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18/01/2024

General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Dear Sir,

DA10.2023.175.1 – Alterations & Additions to existing dwelling & swimming pool at Lot 1 SP 34069 No.1/41 Belongil Crescent, Byron Bay

I refer to the above development consent and pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act, 1979 modification to the consent is sought as follows:

- Modify the shape of the pool.

The approved pool measures 2.5m x 4.6m and is setback a minimum of 1.5m from the side boundary. The modified pool measures 3.5m x 4.5m and is setback a minimum of 1m from the side boundary, measured from the waters edge.

The approved deck around the pool has also been modified to suit the new pool and is now positioned approximately 600mm from the side boundary.

The proposed changes are of a minor nature and still achieves compliance with Council's statutory requirements and the relevant chapters of the DCP. The pool is generally in the same position in the rear yard as approved.

Considering the minor nature of the changes proposed and based on the facts with a comparison between the development, as approved, and the development as proposed to be modified it can be reasonably established that the modifications are of minor environmental impact and maintains substantially the same development.

Regards

Nick Folkers