

19<sup>th</sup> February 2020

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Planner  
Northern Beaches Council

**By Email**

**Application to modify development consent DA2019/0808**

as per Section 4.55 (1) of the *Environmental Planning and Assessment Act 1979*

relating to subject site **16 Addison Road Manly NSW 2095**

**Introduction**

Application is formally made for modification of development consent as per the *Environmental Planning and Assessment Act 1979 (the Act)*, Part 4, Division 4.9, Section 4.55 (1).

Section 4.55 (1) provides that a consent authority may modify a development consent granted by it to correct a minor error and misdescription.

This statement provides supporting information so that Council may be satisfied that the modification is intended to correct a minor error and misdescription.

**Application Details**

To meet the above, the following information as per the *Environmental Planning and Assessment Regulations 2000, Part 6, Division 12, Clause 115* is provided:

- (a) The name of the applicant is **Sarah Penelope Joyce of 16 Addison Road Manly NSW 2095**
- (b) **The development to be carried out under consent 2019/0808 is for: Construction of a swimming pool and associated works**
- (c) The residence at the subject site 16 Addison Road Manly NSW 2095 is known as **Lot 2 DP 325220. NB: the development is located at the waterfront**, being CT Vol 5018, Folio 1, being Crown Land

- (d) The proposed modifications to the above consent are:
- (i) Change wording of Proposed Development to: **Demolish and rebuild an existing harbour swimming pool and spiral staircase.** The current wording implies that the approved development is to construct a new swimming pool which is both incorrect and misleading.
  - (ii) **Amend Condition 6 (k):** this is an existing harbour pool on the waterfront, and as such is exempt from current legislative requirements and Australian Standards. Northern Beaches Council Swimming Pool Compliance officer advises that the relevant standard is AS1926-1986
  - (iii) **Amend Condition 31:** this is an existing harbour pool on the waterfront, and as such is exempt from current legislative requirements and Australian Standards. Northern Beaches Council Swimming Pool Compliance officer advises that the relevant standard is AS1926-1986.
  - (iv) **Delete Pool Access General Advice (page 23 of NOD):** this is an existing harbour pool on the waterfront, and as such is exempt from current legislative requirements and Australian Standards. Northern Beaches Council Swimming Pool Compliance officer advises that the relevant standard is AS1926-1986.
- (e) The modifications are merely intended to correct the misdescription by Council of the proposed development and to correct the standards that apply for existing waterfront harbour pools.
- (f) The proposed modifications will have no impact the approved proposed development.
- (g) The development will remain the same as the development that was originally approved. No changes to the stamped approved plans are required as a result of the proposed modifications. There will be no change to the biodiversity values as identified in the biodiversity development assessment report.
- (h) The applicant is the owner of the land.
- (i) The application is being made to the consent authority, being Northern Beaches Council.

### **Conclusion**

This statement provides information required as per the *EPA Regulations 2000, Part 6, Division 12, Clause 115*. It is shown that the proposed modifications are merely intended to correct Council's error and misdescriptions, and the modifications to the DA Notice of Determination will not change the development as originally approved.

Approval for this modification is sought.

Prepared by Marianne Bryant

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