

Building Heights and Setbacks Local Planning Policy

Draft November 2024

Version Control

Version #	Date	Action
1	Date of Adoption (00/00/0000)	Adopted
2	Date of Amendment (00/00/0000)	Amended
3	Date of Amendment (00/00/0000)	Amended

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1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This policy may be cited as *Building Heights and Setbacks Local Planning Policy*.

2. Purpose and Application

2.1. Purpose

The purpose of this policy is to guide appropriate building heights and setbacks that apply to development within the city.

2.2. Application

This policy applies to all applications for development approval on land zoned on the Scheme Map across the city, with the exception of Crawley-Nedlands Neighbourhood (as shown at Figure 1).



Figure 1: City of Perth Neighbourhood Areas Map

2.3. Relationship to other Planning Documents

This policy should be read in conjunction with the City of Perth *Local Planning Scheme No. 3 (LPS3)* and other relevant local planning policies including:

- General Design Local Planning Policy

- Heritage Local Planning Policy
- Residential Design (Variation of R-Codes) Local Planning Policy
- Character Areas Local Planning Policies
- Heritage Areas Local Planning Policies
- Hay Street Pedestrian Walkways and Road Reserve Widening Policy

Where this policy is inconsistent with LPS3, the provisions of LPS3 prevail to the extent of any inconsistency.

Where this policy is inconsistent with other relevant local planning policies, the provisions of this policy prevail to the extent of any inconsistency, with the exception of the following policies which prevail:

- Heritage Areas Local Planning Policies
- Character Areas Local Planning Policies

Where this policy is inconsistent with the provisions of the Special Control Area No. 2- Royal Perth Hospital Helicopter Flight Path Protection (SCA2), the provisions of SCA2 prevail.

Where this policy is inconsistent with the provisions of the Parliament House Precinct Policy (PHPP), the provisions of PHPP prevail.

2.3.1. Relationship to the Residential Design Codes

For residential development within the Scheme area, this policy should be read in conjunction with the *Residential Design Codes Volumes 1 and 2* (R-Codes Volume 1 and R-Codes Volume 2) and *Residential Design (Variation of R-Codes) Local Planning Policy*.

This policy amends, replaces or augments the Deemed-to-Comply provisions and Acceptable Outcomes of the R-Codes Volume 1 and 2 as detailed in Tables 1 and 2. This policy also contains additional objectives that augment the Design Principles and Element Objectives of the R-Codes Volumes 1 and 2.

Table 1. Relationship to the R-Codes – Volume 1

Design Element	Deemed-to-Comply Provision Modification	Applicable Provision
3.2 Building height	Replace C3.2.1	4.1.1.2(a), 4.1.2.2(a), 4.1.2.2(b) 4.3.2(b), 4.3.2(c), 4.4.1(a)
3.3 Building setbacks	Replace C3.3.1 C3.3.2 C3.3.3 C3.3.4 C3.3.5 C3.3.6	4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a) 4.2.1.1.2(a), 4.2.1.2.2 (a)
3.4 Lot boundary setbacks	Replace C3.4.1 C3.4.2	4.2.2.2(a), 4.4.3(b), 4.4.3 (c) 4.2.2.2(a), 4.4.3(b), 4.4.3 (c)

	C3.4.3	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.4	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.5	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.6	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
	C3.4.7	4.2.2.2(a), 4.4.3(b), 4.4.3 (c)

Table 2. Relationship to the R-Codes – Volume 2

Design Element	Acceptable Outcome Modification	Applicable Provisions
2.2 Building height	Replace A2.2.1	4.1.1.2(a), 4.1.2.2(a), 4.1.2.2(b) 4.3.2(b), 4.3.2(c), 4.4.1(a)
2.3 Street setbacks	Replace A2.3.1	4.2.1.1.2(a), 4.2.1.2.2 (a)
2.4 Side and rear setbacks	Replace A2.4.1 A2.4.2	4.2.2.2(a), 4.4.3(b), 4.4.3 (c) 4.2.2.2(a), 4.4.3(b), 4.4.3 (c)
2.7 Building separation	Replace A2.7.1	4.2.2.2(a), 4.2.2.2(b)

3. Objectives

To ensure that the heights and setbacks of buildings contribute to the creation of a city which:

- (a) has a high level of amenity within buildings;
- (b) has functional and attractive pedestrian areas and public spaces;
- (c) has an attractive skyline and outlook from the public realm;
- (d) conserves, respects and enhances heritage-protected places;
- (e) allows sunlight access to pedestrian areas and public open spaces; and
- (f) enhances opportunities for urban greening.

4. Provisions

4.1. Building Height

4.1.1. Maximum Lower Built Form Heights

4.1.1.1. Objectives

General

- (a) To enable lower built form height to reflect the desired built form outcome for different areas in the city.
- (b) To ensure that lower built form height respects and enhances the heritage-protected places within the street.

Urban Setting

- (c) To provide a low to medium scale lower built form which relates to the role of the street.

Landscaped Setting and Landscaped Frontage

- (d) To provide a low-medium to medium scale lower built form.

4.1.1.2. Provisions

- (a) Maximum lower built form heights shall be in accordance with the Maximum Lower Built Form Height Plan.

4.1.2. Maximum Building Heights

4.1.2.1. Objectives

- (a) To enable maximum building heights to reflect the desired built form outcome for different areas in the city.
- (b) To ensure that maximum building heights respect and enhance the heritage-protected places within the street.

4.1.2.2. Provisions

- (a) Maximum building heights shall be in accordance with the Maximum Building Height Plan.

Note: Where no maximum building height is specified for a lot on the Maximum Building Height Plan, the overall built form shall be determined through reference to the objectives of this policy and other built form controls such as maximum lower built form height and setbacks and plot ratio of the lot.

Note: Where no maximum building height is specified for a lot on the Maximum Building Height Plan, the maximum height of a building may be affected by the Airspace Protection Surfaces of Perth Airport.

- (b) Structures located above the roof and in excess of the heights specified on the Maximum Building Height Plan may be considered in the following circumstances, where the objectives of this policy are met:
 - i. The use of the structure is ancillary to the predominant use of the building;
 - ii. The structure is unenclosed, unless it is used for screening and protecting of plant and equipment or stairways;
 - iii. Total height of the structure is not greater than 3m; and

- iv. Such structure meets the objectives and provisions of the *General Design Local Planning Policy*.

4.2. Building Setbacks

4.2.1. Street Setbacks

4.2.1.1. Lower Built Form

4.2.1.1.1. Objectives

General

- (a) To ensure the street setback of the lower built form respects and enhances the heritage-protected places within the street.
- (b) To have regard to the street setback of the other buildings within the street.

Urban Setting

- (c) To provide generally nil street setback for the lower built form.
- (d) To provide a continuous building edge to the street to maximise opportunities for interaction between the private and public realm.

Landscaped Setting and Landscaped Frontage

- (e) To provide a consistent building line along the street.
- (f) To provide sufficient space within the street setback area to accommodate high quality landscaping.

4.2.1.1.2. Provisions

- (a) The street setback of the lower built form shall be in accordance with Table 3 which shall be read in conjunction with Built Form Setting Plan and Built Form Typology Plan and associated figures.

4.2.1.2. Upper Built Form

4.2.1.2.1. Objectives

- (a) To ensure that the street setback of the upper built form respects and enhances the heritage-protected places within the street.
- (b) To ensure the upper built form is setback from the street to reduce the impact of building bulk and wind onto the street.

4.2.1.2.2. Provisions

- (a) The street setback of the upper built form shall be in accordance with Table 3 which shall be read in conjunction with Built Form Setting Plan and Built Form Typology Plan and associated figures.

4.2.2. Side and Rear setbacks

4.2.2.1. Objectives

General

- (a) To provide separation of buildings to protect access to natural light, ventilation and visual privacy for the development and buildings on adjoining lot.

- (b) To ensure the side and rear setbacks of buildings respect and enhance the heritage-protected places.

Landscaped Setting

- (c) To provide sufficient setback areas to accommodate high quality landscaping between buildings.

4.2.2.2. Provisions

General

- (a) Setbacks of developments from the side and rear lot boundaries shall be in accordance with Table 3 which shall be read in conjunction with the Built Form Setting Plan and Built Form Typology Plan and associated figures.
- (b) Notwithstanding the setbacks of less than 4m on Table 3, where a proposed wall on a side and/or rear elevation of a building contains openings exceeding 1m² in area and/or balconies, the setback of that wall to the respective side and/or rear boundary shall be no less than 4m.
- (c) Where two or more buildings are proposed on a single development site, they shall be set back from each other as though there were a lot boundary between them.

Table 3. Lot Boundary Setbacks

Urban Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback (Primary and Secondary)	Nil	Streets subject to an angled height plane built form: As defined by the angled height planes Other streets: 5m: up to 60m in building height 10m: above 60m in building height
Side Setback	Nil	4m: up to 60m in building height 8m: above 60m in building height
Rear Setback	Nil: up to 12m in building height 4m: above 12m in building height	4m: up to 60m in building height 8m: above 60m in building height

Landscaped Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback	4.5m	9.5m
Secondary Street Setback	3m	8m
Side and Rear Setback	4m	8m

Landscaped Frontage Setting		
	Lower Built Form	Upper Built Form
Primary Street Setback	4.5m	9.5m
Secondary Street Setback	3m	8m
Side and Rear Setback	Nil: up to 12m in building height 4m: above 12m in building height	4m: up to 60m in building height 8m: above 60m in building height

4.3. Sunlight Access

4.3.1. Objectives

- (a) To maximise sunlight access into footpath, public spaces and buildings.
- (b) To provide sunlight access to a minimum of 50% of the area of public open space, indicated on the Shadow Impact Area Plan¹, during the following:
 - Public Open Spaces in Central Perth Neighbourhood excluding Langley Park:
21st August 12pm-2pm
 - Public Open Spaces in all other Neighbourhoods and Langley Park:
21st June 10am-2pm
- (c) To provide sunlight access to the footpath on the southern side of east-west streets in pedestrian priority areas, indicated on the Shadow Impact Area Plan, between 12pm to 2pm on 21st August.

¹ Those public open spaces have been indicated on the Shadow Impact Area Plan with a 'sunlight access influence area'.

4.3.2. Provisions

- (a) A shadow diagram shall be provided with the application for development approval to demonstrate that the objectives of this policy are met.
- (b) Where development is proposed to the north of a public open space, that is currently shadowed for more than 50% of its area during the target times and dates of the respective objective, the proposed development shall demonstrate that reasonable steps have been taken to mitigate any further overshadowing onto the space.
- (c) Where development is proposed to the north of an east-west street in the pedestrian priority area, a width of the southern footpath (as prescribed in Table 4) shall remain free of shadows between 12pm to 2pm on 21st August.

Table 4. Minimum footpath width required to remain free of shadow between 12pm to 2pm on 21st August

Neighbourhood	Street	Minimum footpath width to remain free of shadow ²
Central Perth	Hay Street Mall	1.5m
	Murray Street Mall	5.5m
	Hay Street	1.5m
	Murray Street	3.5m
West Perth	Hay Street	4m
East Perth	Hay Street	4m
Northbridge	James Street	4m
	Francis Street	4m
Claisebrook	Royal Street	3.5m

² The minimum width shall be measured from the boundary of the lot on the southern side of the east-west street.

- (d) Overshadowing of a development onto any public open space or east-west street in pedestrian priority areas shall be measured based on the cumulative shadow of the existing developments and developments which have substantially commenced at the time of assessment of the application for development approval.

Note: Where a development overshadows Langley Park, overshadowing onto each of the 3 lots being part of Langley Park shall be measured separately.

4.4. Variations

The local government may consider variations to the provisions in this policy where it is satisfied that:

- (a) the proposed development meets the objectives of this policy; and
- (b) the variation enhances design outcome and has regard to the objectives and provisions of the *General Design Local Planning Policy*.

4.4.1. Maximum Lower Built Form Height

- (a) Variations to the maximum lower built form height may be considered where:
 - at street corners, lower built form may benefit from special design emphasis;
 - different maximum lower built form heights are applicable to each of the frontages of a corner lot.
- (b) Such variations shall have regard to the functionality of the building and impact on the streetscape at each frontage.

4.4.2. Street Setback

4.4.2.1. Lower Built Form

- (a) Where a development in landscaped setting or landscaped frontage setting areas adjoins an urban setting area, variations to the secondary street setback provisions of the lower built forms may warrant reducing the lower built form height on secondary street.

4.4.3. Side and Rear Setbacks

- (a) Variations to lower built form side or rear setbacks provisions shall not result in unusable and inaccessible spaces.
- (b) Where a lot adjoins a laneway, variations to side or rear setback provisions along that boundary may be considered where it can be demonstrated that sufficient building separation is achieved.
- (c) For narrow lots, variation of the upper built form side setback requirements may be considered where:
 - i. appropriate visual privacy and outlook is achieved; and
 - ii. provision of the required setbacks would unreasonably impact on the functionality of the building.

5. Definitions

Landscaped frontage Setting: means the built form setting where the lower built form of building is setback from the street boundary to accommodate high quality landscaping but nil setbacks are allowed to the side and rear boundaries.

Landscaped Setting: means the built form setting where the lower built form of building is setback from the street and other lot boundaries to accommodate high quality landscaping.

Laneway: means a narrow (generally 6 metres wide or less) road, right of way or right of carriageway, in either public or private ownership, which is generally open to the sky and provides access to the side or rear of lots principally for servicing adjoining properties.

Lower built form: means the portion of a building that immediately abuts the street in urban setting areas or abuts the 4.5m street setback in landscaped setting and landscaped frontage areas.

Narrow lot: means a lot which is less than 17 metres in width.

Primary street: means the sole or principal public road that provides access to the main building entry.

Secondary street: in the case of a site that has access from more than one public road, means a road that is not the primary street.

Setback: means the horizontal distance- measured at right angles (90 degrees)- between a wall or building element to an adjacent lot boundary at any point.

Upper built form: means those levels of a building that are above the lower built form.

Urban Setting: means the built form setting where the lower built form of building is generally built to the street and lot boundaries.

6. Appendices

- Maximum Lower Built Form Height Plan
- Maximum Building Height Plan
- Character and Heritage Areas Plan
- Built Form Setting Plan
- Built Form Typology Plan and Associated Figures
- Shadow Impact Areas Plan

Legend

Maximum Lower Built Form Height

- 12m
- 16m
- 23m
- 30m
- 37m
- 40m
- 45m

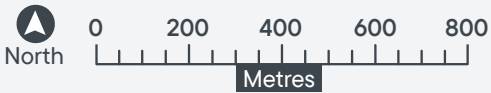
- Character and Heritage Areas
Local Planning Policies
- Parliament House Precinct
- Height-Controlled Area of
Parliament House Precinct
- Development WA
- Special Control Area 2 - Core Area
- Special Control Area 2 - Frame Area



Building Heights and Setbacks Local Planning Policy

Draft Maximum Lower Built Form Height Plan

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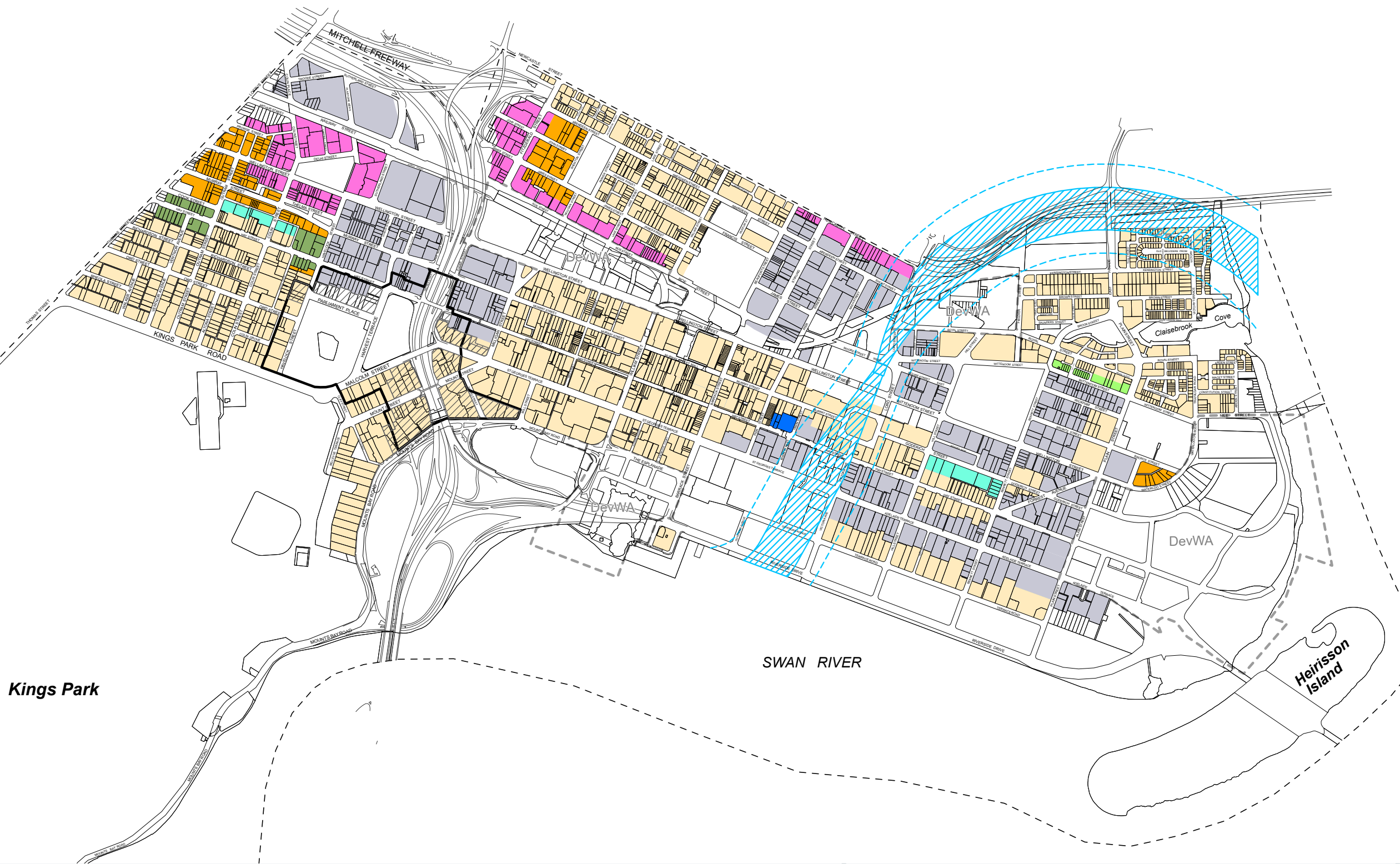
Plot Date: 26 May 2026

Legend

Maximum Building Height

- 16m
- 30m
- 45m
- 60m
- 73m
- Additional height above the Lower Built Form to be within a 40 degree angled height plane from 1.5m off the boundary of the lot on the southern side of Hay Street
- Additional height above the Lower Built Form to be within a 40 degree angled height plane from 4m off the boundary of the lot on the southern side of Hay Street
- No Prescribed Height Limit

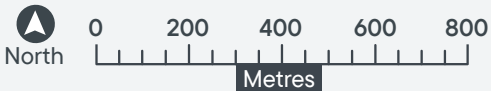
- Character and Heritage Areas Local Planning Policies
- Parliament House Precinct
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- Development WA
- Special Control Area 2 - Core Area
- Special Control Area 2 - Frame Area



Building Heights and Setbacks
Local Planning Policy

Draft Maximum Building Height Plan

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Plot Date: 26 May 2026

Legend

Heritage Areas

- Barrack Street
- East End
- Goderich Street
- Hay Street Mall
- Pier Street
- West End
- William Street

Character Areas

- Brown and Kensington Streets
- Hay Street Neighbourhood Centress
- Hay and Murray Streets
- Kings Park Road
- Lake Street
- Mount Street
- Museum Street
- Northbridge
- Ord and Outram Streets
- Royal Street Neighbourhood Centre
- Russell Square
- St Georges Terrace
- Terrace Road
- Refer to Character and Heritage Areas Plan 2

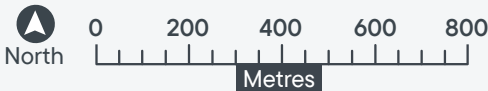
Development WA



Building Heights and Setbacks Local Planning Policy

Draft Character and Heritage Areas Plan (1 of 2)

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Legend

Character Areas

- Belvidere
- Boans Warehouse
- Constitution Hill North
- Constitution Hill South
- East Perth Primary School
- Eastbrook Terrace
- Fielder Street
- Gibraltar Way
- Haig Park
- Harbourside
- Jewell Lane
- North Cove
- Saunders Street
- Silver City
- South Cove
- The Quadrant
- Victory Terrace

Development WA



Legend

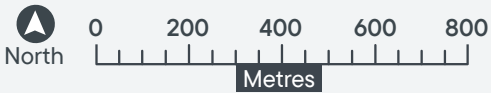
- Built Form Setting**
 - Landscaped Frontage Setting
 - Landscaped Setting
 - Urban Setting
- Character Area Local Planning Policies
 - Parliament House Precinct
 - Development WA



Building Heights and Setbacks Local Planning Policy

Draft Built Form Setting Plan

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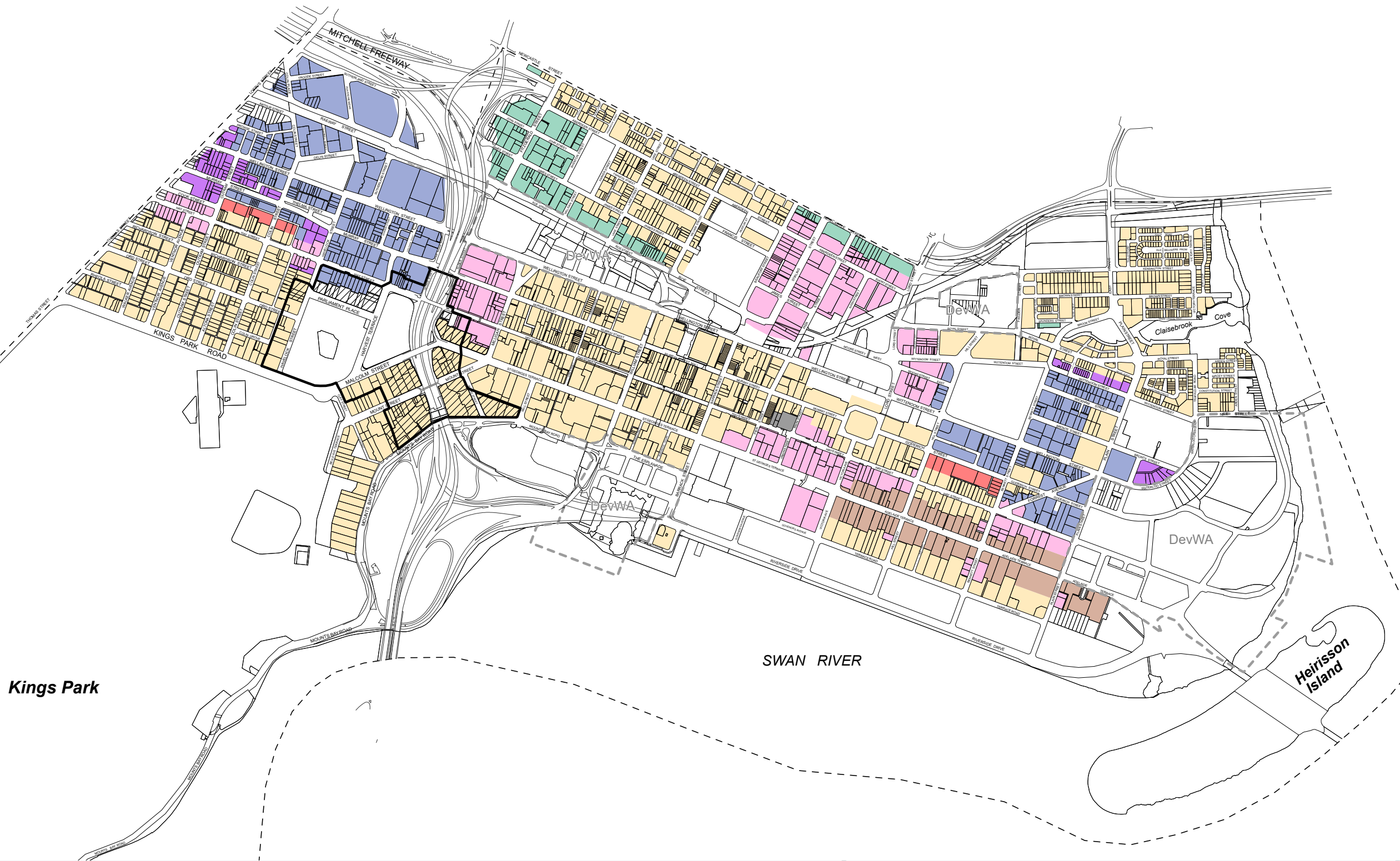
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Legend

Built Form Typology

- Typology 1 (Refer to Figures 1-6)
- Typology 2 (Refer to Figures 7-12)
- Typology 3 (Refer to Figures 13-18)
- Typology 4 (Refer to Figures 19-21)
- Typology 5 (Refer to Figures 22-24)
- Typology 6 (Refer to Figures 25-27)
- Typology 7 (Refer to Figures 28-29)
- Character and Heritage Areas
Local Planning Policies

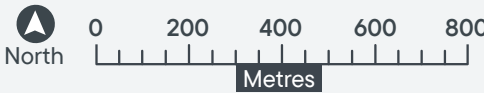
- Parliament House Precinct
- Height-Controlled Area of
Parliament House Precinct
- Development WA



Building Heights and Setbacks Local Planning Policy

Draft Built Form Typology Plan

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Typology 1 - Mid-Block

Upper Built Form

- Maximum Building Height: Refer to Maximum Building Height Plan
- 5m street setback up to 60m
- 10m street setback 60m
- 4m side/rear setback up to 60m
- 8m side/rear setback over 60m

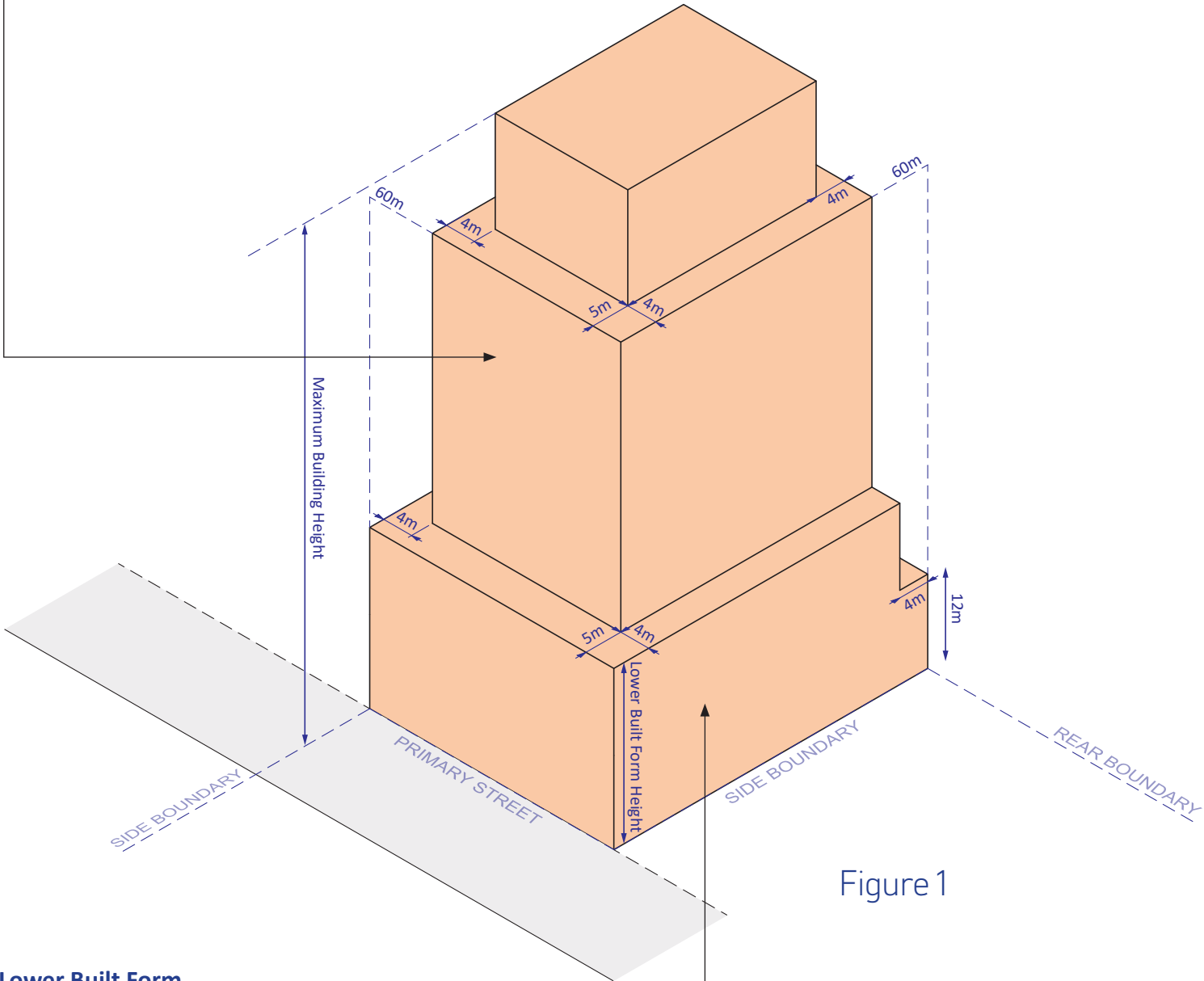


Figure 1

Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Form Height Plan
- Nil street setback
- Nil side setback
- Nil rear setback up to 12m
- 4m rear setback over 12m

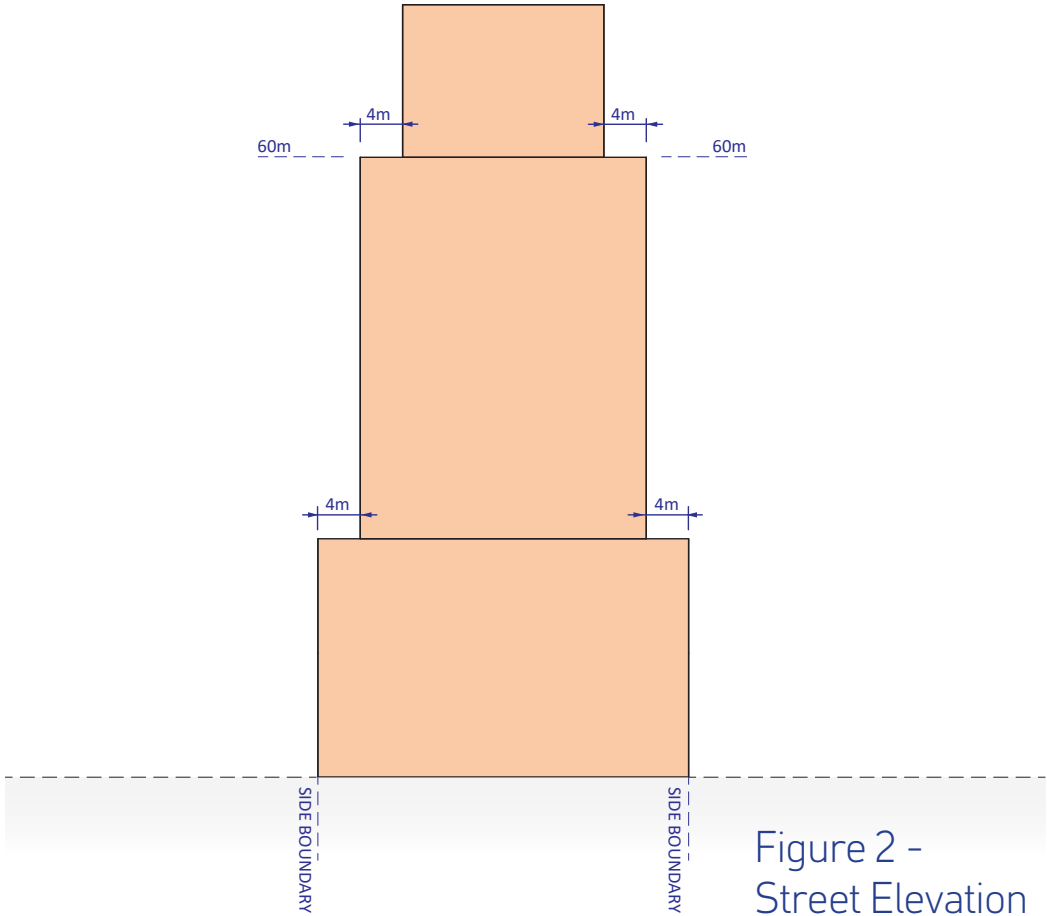


Figure 2 - Street Elevation

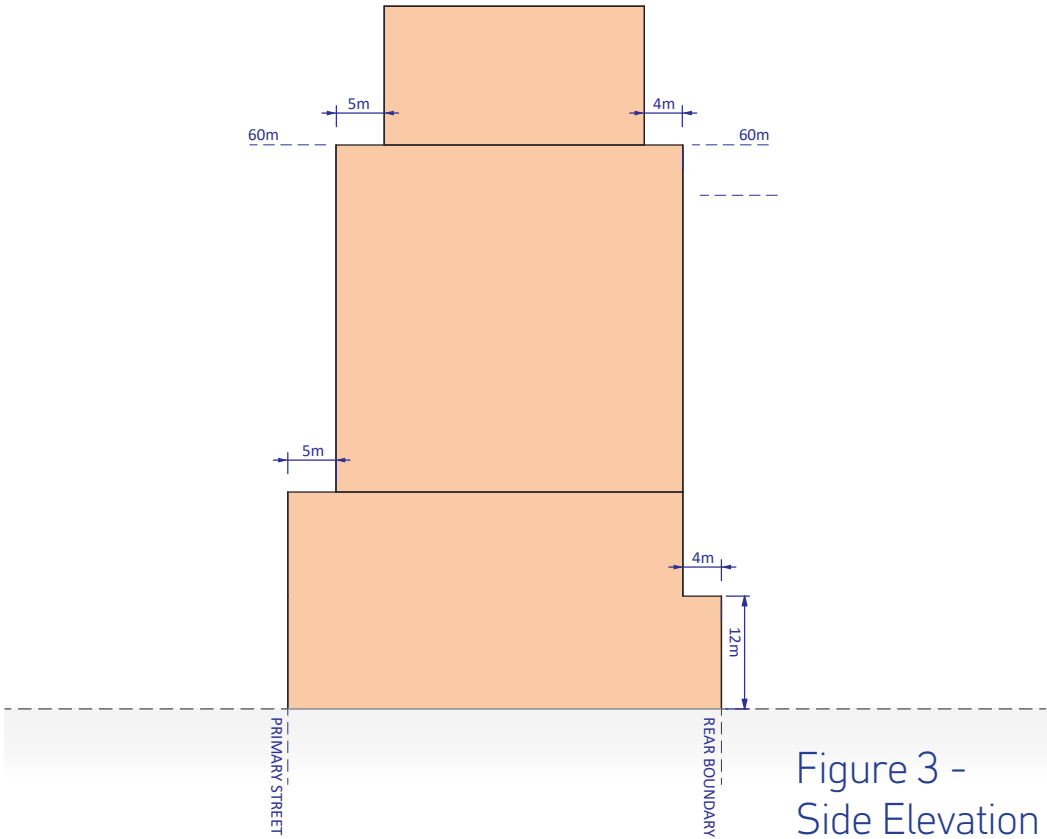


Figure 3 - Side Elevation

Typology 1 - Corner

Upper Built Form

- Maximum Building Height: Refer to Maximum Building Height Plan
- 5m street setback up to 60m
- 10m street setback over 60m
- 4m side/rear setback up to 60m
- 8m side/rear setback over 60m

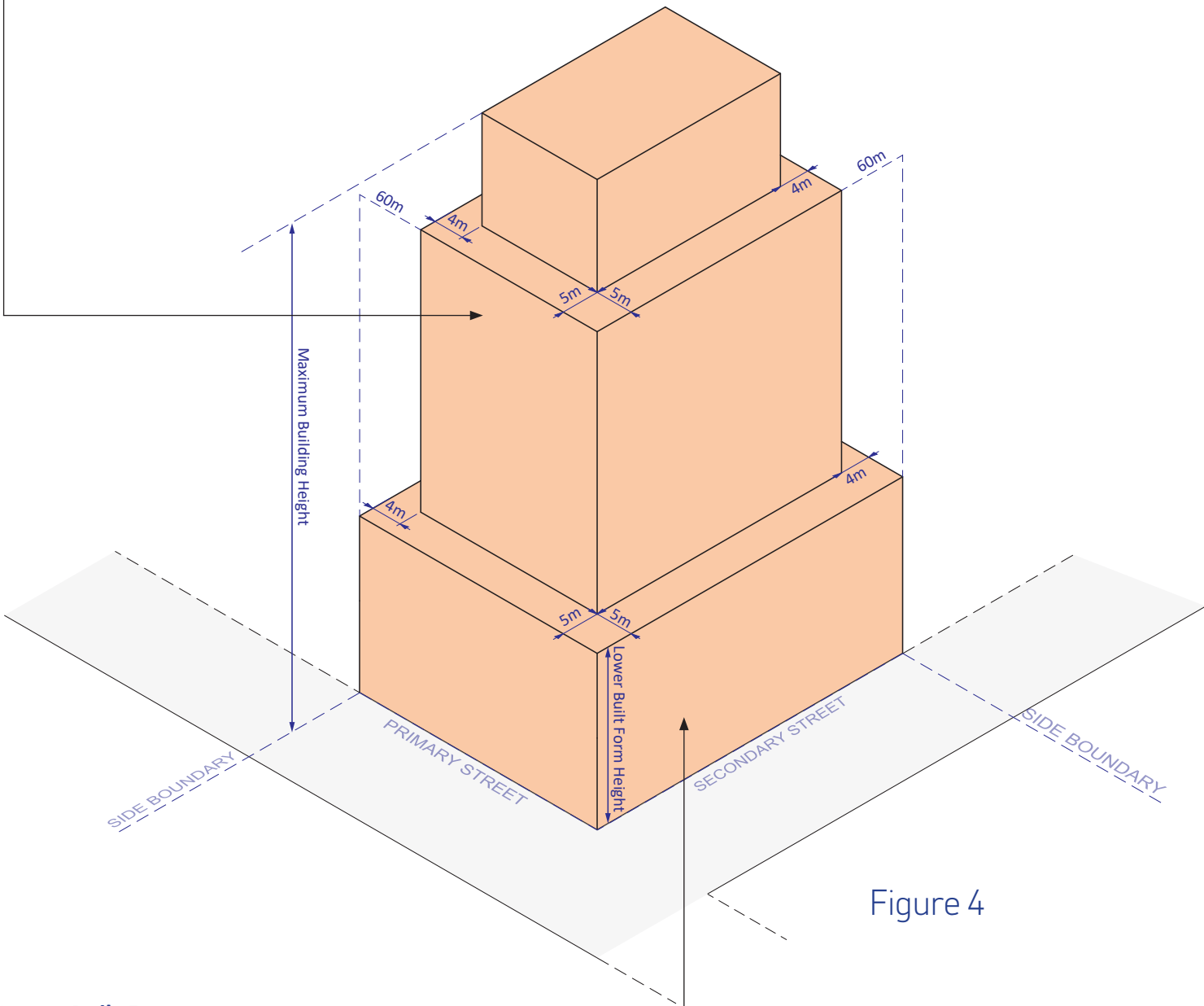


Figure 4

Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Form Height Plan
- Nil street setbacks
- Nil side setback

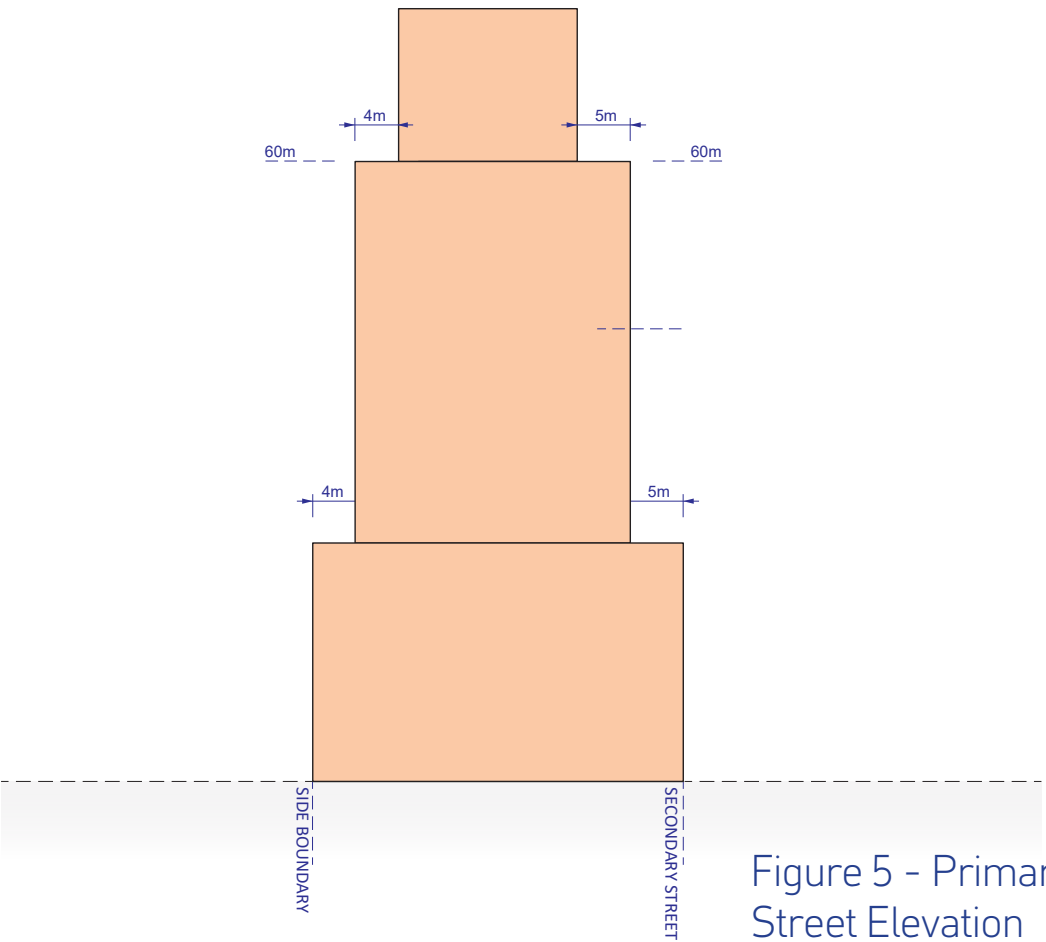


Figure 5 - Primary Street Elevation

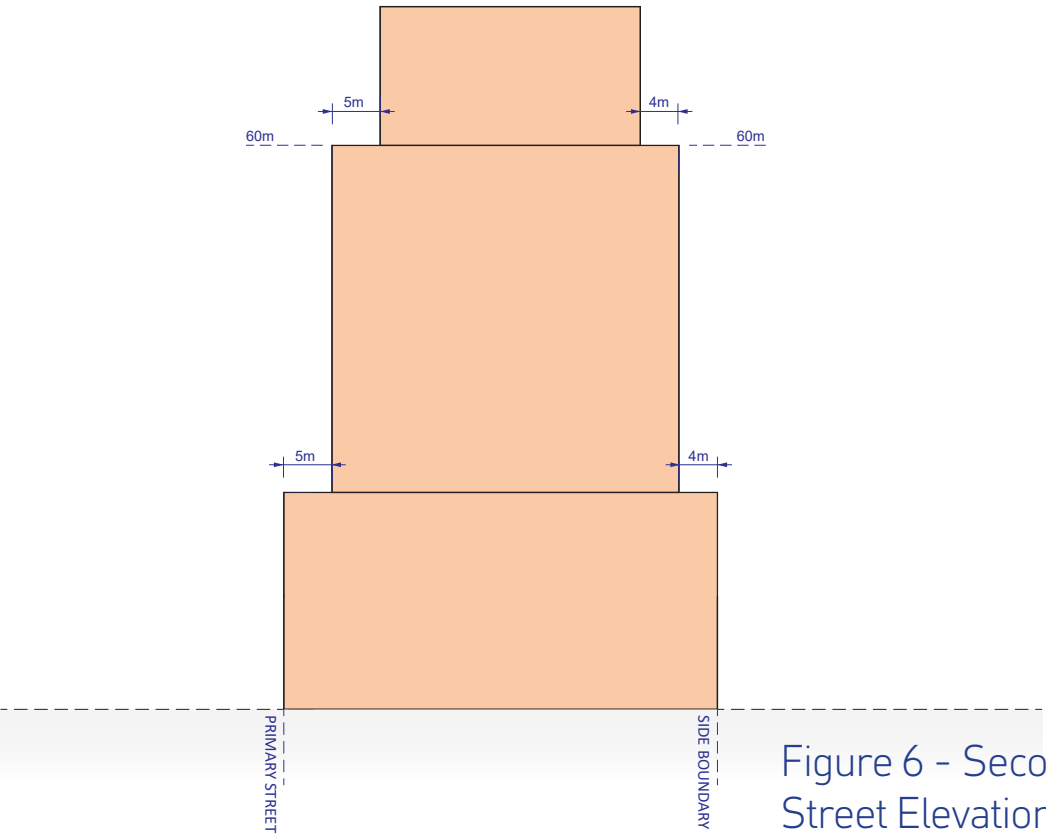


Figure 6 - Secondary Street Elevation

Typology 2 - Mid-Block

Upper Built Form

- Maximum Building Height: No prescribed height limit
- 9.5m primary street setback
- 4m side/rear setback up to 60m
- 8m side/rear setback over 60m

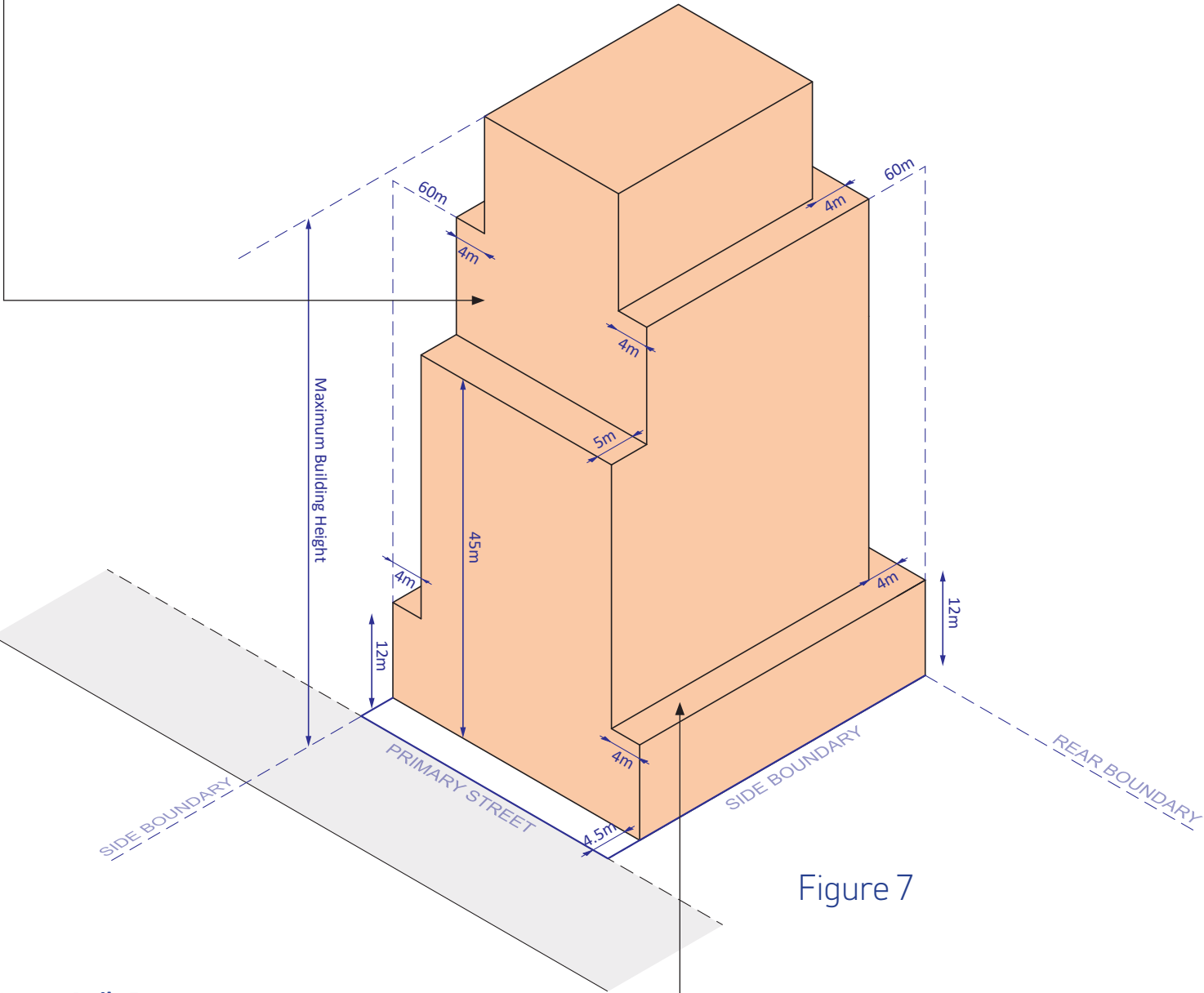


Figure 7

Lower Built Form

- Lower Built Form Height: 45m
- 4.5m primary street setback
- Nil side/rear setback up to 12m
- 4m side/rear setback over 12m

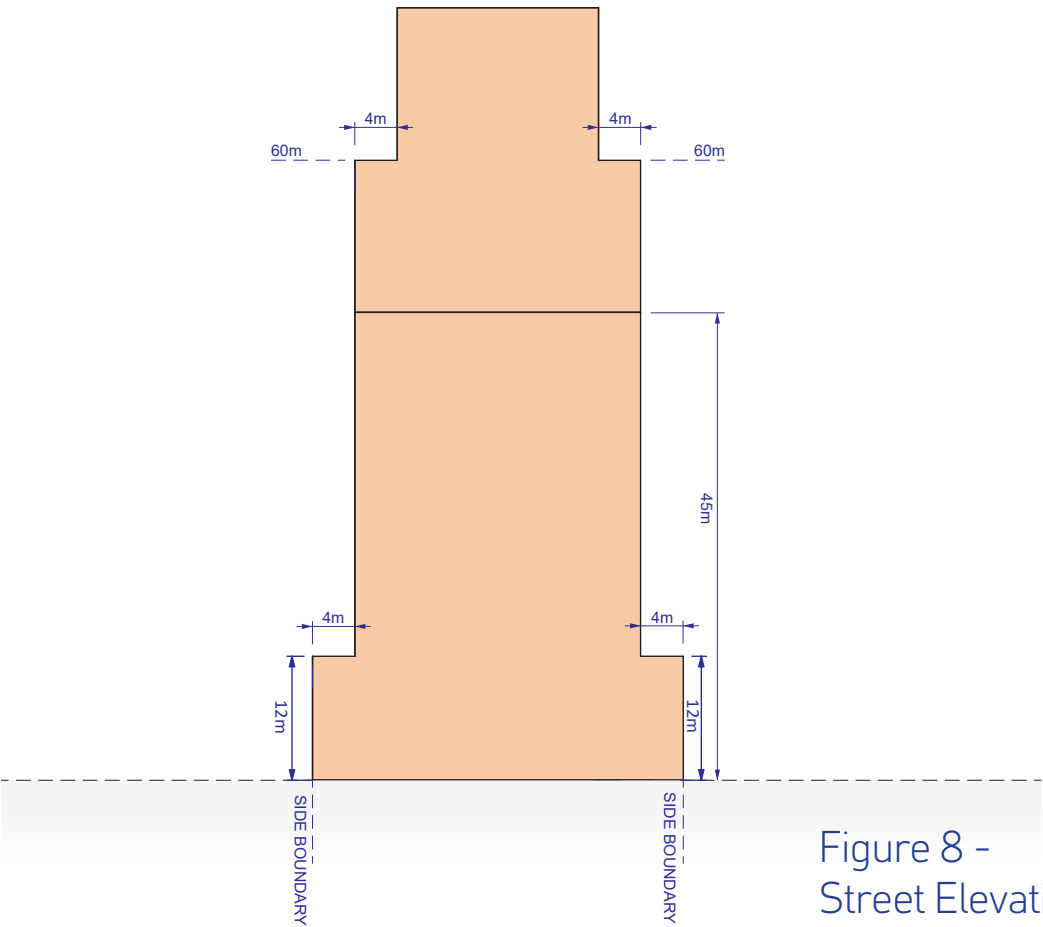


Figure 8 -
Street Elevation

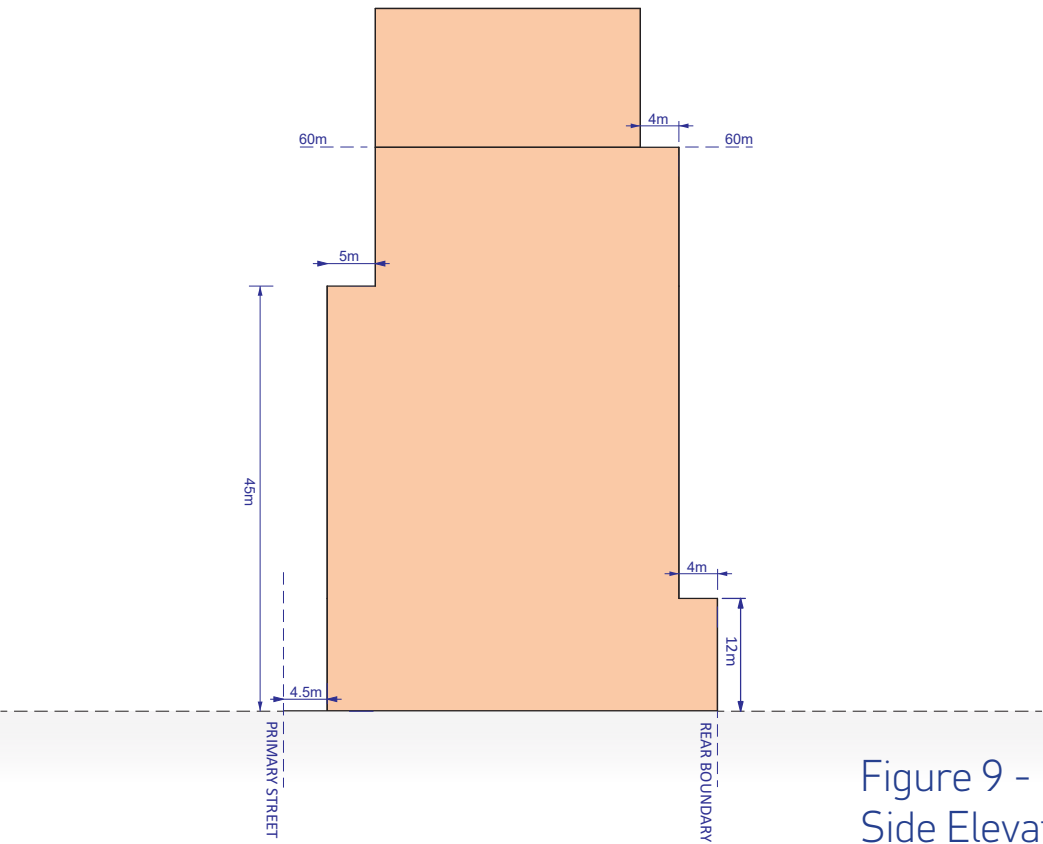
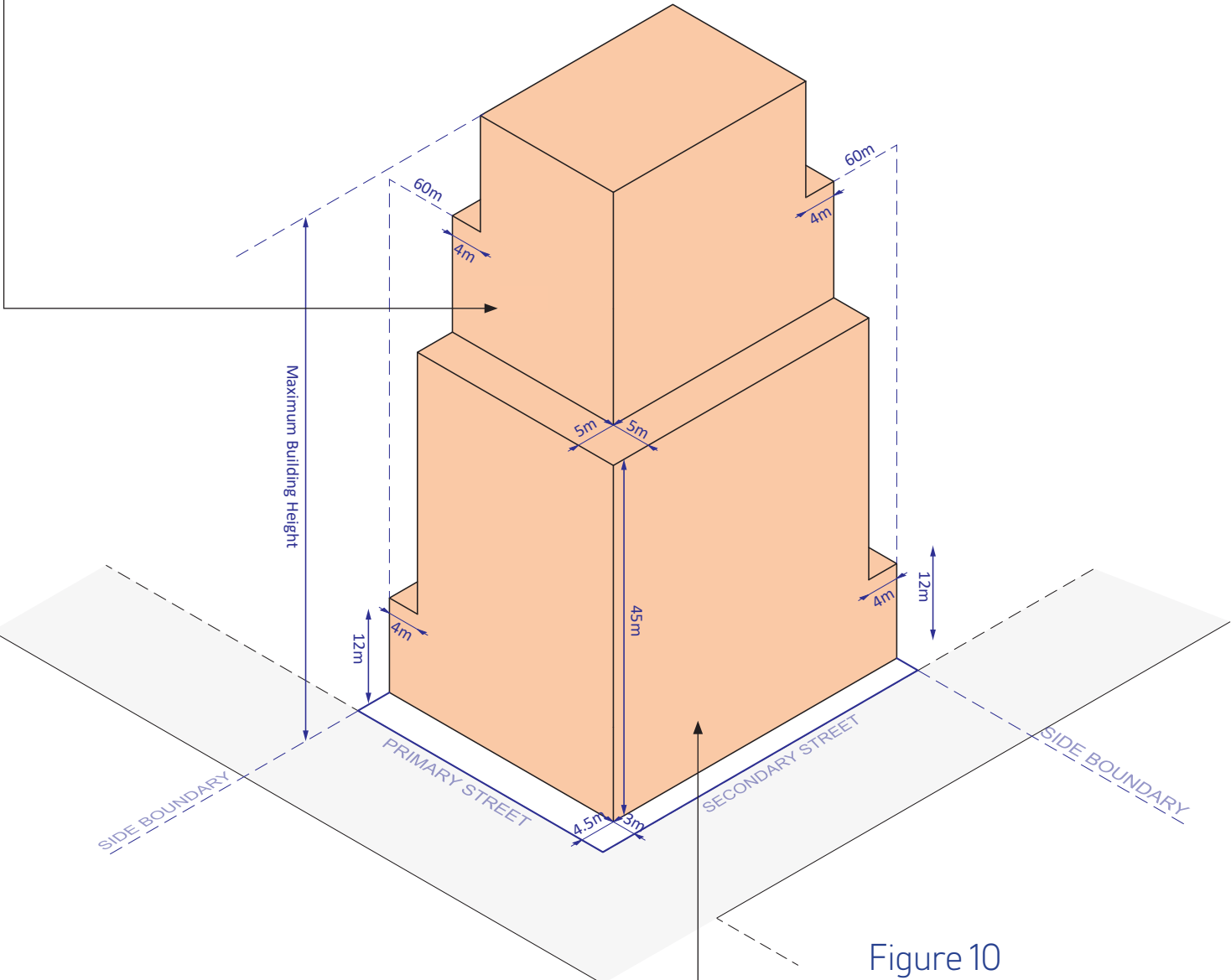


Figure 9 -
Side Elevation

Typology 2 - Corner

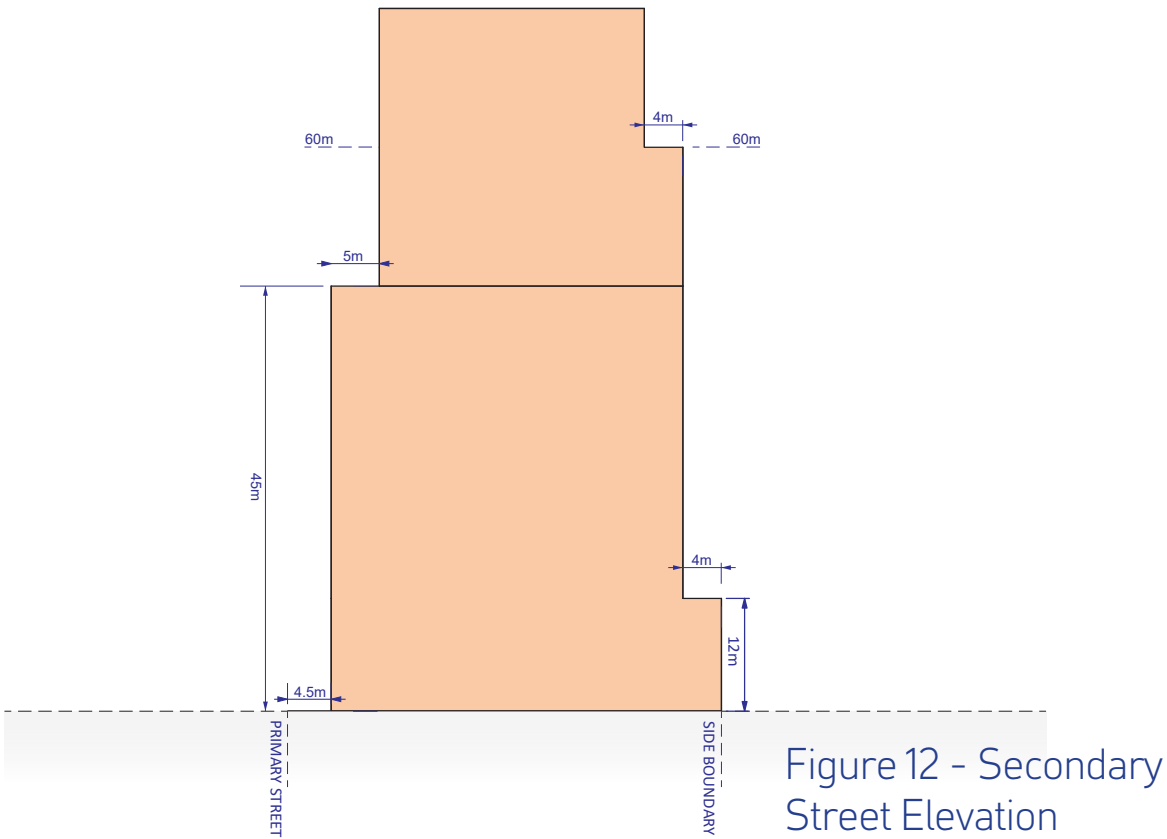
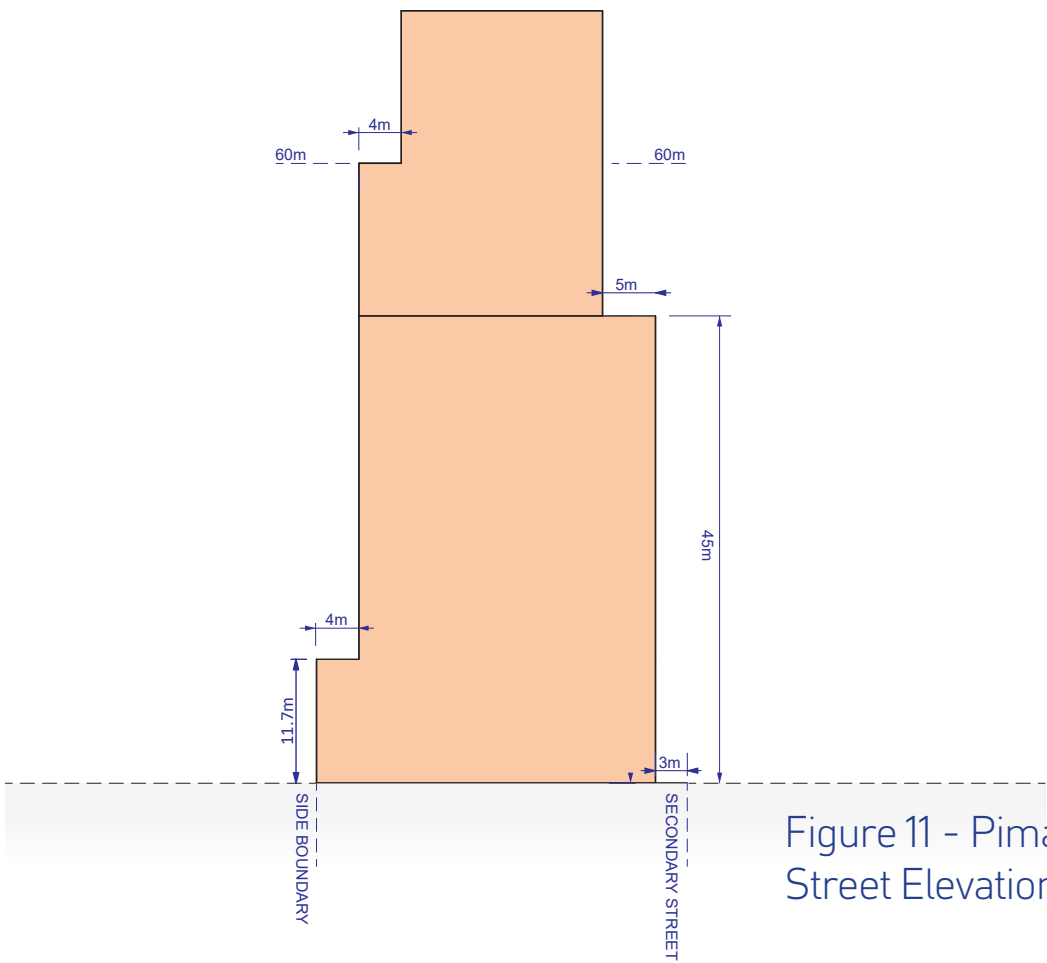
Upper Built Form

- Maximum Building Height: No prescribed height limit
- 9.5m primary street setback
- 8m secondary street setback
- 4m side/rear setback up to 60m
- 8m side/rear setback over 60m



Lower Built Form

- Lower Built Form Height: 45m
- 4.5m primary street setback
- 3m secondary street setback
- Nil side/rear setback up to 12m
- 4m side/rear setback over 12m



Typology 3 - Mid-Block

Upper Built Form

- Maximum Building Height: Refer to the Maximum Building Height Plan
- 5m street setback
- 4m side/rear setback

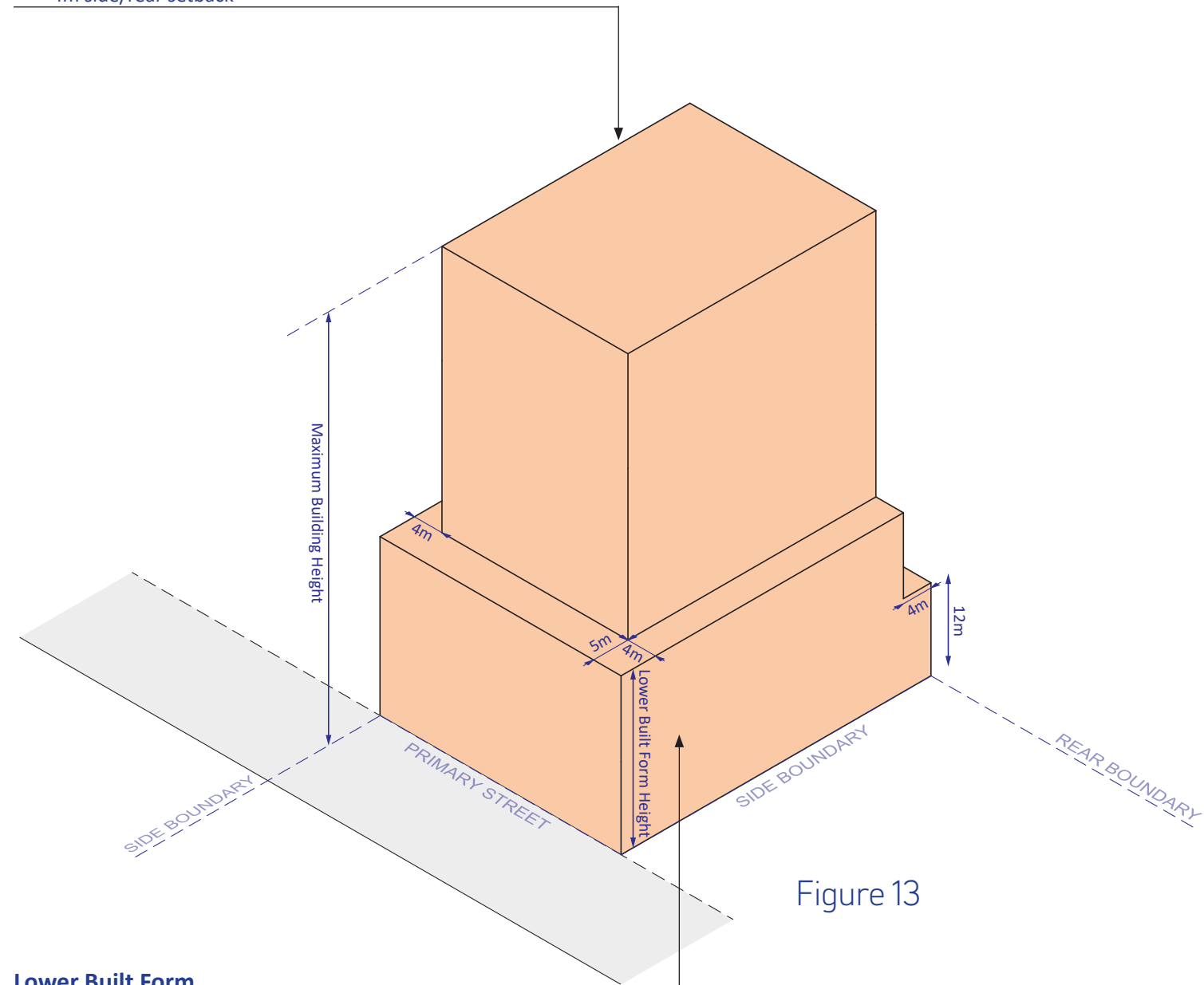


Figure 13

Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Height Plan
- Nil street setbacks
- Nil side setback
- Nil rear setback up to 12m
- 4m rear setback over 12m

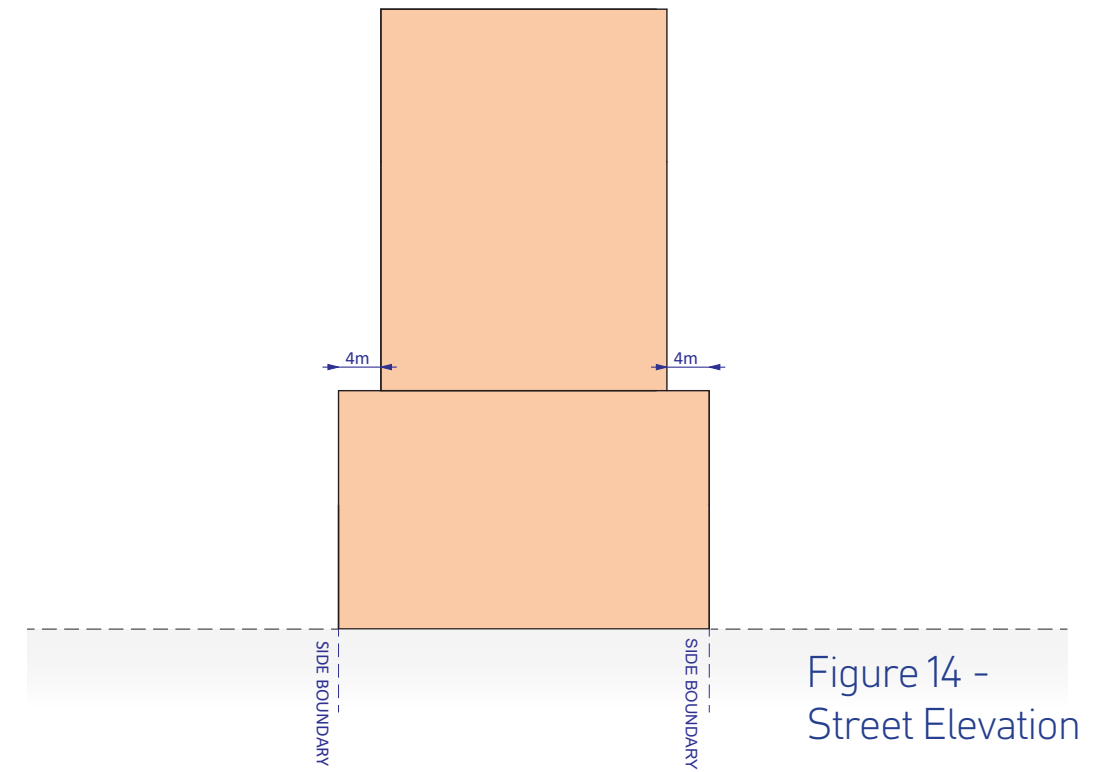


Figure 14 -
Street Elevation

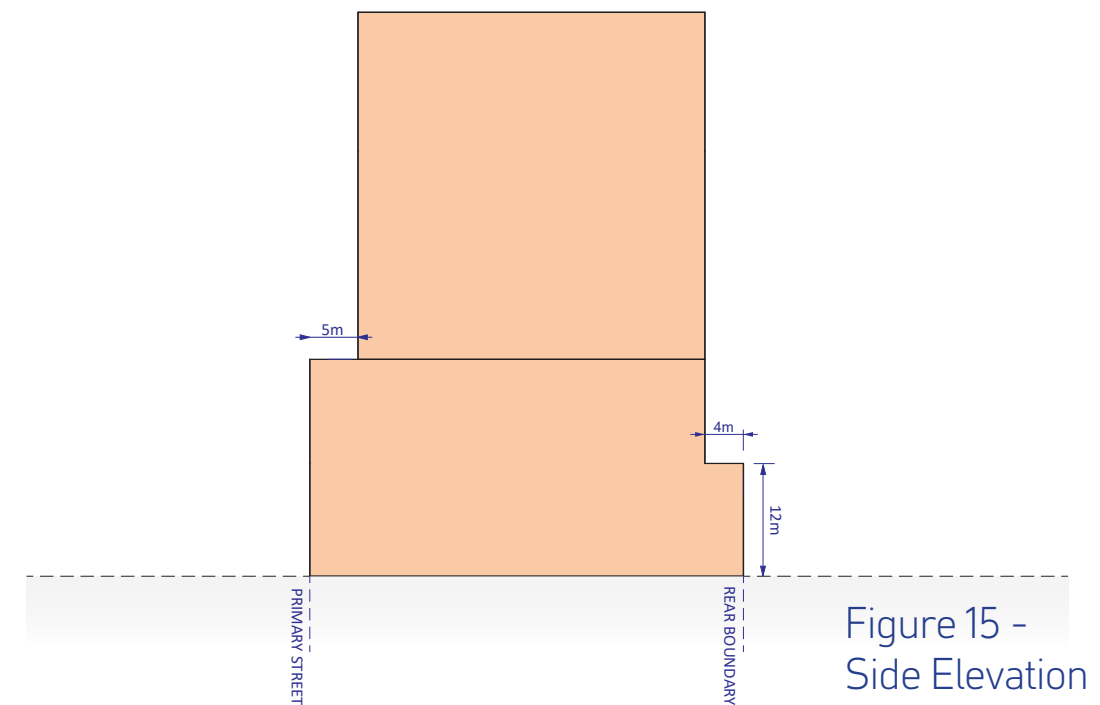
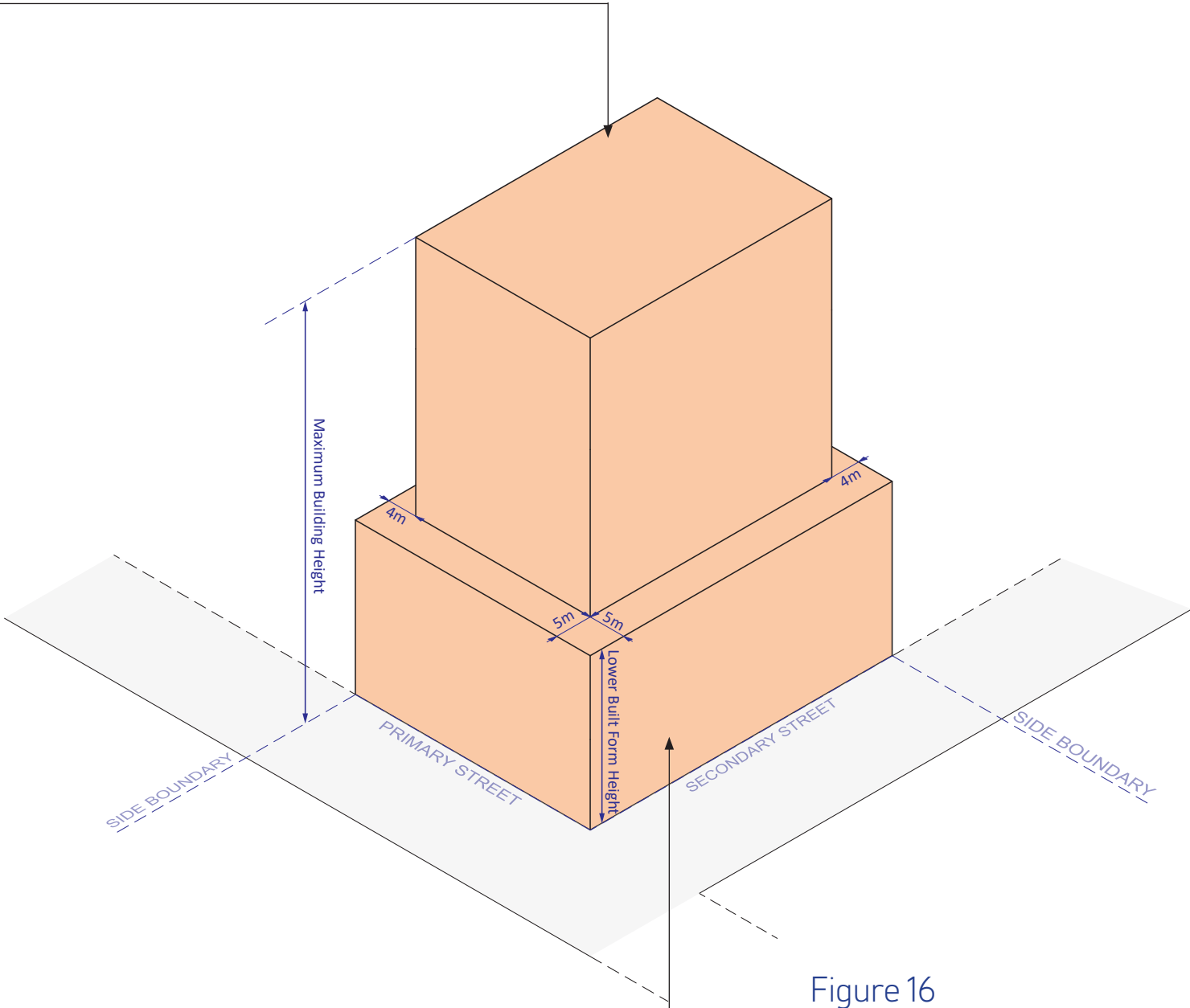


Figure 15 -
Side Elevation

Typology 3 - Corner

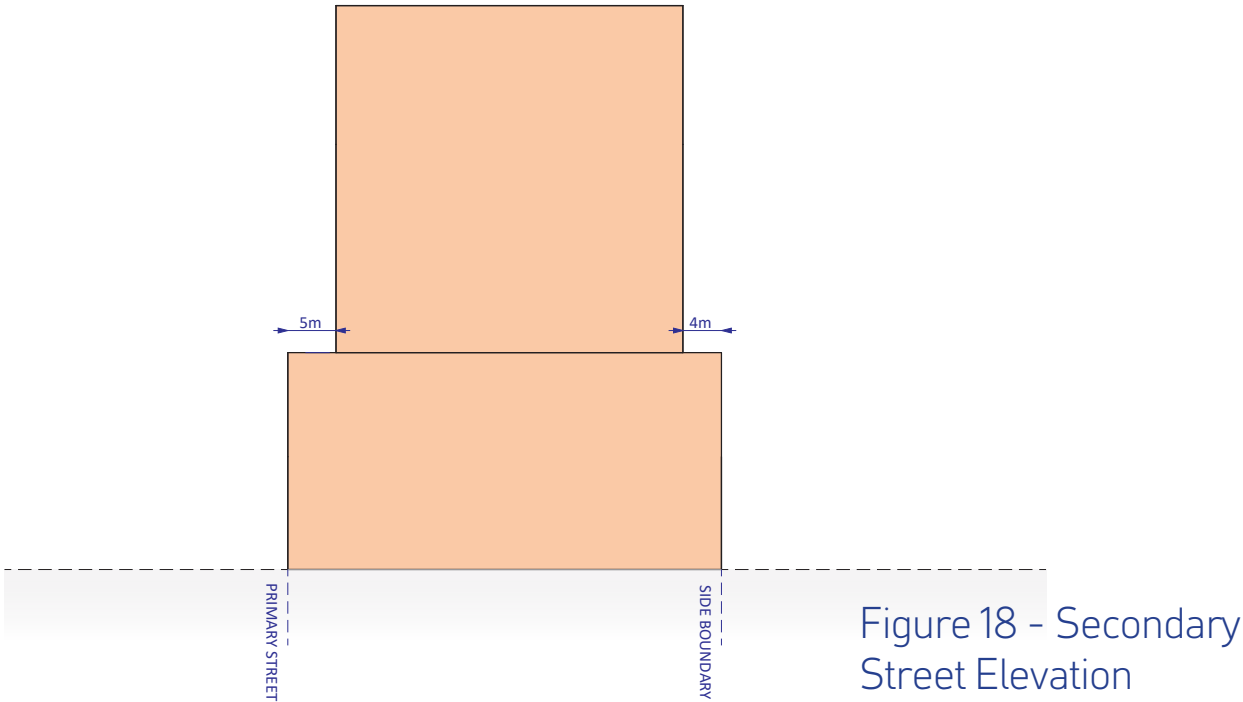
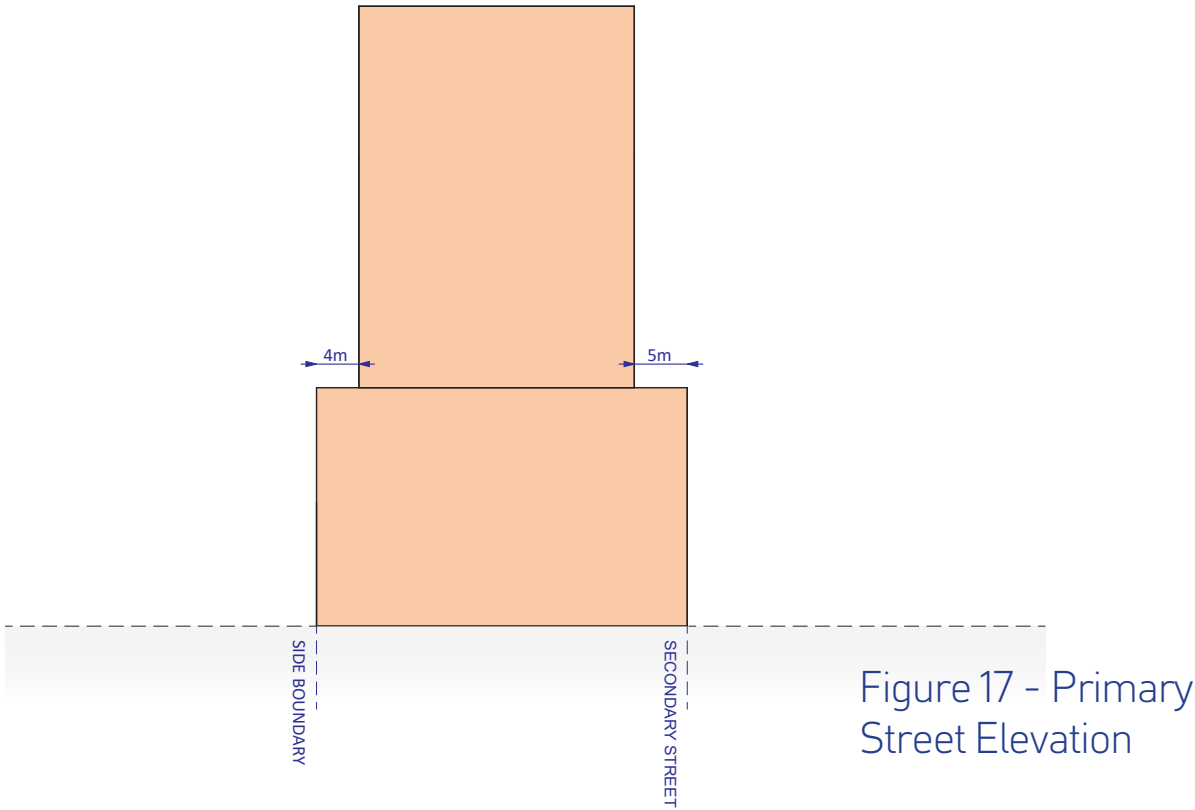
Upper Built Form

- Maximum Building Height: Refer to Maximum Building Height Plan
- 5m street setback
- 4m side/rear setback



Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Form Height Plan
- Nil street setbacks
- Nil side setback



Typology 4 - Corner

Upper Built Form

- Maximum Building Height: Refer to Maximum Building Height Plan
- 9.5m primary street setback
- 8m secondary street setback
- 8m side/rear setback

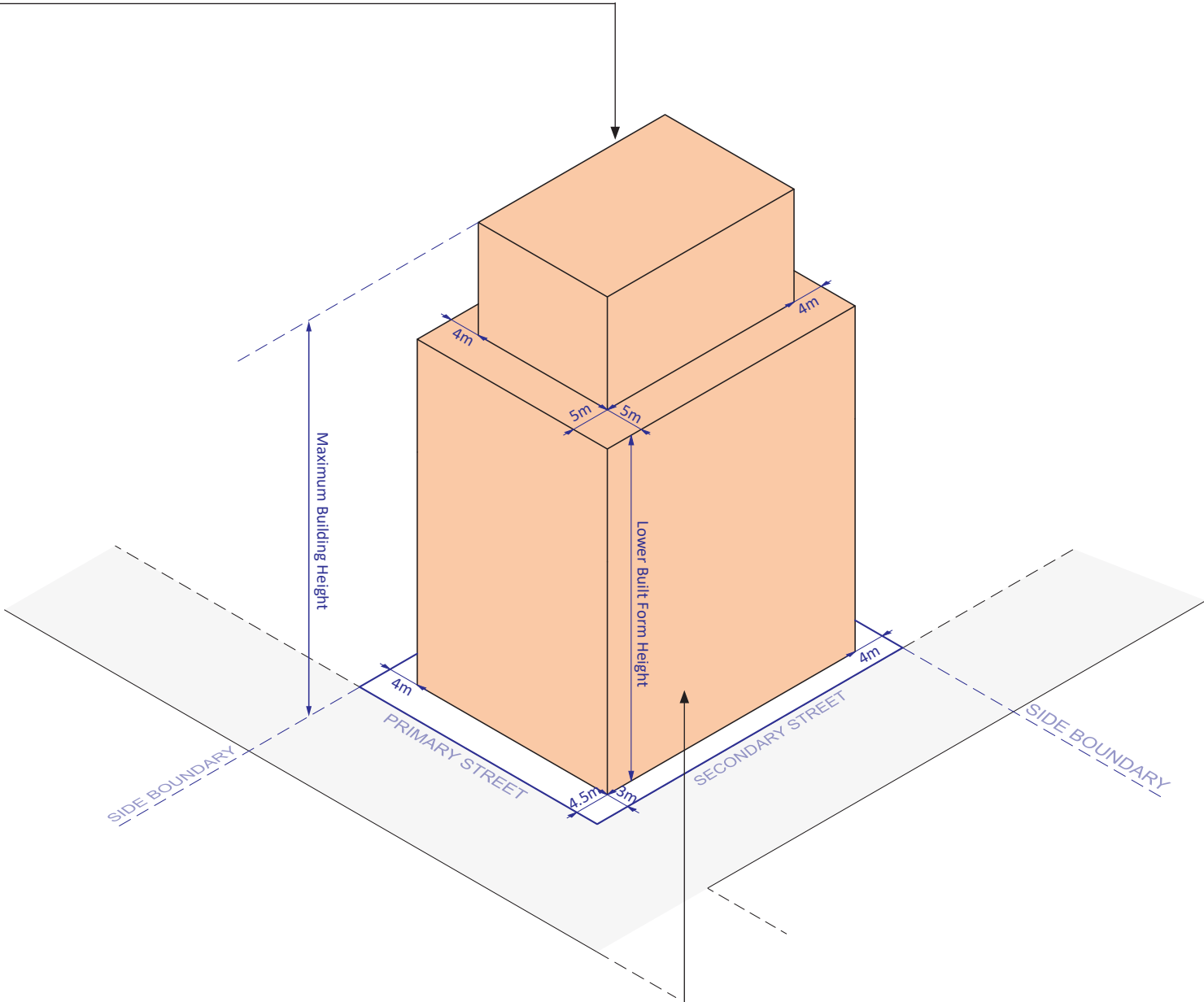


Figure 19

Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Form Height Plan
- 4.5m primary street setback
- 3m secondary street setback
- 4m side/rear setback

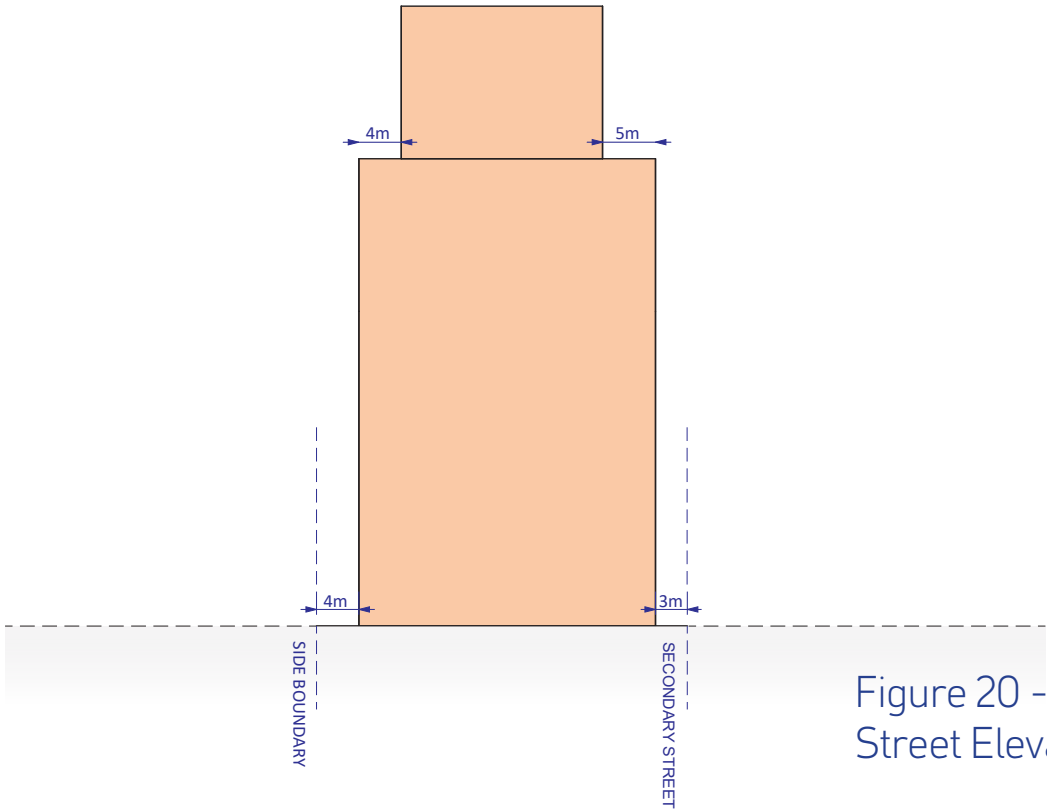


Figure 20 - Primary Street Elevation

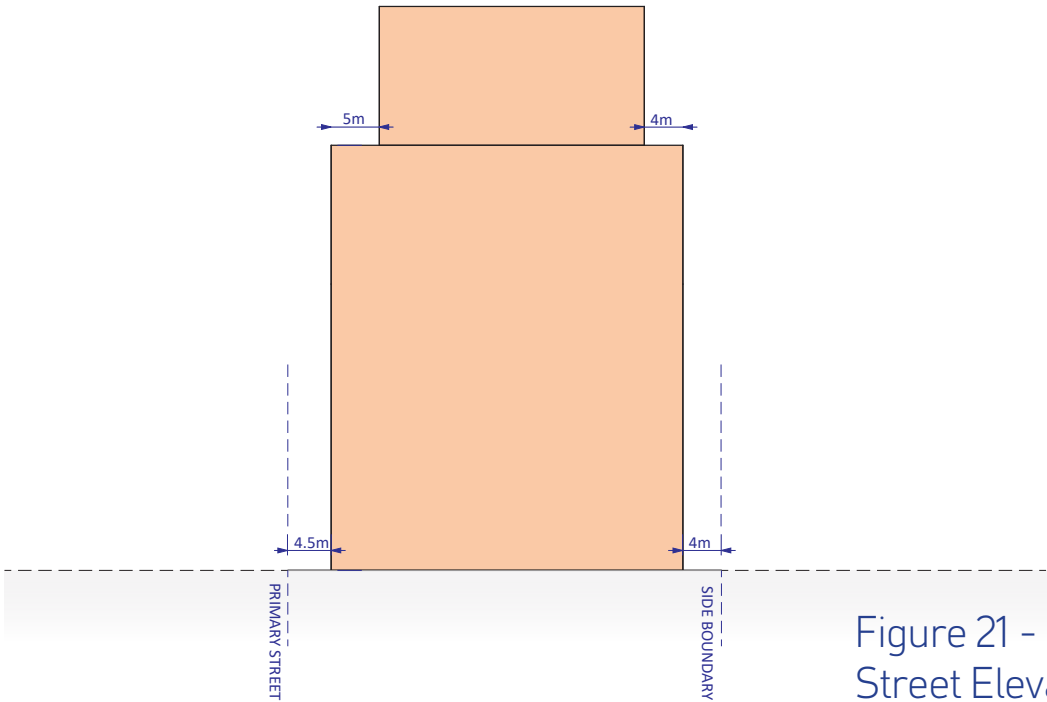


Figure 21 - Secondary Street Elevation

Typology 5 - Corner

Built Form

- Maximum Building Height: Refer to the Maximum Building Height Plan
- 4.5m primary street setback
- 3m secondary street setback
- 4m side/rear setback

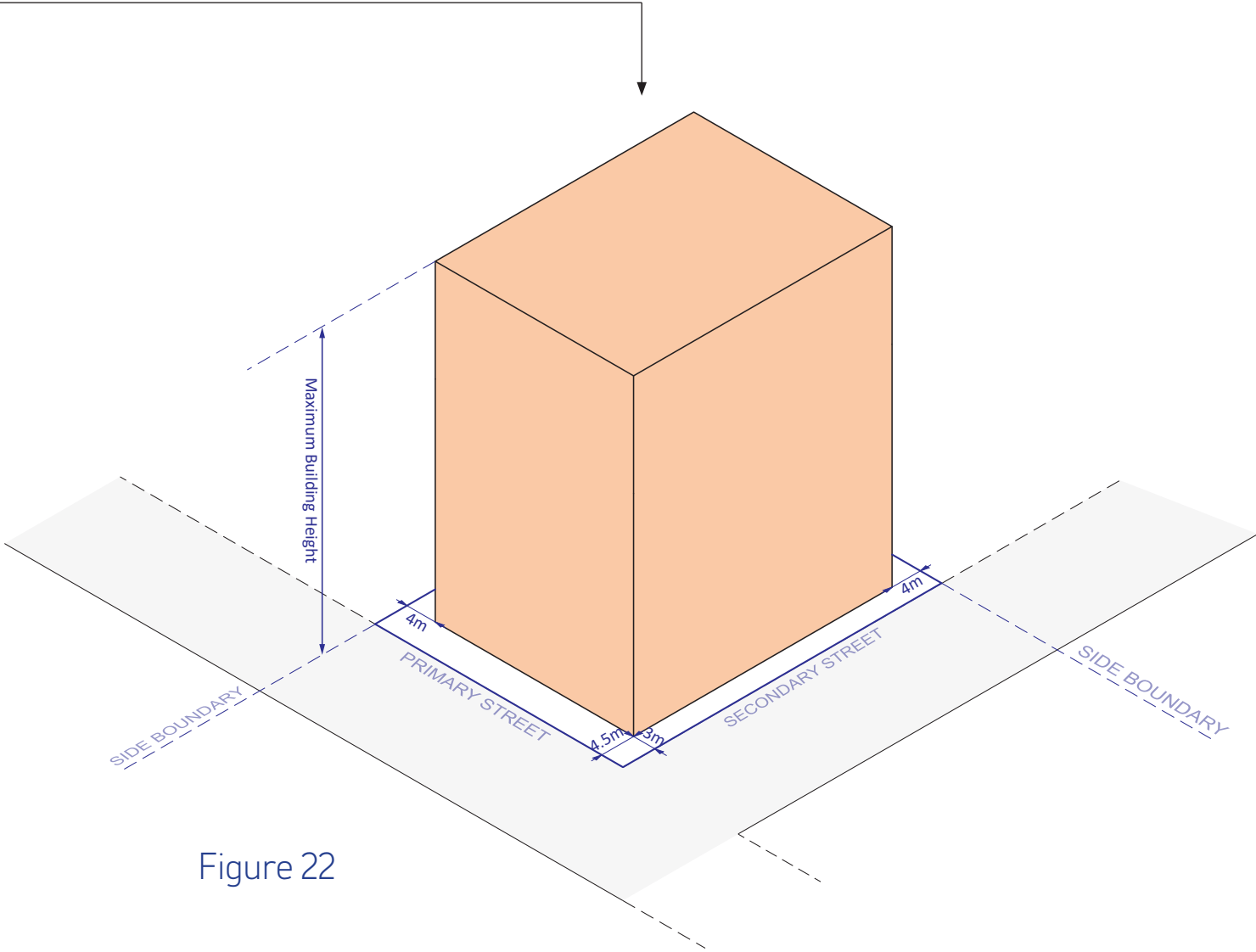


Figure 22

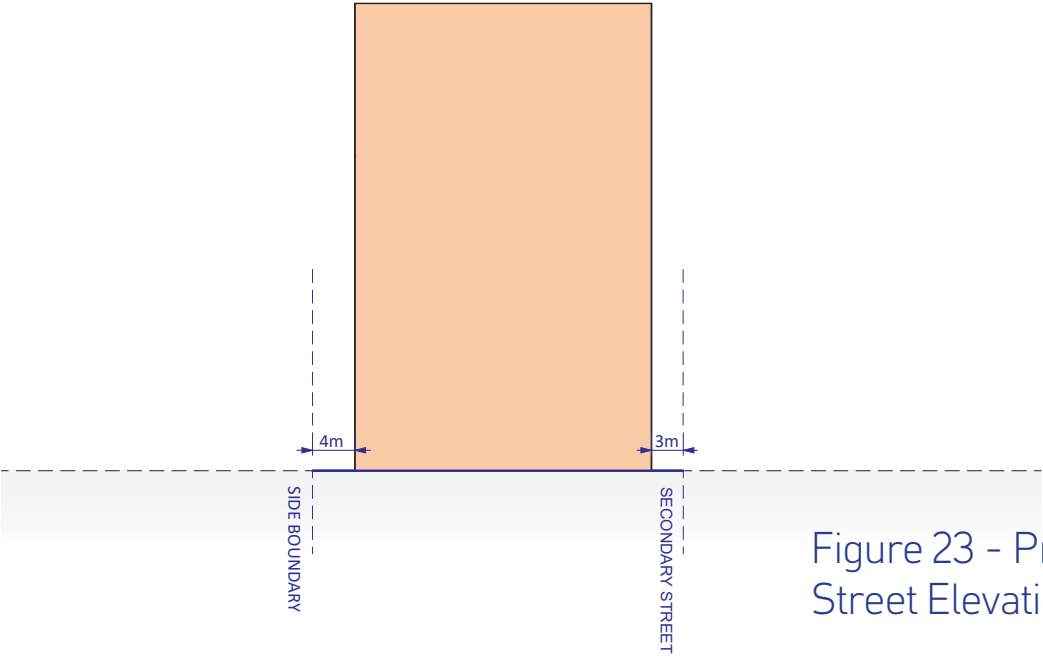


Figure 23 - Primary Street Elevation

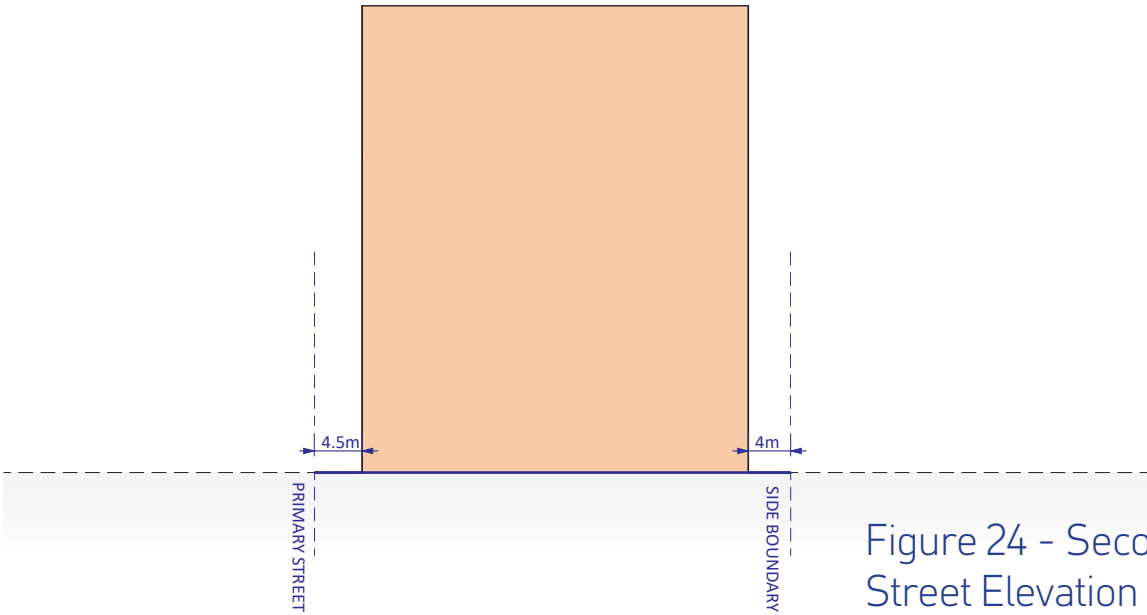


Figure 24 - Secondary Street Elevation

Typology 6 - Corner

Upper Built Form

- Additional height above the Lower Built Form to be within a 40° angle height plane measured from 1.5m off the boundary of the property on the southern side of Hay Street
- Street (other than Hay Street) setback: 5m up to 60m and 10m over 60m
- 4m side/rear setback up to 60m
- 8m side/rear setback over 60m

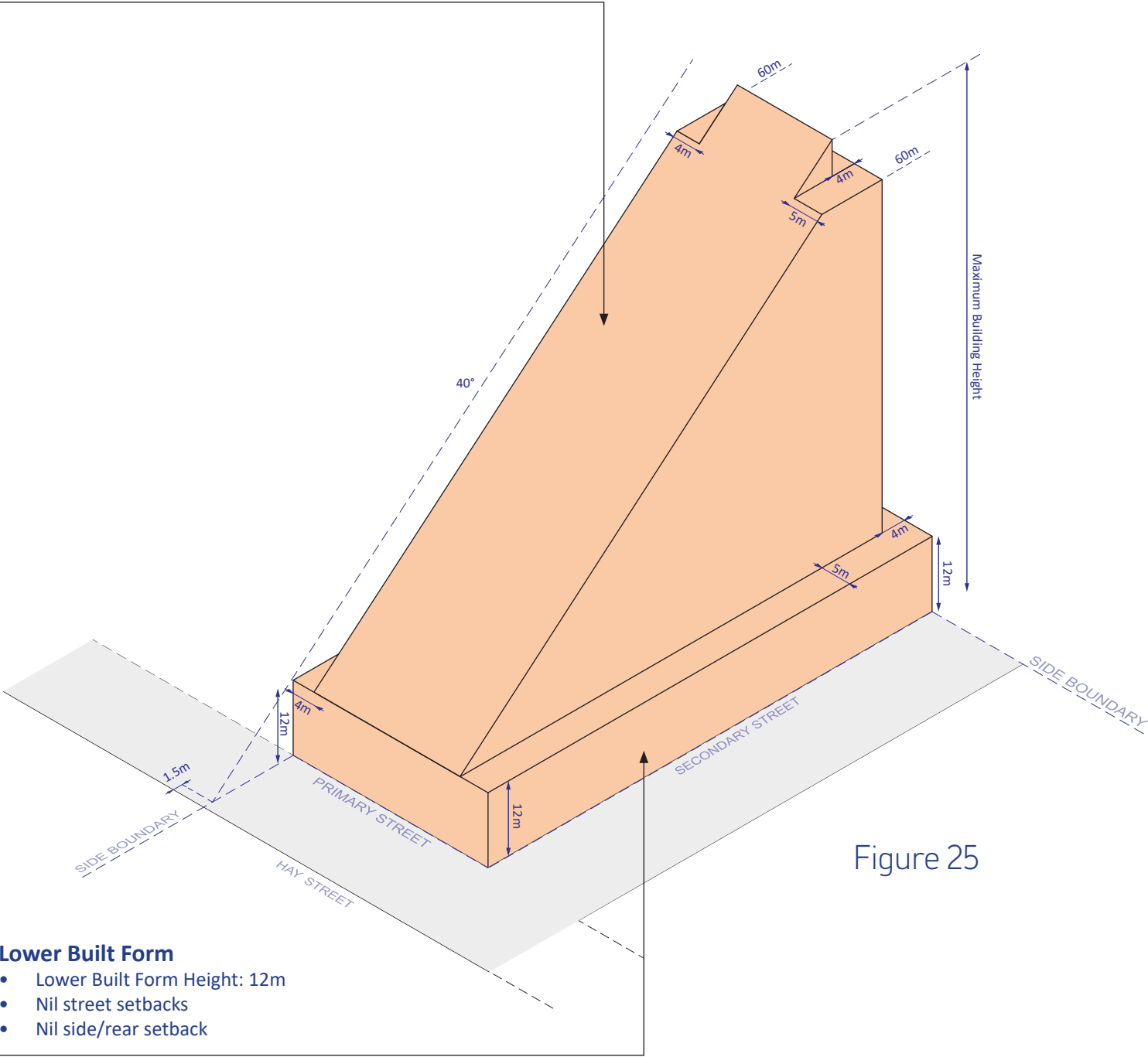


Figure 25

Lower Built Form

- Lower Built Form Height: 12m
- Nil street setbacks
- Nil side/rear setback

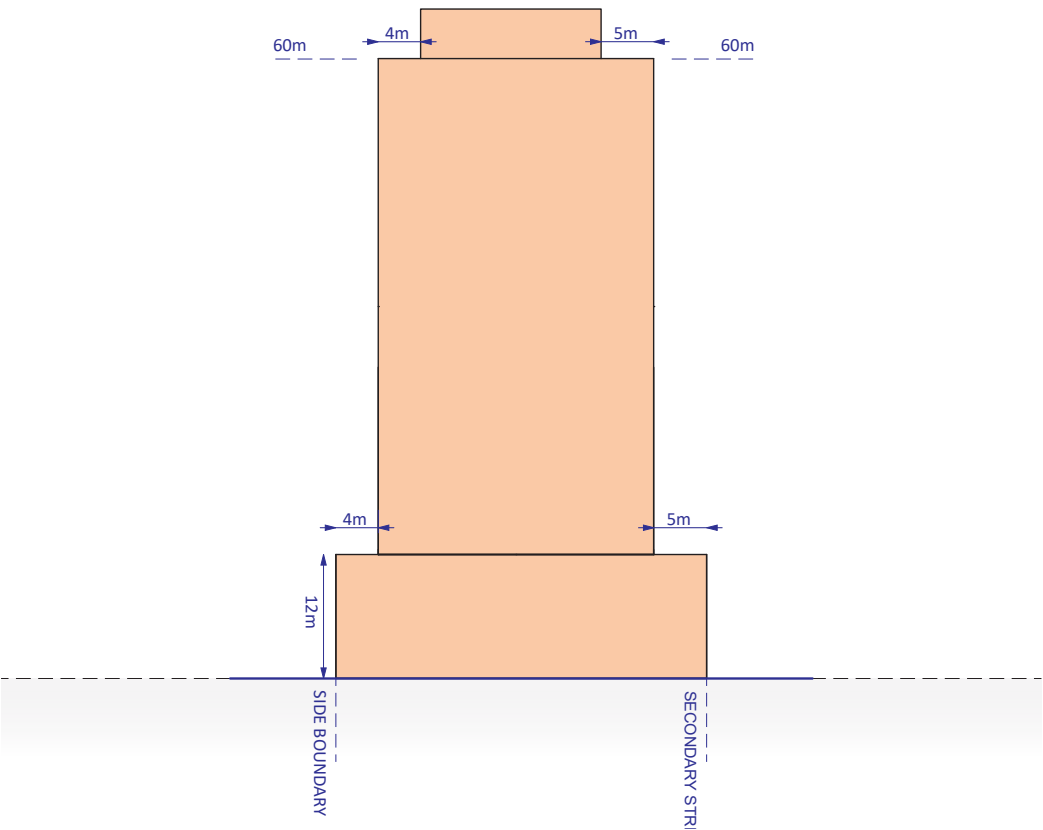


Figure 26 - Primary Street Elevation

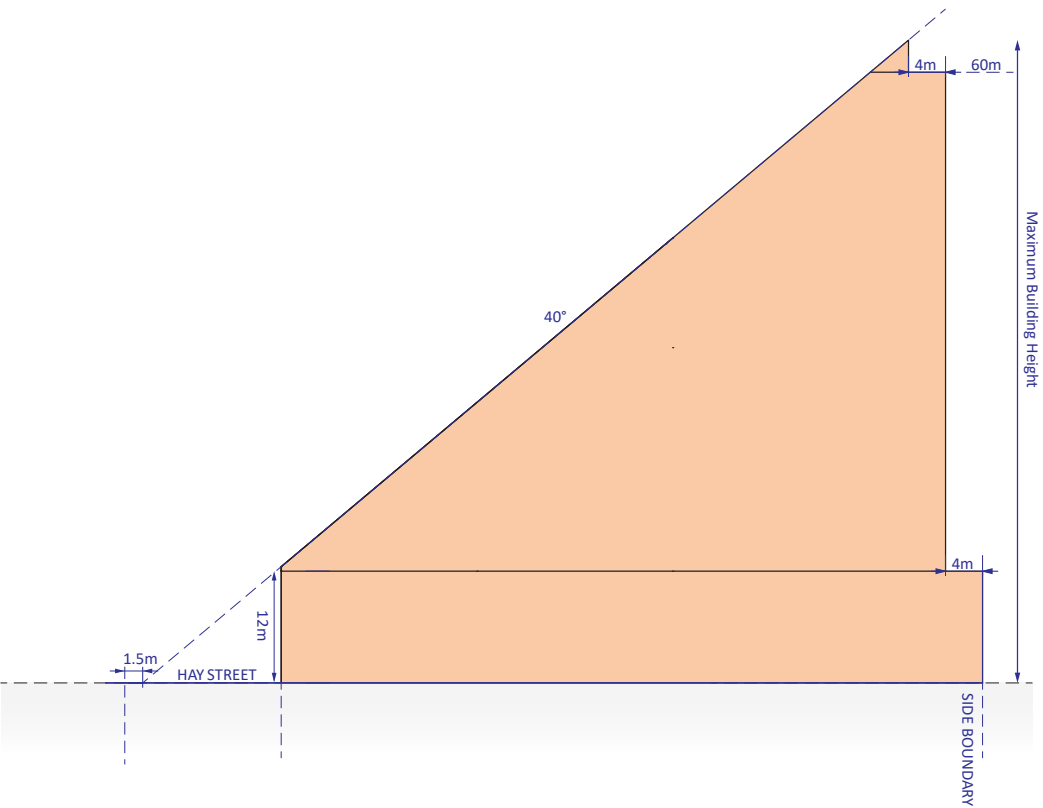


Figure 27 - Secondary Street Elevation

Typology 7 - Mid-block

Upper Built Form

- Additional height above the Lower Built Form to be within a 40° angle height plane measured from 4m off the boundary of the property on the southern side of Hay Street
- 9.5m primary street setback
- 8m secondary street setback
- 8m side/rear setback

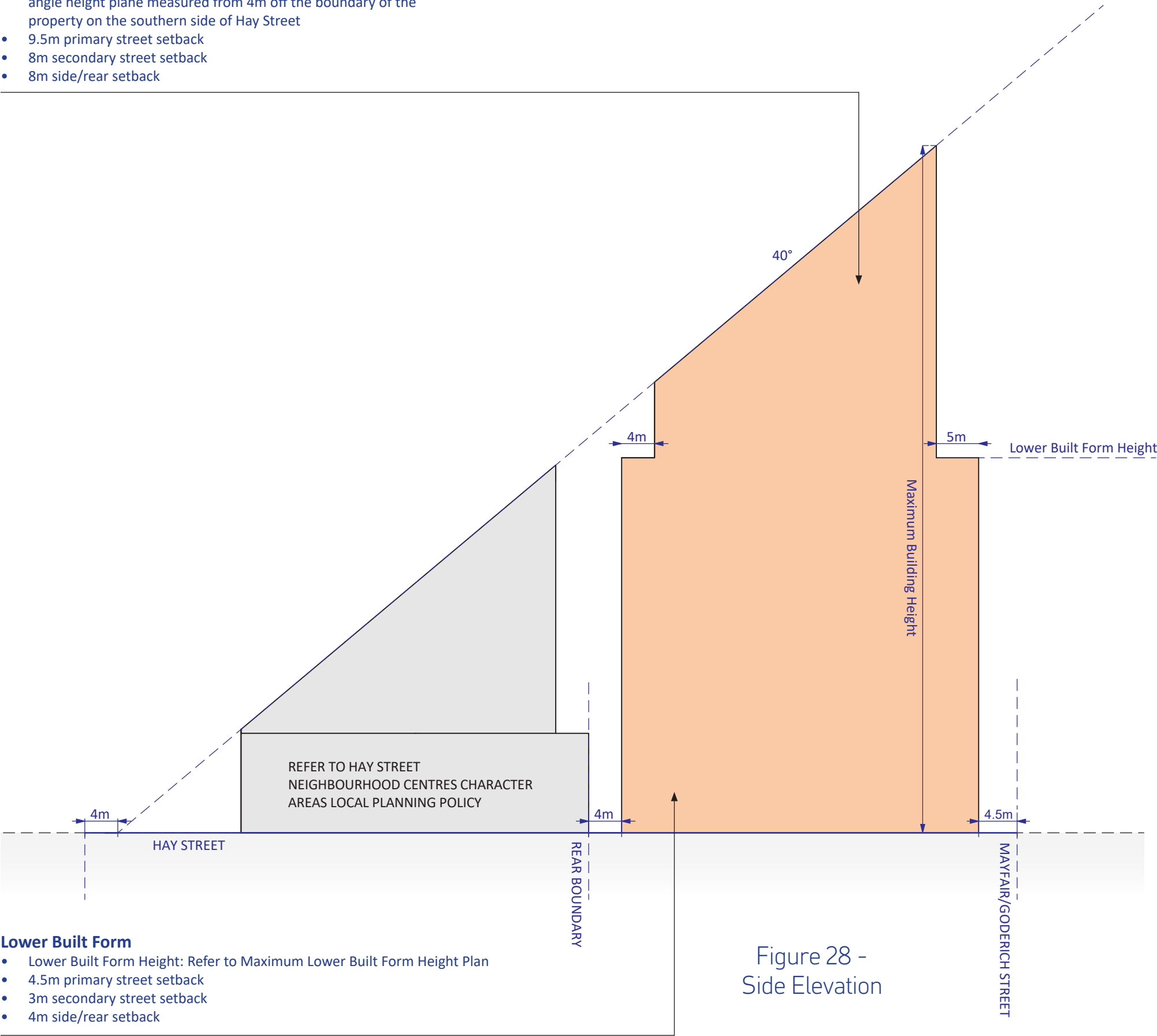


Figure 28 - Side Elevation

Lower Built Form

- Lower Built Form Height: Refer to Maximum Lower Built Form Height Plan
- 4.5m primary street setback
- 3m secondary street setback
- 4m side/rear setback

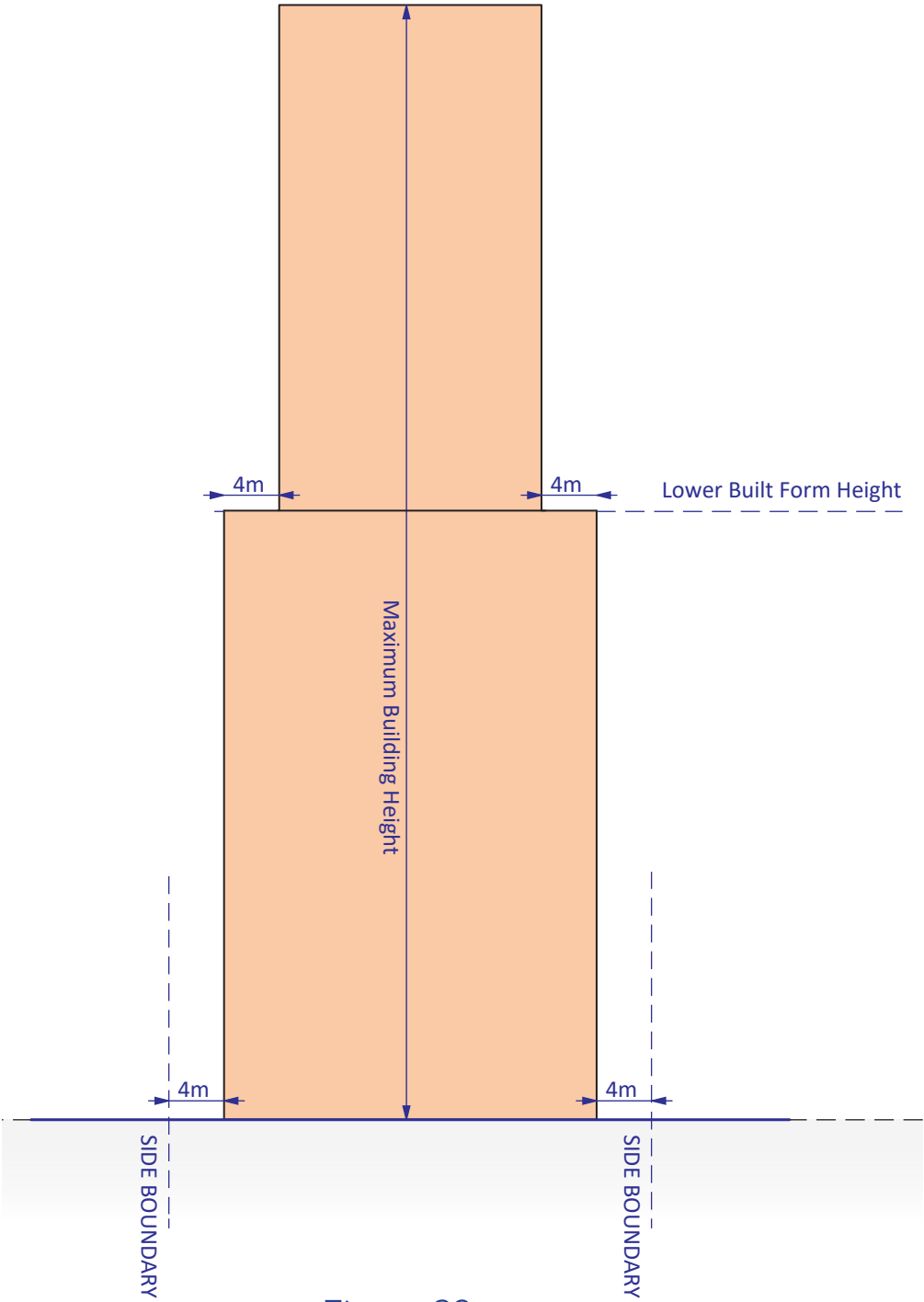


Figure 29 - Street Elevation

Legend

- Sunlight Access Influence Areas
- Public Open Spaces
- Pedestrian Priority Areas
- Development WA



CITY OF
SUBIACO

Whilst Kings Park is situated
within the City of Perth District
Boundary, its ongoing management
is the responsibility of the Botanic
Gardens and Park Authority.

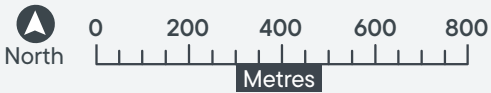
Kings Park



Building Heights and Setbacks
Local Planning Policy

Draft Shadow Impact Areas Plan

Whilst all care has been taken to accurately portray the original map, spatial data can be subject to modification over time. Please contact the City of Perth if you have any questions about the publication or suspect any omissions or errors in this electronic map. Produced by the City of Perth. Base information supplied by the Western Australian Land Information Authority, SLIP (Shared Location Information Platform).



Plot Date: 11 October 2024