

Planning and Development Services Statutory Planning Services



Report number / title:	PD-027/26	Proposed Scheme Amendment No.199 - Recoding from 'Residential (R15)' to 'Residential (R20)' - Safety Bay and Shoalwater
File number:	LUP/2291	
Applicant:		
Owner:	Various	
Author:	Ms Nyah Cheater, Senior Planning Officer	
Other Contributors:	Mr Mike Ross, Manager Statutory Planning	
Date of Committee meeting:	15 June 2026	
Previously before Council:		
Disclosure of Interest:		
Nature of Council's role:	Legislative	
Attachments:		
Maps / Diagrams:	1. Current Zoning Map Under TPS2	
Site:		
Lot Area:		
LA Zoning:		
MRS Zoning:		

Purpose of Report

To consider Amendment No.199 to Town Planning Scheme No.2 (**TPS2**), which proposes to recode all properties currently zoned 'Residential (R15)' within the suburbs of Safety Bay and Shoalwater to 'Residential (R20)', with the exception of those lots identified for 'managed retreat' within the coastal hazard area. The Scheme Amendment is considered to be a 'Standard' Amendment for the purpose of public advertising.

Background

Shoalwater Local Housing Strategy (SLHS)

In July 1998, Council resolved to prepare a Local Housing Strategy for the Shoalwater area to investigate existing residential densities and to determine whether increases were warranted or supported by the local community. This work was initiated in response to the installation of reticulated sewerage, which prompted several landowners to request recoding to higher densities. Council sought to understand whether the proposed 'base density' of R20 under the draft TPS2 was the most appropriate mechanism to guide future development.

At that time, residential properties in Shoalwater were coded R12.5/R15 under former Town Planning Scheme No.1 (**TPS1**) due to the absence of reticulated sewerage. With the provision of reticulated sewerage in 1998, this constraint was removed, enabling consideration of higher-density residential development.

The City of Rockingham (**City**) subsequently engaged a Consultant to prepare the SLHS which included a detailed assessment of existing retail and community facilities, age and condition of housing, character of residential lots, streetscape quality and community profile. At the time of this assessment, Shoalwater consisted predominantly of single detached dwellings with some two-storey 'walk-up' flats. A notably high proportion of dwellings were unoccupied (up to 40.9%), indicating that Shoalwater functioned largely as a holiday destination.

The Consultant identified two (2) potential density scenarios for the future of Shoalwater:

- **Option 1** - Proposed higher residential densities of R30/R40 within a 400m walkable catchment of neighbourhood centres to support targeted infill development in areas with convenient access to shops, services, and public transport. Land located outside the 400-metre radius would generally retain an R15 coding, consistent with TPS1. Existing duplex/triplex sites would be recognised under an R20 code.
- **Option 2** - Proposed a blanket R20 coding across Shoalwater, with retention of existing R40 sites, allowing a more uniform but less targeted approach to infill development.

Following detailed analysis and community consultation, Option 1 emerged as the preferred scenario, supported by both the Consultant and the community. Option 1 was considered the most balanced approach, enabling strategic redevelopment in appropriate locations while preserving the established character of Shoalwater. This option aligned with community values and preferences at the time for retention of the beachside character, quiet residential streets and low-density development, greater tree retention, reduced traffic and noise impacts, and a more diverse mix of housing types in suitable locations.

The Consultant emphasised that Shoalwater's identity was closely tied to its beach-house/holiday character, recommending a diversity of residential forms to maintain this character while still accommodating modest growth. Option 1 was subsequently adopted by Council for inclusion in the draft TPS2, which was scheduled for public advertising in 2000.

Town Planning Scheme No.2

In August 2002, the Council adopted TPS2 for final approval, incorporating the recommendations of the SLHS. Consistent with the SLHS, land located within approximately 400 metres walking distance of a neighbour centre was generally allocated an R30/R40 residential density coding under TPS2. Land outside these walkable catchments was generally designated R15, reflecting the lower-density suburban character intended for these areas.

Under the former TPS1, certain R15 coded lots held historical duplex rights which allowed lots greater than 1,000m² and created prior to 1990 to be developed with two (2) grouped dwellings despite the lower density coding. When these provisions were not carried over into TPS2, the affected lots were instead assigned an R20 density code to recognise and maintain their established development potential.

TPS2 was formally gazetted on 19 November 2004, establishing the planning framework that continues to guide development across the City, and resulting in the mixed pattern of residential densities seen in Shoalwater and Safety Bay today (refer to Figure 1).



1. Current Zoning Map Under TPS2

Residential Design Codes

The Residential Design Codes (commonly known as the **R-Codes**) are a comprehensive set of development and design standards that regulate residential development across Western Australia (**WA**). First introduced in 1991, the R-Codes have evolved over time in response to changing demographics, housing diversity and urban planning objectives. The R-Codes guide how residential land is subdivided and developed, including matters such as residential density, dwelling design, setbacks, open space, building height, and streetscape outcomes.

While the R-Codes are prepared and administered at the State level by the Western Australian Planning Commission (**WAPC**), they are implemented and applied by local governments through Local Planning Schemes and development assessment processes.

A fundamental purpose of the R-Codes is to express and manage residential density through the allocation of a residential density code (for example R15, R20, R30 etc.) to land under a Local Planning Scheme. Each density code corresponds to a minimum and average site area requirement which determines whether land can be subdivided and how many dwellings may be developed on a site. Generally, lower density codes such as R15 and R20 require larger lot sizes and support a lower-density suburban built form primarily characterised by single houses and grouped dwellings.

The average lot size acts as the primary density control, ensuring that the overall subdivision pattern aligns with the intended density. The minimum lot size ensures that no individual lot is created below an acceptable size threshold. Both requirements must generally be satisfied to enable subdivision approval.

The difference between R15 and R20 coding is shown below:

Density Code	Minimum Lot Size	Average Lot Size	Subdivision Potential
R15	580m ²	666m ²	Very limited - only very large lots exceeding 1,300m ² can meet the average requirement
R20	350m ²	450m ²	Moderate - lots exceeding 900m ² can typically subdivide; in some cases, lots between 700-900m ² may also qualify (refer to 'Policy' section of Report for further information)

Perth and Peel @ 3.5 million

In 2018, the State Government released the *Perth and Peel @ 3.5 Million* strategic framework, establishing the long-term spatial planning direction for accommodating a population of approximately 3.5 million people across the metropolitan region by 2050. The framework identifies the need to deliver 800,000 additional dwellings across Perth and Peel to support the projected population growth.

A central objective of the framework is to reduce 'urban sprawl' by shifting a greater proportion of new housing into existing urban areas. To achieve this, the framework sets a metropolitan target of 380,000 new dwellings to be delivered through infill development, representing nearly half of all future housing supply.

This shift toward consolidation is intended to:

- Support more efficient use of existing infrastructure networks;
- Reduce outward expansion into environmentally sensitive areas;
- Encourage more diverse and affordable housing options; and
- Strengthen activity centres and public transport corridors.

The City forms part of the South Metropolitan Peel Sub-Region, which is identified as a major contributor to the State's infill program due to its established suburbs, existing infrastructure networks, and capacity to accommodate redevelopment. While the framework does not assign specific numerical infill targets to individual local governments, it places a clear expectation on all South Metropolitan Peel Councils to significantly increase the proportion of housing delivered through infill.

Local Planning Strategy

On 24 November 2025, the City's Local Planning Strategy (**the Strategy**) received final endorsement from the WAPC. The Strategy establishes the long-term planning direction for the City over the next 15 years and beyond, providing the strategic rationale for zoning and land use classifications under the local planning scheme. It also forms the basis for the preparation of the City's Local Planning Scheme No.4 (**LPS4**), which is currently in development.

The Strategy recognises the City as one of the fastest growing local government areas in WA, with an expected population increase of approximately 60,000 people by 2036 (requiring 25,000 new dwellings). This growth, combined with a shifting demographic profile, has shaped the Strategy's housing direction. In alignment with the State's urban consolidation objectives, the Strategy adopts an aspirational target whereby 60% of new development is delivered within identified infill priority areas and 40% within greenfield locations, exceeding the benchmarks set by the South Metropolitan Peel Sub-Regional Framework.

The Strategy's housing direction, informed by analysis of current patterns and stakeholder engagement, aims to:

- Enable housing in activity centres and areas with good access to public transport;
- Provide greater housing choice in both dwelling type and affordability;
- Facilitate housing which better meets the needs of seniors and vulnerable groups; and
- Ensure housing responds sensitively to environmental and landscape values.

To support these objectives, the Strategy identifies the need to consider commercial viability, infrastructure capacity, housing stock age, redevelopment likelihood, impacts on other infill areas, proximity to services, and any required planning framework changes.

During public advertising of the Strategy, multiple submissions were received recommending that the existing R15 density coding in parts of Safety Bay and Shoalwater be increased. These recommendations aligned with the Strategy's dwelling yield analysis, which identified these suburbs as having strong capacity to accommodate additional infill development due to larger lot sizes, ageing housing stock and well-established infrastructure networks. The Strategy concluded that this infill could occur without significant impact on local character.

The Strategy also notes that a base R15 density coding is no longer considered contemporary planning practice, except where strong justification exists to preserve a distinct and valued character. In Safety Bay and Shoalwater, the historical pattern of subdivision and development has not produced a sufficiently unique character to justify retention of the R15 coding. While the SLHS emphasised Shoalwater's beach-house character in 1998, subsequent redevelopment, demographic change, and updates to the State planning framework have reduced the relevance of the earlier character-based rationale for retaining R15.

In response to the submissions received, the Strategy was amended to include a new action to increase areas coded R15 to R20 throughout Shoalwater and Safety Bay as part of LPS4. This action supports additional infill opportunities and aligns the City's planning framework with State planning direction. The modified Strategy was supported by Council in August 2024 and received final endorsement from the WAPC in November 2025.

Coastal Hazard Risk Management and Adaptation Plan (CHRMAP)

A CHRMAP is a strategic planning document prepared in accordance with *State Planning Policy 2.6 - State Coastal Planning Policy* to identify, assess, and manage long-term risks associated with coastal hazards such as erosion, inundation, sea-level rise, and storm events. The City's CHRMAP, formally endorsed by Council in 2019, establishes the City's long-term approach to managing these hazards over a 100-year planning horizon. It outlines a suite of short-term management actions, including dune stabilisation, sand nourishment and ongoing monitoring, as well as long-term adaptation pathways that set out how the coastline should be managed as risks increase over time.

Importantly, the CHRMAP identifies Shoalwater and Safety Bay as areas subject to long-term coastal hazard risk, including sections of the foreshore where the adaptation response is 'managed retreat'. Managed retreat refers to the planned and staged removal, relocation, or realignment of assets where long-term protection is not feasible or sustainable. Its purpose is to reduce long-term risk exposure and allow natural coastal processes to continue.

Consistent with this approach, the City's CHRMAP generally does not support subdivision or development within areas identified as long-term hazard zones or future managed retreat areas. This strategic direction is intended to ensure that future land use planning does not intensify development in areas where coastal processes are expected to significantly change over the coming decades.

Details

Scheme Amendment No.199 proposes to amend TPS2 by recoding all properties currently coded 'Residential (R15)' within the suburbs of Safety Bay and Shoalwater to 'Residential (R20)', excluding those lots located within the mapped coastal hazard area and identified for managed retreat under the City's CHRMAP.

Future Subdivision/Development Potential

A review of property data has identified 943 freehold ('privately owned') lots currently coded R15 within the subject suburbs. Of these, 140 lots are located within the coastal hazard area and designated for managed retreat under the CHRMAP. Upcoding these lots would conflict with the CHRMAP's long-term adaptation pathways, so they are proposed to remain R15 and are therefore not considered to have any long-term subdivision or redevelopment potential.

This leaves 803 R15-coded lots outside the managed retreat area. The City's analysis indicates that, based on lot size alone, 426 of these lots would gain subdivision and development potential if upcoded to R20. Subdivision feasibility is, however, also influenced by the location of existing dwellings, outbuildings and site development patterns, which may limit redevelopment opportunities.

Timing

Progressing the R-Code density changes through a Scheme Amendment now, rather than waiting for the completion of LPS4, is considered appropriate. The finalisation of LPS4 will occur across a multi-year process involving drafting, Council's consideration, public advertising, state agency consultation, consideration by the WAPC and approval from the Minister for Planning. Deferring the upcoding until that process concludes would unnecessarily delay the delivery of housing diversity and infill opportunities already assessed as suitable and strategically supported through the endorsed Strategy.

The City also notes that, aside from Safety Bay and Shoalwater, no other established areas have been identified for proposed upcoding under the Strategy. This means the current proposal includes all planned density changes. Advancing the Scheme Amendment at this stage enables the City to respond proactively to current housing pressures and aligns with the State Government objectives for increased infill development within established suburbs.

Implications to Consider

a. Consultation with the Community

If Council initiates the Scheme Amendment as a 'Standard Amendment', the City must obtain consent from the Department of Planning, Lands and Heritage (**DPLH**) to advertise the proposal in accordance with Clause 46A of the *Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations)*. Should DPLH provide its consent to advertise, the Scheme Amendment will be advertised for a minimum period of 42 days in accordance with Clause 47 of the Regulations. Public advertising will include:

- Publishing the Scheme Amendment documentation on the City's website;
- Making the Scheme Amendment available for public inspection at the City's Administration Building;
- Publishing a notice in a local newspaper ('Sound Telegraph') circulating within the City; and
- Issuing written notification to all owners of properties proposed to be upcoded to 'R20' as part of the amendment.

b. Consultation with Government Agencies

If the Scheme Amendment is initiated by Council, the following Government Agencies will be consulted:

- Western Power
- Water Corporation
- Telstra

- Alinta Energy

The City considers that consultation with the Environmental Protection Authority (EPA) is not required as the Scheme Amendment meets the exemption criteria under Clause 33C(2)(h) of the *Environmental Protection Amendment Regulations 2024*, which removes the need for EPA referral in the following scenario:

“an amendment to increase the residential density code and decrease the minimum site area per dwelling as set out in the R-Codes Table 1 for an area of land from R12.5 or higher if the area of land –

- (i) is already developed in accordance with the existing R-Codes; and*
- (ii) does not abut land that is an area of native vegetation.”*

The proposed Scheme Amendment satisfies both elements of this exemption as the land subject to the Amendment is already developed in accordance with the current R15 coding, and none of the land proposed to be recoded abuts areas of native vegetation.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective contained in the Strategic Community Plan 2023-2033:

Aspiration: **3. Built Environment - A built environment carefully planned for today and tomorrow**

Outcome/Objective: *Built infrastructure meets current and future community needs - Plan build and maintain current and future assets*

d. Policy

Operational Policy 2.2 - Residential Subdivision (OP2.2)

The purpose of the WAPC's OP2.2 is to provide clear guidance for the assessment of residential subdivision applications, ensuring a consistent approach to the creation of residential lots throughout WA. OP2.2 operates alongside the R-Codes and sets out circumstances where variations to standard lot size requirements may be supported.

Under Clause 4.2.4(b) of OP2.2, a specific variation to the average lot size requirements of the R-Codes may be applied, provided all the following criteria are met:

- The land is coded R10 to R35;
- The site is a corner lot with frontage to two different streets or any other lot with frontage to more than one dedicated street (excluding primary regional roads, other regional roads, or major roads with access restrictions); and
- All proposed lots comply with the minimum lot size and frontage requirements set out in the R-Codes Volume 1, Table D.

Where these criteria are satisfied, OP2.2 allows a reduction to the usual parent lot size threshold required to support subdivision of a corner lot. In practical terms, this means that some dual frontage corner lots coded R20 may be capable of subdivision with a parent lot size of 700m², rather than the 900m² typically required under standard R20 provisions.

This variation recognises that corner lots typically offer greater design flexibility, improved access opportunities, and reduced impacts on adjoining properties, making them suitable candidates for small-scale infill development.

In addition to the corner lot variation, OP2.2 also provides for a 5% variation to both the minimum and average lot size requirements, subject to compliance with the relevant design requirements and receiving approval from the WAPC. These provisions provide additional flexibility in subdivision design and can further reduce the minimum parent lot size required in certain circumstances.

e. Financial

Nil

f. Legal and Statutory

Planning and Development (Local Planning Schemes Regulations) 2015 (Regulations)

The procedures for dealing with proposals to amend TPS2, are in accordance with the *Planning and Development Act 2005* and are set out in the Regulations.

Regulation 35(1) enables the local government to prepare or adopt an Amendment to TPS2, in a form approved by the WAPC. The resolution must specify whether, in the opinion of the Local Government, the amendment is a 'Complex Amendment', a 'Standard Amendment' or a 'Basic Amendment' and include an explanation for the reason the local government formed that view.

The proposal is considered to be a 'Standard Amendment' as it is consistent with a local planning strategy for the scheme that has been endorsed by the WAPC.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

Customer Service / Program/Project management / Natural Environment : High and Extreme Risks

Financial / Health and Safety : Medium, High and Extreme Risks

Nil

Comments

The proposed Scheme Amendment represents a targeted refinement of the City's planning framework, putting into action the directions set out in the City's endorsed Local Planning Strategy. The Amendment does not introduce new or unexpected policy changes. Instead, it provides a logical and orderly update to the City's Town Planning Scheme No.2, ensuring it remains consistent and aligned with the City's long-term planning objectives.

By implementing the density upcoding identified in the Local Planning Strategy, the Amendment will support coordinated infill development, improve alignment between strategic and statutory planning instruments, and provide clearer guidance and certainty for landowners, developers, and the broader community.

Accordingly, it is recommended that Council adopt Scheme Amendment No.199 for the purpose of advertising, enabling community and stakeholder feedback prior to final consideration.

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

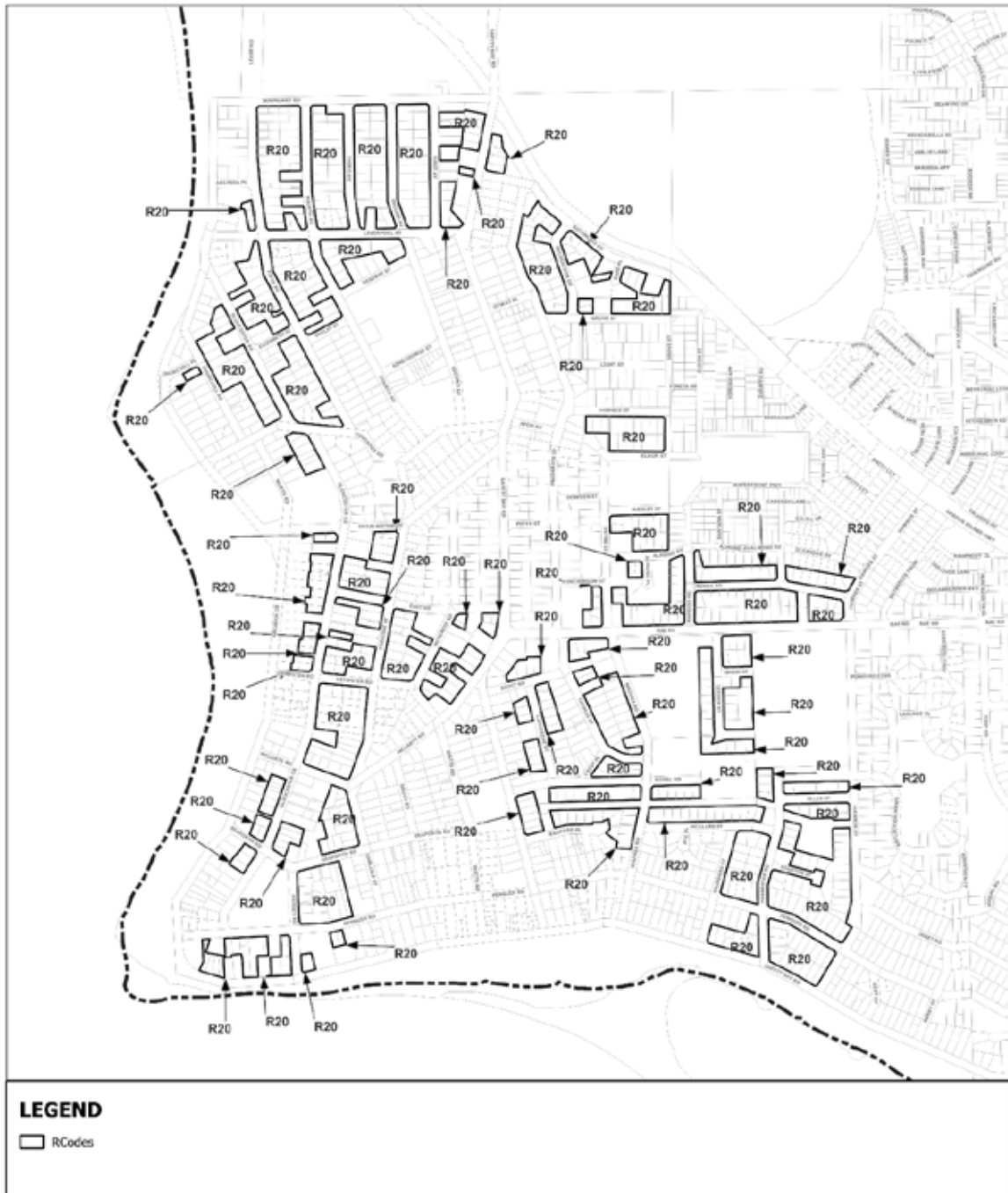
1. **SUPPORTS** Amendment No.199 to Town Planning Scheme No.2 proposing to rezone all properties currently zoned 'Residential (R15)' within the suburbs of Safety Bay and Shoalwater to 'Residential (R20)', with the exception of those lots located within the coastal hazard area and identified for 'managed retreat' under the City's Coastal Hazard Risk Management and Adaptation Plan, as shown on the Scheme Amendment Map below:



TOWN PLANNING SCHEME 2 SCHEME AMENDMENT

AMENDMENT No.199

PROPOSED ZONING



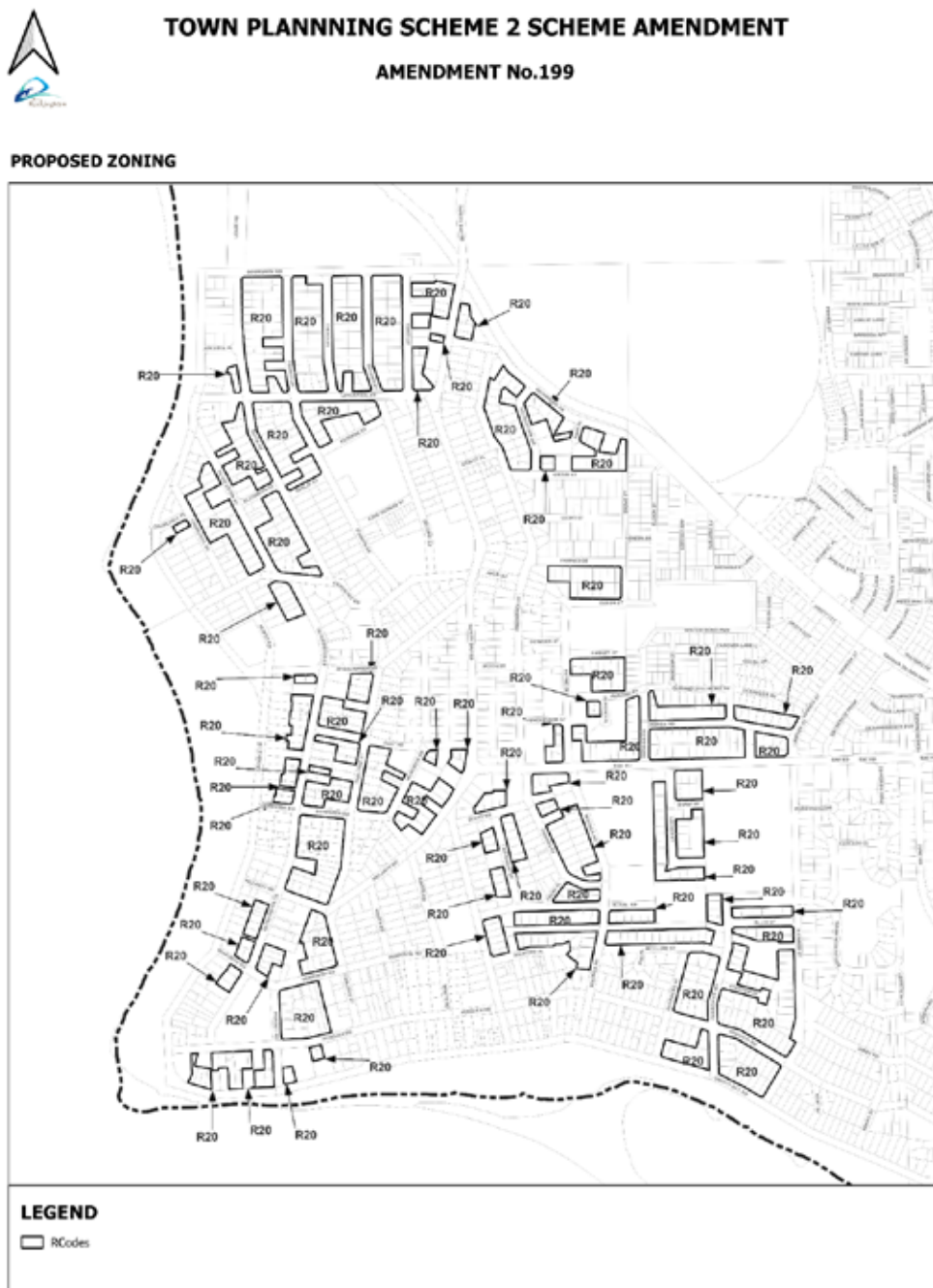
2. **CONSIDERS** the proposed Scheme Amendment to be a Standard Amendment in accordance with Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
3. **CONSIDERS** that referral to the Environmental Protection Authority is not required, as the Scheme Amendment meets the exemption criteria under Regulation 33C(2)(h) of the *Environmental Protection Amendment Regulations 2024*; and

4. **REQUIRES** the proposed Scheme Amendment to be advertised for a minimum period of 42 days in accordance with Regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Committee Recommendation

That Council:

1. **SUPPORTS** Amendment No.199 to Town Planning Scheme No.2 proposing to recode all properties currently zoned 'Residential (R15)' within the suburbs of Safety Bay and Shoalwater to 'Residential (R20)', with the exception of those lots located within the coastal hazard area and identified for 'managed retreat' under the City's Coastal Hazard Risk Management and Adaptation Plan, as shown on the Scheme Amendment Map below:



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Committee Voting (Carried) – 6/0

Council Members voting for the motion:

Mayor Buchan
Cr Jones
Cr Robertson

Cr Jecks
Cr Mbano
Cr Rudman

Council Members voting against the motion:

Nil

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Council Resolution

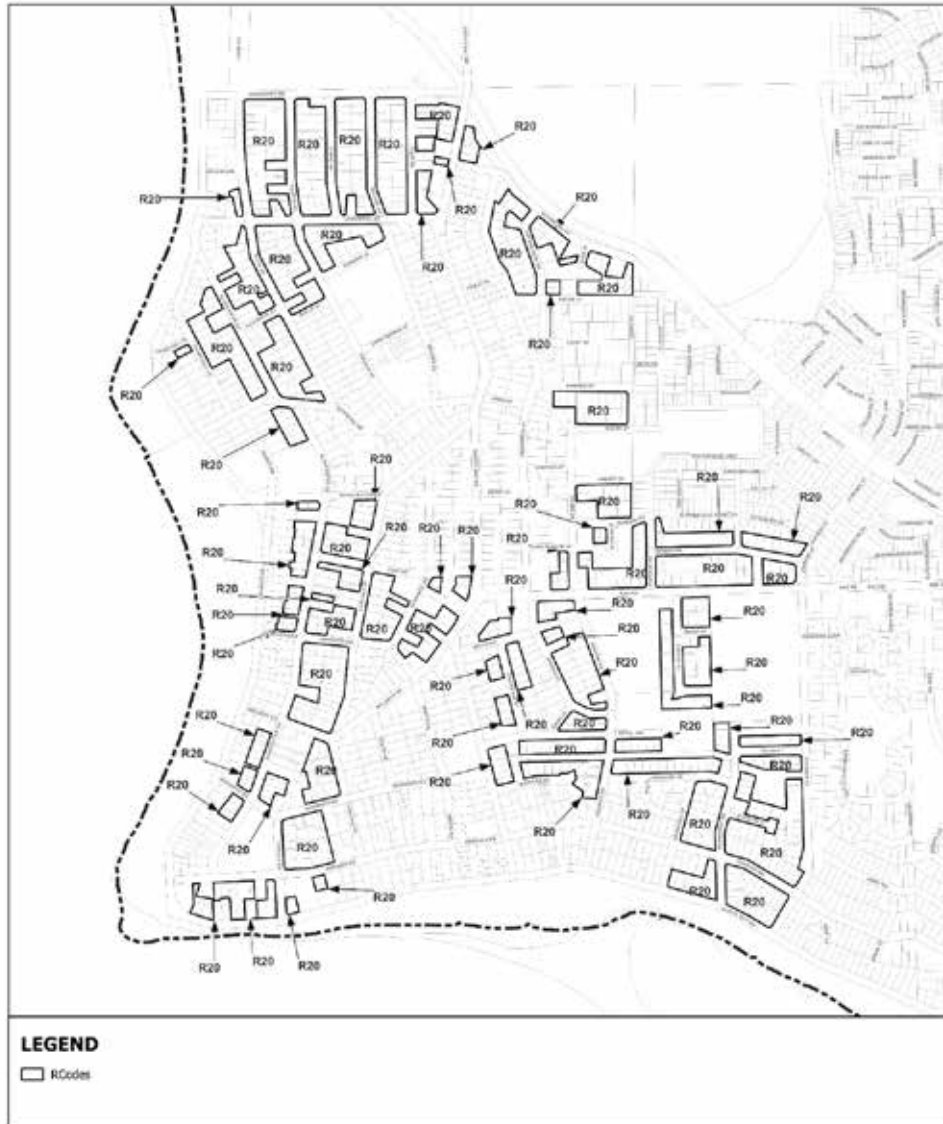
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TOWN PLANNING SCHEME 2 SCHEME AMENDMENT AMENDMENT No.199

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Carried en bloc

The Council's Reason for Varying the Committee's Recommendation

Not Applicable