

## **What happens if the Consent Ballot is not successful?**

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.

If the vote doesn't succeed, the Minister is not able to issue a Subdivision Order which is the final step in the process.

However, if a ballot does not success, it is possible to hold a further ballot after understanding why the first ballot was not successful.

## **How have other paper subdivisions been developed?**

### **Heritage Estates, Jervis Bay, Shoalhaven LGA**

In the late 1990's, at the request of landowners, Shoalhaven City Council commenced the rezoning of the Heritage Estates paper subdivision. While Council actively supported the resolution of the paper subdivision, the process ultimately failed when the Federal Government refused to grant environmental approvals under Commonwealth environmental laws.

<https://www.shoalhaven.nsw.gov.au/Development-and-business/Land-use-and-zoning/Paper-subdivisions#section-1>



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## **Riverstone Scheduled Lands, Blacktown LGA**

Commencing in 2010's, Riverstone Scheduled Lands (Stages 1-3) is the only complex paper subdivision that has been unlocked to date. Landcom was appointed as the Relevant Authority under the paper subdivision legislation. Landcom, a NSW Government land developer, led and funded the preparation of the Development Plan. As the land was located in in the North West Sydney Growth Centre, the land had already been rezoned for housing by the NSW Government and Strategic Biodiversity Certification had already been granted.

<https://www.landcom.com.au/projects/riverstone-scheduled-lands-precinct-a-stages-1-3/>



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## **Wyee Point, Lake Macquarie LGA**

Wyee Point is a 37ha site located on the western shore of Lake Macquarie near Wyee. The land was subdivided into over 600 allotments in 1885.

Whilst the land was a paper subdivision, the paper subdivision legislation was not required to unlock the subdivision. This was mainly due to the relatively small number of landowners, and fewer environmental issues to resolve. Over 60% of lots were purchased over a number of years by a private company FTLR Pty Ltd, while Lake Macquarie City Council acquired around 30% of lots, with the remaining 30% owned by 30 separate private landowners. FTLR funded studies required to support the rezoning and Lake Macquarie prepared the rezoning report. The land was rezoned in 2013.

Following the granting of a number of development consents, Trevet, (a parent company of Alathan), purchased the land and associated approvals. Construction is due to commence in early 2026.

<https://trevet.com.au/solara-cove/>

Rezoning reports: <https://www.planningportal.nsw.gov.au/ppr/lep-decision/lake-macquarie-local-environmental-plan-2004-amendment-no-50-ramsgate-estate-wyee>



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## **Wyee Paper Subdivision, Lake Macquarie City Council**

Lake Macquarie City Council has led a process to unlock another paper subdivision at Wyee. Council has undertaken a considerable amount of investigations to progress the project. Council continues to advocate to the NSW Government for either Landcom or Hunter and Central Coast Development Corporation to be appointed as the Relevant Authority to lead and fund the process.

<https://www.lakemac.com.au/Development/What-we-do/Paper-subdivisions/Wyee-Paper-Subdivision>



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## **Can paper subdivisions be unlocked without going through the Development Plan process?**

As demonstrated by the Wyee Point paper subdivision, it is possible to unlock paper subdivision without using the Development Plan process.

This would typically apply to paper subdivisions where:

- there are only a few lots and/or landowners
- few or no environmental constraints
- if all landowners agree on how to fund the development of the land
- the existing subdivision does not need to be amended as they are suitable based on current planning and environmental legislation (eg lot sizes are suitable for urban development)

Given North Arm Cove has at over 3,000 lots with 2,000+ owners, as well as significant environmental constraints and infrastructure funding requirements, resolving the paper subdivision without using the paper subdivision legislation will not be possible.

Both the NSW Government and MidCoast Council will not support the development of North Arm Cove without following the Paper Subdivision legislation and pathway. When the draft MidCoast LEP is finalised in 2026, the LEP will map all paper subdivision in the LGA and include provisions that require the preparation of a Development Plan under the paper subdivision legislation.



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