
From: Lisa Bella Esposito
Sent: 5/06/2025 6:32:20 PM
To: Council Northernbeaches Mailbox; Claire Ryan
Cc: Ella Willey
Subject: TRIMMED: DA 2025/0132 - 37 Roseberry Street - Objection Submission to Proposed McDonald's Development
Attachments: Proposed McDonald's Balgowlah Objection Submission.pdf;

ATTENTION: CLAIRE RYAN PRINCIPAL PLANNER

Good Evening Claire

Please refer to Milestone's further Objection Submission dated 5 June 2025 responding to the amended plans and reports for DA/2025/0132 in relation to the amended McDonald's development refer **attached**. This submission has been prepared on behalf of ALDI Stores who own and operate an ALDI supermarket at the property known as No. 22-26 Roseberry Street Balgowlah (located to the south of the subject site). This further Objection Submission is to be read in conjunction with Milestone's previous Objection Submission dated 27 March 2025.

If you have any questions, please do not hesitate to contact me on [REDACTED].

Kind Regards



TOWN PLANNING

Lisa Bella Esposito
Director

Milestone (Aust) Pty Limited



[milestonemanagement.com.au](https://www.milestonemanagement.com.au)

5 June 2025

Scott Phillips
Chief Executive Officer
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Claire Ryan - Principal Planner

Sent via email: council@northernbeaches.nsw.gov.au claire.ryan@northernbeaches.nsw.gov.au

Dear Mr Phillips,

RE: OBJECTION SUBMISSION TO DEVELOPMENT APPLICATION NO. 2025/0132 FOR DEMOLITION WORKS AND CONSTRUCTION OF A RESTAURANT (MCDONALD'S) INCLUDING SIGNAGE 37 ROSEBERRY STREET, BALGOWLAH NSW 2093 (LOT 10 DP 1233834)

We refer to Council's email correspondence dated 16 May 2025 advising of the receipt of Amended Plans for Development Application No. 2025/0132 for the proposed McDonald's Development.

Milestone (AUST) Pty Limited (Milestone) acts for ALDI Stores (A Limited Partnership), the operator of the property located to the south of the development site at No. 22-26 Roseberry Street, Balgowlah.

Milestone has reviewed the following amended documents submitted by the Applicant:

- Request for Further Information Response Letter prepared by SLR Consulting Pty Ltd dated 13 May 2025.
- Amended Traffic Report prepared by Colston Budd Rogers and Kafes Pty Ltd dated 14 May 2025.
- Amended Architectural Master Set Plans prepared by Webber Architects, Issue C dated 1 May 2025.
- Acoustic Report Addendum prepared by Muller Acoustic Consulting dated 21 March 2025.

Milestone prepared an Objection Submission dated 27 March 2025 to Development Application No. 2025/0132 and a copy of this submission is held at **Appendix A**. This submission raised significant concerns regarding unacceptable traffic impacts, inadequate traffic assessment and potential loss of car parking for customers in the ALDI car park located at No. 22-26 Roseberry Street, Balgowlah. The matters raised by Milestone in the previous submission remain valid and should be read in conjunction with this letter. We wish to raise the following new matters based on a review of revised amended plans and reports.

1 ALDI Balgowlah Development Consent DA300/2016

The ALDI Store operates with up to three deliveries in a 15.6m length truck, daily. The ALDI Store operates under Development Consent DA300/2016. This development consent was most recently modified by Modification Application No. Mod2018/0470 on 21 November 2018 "*Section 4.55 (2) Environmental Impact - Modification of Development Consent DA300/2016 granted for demolition works consolidation of three 3 lots into one 1 construction of two 2 shops including an Aldi store and signage.*" The Notice of Determination included the following condition relevant to deliveries:

"Condition 64- Delivery vehicles

Deliveries may occur 24 hours, Monday to Sunday including public holidays. Delivery vehicles of over 6m in length servicing the subject site during this time should avoid travel along Balgowlah Road and Kenneth Road from the east.

In the event that travel along Balgowlah Road or Kenneth Road is unavoidable trucks must not wait/ide; on these roads if access is not available to the subject site.

Reason: To minimise impacts upon residential premises in Balgowlah Road & Kenneth Street."

Condition 64 requires ALDI delivery trucks to access the site by Kenneth Road from the west of Roseberry Street and via Hayes Street.

The amended Traffic Report has not appropriately considered impacts on ALDI delivery trucks and other surrounding businesses.

2 Unacceptable Traffic Generation and Delays Associated with the Revised Proposal

The amended Traffic Report prepared by Colston Budd Rogers and Kafes Pty Ltd dated 14 May 2025 does not suitably mitigate negative traffic concerns in relation to the increased traffic volumes associated with the proposed McDonald's development. We advocate that Council must not accept the reduced levels of service in the surrounding local road network as a result of the proposal and the associated negative impacts to established commercial businesses and the locality.

Revision of the traffic distribution identified the following increases in traffic on the adjacent road network during the weekday afternoon and Saturday midday peak hours:

- 10 vehicles per hour (two way) on Condamine Street;
- 15-25 vehicles per hour (two way) on Kenneth Road; and
- 50-60 vehicles per hour (two way) on Roseberry Street (south of the site access) and 65-85 per hour (two way) in the short section of Roseberry Street between the site access and Kenneth Road.

Within Council's RFI, a review and update of the SIDRA modelling was requested to accurately reflect existing delays and queueing associated with the right turn bay from Kenneth Road onto Condamine Street. A review of these movements within the amended report reveals that the right turn bay reports 95th percentile queue lengths, with queueing extended through the Roseberry Street and Kenneth Road roundabout. Further, the right turn bay currently operates at capacity during the weekday afternoon and Saturday midday peak periods with a Level of Service (LOS) identified as E/F, which is defined as the following:

- LOS E - At capacity and incidents will cause excessive delays.
- LOS F - Unsatisfactory and requires additional capacity.

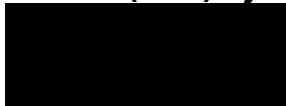
The amended traffic report does not identify the future level of service and delays associated with the right turn bay from Kenneth Road onto Condamine Street that will occur as a result of the proposed McDonald's. Milestone can only assume that the proposal will further exacerbate these existing traffic conditions resulting in unacceptable levels of service.

3 Conclusion

ALDI remains concerned that the proposed amended development and any potential road upgrades will continue to result in a development that is not suitable for the site. The proposal continues to result in unacceptable traffic volumes, congestion and delays, adversely affecting both ALDI delivery trucks and customers traveling to and from the ALDI Store. The amended Traffic Report fails to address the additional demands and significant adverse impacts from the increased traffic volumes. We request that Council not accept the reduced levels of service in the surrounding local road network as a result of the proposal and the associated negative impacts to established commercial businesses and the locality.

Yours sincerely

Milestone (AUST) Pty Limited



Lisa Bella Esposito
Director

APPENDIX A

DA2025/0132 OBJECTION SUBMISSION PREPARED BY MILESTONE DATED 27 MARCH 2025

27 March 2025

Scott Phillips
Chief Executive Officer
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Claire Ryan - Principal Planner

Sent via email: council@northernbeaches.nsw.gov.au claire.ryan@northernbeaches.nsw.gov.au

Dear Mr Phillips,

**RE: SUBMISSION TO DEVELOPMENT APPLICATION NO. 2025/0132 FOR DEMOLITION WORKS AND CONSTRUCTION OF A RESTAURANT (MCDONALD'S) INCLUDING SIGNAGE
37 ROSEBERRY STREET, BALGOWLAH NSW 2093 (LOT 10 DP 1233834)**

We refer to the above Development Application (DA) No. 2025/0132 described by Northern Beaches Council (Council) as *"New - Demolition works and construction of a restaurant (McDonalds) including signage"* at No. 37 Roseberry Street, Balgowlah (the site). Milestone (AUST) Pty Limited (Milestone) acts for ALDI Stores (A Limited Partnership), the operator of the property located to the south of the development site at No. 22-26 Roseberry Street, Balgowlah, as seen in **Figure 1**.



Figure 1: Site Aerial Map
Source: MetroMap, 2025

Milestone has prepared this submission following confirmation from Claire Ryan, Council's Principal Planner that submissions will be accepted and considered by Council after the notification period until the consent authority determine the Development Application; confirmed by email to Milestone on 13 March 2025.

We advise that our client provides in-principle support for a well considered development being built on the subject land that respects the operations of surrounding development and results in an acceptable impact of traffic flow without any adverse implications on access to the ALDI site and ensuring ALDI's car park remains available for their customers.

Milestone has reviewed the documents within DA No. 2025/0132 that include, but are not limited to:

- Architectural Master Set Plans prepared by Webber Architects, Issue C dated 12 December 2024.
- Survey Plan and Report prepared by LTS dated 22 October 2024.
- Plan of Management Report prepared by SLR Consulting Pty Ltd dated 5 December 2024.
- Statement of Environmental Effects Report prepared by SLR Consulting Australia Pty Ltd dated 16 December 2024.
- Site Waste Minimisation and Management Plan prepared by SLR Consulting Pty Ltd dated 16 December 2024.
- Traffic Report for Proposed McDonald's prepared by Colston Budd Rogers and Kafes Pty Ltd dated December 2024.
- Crime Risk Assessment Report prepared by SLR Consulting Pty Ltd dated 16 December 2024.

Milestone's assessment concludes that the proposed McDonald's development in its current form including supporting documentation and reports is incomplete and unacceptable. The proposal cannot be supported due to the adverse environmental impacts to the ALDI site and the surrounding locality. To this end we request the following matters be appropriately addressed:

- The unacceptable traffic impacts of the proposal to ensure that associated traffic queues and congestion on the surrounding roads do not adversely increase travel times and thereby not result in conditions of service that will act as a deterrent for customers shopping at the ALDI Store due to inconvenience and significant delays to enter the ALDI site.
- Potential adverse car parking implications during the construction phase of the proposed development and use of ALDI's customer car parking.
- Potential car parking implications during the operational phase of any approved development on the ALDI car park.

We raise concern about the following key matters:

- **Unacceptable Traffic Impacts and Inadequate Traffic Assessment** -Traffic queues will block vehicle traffic flows and result in capacity constraints in and around the site. The traffic assessment is currently incomplete and not accurate and must be updated so that associated traffic impacts are fully understood, and any revised traffic report must be made available to the public for further comment.
- **Car Parking Implication during Construction** - Loss of available car parking spaces for ALDI customers during the construction phase of the development due to limited availability of on-street car parking and construction workers who will seek to park in a convenient and shaded car park.
- **Car Parking Implications during Operation** - Employees of the McDonald's development will park in the ALDI undercroft car park given the limited car parking spaces provided (26 standard car spaces) and queuing further reducing on-site capacity.

1 BACKGROUND

An ALDI development is located at the property known as No. 22-26 Roseberry Street, Balgowlah (Lot 10 DP 1233834) and is located approximately 80 metres south of the subject site. The ALDI site comprises a two storey building containing an ALDI Store and 'Vamos Strength', a fitness centre tenancy, with an associated undercroft car park. The ALDI development was originally approved under Development Consent No. DA300/2016 on 18 May 2017, which was described by Council as:

"Demolition works, consolidation of three (3) lots into one (1), construction of two (2) shops including an Aldi store and signage."

Development Consent No. DA300/2016 has been modified five times since it was first approved.

The ALDI site is accessed via one (1) vehicle shared entry/exit vehicle access point on Roseberry Street. Deliveries to the ALDI Store are made via the Roseberry Street access point. The ALDI development contains 76 car parking spaces utilised by customers of the ALDI Store and the gym. There are no time restrictions associated with the customer car parking on the site.

ALDI's car park is always very well utilised and maintaining the availability of these car parking spaces for customers is a key priority as it contributes to the commercial viability of ALDI's supermarket and ensures customer satisfaction for shoppers. **Figure 2** shows the ALDI Store and the undercroft car park that is likely to be utilised by construction personnel throughout the construction phase due to the proximity of the ALDI site to the subject site as well as the lack of time restrictions within the ALDI car park.

This part of Roseberry Street is a two-way road that runs north-south and is bound by Kenneth Road to the north and Balgowlah Road to the south. Roseberry Street provides limited on-street parking on the eastern side of the road. Directly in front of the subject McDonald's site, on the western side of Roseberry Street, there is a no parking sign, indicating no parking at any time. Due to the limited on-street parking available on Roseberry Street, the ALDI site presents a desirable undercover parking area with no time restrictions for workers during the construction phase of the McDonald's development, should it be approved.



Figure 2: ALDI Car Park Location
Source: Google Maps, 2024

2 THE PROPOSAL

Development Application No. 2025/0132

DA No. 2025/0132 was lodged on 19 February 2025 and is listed as "New - Demolitions works and construction of a restaurant (McDonalds) including signage" on the Northern Beaches Council Development Application Tracker.

The proposed development is outlined in the Statement of Environmental Effects prepared by SLR Consulting Australia Pty Ltd dated 16 December 2024 as a take away food and drink premise (381.17m² GFA) and includes the following:

- "Dining room including 52 seats and Playland
- Service Counter and McCafé
- Kitchen and servery, including food storage rooms
- Staff and visitor bathroom facilities, including accessible stalls
- Manager, cashier, and IT rooms
- Driver pick-up room and entry
- Construction of a dual-lane drive-through facility with capacity for 14 queuing vehicles

- Redevelopment of the existing vehicle crossover from Roseberry Street for vehicle ingress and egress
- Construction of one (1) loading bay
- Associated signage, including an 9m pylon sign
- Car parking accommodating twenty-six (26) standard parking spaces, one (1) accessible parking space, two (2) bicycle racks, and two (2) motorcycle spaces
- A separate pedestrian entrance with an accessible pedestrian ramp from the Roseberry Street frontage
- Minor earthworks including a retaining wall along the Kenneth Road Street frontage
- Two flag poles (with McDonald's logo and Australian flag)
- 24-hours, 7-days a week trade".

The proposal includes the provision of a total of twenty six (26) standard parking spaces, one (1) accessible parking space, two (2) bicycle racks, two (2) motorcycle spaces and one (1) loading bay accessible from Roseberry Street. Loading and delivery vehicles accessing the site are made via the Roseberry Street access point. A dual-lane drive-through facility is proposed including a queuing system to accommodate at least 14 vehicles without interfering with parking operations on site. The drive-through facility features designated spaces for six vehicles to queue before reaching the order points.

The proposed McDonald's development seeks operational hours of 24 hours, 7 days per week, with an average of 12 staff present at any one time during the day, and a minimum of 3 staff during the night time hours.

The Traffic Report prepared by Colston Budd Rogers and Kafes Pty Ltd dated December 2024 identifies that vehicle queueing will occur from the right turns to/from the McDonald's site on Roseberry Street. One option proposed to prevent vehicle queueing in the report stated the following:

"Remove the parking on the eastern side of Roseberry Street opposite the site (4 spaces would be lost) and provide no queueing line marking on the northbound traffic lane in Roseberry Street across the McDonald's access. This would allow southbound vehicles on Roseberry Street to pass a vehicle turning right into the site."

This proposed option would cause further loss of parking in a street with already limited on-street parking availability.

3 ISSUES OF CONCERN

3.1 Car Parking During Construction

The ALDI site provides 76 car parking spaces approved under Development Consent No. 300/2016.

As shown in **Figure 2**, the entrance to the ALDI car park is highly visible from Roseberry Street. These spaces are conveniently located and in close walking distance to the subject site. Further, ALDI's car park is located undercover without time restrictions, which is more desirable for all-day parking due to the shading available.

The scale of the proposed development involves demolition works and construction of a take away food and drink premise to establish a McDonald's. A development of this size, including associated mitigation measures to the road network (eg new medians and roundabout), will require an extended construction period and a significant on-site presence in terms of construction personnel.

Neither the Statement of Environmental Effects Report prepared by SLR Consulting Australia Pty Ltd dated 16 December 2024 or the Traffic Report prepared by Colston Budd Rogers and Kafes Pty Ltd dated December 2024 submitted with DA No. 2025/0132 have considered the car parking implications for the development during the construction phase. As a result, car parking associated with the construction phase of the proposed development will likely be located within ALDI's car park (76 car spaces) given its convenience and close proximity to the subject site.

By its nature, the parking of vehicles related to construction activity commences early in the morning and lasts throughout the day until early evening. This demand for car parking has the potential to impact on the availability of car parking spaces within ALDI's car park as construction workers seek to park in a convenient area near their work site.

Should car parking on the ALDI site be used by construction personnel, less car parking spaces will be available for use by the ALDI development including ALDI Store customers and ALDI staff members.

The reduced availability of car parking for ALDI customers has the potential to have adverse impacts on the commercial viability of the ALDI development through reduced sales and business.

In assessing the current DA, we respectfully request that a Construction Management Plan to be prepared to ensure that construction workers do not use ALDI's car parking bays at any time whilst carrying out works on the site. This matter must be addressed via the imposition of a condition to ensure that ALDI's car parking spaces remain available for ALDI Store customers and there is a transparent mechanism to enforce action if required.

3.2 Car Parking Associated with the Operation of the Takeaway Food and Drink Premise

The DA documentation does not address the operational matters of the proposed McDonald's with particular regard to McDonald's staff parking during periods when the car parking spaces are at full capacity. The Statement of Environmental Effects Report prepared by SLR Consulting Australia Pty Ltd dated 16 December 2024 identifies that 26 standard car parking spaces, 1 accessible parking space and 2 motorcycle parking spaces are proposed for the McDonald's development.

Given the limited car parking spaces available within the McDonald's site and the potential for these spaces to be impacted from queuing of the drive-through facility, there is concern that McDonald's staff will utilise ALDI's car park when the McDonald's car park is at capacity. As ALDI's car park is undercover, unlike the McDonald's car park, and does not have any time restrictions placed on visitors, it is a highly desirable parking area. McDonald's staff who are working several hours in one shift and do not want to park their car in an open space attracting heat will utilise the all day shaded parking available in the ALDI car park.

Milestone clarify that under no circumstances shall the ALDI site be used for parking by staff and visitors to the McDonalds site throughout its operation and request that this matter be actioned via the imposition of appropriate conditions of development consent dealing with the appropriate provision and management of on-site car parking and loading.

3.3 Traffic Generation Associated with the Proposal

The Traffic Report for the proposed McDonald's development prepared by Colston Budd Rogers and Kafes Pty Ltd dated December 2024 indicates an increase in traffic generation as a result of the proposal. Chapter 3 of the report identifies that traffic generated by the proposal will have its greatest effects during weekday afternoon and Saturday midday peak periods when it combines with other traffic on the surrounding road network. The report's comparison of the existing traffic flows with the proposed developments traffic flows reveals the following:

- Kenneth Road traffic flows would increase by some 20-35 vehicles per hour (two way) during weekday afternoon and Saturday midday peak periods.
- Roseberry Street, north of Kenneth Road and south of the site access, traffic flows would increase by some 10-30 vehicles per hour (two way) on weekday morning and afternoon peak periods.
- Condamine Street traffic flows would increase by some 10-15 vehicles per hour (two way) on weekday afternoon and Saturday midday peak periods.

Refer to **Figure 3** for a summary of outlined existing peak flows plus additional development traffic.

Table 3.1: Existing + Development Weekday Afternoon and Saturday Midday Two Way Peak Hour Traffic Flows				
Location	Weekday Afternoon		Saturday	
	Existing	+ Dev	Existing	+ Dev
Condamine Street				
– north of Kenneth Road	2897	+10	3058	+10
– south of Kenneth Road	3310	+10	3259	+15
Kenneth Road				
– east of Roseberry Street	1185	+20	1179	+25
– west of Roseberry Street	1124	+30	1197	+35
Roseberry Street				
– north of Kenneth Road	334	+10	342	+20
– south of Kenneth Road	850	+95	1027	+120
– south of Hayes Street	818	+25	1013	+30
Hayes Street				
– west of Roseberry Road	360	+5	450	+10

Figure 3: Traffic Generation from the Proposed McDonald's

Source: Colston Budd Rogers and Kafes Pty Ltd, December 2024

The peak period of traffic generation of the proposed McDonald's development coincides with ALDI's peak shopping periods of weekday afternoons and Saturday. The Traffic Report submitted with the ALDI Balgowlah Development Application No. DA300/2016 prepared by Colston Budd Rogers and Kafes Pty Ltd dated October 2016 outlines the peak traffic periods generated by ALDI customers as:

"Surveys of other similar sized Aldi stores have found peak hour generations of some 160 and 200 vehicles per hour two-way during weekday afternoon and Saturday peak periods respectively."

Therefore, the existing approved ALDI Store and the proposed McDonald's development generally share similar peak hour periods of traffic generation. Hence, the traffic generation of the proposal will likely have an adverse impact on the operation of the ALDI Store as it will deter ALDI customers from travelling to the store due to traffic congestion being significantly increased and overall capacity constraints in the surrounding street network.

We request a careful review of the traffic generation and traffic impacts of the proposed development in context of the new TfNSW Guide to Transport Impact Assessment and to ensure that the nominated traffic generated by the development is indeed accurate, noting some 20 vehicle movements were missing from the analysis. Additional analysis and mitigation treatment options is required to ensure the full impacts on traffic congestion in the surrounding street network is understood in context of the existing congested conditions. There is concern that the current proposal will result in reduced levels of service, frustration and delays deterring drivers altogether from coming to the area and shopping at the ALDI Store. We request that revised plans and a revised traffic report must be renotified to the public so there is further opportunity to fully understand the traffic impacts and provide additional comments as warranted.

4 CONCLUSION

ALDI is concerned that the proposed development will give rise to additional parking demand within ALDI's car park during both the construction and ongoing phase of the proposed development, which will reduce the availability of car parking spaces for ALDI customers and staff. Further, the proposal will result in unacceptable traffic queues which will block traffic flow and result in capacity constraints in and around the site.

Unacceptable Traffic Impacts

A revised traffic assessment is required to be undertaken to fully understand the traffic impacts of the development including flow on impacts to vehicles by way of congestion and intolerable delays to ensure an acceptable level of service is maintained so as not to deter drivers from using the essential grocery retailing facilities that are established in Roseberry Street.

Car Parking Implications during Construction

The applicant be required to submit a Construction Management Plan for Council to assess upfront as part of the assessment of the development. This Construction Management Plan must include, however is not limited to, details of the location and management of parking for construction vehicles and any contractor vehicles associated with the construction of the McDonald's site, including details of how the ALDI Store car park will not be utilised for this purpose at any time.

Car Parking Implications during Operation

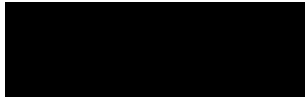
The applicant be required to submit within a revised Plan of Management for the McDonald's development a detailed outline including, but not limited to, the operation of the proposal and how car parking will operate without causing adverse impacts to the ALDI Store car park and locality overall.

Upon receipt of amended development information, Milestone requests that the amended information be re-notified to enable a further opportunity to review and provide further specific comments to Council on any amended development plans and reports.

We welcome the opportunity to discuss these issues with Council Officers in more detail. Should you require further clarification of matters raised please do not hesitate to contact the undersigned.

Yours sincerely

Milestone (AUST) Pty Limited



Lisa Bella Esposito
Director