

---

**From:** DYPXCPWEB@northernbeaches.nsw.gov.au  
**Sent:** 22/05/2025 5:08:54 PM  
**To:** DA Submission Mailbox  
**Subject:** Online Submission

22/05/2025

MS Lara RAYMOND  
17 / 27 - 29A Quirk RD  
Manly Vale NSW 2093  
[REDACTED]

**RE: DA2025/0132 - 37 Roseberry Street BALGOWLAH NSW 2093**

Dear Sir/Madam,

I write to formally object to Development Application DA2025/0132 for the construction and 24-hour operation of a McDonald's restaurant and drive-through at 35-37 Roseberry Street, Balgowlah.

The proposal presents serious planning, safety, amenity and policy alignment concerns. I request that Council refuse the application outright or impose strict and enforceable conditions, as detailed below.

**1. Traffic, Road Safety and Queuing Risks**

- The proposed right-turn access into and out of the site contradicts Council's traffic advice recommending a central median to mitigate queue conflicts.
- Vehicles queuing across the frontage may breach NSW Road Rules 132, 133 and 128, obstructing through traffic and compromising safety.
- The site's proximity to a roundabout and its 30m driveway offset violate the intent of AS2890.1, which discourages access points near intersections.

**2. Non-Compliance with TfNSW Referral Requirements**

- The traffic impact assessment underreports peak vehicle movements, avoiding referral to TfNSW despite likely exceeding the 200 vph threshold.
- This undermines transparency and disregards the Guide to Traffic Impact Assessment, potentially invalidating conclusions on road network suitability.

**3. Proximity to Schools and Child Safety Risks**

- The site is near multiple schools (St Cecilia's, Mackellar Girls, and Balgowlah Heights Public), and a 24/7 fast-food outlet presents well-documented health and safety risks.
- In similar cases, proximity to schools was grounds for refusal or operating restrictions (e.g. Kariong, Redfern).
- Increased traffic, marketing to minors, and poor dietary influence are inappropriate in this educational precinct.

**4. Inconsistency with McDonald's Own Site Planning Policy**

- McDonald's Australia typically selects sites on major arterial roads or shopping centre precincts-not residential side streets near roundabouts.
- This proposal contradicts that model, suggesting it is out of character with the company's own best practices for site location and access.

#### 5. Late-Night Operation and Community Amenity

- Continuous 24-hour operation introduces potential for night-time noise, loitering, antisocial behaviour, and sleep disruption in a quiet residential area.
- Similar proposals in Chatswood and Redfern were modified or rejected due to comparable concerns, even with acoustic mitigation strategies in place.

#### 6. Oversized Signage and Light Pollution

- The proposed 9m illuminated pylon sign is excessive for the site context and will contribute to visual clutter and light intrusion.
- It likely contravenes DCP Part 4 and SEPP (Industry and Employment) 2021 controls on signage impact in low-rise areas.
- Nearby residents will experience unacceptable light spill and signage dominance inconsistent with the existing visual character.

#### 7. Litter and Environmental Management Concerns

- Fast-food drive-throughs consistently generate high litter volumes, especially near schools and pedestrian zones.
- The site drains toward the Manly Lagoon catchment, raising environmental management concerns if waste systems are not rigorously monitored and enforced.

#### 8. Cumulative Community Impacts

- The development fails to respect the low-scale residential nature of Roseberry Street and the broader Balgowlah/Manly Vale precinct.
- It introduces unnecessary traffic and amenity conflicts in a neighbourhood already impacted by through-traffic on Condamine Street.

#### 9. Missed Opportunity for TOD-Compatible Housing

- The NSW Government's new Transport-Oriented Development (TOD) reforms identify this precinct for increased residential density, supporting up to 6-storey apartments within 800m of transit nodes.
- Roseberry Street clearly falls within this TOD catchment, with access to frequent bus services and the Balgowlah commercial centre.
- A car-centric, single-storey drive-through is entirely inconsistent with the State's strategic planning intent for the site.
- The site is more appropriately used for medium-density residential or mixed-use development, aligned with SEPP (Affordable Rental Housing), TOD principles, and Council's Centres Strategy.

#### Request for Determination

In light of the above concerns, I urge Council to:

1. Refuse DA2025/0132 in its current form; or
2. If approval is considered, impose the following conditions:
  - No 24-hour operation - restrict hours to 6am-10pm
  - Install a central median strip to enforce left-in/left-out access
  - Require an updated traffic assessment with TfNSW referral
  - Conduct an independent road safety audit
  - Reduce signage height and lighting impact
  - Reconsider the zoning suitability of the site under TOD planning reforms

Thank you for the opportunity to comment on this important matter. I look forward to Council

acting in the community's best interest and upholding the planning objectives of the Northern Beaches LGA.