

STATEMENT OF MODIFICATION
SECTION 4.55(1A)
MODIFICATION TO AN APPROVED DA
DA2023/1756
PROPOSED ALTERATIONS AND ADDITIONS
TO AN EXISTING RESIDENCE AT
29 CONDOVER STREET, NORTH BALGOWLAH
LOT 406 DP 14137

August 2025

1) Introduction

This Statement of Environmental Effects accompanies documents in relation to a S4.55 (1A) modification in relation to DA2023/1756.

The application includes modifications to the approved alterations and additions to an existing dwelling at 29 Condoover Street North Balgowlah. The property is legally identified as Lot 406 in Deposited Plan 14137 and consists of a regular shaped land parcel that has a lot size of 557m².

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. As a result of this assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of support by Council.

In preparation of this document, consideration has been given to the following:

- The Environmental Planning and Assessment Act 1979 as amended
- The Environmental Planning and Assessment regulation 2021
- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011
- Warringah Development Control Plan Map 2011

2) The proposed amendments

FIRST FLOOR

- Vertical window replaced with a highlight window to promote air circulation. The current window is suggested to be non-operable and frosted. Having spoken to the planning manager a highlight window will solve the privacy issue, doing away with the need for it to be non operable and frosted and allow fresh air and natural light into the office.

3) Warringah Local Environmental Plan 2011 Assessment

3.1 – Land Zoning

The property is identified to be located on Zone R2 land

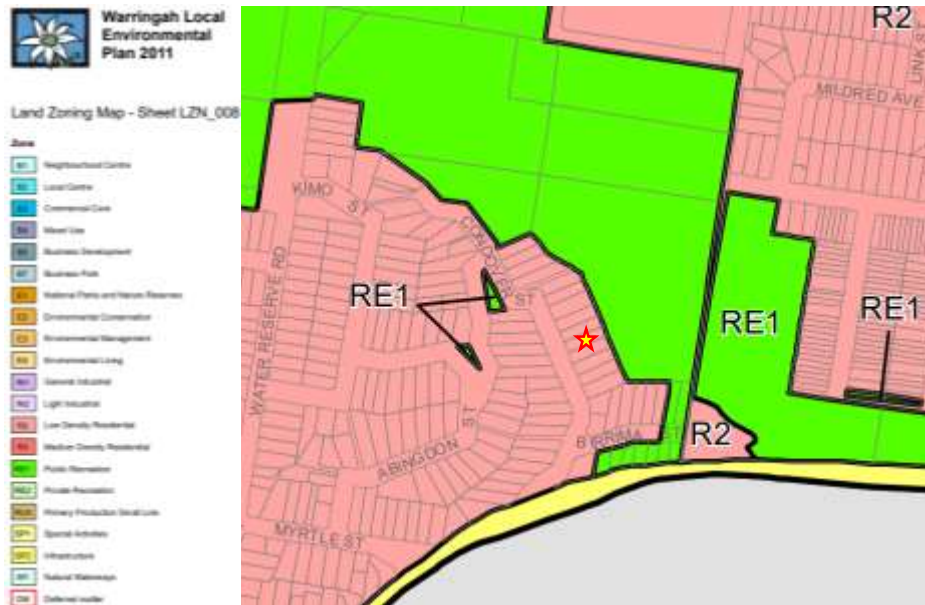


Image 1: Land Zoning Map (Source: NSW Legislation, 2025)

3.2 – Heritage Status

The subject site is not located in a heritage conservation area nor does it contain a heritage item.

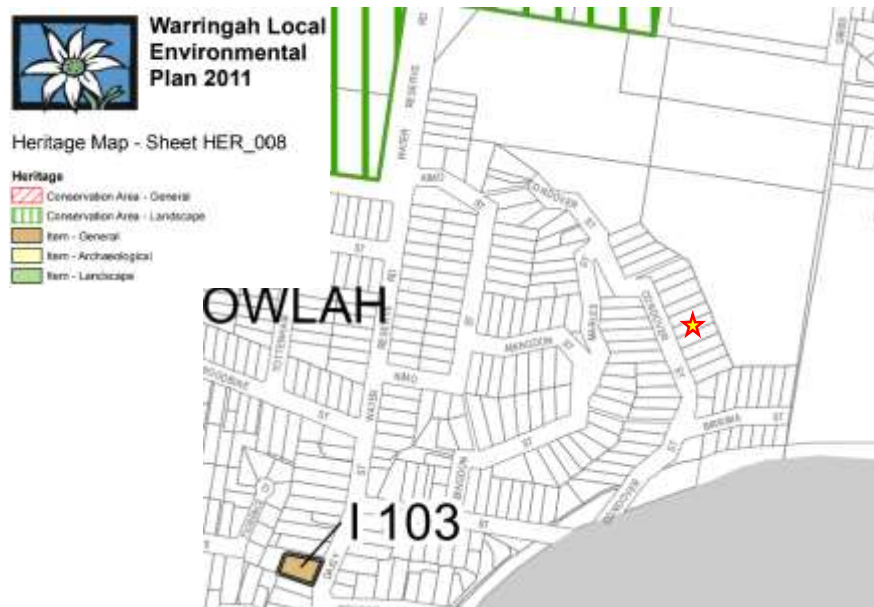


Image 2: Heritage Map (Source: NSW Legislation, 2025)

3.3 – Floor Space Ratio

There is no maximum FSR specified for the site.



Image 3: FSR Map (Source: NSW Legislation, 2025)

3.4 Land reservation acquisition map

No part of the land is reserved for acquisition.



Image 4: Land reservation Acquisition map (Source: NSW Legislation, 2025)

3.5 Landslip Risk Map

The site is mostly located within Area B (slopes of 5° - 25°) with the East elevation of the property partially located within Area A.

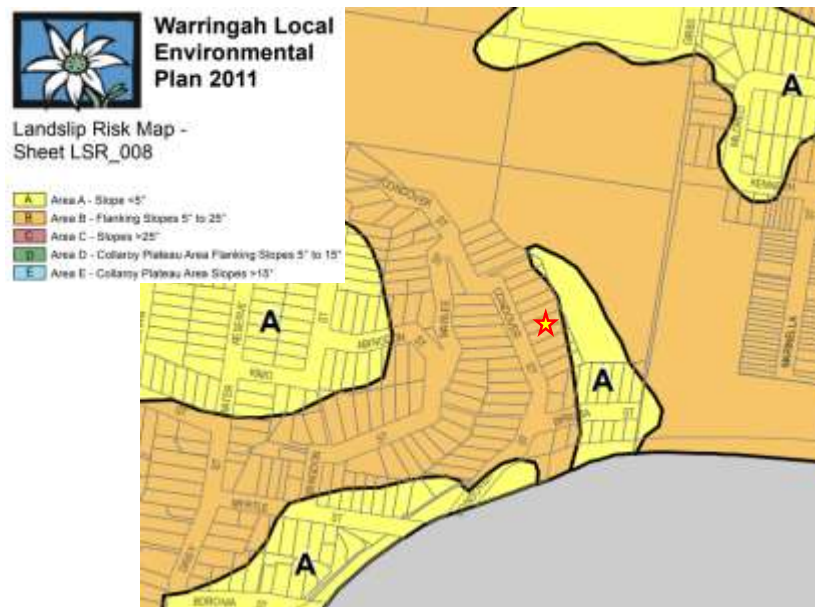


Image 5: Landslip Risk map (Source: NSW Legislation, 2025)

3.6 Acid Sulfate soils

The site is located on no acid sulfate soils



Image 6: Acid sulfate soils map (Source: NSW Legislation, 2025)

The maximum building height is 8.5m



Image 7: Height of Building map (Source: NSW Legislation, 2025)

4) General Principles of the Development Control

4.1) Built Form Controls

BUILDING HEIGHT

The maximum building height does not exceed 8.5m.

No change -The proposed modifications will not affect the building height.

SIDE BUILDING ENVELOPE

The side building envelope control is a height plane of 4 metres along the side boundary and with a projection of 45 degrees.

There will be no change and the dwelling will remain within the existing building envelope.

WALL HEIGHT

The max. wall is 7.2m

There will be no change

SIDE SETBACKS

The proposal provides compliance with Warringah Development Control Plan 2011 side setbacks of min.900mm.

There will be no change. The dwelling exceeds the 900mm setback requirement and with setback at 1100mm in line with the existing approved DA.

REAR BOUNDARY

There will be no change to the rear setback

There will be no change

FRONT SETBACK

There will be no change to the front setback

4.2) Design

LANDSCAPED OPEN SPACE

No change

PRIVACY AND SOLAR CONTROL

No change

VIEWS

Neighbours views will not be affected by the proposed additions. – no change due to the proposed modifications

5) Clause 4.15 Analysis

1 (a) (i) Environmental Planning Instruments

As discussed in this report, the proposal complies with the LEP

1 (a) (ii) Draft Environmental Planning Instruments

There are no known draft environmental planning instruments that are applicable to the subject site.

1 (a) (iii) Development Control Plan

As discussed in this report, the proposal complies with the DCP.

1 (a) (iv) The Regulations

The proposal satisfies the relevant provisions of the Environmental Planning and Assessment Regulation 2021.

1 (a) (v) Coastal Zone Management Plan

Not applicable.

1 (b) Likely Impacts of Development

(i) Impact on the Natural Environment:

The subject development is existing and as such results on no changes to the natural environment as the landscape area does not decrease as a result of this application.

(ii) Impact on the Built Environment:

The built form of the subject addition is contextually appropriate and complies with all prescriptive controls and objectives contained within the DCP.

(iii) Social and Economic Impacts in the Locality:

The subject buildings have a neutral impact in this regard.

1 (c) Suitability of the site for the proposed development

Having regard to the characteristics of the site and its location, the proposed development is considered to be appropriate in that:

- The land is zoned to permit the subject buildings.

The size and dimensions of the land are suitable for the scale of the subject buildings.

1 (d) Any submission made

Northern Beaches Council will undertake a notification period if required in accordance with their policies.

1 (e) The public interest

The proposed development is considered to be in the wider public interest for the following reasons:

- It is consistent with the objectives of the *Environmental Planning and Assessment Act 1979*, specifically because it represents the economic and orderly development of land.
- The application proposal is in accordance with the LEP and DCP.
- The subject structures are of a minor nature and are non-obtrusive to neighbouring residences.

6) Conclusion

The proposed modifications will not present any impacts on the privacy and solar access for the subject and neighbouring properties.

The proposed modifications will not have a detrimental impact on the adjoining properties or the locality.

The proposed modifications are in keeping with Warringah Development Control Plan 2011 and WLEP 2011. There will be no effect on local fauna and flora.

As the proposed modifications will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.