

## **How and when is the Relevant Authority appointed?**

There are two options for the appointment of a Relevant Authority:

1. one of the nominated authorities can assume the role of Relevant Authority after it gives written notice to the Minister for Planning
2. the Minister for Planning instructs one of the authorities to become the Relevant Authority.

The Relevant Authority can take on the role at any time during the process, but no later than when the Development Plan Consent Ballot is held.



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## **Does MidCoast Council want to assume the role of Relevant Authority?**

While MidCoast Council is eligible to become the Relevant Authority, Council has so far declined to take on the role.

## **Does Hunter and Central Coast Development Corporation want to assume the role of Relevant Authority?**

Alathan has been engaging with the Hunter and Central Coast Development Corporation (HCCDC) for a number of years about taking up the role of Relevant Authority.

While HCCDC has made no commitment to taking on the role, it has agreed to continue discussions with Alathan as the program continues.



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## **What does a Development Plan need to include?**

The Development Plan needs to include the following information:

- proposed plan of subdivision for the land
- details of subdivision works to be undertaken for the land
- details of the costs of the subdivision works and the proposed means of funding those works
- details of development plan costs
- details of the proportion of costs to be borne by owners of the land and the manner in which the owners may meet those costs, (including details of any proposed voluntary land trading scheme, or voluntary contributions or, if voluntary measures are not agreed to by owners, of compulsory land acquisition or compulsory contributions)
- rules as to the form of compensation for land that is compulsorily acquired and how entitlement to compensation is to be calculated
- rules as to the distribution of any surplus funds after the completion of subdivision works for the land
- any other matters prescribed by the regulation



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## **Why does North Arm Cove need to follow this process?**

Key reasons North Arm Cove must follow this process include:

- the current subdivision will not be able to comply with current planning and environmental policy and legislation,
- the large number of landowners and complexity of development mean that it would not be possible for landowners to agree on the new subdivision plan, funding mechanisms, and delivery plans without using the paper subdivision legislation process.
- Once the MidCoast LEP is finalised in 2026, the LEP will require the development of paper subdivision land to comply with draft Clause 7.27 of the LEP that requires a 'Development Plan' to be prepared. A key benefit of the legislation will be the appointment of a Relevant Authority, which will ensure the process is conducted fairly.



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## **What is the Consent Ballot?**

When a draft Development Plan has been prepared in consultation with landowners, landowners must vote to support the Development Plan before it can come into effect.

A successful ballot requires at least 60% of landowners AND the owners of at least 60% of the land to vote in favour of the Development Plan.



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## **Why is the Consent Ballot required and what is the purpose of the '60/60' requirement?**

The 60/60 requirement ensures that large landowners can't dominate the ballot and a fair outcome is achieved. This ensures that no single landowner, regardless of size, holds disproportionate influence, and that every owner has an equal say.

The process is structured to deliver both legal certainty and fair representation, while creating the opportunity for the community to decide—together—on the future of North Arm Cove.

## **When does the Consent Ballot take place?**

The ballot takes place once the development plan has been prepared and after it has been publicly exhibited.

Given the Development Plan is dependent on the endorsement of the Planning Proposal, the two plans will be publicly exhibited at the same time.



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