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**From:** Charlotte Pace  
**Sent:** 25/05/2025 3:50:25 PM  
**To:** Council Northernbeaches Mailbox  
**Subject:** DA2025/0132 - Lot 100 DP 119949 37 Roseberry Street Balgowlah

Dear Sir/Madam,

I am writing to formally object to the proposed development of a 24-hour McDonald's restaurant at 37 Roseberry Street, Balgowlah. Despite submitting their application, it still raises several concerns to the local community.

### 1. Failure to Meet Franchise Site Selection Standards

The 2024 Franchising Code of Conduct (Clause 13(1)) mandates that a franchisor must have a clear policy for selecting sites based on viability and suitability. The site at 37 Roseberry Street does not appear to meet McDonald's standard site criteria, particularly in terms of high traffic visibility, drive-through efficiency, and accessibility.

**Requested Action:** Require McDonald's to submit a full site suitability analysis demonstrating how the proposed location meets its internal site selection policies. If deficiencies exist, the application should be reconsidered.

### 2. Market Oversaturation & Economic Viability

Clause 9(2) of the Franchising Code prevents excessive concentration of franchises within the same territory. There are already several McDonald's outlets in the region, raising concerns about market oversaturation, economic viability, and potential business failures.

**Requested Action:** A Market Impact Study should be required to determine if an additional McDonald's will negatively affect existing businesses and whether it aligns with the intended commercial use of the site.

### 3. Lease and Incentives Transparency

Clause 29 of the Code requires disclosure of lease agreements and financial incentives provided for site development. If McDonald's has received preferential leasing terms or undisclosed incentives from landlords or government entities, this could distort fair competition.

**Requested Action:** Require McDonald's to disclose all lease agreements, financial incentives, and landlord arrangements for independent review. Any irregularities should be examined for compliance with fair competition standards.

### 4. Non-Compliance with Local Planning & Zoning Laws

The Environmental Planning and Assessment Act 1979 (NSW) requires all developments to align with zoning, environmental, and social impact regulations. The proposal must demonstrate compliance with Northern Beaches Local Environmental Plan (LEP) 2011 and

State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021, particularly regarding traffic congestion, noise pollution, and environmental impact.

Requested Action: Require McDonald's to submit an updated Zoning Compliance Report, confirming alignment with local and state planning frameworks.

#### 5. Increased Risk to Franchisee Financial Stability

Clause 18(1) of the Code mandates disclosure of financial risks for franchisees. If the location proves financially unviable due to traffic limitations, lease costs, or market saturation, the franchisee could face economic losses, leading to business failure and site vacancy.

Requested Action: Request McDonald's Australia to submit a Financial Viability Assessment for this franchise location. If risks to long-term viability exist, approval should be reconsidered.

#### Conclusion

The re-submitted development application of a McDonald's at 37 Roseberry Street still raises substantial concerns regarding site selection compliance, market viability, fair leasing practices, local planning laws, and franchisee financial risks. I strongly urge the Northern Beaches Council to reject this application.

Thank you for your time and consideration.

Charlotte Pace