

22 February 2013

The General Manager  
City of Wagga Wagga Council  
PO Box 20  
WAGGA WAGGA NSW 2650  
Attn: Amanda Gray

Dear Amanda,

### **DA 12/0347 – Southcity Shopping Centre, Glenfield Park – Amendment to Draft Conditions of Consent**

A discussed with both Stephen Charlton of APS and myself, some minor amendments are sought by the applicant to the draft conditions of consent provided with your assessment report on Southcity Shopping Centre (DA 12/0347) to the Joint Regional Planning Panel (Southern Region) for their meeting on 7 March 2013.

It is requested that minor amendments be made to the wording of conditions 2, 5 and 56, and that condition 6 be deleted altogether. Our suggested wording changes and reason for the modifications are listed below. Deletions are shown ~~struck through~~, and new wording is shown in **red text**.

#### **Draft Condition 2**

Amend as follows.

The proposed vehicular access points must be located to comply with the **sight distance requirements (in either direction) as set out in AS2890.1-2004 Australian Standard for Parking Facilities Part 1 - Off Street Parking** ~~required Safe Intersection Sight Distance (SISD) in either direction in accordance with the RMS's Road Design Guide for the prevailing speed limit~~. Compliance with this requirements must be certified by an appropriately qualified person prior to the release of Construction Certificate.

Reason for the change in wording:

This condition as originally drafted referred to an RMS standard which applies to road intersections. This condition seeks to ensure sight lines are adequate at the proposed driveway crossover point and AS2890.1-2004 is the correct standard to be applied in this instance.

#### **Draft Condition 5**

Amend as follows:

Prior to the issue of a Construction Certificate details of all structural concrete and structural steelwork shall be submitted to Council **or a Private Certifying Authority (PCA)** for approval, all such details shall be certified by a practicing Structural Engineer.

Reason for the change in wording:

Including reference to a Private Certifying Authority makes the condition consistent with the provisions of the EP&A Act and Regulation in relation to certification of works.

#### **Draft Condition 6**

It is requested that this condition be deleted altogether as it relates to domestic construction and is not applicable to the proposed development.

#### **Draft Condition 56**

Amend as follows:

A development application will be required for the ~~fitout occupation of the Discount Department Store, the Mini-Major Store and~~ each tenancy within the extended shopping centre, **except as required by SEPP (Exempt and Complying Development Codes) 2008**. Applications for subsequent changes of tenancy will be determined against SEPP (Exempt and Complying Development Codes) 2008.

Reason for the change in wording

The development application sought consent for the use of the shopping centre for retail purposes and the planning report assesses and recommends consent for this use. As such, further development applications for the occupation of this space should not be required. From our telephone discussion I understand that this condition was intended to require DA for 'fitout' instead of 'occupation'. The condition should also recognise that fitout works which fall within the provisions of SEPP (Exempt and Complying Codes) 2008, would not require lodgement of a formal development application to Council.

#### **Memo to the Joint Regional Planning Panel**

If Council is amenable to the above condition amendments, it is requested that a memo be prepared and forwarded to the Joint Regional Planning Panel Secretariat outlining these proposed amendments to the draft conditions. It would be appreciated if Stephen Charlton and myself could please be copied in on any such correspondence to the Secretariat for our information.

I would be more than happy to discuss the above and can be reached on 8233 9969.

Yours sincerely,



Jacqueline Parker  
Associate Director