an efficient and environmentally responsible manner which -
  - (i) makes optimum use of the local government's growing infrastructure and resources;
  - (ii) promotes an energy efficient environment; and
  - (iii) respects the natural environment;
- (h) to promote and safeguard the cultural heritage of the local government by -
  - (i) identifying, conserving and enhancing those places which are of significance to Perth's cultural heritage;
  - (ii) encouraging development that is in harmony with the cultural heritage value of an area; and
  - (iii) promoting public awareness of cultural heritage generally;
- (i) to ensure that all development-
  - (i) is of a high architectural design quality;
  - (ii) delivers a high level of amenity within the public realm by-
    - A. being of a scale along the street alignment which is conducive to creating a comfortable pedestrian environment;
    - B. allowing for appropriate levels of sunlight penetration into key pedestrian and public spaces;
    - C. minimising adverse wind impacts;
  - (iii) delivers a high level of amenity within buildings by providing for appropriate natural light access, natural ventilation, privacy and outlook; and
  - (iv) contributes to an attractive city skyline and outlook from the public realm.

**NOTE:** 1. Subject to Amendment No. 25 gazetted on 26 February 2013, No. 26 gazetted on 18 July 2014 and No. 35 gazetted on 24 February 2017.

## 7 Relationship with Other Laws

- (1) This Scheme is complementary to, and not a substitute for, the Region Planning Scheme.
- (2) Where a provision of this Scheme is inconsistent with a provision of a local law, the provision of this Scheme prevails.
- (3) The R-Codes are to be read as part of this Scheme.

**NOTE:** 1. The "Region Planning Scheme" is defined in clause 1 of the Deemed Provisions.  
2. The Region Planning Scheme covering the local government area is the Metropolitan Region Scheme.  
3. The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission.  
4. Subject to Amendment No. 35 gazetted on 24 February 2017.

## 8 Minor Town Planning Schemes

- (1) The local government administers the following minor town planning schemes which are complementary to this Scheme -
  - (a) City of Perth Town Planning Scheme No.11 (Wesley Trust);
  - (b) City of Perth Town Planning Scheme No.13 (SGIO);
  - (c) City of Perth Town Planning Scheme No.14 (Withernsea);
  - (d) City of Perth Town Planning Scheme No.16 (AMP);
  - (e) City of Perth Town Planning Scheme No.21 (FAI Site);
  - (f) City of Perth Town Planning Scheme No.23 (Paragon);
  - (g) City of Perth Town Planning Scheme No.24 (131 - 137 Adelaide Terrace);
  - (h) City of Perth Local Planning Scheme No.26 (Normalised Redevelopment Areas).
- (2) Unless the contrary intention appears, a reference in any of the minor town planning schemes mentioned in sub clause (1) to the City of Perth City Planning Scheme is to be taken to refer to this Scheme.

**NOTE:** 1. Subject to Amendment No.8 gazetted on 10 July 2007, No. 5 gazetted on 11 September 2007, No. 9 gazetted on 30 November 2007, No. 16 gazetted on 2 September 2008, No. 27 gazetted on 17 January 2014, No. 28 gazetted on 17 March 2015, No. 29 gazetted on 17 March 2015 and No. 35 gazetted on 24 February 2017.  
2. Subclause (2) refers to this Scheme, which also includes the Deemed Provisions.  
3. The minor town planning schemes must be read in conjunction with the Deemed Provisions.

## 9 Repeals

The following written laws are repealed –

NAME	DATE OF PUBLICATION IN THE GOVERNMENT GAZETTE
(a) City of Perth City Planning Scheme	20 December 1985
(b) Zoning By-law No.64	10 October 1961
(c) Zoning By-law No.65	24 May 1962
(d) Town Planning Scheme No.22	11 December 1998
(e) Town Planning Scheme No.18	30 March 1990
(f) Town Planning Scheme No.19	12 September 1997
(g) Town Planning Scheme No. 7	17 January 2014

**NOTE:** 1. *The repeal of each of these schemes and by-laws extends to any amendments to them (see section 33 of the Interpretation Act 1984).*  
 2. *Subject to Amendment No. 8 gazetted on 10 July 2007, No. 9 gazetted on 30 November 2007, No. 16 gazetted on 2 September 2008 and No. 29 gazetted on 15 March 2015.*

## 10 Definitions

In this Scheme, unless the contrary intention offers, the words and expressions used have the meanings set out in Schedule 4 and the Deemed Provisions.

**NOTE:** 1. *The definitions of words and expressions set out in section 4(1) of the Planning and Development Act 2005 are also relevant for the purposes of the Scheme.*  
 2. *Subject to Amendment No. 35 gazetted on 24 February 2017.*