

To Adam Iskander- Senior Planning Officer, DPE  
Planning Proposal PP-2021-5837 Western Sydney  
Subject University Campus, Milperra – Response to Item 1 email dated 1  
March 2023  
Date 13 April 2023  
From Theo Zotos- Senior Development Manager, Mirvac

This information memo provides a response to Item 1 of your email dated 1st March 2023 which reads as follows;

*Management of the C2 Environmental Conservation Zone land – It is noted that Council and the Office of Strategic Lands have indicated they do not want ownership of the land at this time. Accordingly, please provide updated information clarifying the intended future ownership and ongoing management arrangements to protect and conserve the Endangered Ecological Community and consistent with Condition 1(m) of the Gateway determination.*

Gateway Condition 1m is provided below for reference;

- m. Clarify whether the proposed Zone C2 Environmental Conservation zone will be publicly accessible and how the land will be managed on an ongoing basis to protect and conserve the Endangered Ecological Community.

For completeness, the response provided to the DPE within the Submissions Evaluation Report and Planning Proposal regarding the accessibility and ongoing management of the conservation area is provided for reference below;

The C2 zoned land is incorporated with the future adjoining B1 Neighbourhood Centre under either a community title or strata titled scheme. The preferred property scheme will incorporate a levy to ensure funding for ongoing maintenance of the vegetated area in accordance with the relevant Vegetation Management Plan (VMP) or the like.

The provision of public access to the conservation land is constrained due to ecologically significant vegetation and the measures needed to ensure its protection and conservation. In consideration of similar examples and principles around surveillance, protection, conservation, and liability, it is assumed that access will not be available to the public.

It is proposed that Community Title scheme will apply to the proposed B1 Neighbourhood Centre and C2 Environmental Conservation zone shown in Figure 1 below.

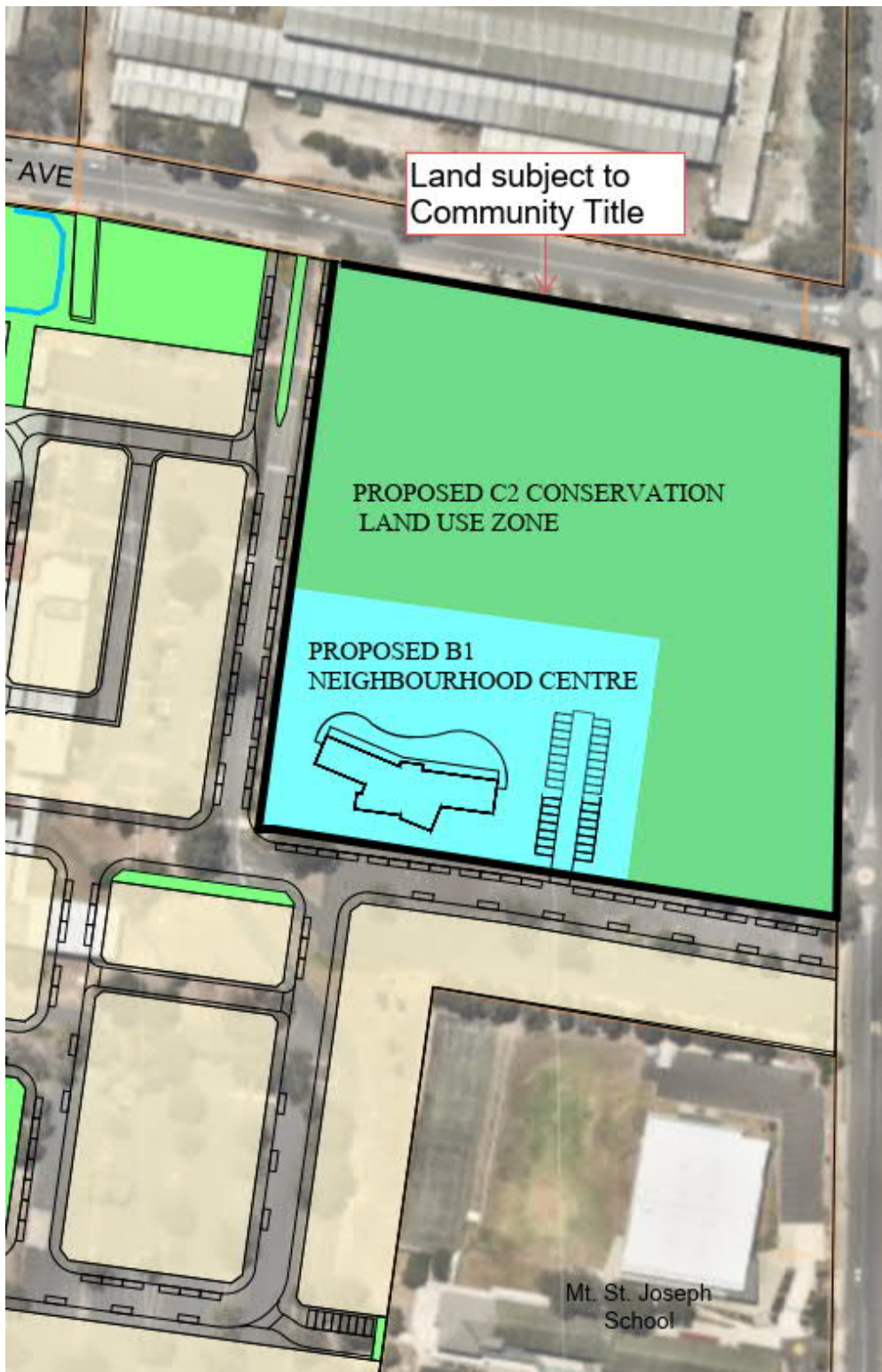


Figure 1. Indicative site identification plan of proposed Community Title subdivision

A Community Title scheme is created via the registration of a Community Plan and, much like a strata scheme, is managed by a body corporate consisting of all lot owners known as the Community Association.

All common areas, in this case future car parking, pedestrian paths, turfed areas within the B1 zone, and the land to be zoned C2 Conservation, are referred to as the Association Property. An indicative Community Title Plan has been drafted to illustrate lot allocation of such a scheme (Refer to attachment).

In the attached example Lot 1 represents the Association Property; Lot 2 represents an indicative future childcare premises; and Lot 3 a proposed café. In the event further commercial uses are developed, they would be allocated the respective land area and numbered Lot 4,5 etc.

Each lot is allocated a Unit Entitlement (UE) based on the sites value, and the UE's for each lot determine the voting rights and payment of maintenance levies. The levies contribute towards ongoing maintenance and insurance costs for the Association Property (Lot 1 on the attached plan). In simple terms, Lot 1 is co-owned by all the owners of the commercial premises.

As part of the Community Title Scheme a Community Management Statement (CMS) is created that lists particular rules (referred to as by-laws) around the use and maintenance of the Association Property along with each owners obligations.

The ongoing maintenance obligations and related funding of the C2 Conservation land will be set out in the CMS, and likely to be guided by an endorsed Vegetation Management Plan. The approval authority may also impose conditions of consent to ensure relevant reporting of maintenance activities are completed and evidence provided to the relevant authority, for example, the Office of Environment and Heritage or Council. For further security where required, Part 5 of the CMS may include relevant consent conditions that can only be amended via the agreement of the relevant consent authority.

A further benefit to the Community Title ownership structure is that the CMS can also include obligations to manage the APZ located wholly within land to be zoned B1 Neighbourhood Centre (refer to exhibited Bushfire Risk Assessment report by Ecological Australia). Further, the CMS may also govern ongoing operational requirements (if necessary) such as commercial waste collection and management of parking etc.

As a note, the remainder of the subdivided land under the masterplan is to be subdivided under Torrens Title with public areas such as roads and open space to be dedicated to Council under the VPA.

Please don't hesitate to contact the undersigned on 9080 8062 if you have any queries in relation to the above.

Regards,

A handwritten signature in black ink, appearing to read 'Theo'.

**Theo Zotos**  
Senior Development Manager  
Development

**Attachment 1**

Indicative Community Title and locality plan



INDICATIVE  
COMMUNITY PLAN  
LOCALITY PLAN

THIS SHEET IS BEING CONTINUALLY UPDATED TO SHOW THE CURRENT SUBDIVISION PATTERN OF THE SCHEME. FOR DETAILS OF UPDATES AND ADDITIONAL AND REPLACEMENT SHEETS SEE SCHEDULE BELOW		
SCHEDULE OF CHANGES TO THE SCHEME		
LOT No	DETAILS	SHEET No.
Subdivision Certificate No. Date: ~		
Surveyor: BEVERIDGE WILLIAMS & CO. Surveyors Ref: 19164(COMMS-CP)PS		
Registered		
COMMUNITY		


PLAN OF PROPOSED COMMUNITY TITLE SCHEME  
(SUBDIVISION OF LOT \_\_ IN DP\_\_\_\_\_ (UNREG))



INDICATIVE  
COMMUNITY PLAN  
DETAIL PLAN



NOTE: DIMENSIONS AND  
AREAS ARE SUBJECT  
TO FINAL SURVEY AND  
COUNCIL APPROVAL

<div>SURVEYOR</div> <div>Name: BEVERIDGE WILLIAMS &amp; CO.</div> <div>Date: ~</div> <div>Reference: 19164(COMMS-CP)PS</div>	<div>PLAN OF</div> <div>SUBDIVISION OF LOT __</div> <div>IN DP_____ (UNREG)</div>	<div>L.G.A: CANTERBURY / BANKSTOWN</div> <div>Locality: MILPERRA</div> <div>Reduction Ratio: 1:800</div> <div>Lengths are in metres</div>	<div></div> <div>Beveridge Williams</div>	<div>UNREGISTERED</div> <div>DP----</div>
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COMMUNITY PLAN

COMMUNITY PROPERTY PLAN

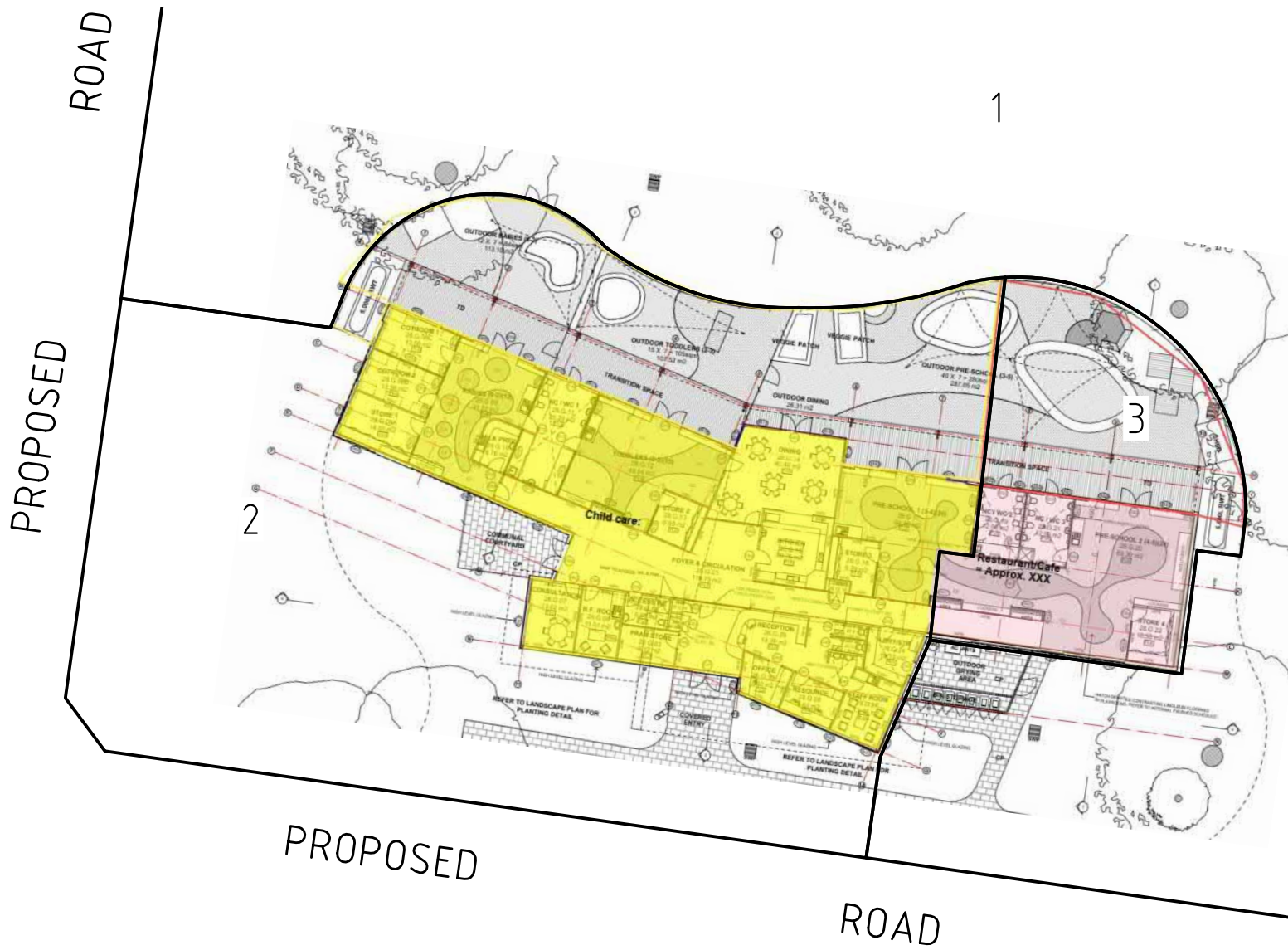


DIAGRAM 3A  
SHOWING OVERLAY ON  
EXISTING BUILDING  
NOT TO SCALE



- NOTES:
- EXISTING LEASES TO TELSTRA TO REMAIN (INCOME TO CONTRIBUTE TO MAINTENANCE OF LOT 1 FACILITIES)
  - COMMON AREAS WITHIN LOT 1 (EG CARPARKING AND SERVICES INFRASTRUCTURE) TO BE MAINTAINED BY THE COMMUNITY ASSOCIATION
  - COMMUNITY ASSOCIATION TO MAINTAIN VEGETATED CONSERVATION AREA, AND ALL TURFED AND LANDSCAPED AREAS WITHIN LOT 1.

<div>SURVEYOR</div> <div>Name: BEVERIDGE WILLIAMS &amp; CO.</div> <div>Date: ~</div> <div>Reference: 19164(COMMS-CP)PS</div>	<div>PLAN OF</div> <div>SUBDIVISION OF LOT __</div> <div>IN DP _____ (UNREG)</div>	<div>L.G.A: CANTERBURY / BANKSTOWN</div> <div>Locality: MILPERRA</div> <div>Reduction Ratio: 1:800</div> <div>Lengths are in metres</div>	<div></div>	<div>UNREGISTERED</div> <div>DP----</div>
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