

13 April 2022

The Chief Executive Officer
Northern Beaches Council

Dear Sir / Madam,

STATEMENT OF ENVIRONMENTAL EFFECTS
691 Pittwater Road, Dee Why
Request for modification under Section 4.55(2) to Consent DA2020/0272

1 Introduction

DA2020/0272 was approved by the Sydney North Planning Panel on 25 November 2020 for 'demolition and construction of a mixed-use building (shop-top boarding house)'.

Modification to the development consent is sought to make modest changes to the approved development.

Most of the proposed modifications are of a minor or modest nature and are the result of further detailed design during preparation of the construction certificate application. The proposed changes do not affect the building height, form, bulk, traffic generation, overshadowing, view sharing, or privacy impacts and are aimed at improving the overall amenity of the building.

It is assessed that the proposal involves appropriate changes to the original development consent, noting that:

- The proposed design and presentation of the approved development is maintained and enhanced.
- No change is proposed to the intensity of the approved development.
- The proposed modifications are within the environmental capacity established by the approval of DA2020/0272 and the accompanying heritage report.

1.1 Supporting documentation

The modification is accompanied and supported by the following expert reports:

- Architectural plans
- Heritage assessment
- BCA / access assessment
- Acoustic assessment
- BASIX certificate

2 Proposed Modifications

The proposed modifications are depicted in the accompanying architectural plans by BKA Architects. A summary of the proposed modifications are described below:

- Balconies added within approved front and rear setbacks and 300mm articulation zone.
- Open atrium width reduced by 1m, 500mm each side.
- Boarding room areas increased but under 25m² limit in SEPP ARH (excluding bath and kitchen).
- Studies added next to the north and south side walls.
- Bathroom pods shifted to project slightly into approved corridor areas.
- Air conditioning added.
- Roof top plant / urban farm – locations altered.
- Roof over fire stair added to address NCC compliance – within height limit.
- Discrepancy identified in previous gross floor area calculations. Notwithstanding, the approved and proposed modification plans are under the maximum FSR. The GFA approved and proposed is profiled within the tables at Annexure 2 from the architectural plan set. Overall, it shows a 67m² reduction in the approved building GFA.
- Changes to communal room – kitchen added.
- Worker's washroom / WC added to level 7.
- Southern boundary weather wall – presents appropriately inclusive of study additions.
- Site manager's office added to the ground floor plan (in place of one of the approved accessible bathrooms).
- One accessible washroom from the Ground Floor is relocated to Level 1.
- Shared Laundries are proposed on Levels 3 & 4.
- Level 7 Floor Plan has been reconfigured to include a worker's WC.
- Modest cladding / material changes.
- Pre-laneway activation Ground Floor Plan. A Ground Floor plan demonstrating how the rear of the site is to be utilised prior to activation of the laneway is included in the modification plan set at drawing number DA 105.

2.1 Architectural Statement

The following are excerpts from the statement by BKA Architects that accompanies the application. It provides an understanding of the design philosophy of the proposed development:

'1 – Pre-laneway activation Ground Floor Plan: A Ground Floor plan demonstrating how the rear of the site is to be utilised prior to activation of the laneway is included. Until the laneway is activated, lodgers will be able to utilise the motorcycle parking space for additional bicycle parking, as well as the rear of the site for additional communal open space.'

2 – Site Manager’s Office: The Ground Floor Plan has been reconfigured to include a Site Manager’s Office. The office is located adjacent to the entrance to the building, with glazing through to the entrance ramp and courtyard areas allowing for passive surveillance by the Manager. Concerns from lodgers and/or the public may also be more easily addressed through creation of a dedicated office space. The Accessible WC has been relocated, refer to point 4 below.

3 – Balconies: Rooms at the front and rear of the boarding house have been reconfigured to accommodate balconies, to increase amenity for lodgers. The balconies do not encroach into required setbacks, with only the balustrade within the 300mm articulation zone. Access to the balconies is proposed via a glazed sliding door, which also provides improved access to daylight and natural ventilation for these rooms. Frameless glass balustrades are proposed to allow the strong vertical proportions of the façade to be maintained. To offset the reduction in floor area of each room, the corridor walls have moved 500mm towards the internal void. Corridor widths for accessibility have been maintained, as has 1m between the corridor balustrades and central core required for the corridor to be considered unenclosed. This reconfiguration does not affect compliance with FSR controls.

4 – Accessible Bathrooms: One accessible WC from the Ground Floor has been relocated to Level 1, adjacent to the proposed office space. This provides easier access to the amenities for future workers.

5 – Southwest Rooms: To increase long-term amenity for the Rooms adjacent the side boundary to the south-west, these Rooms have been reconfigured to utilise the void space that existed between the Rooms and the core. Pre-cast concrete panels are proposed to what was previously an opening, as the openings may only exist until the neighbouring site at 687 Pittwater Road is developed. To maintain the readability of 3 distinct forms on this façade until the neighbouring site is developed, the additional pre-cast concrete is proposed to be a darker colour with textured relief to contrast and recede from the main pre-cast façade. This reconfiguration does not affect compliance with FSR controls.

6 – Shared Laundries: New shared laundries are proposed on Levels 3 & 4. Level 3 laundry will provide 5 washing machines and 5 clothes dryers in a stacked arrangement as well as a tub, whereas Level 4 laundry will provide 4 washing machines, 6 clothes dryers and a tub. One clothes dryer will be located at low level for accessibility.

7 – Workers WC: Level 7 Floor Plan has been reconfigured to include a worker’s WC in proximity to the plant areas. This eliminates the need for workers to descend to Ground Floor or Level 1 to use the facilities. The kitchen within the communal room has been relocated to the North-eastern end to accommodate this change.

8 – Planter boxes: To address concerns with waterproofing, the masonry planter boxes are proposed to be replaced with pots. The rearrangement of landscaped areas within the Urban Farm has allowed the loss of landscaping associated with inclusion of the shared laundries and reconfiguration of the Southwest Rooms to be offset, for no net loss of landscaping overall.

9 – Fire Stair: To address NCC non-compliances with the Fire Stair being unenclosed at the Roof Level, the Fire Stair has been reconfigured at Roof level only to allow a concrete lid to be constructed to enclose the stair. The lid does not encroach the allowable height limit. No other changes are proposed to the Fire Stair.

10 – Rooftop floor finish: The pebble finish on the Roof level service areas is to be replaced with a trafficable epoxy membrane to allow a more durable and serviceable finish.

11 – Mechanical Plant: The Urban Farm on Roof level has been shifted towards the rear of the building to create a dedicated area for locating mechanical plant. To ensure acoustic and visual amenity for residents, the mechanical plant area is proposed to be surrounded by an acoustic barrier in a powdercoat finish. The barrier is proposed to be 1500mm high, which does not encroach the allowable height limit. The barrier will also act a balustrade, providing safe access for maintenance’.

3 Site description

The property is located at 691 Pittwater Road, Dee Why. The property is legally described as Lot 1, within DP166322. The subject site has a land area of 650m² and is rectangular in shape with a width of 15.24m wide (fronting Pittwater Road) and depth of 42.655m.

The site and proposal are not affected by key environmental considerations like, for example, acid sulfate soils, bush fire, biodiversity, geotechnical, waterways and geotechnical risk. The property is affected by flooding and heritage considerations, and these are addressed within section 5 of this report. There are no zoning or environmental characteristics that present impediments to the proposal.

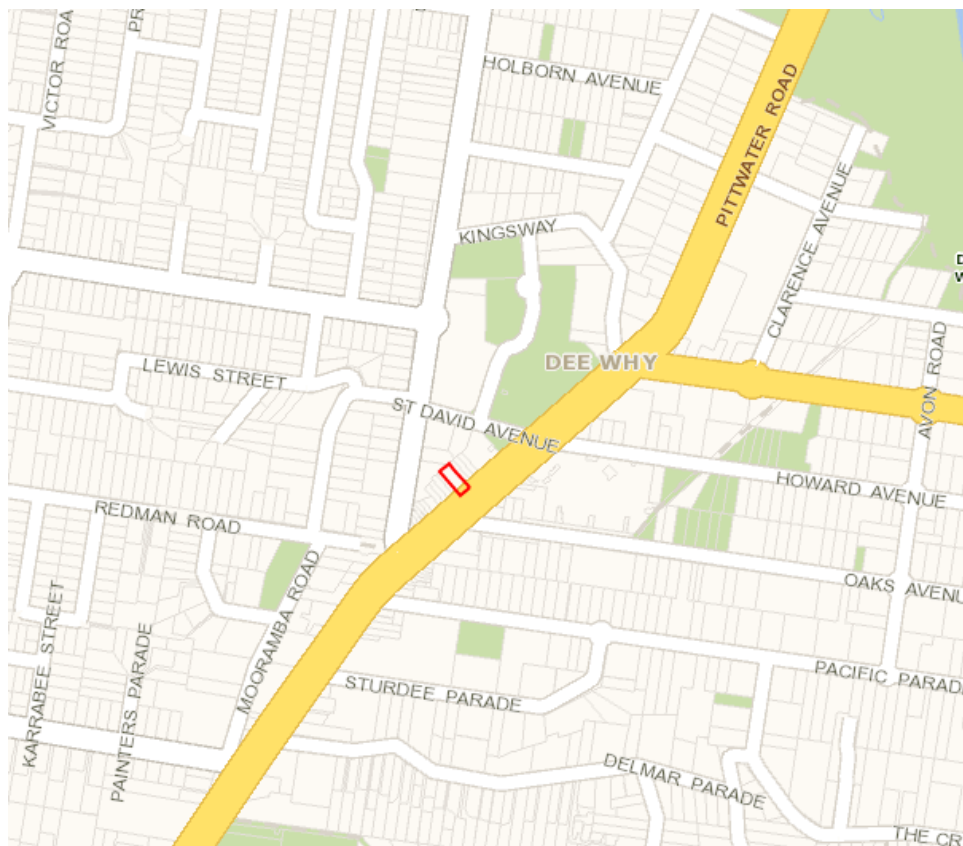


Figure 1 – the location of the site within the Dee Why centre

STATEMENT OF ENVIRONMENTAL EFFECTS

4 Section 4.55(2) and environmental assessment considerations

The following is a Statement of Environmental Effects made under the provisions of Section 4.55(2) being modifications involving substantially the same development. Having regard to Section 4.55(2) a consent authority may, modify the consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)

In this regard, it is noted that:

- The nature of the proposed modifications are minor and within the scope of Section 4.55(2) being modifications involving substantially the same development for which consent was originally approved on the land.
- The application has taken into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application.
- The following Statement of Environmental Effects considers the nature of the proposed modifications and the potential impact of the changes on environmental planning grounds.

5 Matters for consideration

The following Statement of Environmental Effects considers the nature of the proposed modification and the potential impact of the change on environmental planning grounds.

The following matters for consideration are relevant to the consideration of the proposal as set-out in 4.15 Evaluation (1) –general of the Environmental Planning and Assessment Act 1979.

6 SEPP Housing

State Environmental Planning Policy (Housing) 2021 commenced on 26 November 2021, and in doing so, repealed *State Environmental Planning Policy (Affordable Rental Housing) 2009*. However, in the circumstances, the former provisions of the policy apply by virtue of ‘Schedule 7A - Savings and transitional provisions’, Section 2, ‘General savings provision’, which states:

‘The former provisions of a repealed instrument continue to apply to the following—

(d) a development consent granted on or before the commencement date,’

Modification of a development consent granted on or before the commencement date is therefore to be assessed under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

The proposed modifications maintain compliance with the development standards with Division 3 of the SEPP. A summary of these is provided within the table below.

CONTROL	REQUIREMENT	PROPOSED	COMPLIES?
SEPP ARH			
Division 3 boarding houses			
CI 26	Zone B4 Mixed Us	Compliance is maintained with the standard.	YES
CI 27	NA	NA	NA
CI 29			
1(a)	Density and scale expressed as a floor space ratio	There's a minor increase in GFA to improve the amenity of the boarding rooms and the amenity of common areas with the floor space ratio in compliance at 3.62:1.	YES
1(b)	Applies where no residential accommodation is permitted	NA	NA
1(c)(i)	Floor space ratio 0.5 to 1 bonus is applicable to the land because residential flat buildings are permitted in the zone	NA in relation to heritage.	NA
2(a)	Building Height	No change.	YES
2(b)	Landscaped Area	Landscaped area 141.6m ² ; modified slightly from 138.5m ² .	YES
2(c)	Solar Access	Compliance with solar access is maintained to the communal area.	YES
2(d)	Private Open Space One area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers. Boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation	Communal open spaces are provided on three levels (detailed on DA 002 of the plan set): # ground floor # level 7 – terrace of 34.5m ² provided adjacent to the communal living room and community vegetable garden. Compliance is achieved with the standard by this space. # roof-top – urban farm. A private open space area of 9.8m ² is provided adjacent to the managers residence with the compliant minimum dimensions.	YES YES
2(e)	Car Parking	No change proposed. It is noted that the proposed GFA increase within the approved 63 boarding rooms does not impact on parking generation because boarding rooms generate the need for parking on a per room (not GFA) basis at the following rates: #cars - 0.5 spaces per room #motorcycles - 1 space per 5 rooms	YES

CONTROL	REQUIREMENT	PROPOSED	COMPLIES?
		#bicycles - 1 space per 5 rooms.	
2(f)	Accommodation Size - 12m ² for single occupancy and 16m ² in other cases	The size of rooms meet and exceed the minimum standards for single and double rooms.	YES
CI 30			
1(a)	if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided.	The approved communal living room is maintained on Level 7 of the approved building and will receive appropriate solar access in compliance with the standard.	YES
1(b)	no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres.	Room areas have been modified slightly and range from: # Single room - 12.8m ² # Double room - approx. 16m ² to 21.8m ² in accordance with the standard. # Accessible: 23.8m ² .	YES YES YES
1(c)	no boarding room will be occupied by more than 2 adult lodgers,	Compliance is maintained with the standard.	YES
1(d)	adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Each room will be fully furnished and include private kitchen and bathroom in compliance with the standard.	YES
1(e)	if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	One manager's residence is provided. Compliance is maintained with the standard.	YES
1(f)	(Repealed)		
1(g)	if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,	Compliance is maintained with the standard.	YES
1(h)	At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	Compliance is maintained with the standard/approval under DA2020/0272.	YES
CI 30A	Character of the local area.	NA	NA

7 SEPP Infrastructure

The proposed development has frontage to a classified road pursuant to S.101 of the State Environmental Planning Policy (Infrastructure) 2007 (SEPP).

In response to the provisions of S.101 and S.102 of the SEPP, the proposed land use is residential accommodation. As such, and due to the proposed facade modifications, the proposal is accompanied and supported by an updated acoustic assessment report. There are no modifications that trigger the need for a further traffic and parking assessment report. No

further assessment of waste management and collection is triggered by the proposed modifications.

In summary, the proposal satisfies the SEPP noting that the acoustic assessment report concludes:

This report presents an acoustic assessment of noise impacts associated with the proposed commercial/boarding house development to be located at 691 Pittwater Road, Dee Why. Based on the information provided above we conclude the following;

Provided that the treatments set out in section 4.4 of this report are employed, internal noise levels shall comply with the requirements listed below:

- The Warringah Control Plan 2011;
- NSW Environmental Protection Authority (EPA) Noise Policy for Industry (NPI) 2017; and
- State Environmental Planning Policy (Infrastructure) 2007.

External noise emissions criteria have been setup in this report to satisfy the requirements from the following documents;

- The Warringah Control Plan 2011;
- NSW Environmental Protection Authority (EPA) Noise Policy for Industry (NPI) 2017;

The recommendations within the Acoustic report may reasonably form conditions of development consent.

Based on the above, the proposal is assessed as satisfying SEPP Infrastructure 2007.

8 State Environmental Planning Policy - BASIX

The proposed modifications trigger the need for an updated BASIX certificate which accompanies the application satisfying the SEPP.

9 BCA and access considerations

The application is accompanied and is supported by an assessment of the design against the key provisions of the construction standards by BCA Logic. The report finds that the proposal is capable of satisfying building safety and access requirements subject to further detailed design and documentation at the Construction Certificate stage. In conclusion, the relevant safety and accessibility considerations are appropriately addressed and satisfied by the proposal.

10 Warringah LEP 2011

Planning considerations from the Warringah LEP relevant to the proposed modifications are noted and addressed as follows.

10.1 Zoning and key environmental affectations

The property is zoned B4 Mixed Use under the Warringah Local Environmental Plan 2011 (LEP) as is most of the surrounding land.

The proposal constitutes modifications to the approved mixed use boarding house and commercial development on the land. The property benefits from existing use rights. The proposal is permitted with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone'. The proposed modifications represent modest changes to the approved development and are therefore assessed as being consistent with the zone objectives.

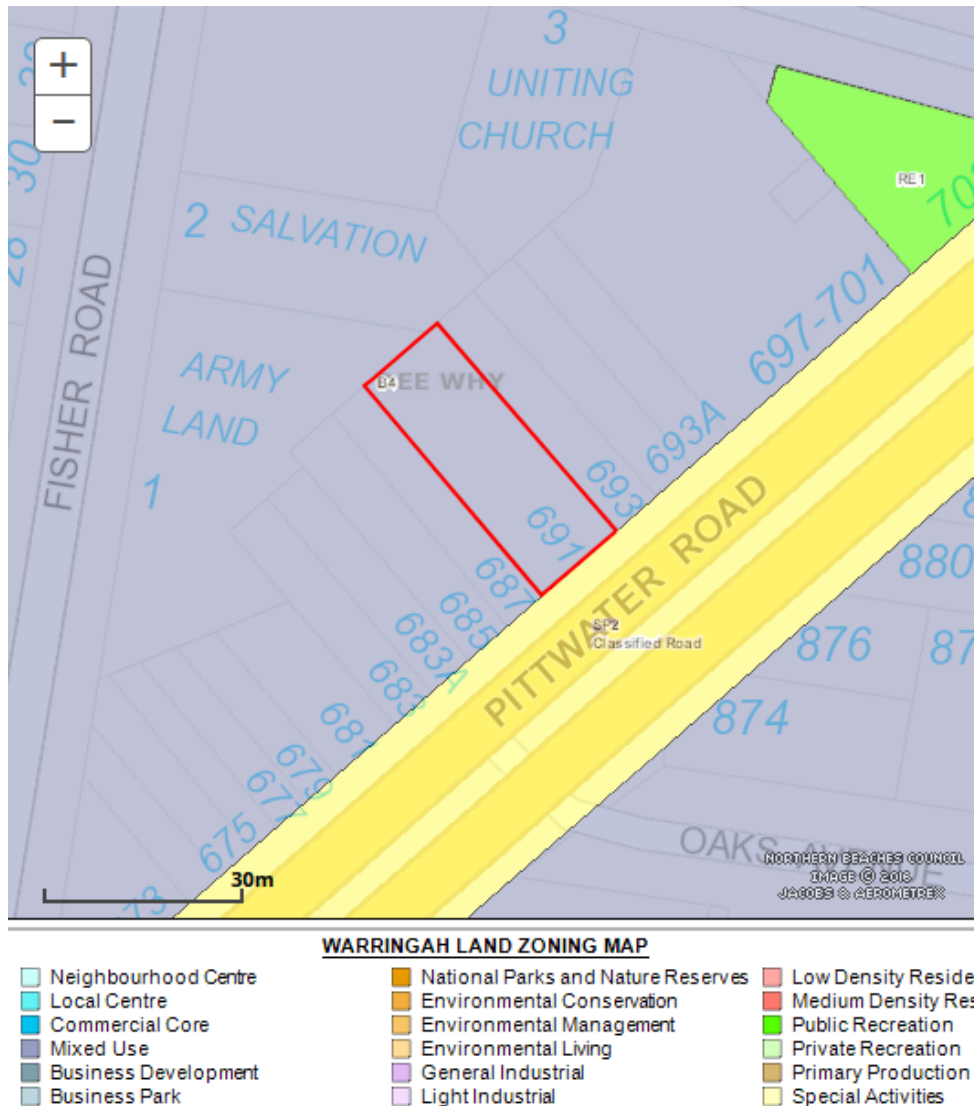


Figure 2 – zoning map extract

10.2 Other relevant provisions of the LEP

10.2.1 LEP Clause 4.3 Height of buildings

Clause 4.3 of the LEP 'Height of buildings' is applicable to the assessment of the proposal. It establishes an 27m height limit applicable to the site. The proposed modifications involve minor additions to the height, including a roof over the centrally positioned fire stair at the upper level which maintains compliance with the development standard. Based on the above the proposed development satisfies the considerations within clause 4.3 and the site is suitable for the development proposed.

10.2.2 LEP Clause 5.10 Heritage Conservation

The existing building on the site is listed as a local heritage item in the LEP. The building is a two storey, Art Deco style building, built around 1941 and continuously used as premises for a branch of the Commonwealth Bank until 2018. The raised ground floor level, and higher floor to ceiling internal levels make the existing building approximately match the 3 stories in height of those within the local context.

Due to the proposed facade modifications the proposal is accompanied and supported by an addendum expert heritage assessment report by Heritage 21 Consultants. The report concludes:

Considering the assessment presented in this report, Heritage 21 has found that the proposed modifications to the approved DA drawings for the site located at 691-693 Pittwater Road, Dee Why would generally satisfy pertinent heritage controls and would have a minimal and not unreasonable heritage impact on the significance of the subject site. We therefore recommend that Northern Beaches Council view the application favourably on heritage grounds.

Based on the above, the proposed modifications satisfy the provisions of LEP clause 5.10.

10.2.3 LEP Clause 5.21 - Flooding

The site is affected by the Medium Flood Risk Precinct on Council's Maps. There are no further matters for assessment relating to Flood Risk triggered by the proposed modification. The siting and design of the proposed development has considered the matters within clause 5.21(2) and (3) of the LEP and results in appropriate outcomes against these criteria.

10.2.4 LEP Clause 6.1 - Acid sulfate soils

The land is within an area designated as being Class 5 on Council's Acid Sulfate Soils Map. No change or additional earthworks are proposed as part of the modifications, therefore there are no further matters for assessment relating to acid sulphate soil conditions triggered by the proposed modification. The proposed development satisfies the considerations within clause 6.1.

10.2.5 LEP Clause 6.2 – Earthworks

No change or additional earthworks are proposed as part of the modifications, therefore there are no further matters for assessment relating to earth works triggered by the proposed modification. The proposed development satisfies the considerations within clause 6.2.

10.2.6 LEP Clause 6.4 – Development on sloping land

No change or additional earthworks are proposed as part of the modifications, therefore there are no further matters for assessment relating to sloping land triggered by the proposed modification. The proposed development satisfies the considerations within clause 6.4.

10.3 Part 7 of LEP - Dee Why Town Centre B4 Mixed use zone

Section 8 of the Housing SEPP (and SEPP ARH) establishes that if there is any inconsistency between it and any other environmental planning instrument, whether made before or after its commencement, it prevails to the extent of any inconsistency. Some of the provisions of Part 7 of the LEP contain more onerous standards than the Housing SEPP (and SEPP ARH) and in these instances, the LEP does not apply. The following two clauses are noted:

- LEP clause 7.10 - Allowance for external ancillary plant and roof access.

- LEP Clause 7.12 Provisions promoting retail activity.

10.3.1 LEP Clause 7.4 Development must be consistent with objectives for development and design excellence

The modifications are assessed as being consistent with the design excellence objectives for the Dee Why Town Centre because it will renew the existing commercial development in a sympathetic manner.

The addition of balconies has been done in a manner that retains the setbacks and architectural style of the building, which is positive in enhancing the amenity of future building occupants and the townscape.

Overall, the proposed external modifications have retained the integrity of the external architectural design that Council and the Sydney North Planning Panel were supportive of.

There's a minor increase in GFA, however the amenity of the boarding rooms has been improved, and the amenity of common areas retained or improved, with the floor space ratio in compliance. The GFA increase within the approved 63 boarding rooms does not impact on parking generation because boarding rooms generate the need for parking at the following rates:

- cars - 0.5 spaces per room
- motorcycles 1 space per 5 rooms
- bicycles 1 space per 5 rooms.

The range of other changes are minor or modest and generally fall into the category of being consequential to further design development as part of the construction certificate.

10.3.2 LEP Clause 7.5 Design excellence within Dee Why Town Centre

The proposal has considered and appropriately responded to provisions for the achieving of design excellence. The proposed modifications maintain and enhance the design excellence qualities of the approved building, noting the following characteristics:

- Provides appropriate external appearance having an architectural design, materials palette and detailing compatible with the context and heritage characteristics of the property, in a manner that will enhance and will improve the quality and amenity of the public domain.
- The development provides a high-quality interface with surrounding streets and public domain areas at the pedestrian level noting that the first 3 storeys fronting Pittwater Road maintain the property's business functionality.
- The proposed building will meet sustainable design principles noting that is accompanied and supported by a BASIX compliance report.

11 Warringah DCP

As previously noted, Section 8 of the SEPP ARH establishes that if there is any inconsistency between it and any other environmental planning instrument, whether made before or after its commencement, it prevails to the extent of any inconsistency. Some of the provisions of Part G1 of the DCP contain more onerous standards than the Housing SEPP and in these instances the DCP does not apply. Relevant planning controls from the Warringah DCP to the proposed modifications are noted and addressed as follows.

11.1 Part G1 Dee Why Town Centre

Relevant aspects of this part are just as follows.

11.1.1 G3 Desired Character for the Dee Why Town Centre

The modifications are assessed as being consistent with the Desired Character for the Dee Why Town Centre because it will renew the existing commercial development on the land into a modern mixed-use development.

The proposed changes do not significantly change the approved building height, form, bulk, traffic generation, overshadowing, view sharing, or privacy impacts and are aimed at improving the overall amenity of the building.

These matters have been addressed above within Section 8.3.1.

11.1.2 G4 Streetscape and Public Domain

Kerb setbacks - The proposed modifications maintain the approved building setbacks. The proposed balconies are accommodated within the approved building footprint and setbacks.

11.1.3 G5 Design and Architectural Diversity

The proposal incorporates a façade of high design quality, compatible with the existing building heritage qualities and to avoid the use of blank walls fronting Pittwater Road and the public domain.

11.1.4 G9 Sustainability

The proposal maintains appropriate sustainability features including BASIX compliance, provision of electric bikes, 'E' shaped formation of the building form optimises solar access, views and protection from strong winds. Solar access and cross ventilation is achieved.

11.1.5 G2 11 Landscaping

20% of the site area is to be provided as landscaped area, which may be located on balconies, ground, podium and roof top levels or green walls of buildings. The proposal satisfies the control by providing 141.6m² / 21.6% (slightly increased from the approved 138.5m²) of landscaped areas. These are located within the ground floor level, level 7, and the rooftop.

Furthermore, the modification includes provision for use of the rear of the site prior to the rear 'lane way' (vehicle access) being activated. Drawing number DA 105 demonstrates how the rear of the site is proposed to be utilised incorporating additional bicycle parking and communal open space within this area. These are assessed as appropriate uses that will benefit the occupants of the building without adverse environmental impacts.

12 Section 4.15 Matters for Consideration and 4.55(2) Modifications

The proposal has been assessed having regard to the matters for consideration pursuant to Section 4.15(1) and 4.55(2) of the Act, and to that extent, Council can be satisfied that:

- The nature and extent of the proposed modifications are modest and within the scope of Section 4.55(2), being modifications involving substantially the same development for which consent was originally approved on the land.
- The proposed modifications have been appropriately investigated by the relevant experts and the property/design can accommodate the proposed modifications whilst satisfying the relevant assessment considerations.

- The amenity outcomes are unchanged from that approved DA as the proposed changes do not affect the building form, bulk, overshadowing, view sharing, or privacy impacts.
- The proposed modifications will provide an improved development outcome without any unacceptable adverse impacts on the amenity of neighbouring properties.
- The likely impacts of the proposed modification have been appropriately identified and considered. The public interest will be appropriately served by the approval of the application.

13 Conclusion

The proposed modifications to Development Consent DA2020/0272 for 691 Pittwater Road, Dee Why represent appropriate changes to the development consent.

The proposed development as modified is substantially the same development as the development for which consent was originally granted and within the scope of Section 4.55(2).

It is assessed that the proposed development, as modified, is satisfactory and the modification may be approved by Council.

Yours sincerely,



Michael Haynes
Director - BBF Town Planners

ANNEXURE 1 – SAVINGS PROVISION

State Environmental Planning Policy (Housing) 2021

Schedule 7A Savings and transitional provisions

1 Definitions

In this Schedule—

commencement date means 26 November 2021.

repealed ARH SEPP means State Environmental Planning Policy (Affordable Rental Housing) 2009, as in force immediately before its repeal.

repealed instrument means an instrument repealed under Chapter 1, section 10.

2 General savings provision (emphasis added)

(1) This Policy does not apply to the following matters—

- (a) a development application made, but not yet determined, on or before the commencement date,*
 - (b) a concept development application made, but not yet determined, on or before the commencement date,*
 - (c) a staged development application made subsequent to a concept development application approval granted on or before the commencement date,*
 - (d) a development consent granted on or before the commencement date,**
 - (e) an environmental impact statement prepared in compliance with an environmental assessment requirement that is—
 - (i) issued by the Planning Secretary on or before the commencement date, and*
 - (ii) in force when the statement is prepared,**
 - (f) the carrying out of an activity after the commencement date if—
 - (i) notice of the activity has been given to the council under the repealed ARH SEPP, clause 40A(2), and*
 - (ii) an approval required under the Act, Part 5 for carrying out the activity is granted by the determining authority before 26 November 2022.**
- (2) The provisions of a repealed instrument, as in force immediately before the repeal of the repealed instrument, continue to apply to a matter referred to in subsection (1).**

ANNEXURE 2 – GFA approved and proposed

Net GFA (sqm)				
Level	Commercial / Retail	Office	Residential	Communal / Service
Ground Floor	63.90			175.55
Level 1		130.71	150.25	58.02
Level 2		56.07	150.25	58.02
Level 3			268.38	60.81
Level 4			268.38	60.81
Level 5			272.71	60.81
Level 6			272.71	60.81
Level 7			139.53	110.68
Total:	63.9	186.78	1522.21	645.51
TOTAL GFA	2418.4			

GFA – approved

Net GFA (sqm)				
Level	Commercial / Retail	Office	Residential	Communal / Service
Ground Floor	62.45	6.70		151.36
Level 1		130.27	149.40	58.24
Level 2		56.20	149.40	52.69
Level 3			265.30	59.09
Level 4			265.30	59.09
Level 5			265.30	52.33
Level 6			265.30	52.33
Level 7			138.68	111.94
Total:	62.45	193.17	1498.68	597.07
TOTAL GFA	2351.37	6.39	-23.53	-48.44
	-67.03			

GFA – proposed modifications