

Land Use Planning & Development Advisory Committee – Terms of Reference

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1. Purpose

The purpose of the Committee is to provide oversight of Council's Land Use Planning and Development Strategies and related policies to ensure the best outcome for the ratepayers and residents of Shoalhaven.

2. Interpretation

For the purpose of this document:

Member means a member of the Committee

Council means Shoalhaven City Council

Chairperson / Chair means the chairpersons of the Committee

Elected members means the elected Councillors of Shoalhaven City Council

CSP means the Shoalhaven City Council Community Strategic Plan

DPOP means the Shoalhaven City Council Delivery Program Operational Plan

LEP means the Shoalhaven Local Environmental Plan 2014

PP means a Planning Proposal – amending the LEP is done so via the preparation of a PP

DCP means the Shoalhaven Development Control Plan 2014

CP means the Shoalhaven Contributions Plan 2019

VPA means a Voluntary Planning Agreement

WKA means a Works in Kind Agreement

LSPS means the Shoalhaven Local Strategic Planning Statement

3. Status of the Committee

The Committee provides non-binding advice to Council for consideration.

4. Role

1. The general oversight of the following council-initiated matters in the areas of land use planning and development but not restricted to the.
 - a. Preparation and maintenance of Strategic Plans & Policy, including but not limited to:
 - i. Strategies related to land use planning (e.g. LSPS)
 - ii. Local Environmental Plan 2014 (LEP)
 - iii. Shoalhaven Development Control Plan 2014 (DCP)

- iv. Shoalhaven Contributions Plan 2019 (CP)
- b. Oversight of Guidelines and associated processes applied by the Council in regard to
 - i. Planning Proposals (PP's)
 - ii. Work in Kind Agreements (WIKAs)
 - iii. Voluntary Planning Agreements (VPA's)
2. Consider the Strategic Planning Framework and provide advice to Council with respect to relevant strategic planning projects, including:
 - a. The need for additional projects.
 - b. Priorities to be given to projects.
 - c. Other matters of strategic planning interest.
3. Receive and consider reports from the CEO with respect to activities and outcomes of the following bodies:
 - a. Affordable Housing Action Taskforce
 - b. Internal Development Contributions Advisory Group
 - c. Shoalhaven Development Industry Reference Group
 - d. Nowra Riverfront Activation Taskforce (NRAT)
4. Provide advice to Council on resourcing related to Development Application processing for consideration for during the preparation of the Shoalhaven Delivery Plan and Operational Plan and Workforce Plan.

5. Key strategy, plan and other linkages

The purpose of this Committee is linked to actions within the Council's Strategies, Plans and other documentation listed

Document	Priority, Objective, Action etc.	Link
Integrated Planning and Reporting Framework, consisting of the <i>Community Strategic Plan 2035</i> and <i>Delivery Plan and Operational Plan 2025-26</i>	<p>Priority 2.2 - Liveable Neighbourhoods and Sustainable Development</p> <p>Strategy 2.2.1 - Facilitate sustainable development that considers current and future needs of our community and environment (and subsequent Actions)</p> <p>Priority 3.1 - Economic Opportunity and Diversity</p> <p>Strategy 3.1.2 - Work with business, government, and other partners to build a diverse local economy which provides employment opportunities for all (and subsequent Actions)</p> <p>Strategy 3.3.1 - Develop and implement plans which will enable a variety of affordable and appropriately serviced</p>	<p>Shoalhaven 2035 Community Strategic Plan</p> <p>Delivery Program & Operational Plan</p>

	<p>housing options in the City (and subsequent Actions)</p> <p>Priority 4.3 - Effective collaboration and engagement</p> <p>Strategy 4.3.2 - Provide opportunities for the community to have genuine engagement on Council planning and decision making (and subsequent Actions)</p>	
<p>Local Strategic Planning Statement – <i>Shoalhaven 2040</i></p>	<p><i>Shoalhaven 2040</i> identifies Shoalhaven's land use planning challenges and opportunities and sets out related policy positions and the work Council needs to do to identify and meet the communities' needs. The document sets out current work, required collaboration activity, and actions under the following Planning Priorities:</p> <ol style="list-style-type: none"> 1. Providing homes to meet all needs and lifestyles 2. Delivering infrastructure 3. Providing jobs close to home 4. Nowra City Centre 5. Ulladulla Town Centre 6. Strengthening commercial centres 7. Promoting a responsible visitor economy 8. Supporting agriculture and aquaculture 9. Industrial and defence related opportunities 10. Protecting the environment 11. Adapting to natural hazards through building resilience 12. Managing resources 13. Protecting and enhancing neighbourhoods 14. Heritage items and places 15. Scenic and cultural landscapes 16. Promoting events and public art 	<p>Shoalhaven 2040</p>

6. Delegations

This Committee is an Advisory Committee and may consider and make recommendations to Council on all matters within the role outlined above. These recommendations may be submitted via the minutes of each meeting to Council for consideration.

Substantial issues and recommendations (possibly including expenditure) related to the purpose of the Committee will at times be reported directly to Council by a separate report from CEO (Director – City Development), to comply with identified procedural or governance requirements or for reasons of expediency.

The Committee does not have the power to incur expenditure (directly or indirectly), or the power to bind Council.

The Committee may invite relevant experts in the areas of land use planning and development (including government experts) to provide presentations to the Committee on matters related to their role as follows:

- i) Invitations will be issued to experts to make presentation following endorsement of the Committee during meeting proceedings, or out of session with the agreement of the Chairperson and the CEO.
- ii) Presentations will form part of the initial proceedings of Committee meetings when required.
- iii) Copies of any documentation or presentation provided to the Committee during proceedings will be retained as official records of the Council.
- iv) At the completion of their presentation an expert may be requested by Councillors or Staff in attendance to answer questions with respect to their presentation. At the conclusion of any questions the expert will be required to leave the meeting prior to further discussions by the Committee.
- v) Confidentiality disclosures may be required to be completed by external parties who provide information or presentation to the Committee, subject to the confidential nature of the issue being considered under Section 10(A) (2) of the Local Government Act.

7. Membership

Councillor Representatives

The Committee will comprise of the Mayor, together with all Councillors as voting members.

Council Officers

Relevant Council officers will attend meetings to provide specialist professional advice in land use development and planning and administrative support. Council officers do not have voting rights.

Government Agencies, Community Organisations and Service Providers

The Committee may invite relevant experts in the planning and development industry to attend and provide specialist advice as outlined in Part 6 above. Any external parties invited do not have voting rights.

Chair and Deputy Chair

Council will appoint one (1) Councillor to be the Chair of the Committee and a Deputy Chair to fulfill the role if the appointed chair is absent.

In the absence of both the appointed Chair and Deputy Chair at a particular meeting, the members shall elect a Chair for that meeting.

Terms of Office

The term of the Chair and Deputy Chair and voting members will be one (1) year which will be reviewed annually in September.

Elected members continue as members of the Committee until the next ordinary election of the Mayor, or the next general election of Council, or until the Committee is disbanded or arrangement amended by Council resolution.

8. Committee Meetings

Agenda

Agenda will be distributed 7 days prior to the date of the meeting and published on the Council website.

Reports or queries about the meeting arrangements should be forwarded to the meeting secretariat (Governance)

Quorum

Five (5) Councillors. No proxy votes are permitted. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

Voting

It is expected that the Committee, and any working group, will develop recommendations by consensus, however voting will be recorded. If voting is required, a majority shall prevail with the Chair having a casting vote in the case of a tied vote.

In accordance with the requirements of the 2025 Model Code of Meeting Practice, where the committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

Meeting Schedule

In general, meetings should be held once every two months (bi-monthly) on a Tuesday alternative to an Ordinary Meeting, generally commencing at 5:30pm. Meetings may also be scheduled as required, in consultation with the Chair.

Meetings will be conducted in person in the Council Chambers (Nowra Administrative Centre).

The meetings of the Committee will be open to the public and will be webcast in accordance with the 2025 Model Code of Meeting Practice.

Minutes

Movers and Seconders, and full division of votes will be recorded in the Minutes with respect to business considered during Meetings.

The Committee shall provide advice to the Council for consideration. Minutes of the Meetings of the Committee will be included as a report in the Agenda of Ordinary Meetings of the Council for consideration of recommendations for resolution. The resolutions of Council will be published in the Minutes of the Ordinary Council Meetings.

Confidentiality And Privacy

Business before the Committee which is considered to be confidential in accordance with Section 10(A) (2) of the Local Government Act, 1993 may be considered in closed session. Proceedings in closed session will be closed to the public and not webcast. Information and documentation pertaining to the Committee, other than the minutes of proceedings will be considered confidential and not to be made publicly available without the express permission of the CEO or when required under legislation.

Members who may have access to confidential or personal information retained by Council are required to maintain the security of such confidential or personal information and therefore shall not use or remove any information unless the member is authorised to do so.

Communication, Media and Public Comment

In relation to the communication functions of Committee, the following apply:

- Members of the Committee are not permitted to speak to the media as Council representatives of the Committee unless approved by the Chairperson.
- Where approval has been given by the Chairperson, views and opinions expressed are those of the Committee and not of Shoalhaven City Council.
- Where endorsement is required from Shoalhaven City Council, approval must be sought through the formal processes.
- The Chair of the Committee is the preferred point of contact for communication between members and Council staff.
- Council will endeavour to utilise the Chair as the primary point of contact to communicate with Committee members.

9. Council Staff Responsibility

The Committee's contact within Council is the Director- City Development. The City Development Directorate is considered to be responsible for the provision of expertise to the Council on Land Use Planning and Development and will provide information, reports and guidance to the Committee.

The Governance Team is responsible for administrative support functions of the committee such as collating and distributing the agenda, minutes and notation of apologies.

Guiding Principles

It is expected that members will carry out their functions as members of the Community responsibly

Members will endeavour to:

- Treat each other and those who interact with the Committee with respect and dignity.
- Recognise and respect diverse opinions.
- Give each other the space to speak.
- Listen with open minds.
- Work constructively within the group, including identifying issues and potential recommendations.
- Represent the interests of the community they support.
- Attend scheduled meetings and inform the Governance Team in advance should they be unable to attend

10. Code of Conduct

All members of the Committee are required to observe the provisions of Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.

A meeting where conduct not in accordance with these requirements may be adjourned or closed without notice and a breach of the Code of Conduct may lead to a member being expelled from the Committee.

In accordance with the Code of Conduct, members will individually be responsible for declaration of any Conflict of Interests they have with respect to business considered by the Committee.

11. Document Control

These Terms of Reference are reviewed at the commencement of each term of Council or as required. Amendments to these Terms of Reference are to be reported to Council for approval. A version history (footnote on front page) is included if amendments have been approved.

12. Other Relevant Documents List

Code Of Conduct

Code of Meeting Practice

CSP

Terms Of Reference Template