



# Statement of Environmental Effects

## Construction and Use of a Take-Away Food and Drink Premises 37 Roseberry Street, Balgowlah NSW 2093

### McDonald's Australia Limited

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## Basis of Report

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with McDonald's Australia Limited (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.



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## 1.0 Executive Summary

This Statement of Environmental Effects (SEE) is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) at 37 Roseberry Street, Balgowlah, for the construction and use of a McDonald's take away food and drink premises. This DA seeks approval for demolition, civil works, construction of a freestanding, single-storey, take away food and drink premises (381.17m<sup>2</sup> GFA), vehicular access, car parking and loading facilities, signage and 24/7 trade. All works are identified on the Architectural Plans attached at **Appendix A**.

The proposed McDonald's operation is situated within, and optimises, a highly accessible and convenient location. Development proposed under this DA will greatly assist in providing the services and facilities required to support the surrounding industrial and commercial activities.

The development has been designed in accordance with the specific design outcomes included in the Manly Development Control Plan 2013. Particularly, the inclusion of significant landscape buffers along the Roseberry Street and Kenneth Road frontages and articulated built form elements that create visual interest at the corner location aim to create high levels of amenity and integration with the streetscape and surrounding environment.

The proposal has been found to be generally compliant with relevant legislative requirements and Environmental Planning Instruments (EPI's) – including the Manly Local Environmental Plan 2013. The proposal is permissible and consistent with the objectives for E3 Productivity Support zone under the LEP, compliant with the relevant LEP clauses, and presents no variations to any development standard.

The proposal is generally compliant with the requirements of Manly Development Control Plan 2013, with exceptions predominantly related to signage. These variations have been discussed in the body of this SEE and are considered reasonable in the circumstances given the nature of the development and surrounds and overall DCP objectives satisfaction.

The proposed development incorporates high-quality building presentation and signage with an integrated overall approach to site development. The design of the development incorporates appropriate flood management with emergency management measures in place.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic, access and parking, noise, odour, visual amenity and waste and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development. Furthermore, it is in the interest of the future operators to employ strict management procedures for each premises to ensure that the development is a safe, efficient, and pleasant environment in which to work and visit.

Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is considered to be in the public's interest and worthy of Council's support.



## 2.0 Introduction

SLR Consulting Australia Pty Ltd (SLR) have prepared this Statement of Environmental Effects (SEE) on behalf of McDonald's Australia Pty Limited for the construction of a takeaway food and drink premises at 37 Roseberry Street, Balgowlah NSW 2093.

The development has been designed in accordance with the specific design outcomes included in the Manly Development Control Plan 2013. Particularly, the inclusion of significant landscape buffers along the Roseberry Street and Kenneth Road frontages and articulated built form elements that create visual interest at the corner location aim to create high levels of amenity and integration with the streetscape and surrounding environment.

Specifically, the proposed development includes:

- Demolition of the existing development onsite, including the various built structures and hardstand surfaces;
- A freestanding, single-storey, take away food and drink premises (381.17m<sup>2</sup> GFA);
- A dual-lane drive-through facility with capacity for fifteen (15) queuing vehicles;
- Redevelopment of the existing vehicle crossover from Roseberry Street for vehicle ingress and egress;
- A separate pedestrian entrance from the Roseberry Street frontage;
- Carparking accommodating twenty-six (26) standard parking spaces, one (1) accessible parking space, two (2) bicycle racks, and two (2) motorcycle spaces;
- One (1) loading and delivery bay;
- Associated directional and business identification signage, including an 9m pylon sign;
- Site-wide landscaping;
- One (1) substation in the southeastern corner;
- Operation 24-hours, 7-days a week; and
- Other minor works identified on the Architectural Plans attached at **Appendix A**.

This SEE describes the site, its environments, the proposed developments and an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act). This report should be read in conjunction with the supporting information attached to this letter.

This SEE, including attachments, provides an overall assessment of the proposal.

## 2.1 McDonald's Australia and the Community

There are approximately 1,030 McDonald's operations Australia wide, the vast majority of which are owned or operated by members of the local business community. McDonald's Australia serves approximately 1.2 million people a day and provides job opportunities for over 115,000 people Australia wide.

McDonald's Australia is a well-known and respected company across Australia, known for its food product, well trained staff and new and improved designs. Since 2002, McDonald's Australia has implemented a number of alternative healthy eating options and choices.

McDonald's Australia not only provides employment opportunities and food and service, they also work closely with and support a number of charities and local groups. This is mainly through major sponsorship, supporting local teams, providing educational, environmental, artistic and sporting programs and charity work (i.e., Ronald McDonald House charity and 'Clean up Australia Day').



## 2.2 Consultation with Council

Council commentary on the proposal was received via a pre-lodgement meeting on the 5<sup>th</sup> November 2024 (PLM2024/0130) with Nick Keeler (Planner), Claire Ryan (Principal Planner), James Brocklebank (Traffic) and John Coldwell (Waste).

**Table 1** summarises the lodgement requirements raised by Council in the advice letter and provides comments on each of the key matters raised.

**Table 1: Consultation with Northern Beaches Council**

Lodgement Requirements Raised by Council	Comment
<b>Zoning and LEP</b>	
The proposed 'restaurant' is permitted in the E3 Productivity Support zone. Clause 4.6 variation required for any non-compliance with 4.3 building height and 4.4. Floor Space Ratio.	The proposed McDonald's is considered a 'take away food and drink premises' which is permitted with consent in the E3 Productivity Support zone. The proposal complies with 4.3 building height and 4.4. Floor Space Ratio
<b>Manly DCP</b>	
As the development involves the demolition of the existing buildings and construction of a new building, the proposal should comply with the numerical control requirements. Specifically, the proposed pergola structure that abuts the Roseberry St and Kenneth Rd frontages must incorporate setbacks that comply with the control requirement. As recommended in the Landscape comments below, the whole building and carpark siting should be shifted towards the southern and western boundaries to increase the distance between the building and street and to provide additional landscaping opportunities in the front setback areas. The 24/7 proposed hours of operation are not supported in relation to impacts on nearby residential premises relating to traffic movements and acoustic impacts.	The proposed development has been amended to comply with the 4.5m setback and 'shifted' further southwest in line with Council's comments. This SEE undertakes a full assessment pursuant to Section 4.15 of the EP&A Act. Potential amenity impacts, including traffic and noise, are addressed in Section 6.0. This assessment finds the proposed 24/7 trade acceptable and is therefore proposed as part of this DA.
<b>Signage</b>	
The applicant must ensure the proposed signage responds to the criteria set out in Schedule 5 of SEPP Industry and Employment and the design principles set out under Part 4.4.3.1 and built form requirements set out under Part 4.4.3.3 of MDCP. The pylon sign must not project 1.2m beyond the boundary. Details regarding signage illumination must be included in the SEE.	An assessment of Schedule 5 of the SEPP (Industry and Employment) has been undertaken and is attached as Appendix L. The pylon sign will not project beyond the site boundary.
<b>Development Engineering</b>	
The method of stormwater disposal is to be in accordance with Council's Water Management for Development Policy. The driveway crossings are to be in accordance with one of Council's Vehicular Crossing standard profiles available on Council's web page.	The development's stormwater system and vehicle crossings have been developed in accordance with Council standards. A Stormwater Design Report has been prepared by ENTEC Consultants and is included at Appendix E. It is requested Vehicular Crossing standards are included as a condition of consent.
<b>Environmental Health (Industrial)</b>	
An acoustic report by a suitable qualified acoustic consultant will be required to be lodged with the DA.	A Noise Impact Assessment (Appendix G) has been prepared and submitted confirming no unreasonable amenity impacts to surrounding receivers or





Lodgement Requirements Raised by Council	Comment
<p>The report is to take into account to use of the property in relation to proximity nearby residential, and other receivers, and provide noise mitigation measures by way of design, building elements and material to provide adequate assurance to Council that the resultant development will not cause unreasonable amenity impacts to the community.</p> <p>The report is also to consider mechanical ventilation design and placement to ensure there are no adverse effects to the community and neighbouring properties. by way of smoke and odour</p>	<p>community, subject to the recommended mitigation measures. These are discussed further in Section 6.9.</p> <p>An Odour Amenity Assessment has also been prepared by SLR consulting. This concludes there will be no adverse impacts to the community in relation to odour. This report is included at Appendix O.</p>
Environmental Health (Food Premises)	
<p>The design of the food and drink premises must comply with Australian Standard 4674-2004 Design, construction and fit-out of food premises.</p> <p>A detailed plan of the food and drink premises is to be submitted as part of the Development Application, identifying the location of food preparation and storage areas.</p> <p>The applicant will also need to supply details as to mechanical ventilation and compliance with Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings"</p> <p>Any external exhaust discharge must be above the roofline and discharged in a manner that is not likely to cause an amenity impact</p>	<p>The premises has been designed in accordance with Australian Standard 4674-2004 Design, construction and fit-out of food premises.</p> <p>A mechanical equipment plan and Odour Amenity Assessment (refer Appendix O) have also been submitted confirming compliance with Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings"</p>
Environmental Health (Contaminated Land)	
<p>It is noted by the applicant in the pre-lodgement documentation that a contaminated lands report is to be submitted with the DA.</p> <p>Due to the history of industrial use at the property, Environmental Health believes that this is appropriate.</p> <p>Additionally, as the property is identified as class 4,5 acid sulphate soils, a preliminary report investigation the actual or potential presence of acid sulphate soils will be required to be lodged with the DA if works are identified in the documentation as potentially involving excavation to a depth of 2 metres or more.</p>	<p>A Detailed Site Investigation (refer Appendix B) has been undertaken and has confirmed the site is suitable for the proposed development.</p> <p>An Acid Sulphate Soils Management Plan (refer Appendix F) have been prepared will be adhered to during the site works.</p>
Landscape	
<p>It is advised that the proposed development shall provide a landscape buffer along the Kenneth Road and Roseberry Street frontages. The proposed pre-lodgement plans provide landscape strips to the road frontages, however it is considered that with minor rearrangement an increased landscape buffer width is achievable that will better accommodate meaningful planting, that would otherwise be limited as is presented in the proposed pre-lodgement plans. (see sketch 1 and 2 below).</p> <p>The existing newly planted street trees along Kenneth Road and Roseberry Street shall be retained and protected, and shall be documented on survey plans and all other plans.</p>	<p>An 8.05m landscape buffer is proposed fronting Roseberry Street, while a landscape buffer ranging from 2.9m to 5m is proposed on Kenneth Road (refer to landscape plans in Appendix A).</p> <p>All existing street trees along the frontages will be retained.</p>
Flooding	



Lodgement Requirements Raised by Council	Comment
<p>This site is subject to Section 5.4.3 of the Manly DCP and Clause 5.21 of the Manly LEP and the proposed development must comply with all relevant controls.</p> <p>To comply with prescriptive control C1 of the DCP floor levels within the proposal need to be above the FPL.</p> <p>The majority of the proposal is within Flood Life Hazard Category H3 / H4 and as such must comply with prescriptive control E1 of the DCP. A Flood Emergency Assessment must be included within the Flood Management Report</p>	<p>A Flood Management Report (with a Flood Emergency Assessment) has been submitted and is attached as Appendix I.</p> <p>The report requirements align with the subsequent discussion with Council (Uma Shanmugalingam and Patrick Stuart), notably the agreement that a Flood Planning Level of 7.89m AHD could be used instead of 8.14m AHD.</p>
Traffic	
<p>A Traffic Impact Assessment will need to be prepared by a suitably qualified consultant and address the following:</p> <p>Site access and vehicle queuing</p> <p>Traffic generation from the development</p> <p>Parking and Loading (including deliveries).</p> <p>Sight lines</p>	<p>The Traffic Report, included at Appendix K addresses traffic related issues potentially generated by the development.</p> <p>In conjunction with all appendix items, this SEE comments on all traffic and access related matters raised by Council.</p>
Waste	
<p>All commercial waste generated at this site will be undertaken by a private waste collection contractor. Council does not provide waste services to commercial properties.</p> <p>A commercial bin storage room must be built on site and shown on the submitted plans its exact location, dimensions and access path for a commercial waste contractor truck to service the bin</p>	<p>The Waste Management Plan (Appendix J) includes details on all waste management measures.</p>

### 3.0 Site Analysis

The site is generally known as 37 Roseberry Street, Balgowlah NSW 2093, and legally referred to as Lot 100 DP 1199949. The site is located within the Council Ward of Manly.

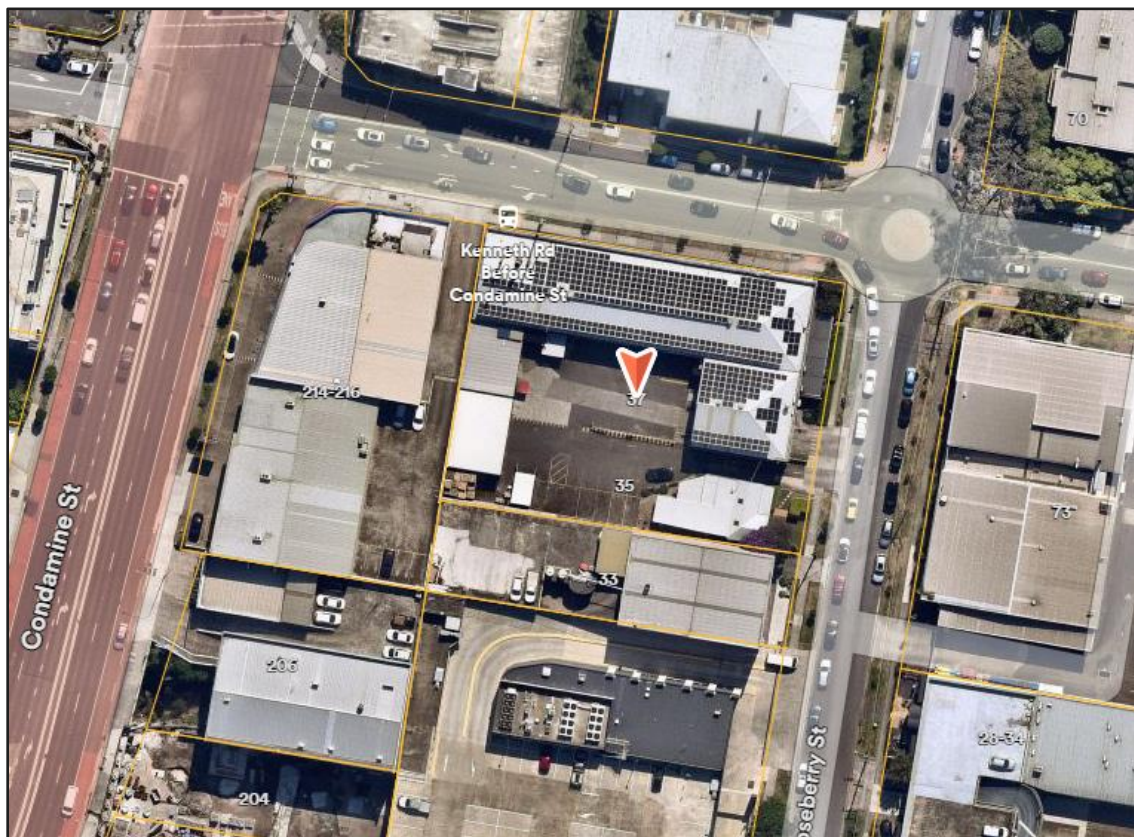
The site currently contains a combined coffee roasting facility (Seven Miles Coffee Roasters) and café (Seven Miles Roastery Door). Ingress and egress are provided by two vehicle crossovers from Roseberry Road that access a car park and loading facility centrally located within the site. The existing buildings extend to the northern boundary with a small, landscaped area situated between the building and eastern site boundary. The site is on a slight slope, sloping down in an eastern direction towards Roseberry Street (2.4m fall from western boundary).

The surrounding area is predominantly characterised by other commercial activities to the eastern with some residential apartments located on the northern side of Kenneth Road.

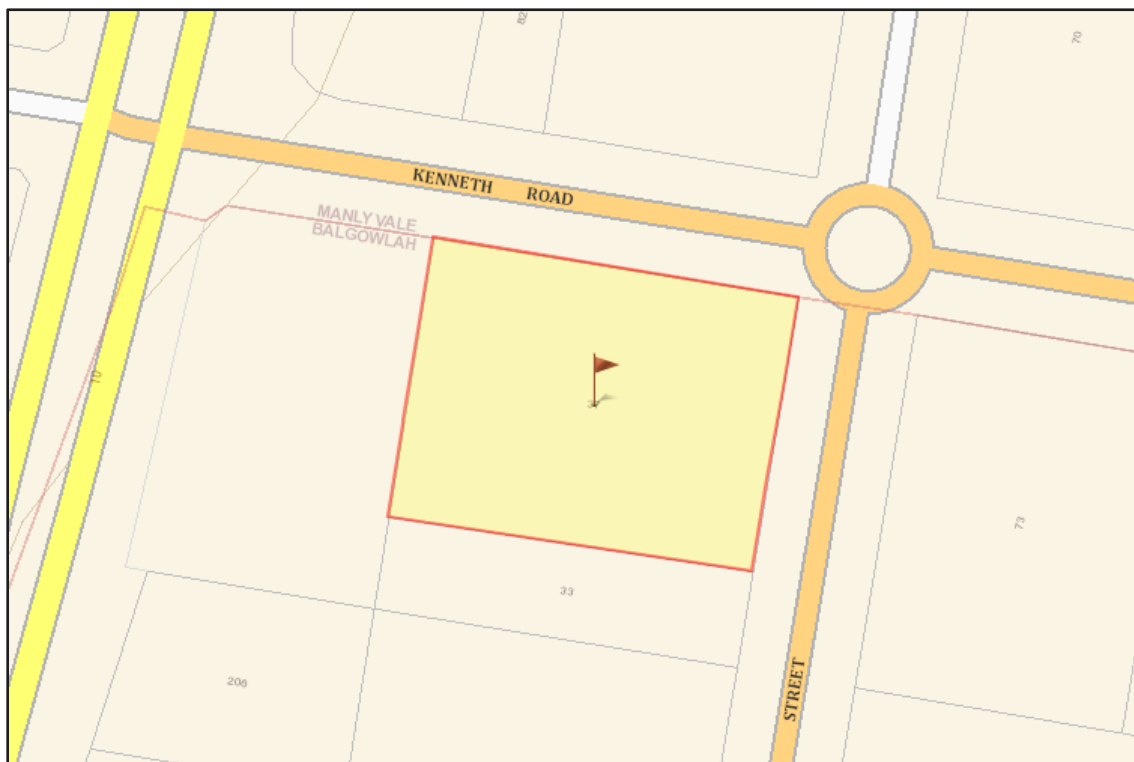
A Survey Plan and Survey Report are included at **Appendix C**.



**Figure 1: Site aerial, dated 24/09/24 (Source: Nearmap)**



**Figure 2: Site Cadastre (Source: SIX Maps)**



## 4.0 Proposal

This section of the SEE provides a detailed description of the proposed demolition and the construction of a freestanding McDonald's take away food and drink premises.

### 4.1 Elements of the Proposed Development

The proposal will result in the following:

- Demolition of the existing developments onsite, including the several minor structures and the hardstand surface area;
- Construction of a freestanding, single-storey food and drink premises (381.17m<sup>2</sup> GFA), including the following components:
  - o Dining room including 52 seats and Playland;
  - o Service Counter and McCafe;
  - o Kitchen and servery, including food storage rooms;
  - o Staff and visitor bathroom facilities, including accessible stalls;
  - o Manager, cashier, and IT rooms;
  - o Driver pick-up room and entry; and
  - o Corral with waste storage fixtures.
- Construction of a dual-lane drive-through facility with capacity for fifteen (15) 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;
- Carparking 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; and
- Other minor works identified on the Architectural Plans attached at **Appendix A**.

Refer to the Architectural Plans in **Appendix A** and Civil Plans in **Appendix D** for full details of the proposed form of the development.

### 4.2 Earthworks

Earthworks are proposed to facilitate appropriate site levels for the development with consideration of potential flooding impacts.

The Finished Floor Level (FFL) of the building is 8m AHD which will be the high point on the site and is set by the accessible pedestrian access from the Roseberry site frontage. It is proposed that new surface levels match into the surrounding neighbouring properties to avoid undermining the existing buildings where possible. The existing building along the Kenneth Road frontage currently retains the Council verge and as such a new retaining wall will be constructed to suit the proposed McDonalds development.



The Reduced Level (RL) of the parking area is reduced to 7.68 AHD and decreases to 7.44 AHD towards the eastern boundary to facilitate outflow. The proposed earthworks will ensure the development is of an appropriate level for flood events and enable suitable stormwater management for the hardstand areas.

Refer to the Civil Plans at **Appendix B** for further details, including those of the proposed cut and fill.








## 4.3 Site Design







The site will contain a freestanding, single-storey McDonald's premise, supported by a dual lane drive-through, landscaping, signage, and parking. Ingress and egress to the site will be clearly signposted throughout the parking area and along the Roseberry Street frontage.

### 4.3.1 Built Form

The building is of a simple, modern design, with colours and finishes to be consistent McDonald's corporate theme. The nominated materials for the building are identified on the Architectural Plans at **Appendix A** and includes precast metal capping, timber-look aluminium cladding, corrugated steel, and Dulux paint and powder finishes. The palette is subtle yet recognisable and will integrate into the surrounding locality and streetscape. Refer to **Table 2**.

**Table 2: External Finishes Schedule Extract (Source: Architectural Plans)**

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
PC	02	MAIN BUILDING WALLS	FIBRE CEMENT WEATHERTEX VERTICAL WEATHERBOARDS	WEATHERTEX	WAYWARD GREY PG108	
MC	01	PARAPET CAPPING - ADJACENT TIMBER LOOK CLADDING (PLAYLAND)	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	JASPER	
MC	02	PARAPET CAPPING - AWNINGS	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	SURPIST	
MC	03	PARAPET CAPPING - MAIN BUILDING WALLS	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	WOODLAND GREY	
MC	04	PARAPET CAPPING	PREFINISHED METAL CAPPING / FLASHING	COLORBOND	MANOR RED	
MVC	01	PLAYPLACE & PARAPETS	TIMBER LOOK ALUMINIUM CLADDING SYSTEM USING KNOTWOOD 200MM CLADDING PROFILE	KNOTWOOD	LIGHT OAK	
MVC	02	ROOF (WELL, INTERNAL PARAPET LINING)	CUSTOM ORB CORRUGATED STEEL RIVET FIXED VERTICALLY TO FRAMES	LYSAGHT	ZINCALUME	

EXTERNAL FINISHES SCHEDULE						
CODE	No.	AREA	DESCRIPTION	MANUFACTURER	COLOUR	IMAGE
PC	01	CORRAL BATTENS & ROOF ACCESS, ELEC. ROOM DOORS	POWDERCOAT FINISH	DULUX DURATEC ZEUS	LUNAR ECLIPSE SATIN (BLACK)	
PC	02	ALUMINIUM WINDOWS & DOOR FRAMES. REFER NOTE 1.	POWDERCOAT FINISH	DULUX DURATEC ZEUS	LUNAR ECLIPSE SATIN (BLACK)	
PT	01	FASCIAS (RIBBON)	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	VIVID WHITE PVI109	
PT	02	MAIN BUILDING WALLS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	WAYWARD GREY PG108	
PT	05	BLADE WALL & DRIVETHRU WINDOWS	PAINT FINISH. REFER SPECIFICATION FOR DETAILS ON PAINT TYPE & APPLICATION	DULUX	HOTIPS PB1F2	
STN	01	DRIVETHRU WINDOW SILL & SURROUND	RECONSTITUTED STONE. REFER TO DECOR DOCUMENTS	REFER DECOR	REFER DECOR	

The built form is articulated on all frontages and will enhance the visual amenity of the site and immediate area. Refer to **Figure 3** and **Figure 4** for elevation excerpts.

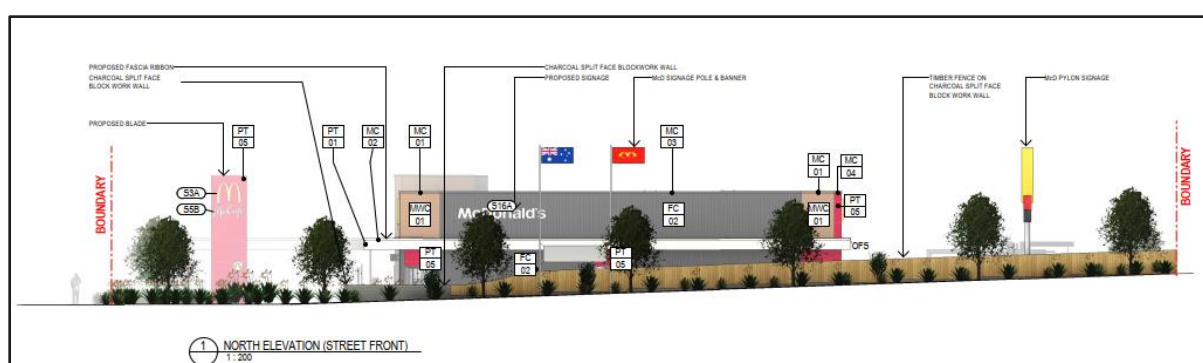




**Figure 3: Roseberry Street Elevation Excerpt (Source: Architectural Plans)**



**Figure 4: Side Elevation Excerpt (Source: Architectural Plans)**



## 4.4 Operational Hours and Staff

The McDonald's operation is proposed to operate 24 hours, 7 day a week. An average of 12 staff will be present on site at any one time during daytime hours, down to a minimum of 3 staff during night time hours.

## 4.5 Deliveries and Servicing

The proposed delivery schedule is estimated to be as follows:

- 1-2 dry goods deliveries per week; and
- Daily fresh food deliveries.

Food and supplies for the premises will be generally delivered during periods of low-patronage and not after 10pm. This ensures that fresh produce is available each day. Swept Paths for an 8.8m long medium rigid truck (MRV) are shown in the Traffic Report at **Appendix K**.

## 4.6 Waste Management

Waste will be stored in the designated waste storage area (corral) adjacent to the service bay. The corral allows ample capacity for a 3,000L skip bin for general waste and one used-cooking-oil waste vessel. The recycling will be picked up directly from the recycling baler machine. Refer to the Architectural Plans at **Appendix A** for depiction of the corral.

Waste collection on site will be managed via a private contractor. Waste collection times will occur during the day, evening and morning shoulder period (as assessed within the NIA at Appendix G).

Further details on waste management, including litter management, waste minimisation, packaging and community education, are provided in the Waste Management Plan at **Appendix J**.



## 4.7 Plan of Management

A Plan of Management (PoM), consistent with other existing McDonald's operations and updated to reflect the need of this site, is included in **Appendix H**. The PoM sets out a number of policies and procedures to help make the premises a safe, efficient and pleasant environment in which to work and visit. The safety and security issues addressed in the PoM have been devised to ensure the amenity of the surrounding area is maintained at all times.

## 4.8 Signage

An integrated, simple, and deliberate approach to external signage is proposed at the site to ensure signage crowding does not occur and the premises it effectively utilised.

Proposed signage is comprised of the following:

- Business identification signage:
  - o One (1) pylon sign of 9m in height.
  - o One (1) blade sign of 7.2m in height connected to the roof eave at the access track;
  - o Eleven (10) wall and projecting wall signs.
  - o One (1) fascia sign.
- Drive-thru signage, including four (4) outdoor menuboards.
- Sitewide directional, pedestrian, and parking signage.

The proposed signage is considered appropriate for the nature of the development and surrounding environment which is characterised by high traffic volumes along Kenneth Road which connects to Condamine Street, a State Classified Road, approximately 50m west of site. The signage enables motorists to initially identify the operation from high volume roads. Once onsite, the internal directional signage will facilitate the identification of potential uses for visitors, such as the PlayPlace, drive-thru, delivery window, parking area, and access to the premises itself.

Moreover, the proposed signage scheme is in accordance with national McDonald's standards and remains consistent with the contextual commercial streetscape.

Refer to the Architectural Plans at **Appendix A** for full signage specifications.

## 4.9 Landscaping

The proposal includes significant landscaping consisting of trees, shrubs, accents, grasses, groundcovers, and accent plantings throughout the site. A high density of plantings and landscaping is proposed along the northeastern boundaries of site to create a high level of visual amenity and interest at the corner location. Given the urban context, this outcome is considered significant and ensures the proposed development will make a positive contribution to the existing streetscape.

A plant selection of mainly hardy native species is proposed suitable to the local environment to enhance the local urban ecology and enhance the current landscape character of Kenneth Road and Roseberry Street. The design promotes the safety of the community through the maximisation of passive surveillance.

Water Gum and Yellow Gum trees are interspersed along the Roseberry and Kenneth Road frontages with numerous medium to small ornamentals to soften the space, improve visual amenity, and reduce heat loading of the pedestrian access ramp. Three larger Illawarra Plum trees are proposed along the western boundary to provide more discernible vegetated buffer with the adjoining commercial site.

Accent and groundcover plantings provide attractive textural contrast, help define entry points, indicate direction and contribute to the enhancement of the local landscape character. The proposed plant schedule is provided in **Figure 5**.



**Figure 5: Indicative Plant Imagery (Source: Landscape Plans)**

PLANTING SCHEDULE						
Key	Botanical Name	Common Name	Pot Size	Mature Height	Mature Width	Quantity
<b>Trees</b>						
E	<i>Elaeocarpus Eumundii</i>	Native Quandong	75L	7m	2m	6
D	<i>Eucalyptus leucoxylon</i> 'Euky Dwarf'	Euky Dwarf	75L	6m	5m	6
P	<i>Podocarpus elatus</i>	Illawarra Plum	75L	12m	5m	3
T	<i>Tristania laurina</i> 'Luscious'	Kanooka	75L	8m	5m	6
<b>Feature Plants</b>						
C	<i>Cordyline fruticosa</i> 'Rubra'	Cordyline	200mm	2.5m	1m	3
S	<i>Strelitzia reginae</i>	Bird of Paradise	200mm	1.2m	1m	13
<b>Low Border Plants</b>						
Dg	<i>Dietes grandiflora</i>	Dietes	200mm	0.8m	0.8m	30
Lc	<i>Loropetalum chinense</i> 'little china ruby'	Chinese Fringe	200mm	1m	1.5m	30
Li	<i>Nandina domestica alba</i> 'lemon lime'	Scadred Bamboo	200mm	0.9m	0.9m	35
Li	<i>Philodendron xanadu</i>	Xanadu	200mm	1m	1m	3
<b>Mix A</b>						
Md	<i>Brachyscome</i> 'Mauve Delight'	Native Daisy	150mm	0.2m	0.5m	
Cr	<i>Carpobrotus rossii</i>	Native Pigface	150mm	0.2m	2m	
<b>Mix B</b>						
Cr	<i>Carpobrotus rossii</i>	Native Pigface	Tube	0.2m	2m	
Dc	<i>Dianella caerulea</i> 'Little Jess'	Dianella 'Little Jess'	Tube	0.4m	0.4m	
Eg	<i>Eremophila glabra</i>	Common Emu Bush	Tube	0.3m	1m	
Lk	<i>Lomandra longifolia</i> 'Katrinus'	Tanika	Tube	0.7m	0.7m	
Mp	<i>Myoporum parvifolium</i>	Creeping Boobialla	Tube	0.1m	0.5m	

Further details of the proposed landscape scheme are provided within the Landscape Plans at **Appendix A**.

## 4.10 Vehicular Access and Parking

The development is proposed to be provided with a combined entry and exit driveway from Roseberry Street as shown on the Architectural Plans at **Appendix A**. The new entry and exit crossovers shall be constructed to Council standards and will provide for the turning movements of cars and service vehicles, (in accordance with the Australian Standard for Parking Facilities AS2890.1:2004).

Onsite, a total of twenty-six (26) parking spaces are to be provided, including one (1) accessible parking space. The standard parking spaces will be 2.6 metres wide by 5.4 metres long, whereas the accessible parking space will be 2.4 metres wide by 5.4 metres long, with an adjacent 2.4-metre-wide buffer space.

The two-way circulation aisles will be a minimum of 6.6 metres wide (approx. 8m), and wider where aisles are used by service vehicles. These dimensions satisfy the requirements of the Australian Standard for Parking Facilities AS2890.2004. The layout will provide for medium rigid trucks up to 8.8m long to enter the site from Roseberry Street, circulate, and make deliveries before exiting in a forward direction onto Roseberry Street. Swept paths for delivery and service vehicles and are illustrated in the Traffic Report at **Appendix K**.

Substantial queuing is provided within the dual lane drive-thru, with capacity for fifteen (15) vehicles in accordance with Transport for NSW (TfNSW) guidelines.

## 4.11 Stormwater Management

The existing site stormwater discharge connection to the Roseberry Street kerb is proposed to be demolished, with a new connection to be made to the adjacent stormwater kerb inlet pit. The site grading





design intent is generally to maintain the existing site grading and overland flow path regime which falls towards the driveway on Roseberry Street. The proposed McDonalds site is relatively flat and falls between 1-3% for ease of access for patrons. The proposed earthworks will ensure the hardstand area is not subject to immediate stormwater impacts nor long-term risks.

Additionally, the proposal includes drainage infrastructure, including a new network of pipes and pits to enhance runoff from the site to Council's drainage network.

Full details of proposed stormwater management system are included within the Civil Plans at **Appendix D** and Stormwater Design Report at **Appendix E**.

## 4.12 Construction Management

A Construction Management Plan will be prepared and submitted to the Certifier for approval prior to the issue of a Construction Certificate.



## 5.0 Legislation and Planning Controls

The following Environmental Planning Instruments (EPIs) and Development Control Plans (DCPs) are relevant to the proposed development:

- *Environmental Planning and Assessment Act 1979;*
- *Environmental Planning and Assessment Regulation 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *State Environmental Planning Policy (Industry and Employment) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021;*
- *Manly Local Environmental Plan 2013;*
- *Manly Development Control Plan 2013; and*
- *Northern Beaches Section 7.12 Contributions Plan 2024.*

### 5.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act). Section 4.15(1) of the EP&A Act provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1) is provided within this SEE.

### 5.2 State Environmental Planning Policy (Resilience and Hazards) 2021

#### 5.2.1 Chapter 4 Remediation of Land

As per the requirements of clause 4.6(1) of the SEPP (Resilience and Hazards) 2021:

*A consent authority must not consent to the carrying out of any development on land unless—*

- it has considered whether the land is contaminated, and*
- if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A Detailed Site Investigation (DSI) has been provided (**Appendix B**) assessing potential contamination on the site. This DSI has undergone an additional third party review which is Attached as **Appendix B**. Based on this report, the site is suitable for ongoing commercial use, including as a take away food and drink premises. The report notes that remediation is not required, and the proposal satisfies the requirements of this chapter.

### 5.3 State Environmental Planning (Industry and Employment) 2021

As stated in Section 4, approval is sought for all proposed signage associated with the McDonald's premises. The signs are a necessary ancillary development which provide users with clear guidance and instruction for site use, notably the drive-thru.

It is considered that the signage scheme proposed is consistent with the requirements outlined within the SEPP as detailed below.

#### 3.6 Granting of consent to signage



*A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—*

- a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

The assessment criteria in Schedule 5 of the SEPP relates to matters for consideration such as character of the area, amenity of residential areas, views and vistas, streetscape, setting and landscape, site and building compatibility, illumination, and safety.

A detailed assessment of the proposal against Schedule 5 of the SEPP (Industry and Employment) is provided in **Appendix L**. Overall, the proposed signage meets the applicable criteria of Schedule 5 and is consistent with the aims of this SEPP.

## **5.4 State Environmental Planning (Transport and Infrastructure) 2021**

### **5.4.1 Clause 2.48 Determination of development applications—other development**

- 1 This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following—*
  - a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
  - b) development carried out—*
    - i. within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
    - ii. immediately adjacent to an electricity substation, or*
    - iii. within 5m of an exposed overhead electricity power line,*

As the proposal involves development within 5m of an exposed overhead electricity power line, the DA will be required to give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks. McDonald's will take into consideration any response to the notice that is received within 21 days after the notice is given.

### **5.4.2 Clause 2.122 Traffic-Generating Development**

This clause requires that before granting consent to development of a type nominated in Schedule 3 of the Policy, Council must refer the application to TfNSW for comment on various matters including;

*The efficiency of movement of people to and from the site and the extent of multipurpose trips;*

*The potential to minimise the need for travel by car, and,*

*Any potential traffic safety, road congestion or parking implications of the development.*

Under Schedule 3, Traffic Generating Development (TGD) is triggered for a takeaway food and drink premises where the activity generates more than 200 motor vehicle movements per hour. According to the Traffic Report at **Appendix K**, the traffic generation, based on TfNSW Guidelines, would be less than 200 per hour and therefore the proposal is not considered to be TGD.

Notwithstanding, Kenneth Road and Roseberry Steet and the associated transport network will continue to be able to cater for the traffic generation of the development in terms of safety, efficiency, and congestion. Further, the site does not feature reasonable linkage to freight networks (i.e. rail) nor any other means of transportation besides automotive. Considering the takeaway food and drink premises will be located on a significant commute thoroughfare, multi-purpose trips are anticipated to compose a fair share of all site visits.



## 5.5 Manly Local Environmental Plan 2013

### 5.5.1 Land Zoning

The site is subject to the provisions of the Manly Local Environmental Plan (LEP) 2013 and the site is zoned E3: Productivity Support under the Manly LEP 2013 (refer to **Figure 3**).

**Figure 6: Land Zoning Map Extract (Source: NSW Planning Portal Spatial Viewer)**



#### **Zone E3 Productivity Support**

##### **1 Objectives of zone**

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- To create a pedestrian environment that is safe, active, and interesting.
- To create employment environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.



- To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining and nearby residential land uses

## 2 Permitted without consent

Nil

## 3 Permitted with consent

Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Electricity generating works; Environmental protection works; Flood mitigation works; Function centres; Garden centres; Hardware and building supplies; Health services facilities; Home industries; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Registered clubs; Restricted premises; Roads; Rural supplies; Service stations; Sex services premises; Shops; Signage; Specialised retail premises; Storage premises; **Take away food and drink premises**; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource transfer stations; Water reticulation systems; Wholesale supplies

## 4 Prohibited

Any development not specified in Item 2 or 3

It is considered that the proposed McDonald's operation is consistent with the relevant zoning objectives. In particular, the premises will contribute to the range of existing light industrial and commercial services in the surrounding area, whilst not competing with them by offering a hospitality service. Further, the proposed development offers a high-quality architectural design with significant landscaping to ensure it is compatible with neighbouring land uses and character of the locality. This zone, and the specific location, are considered optimal for the proposed McDonald's operation as opposed to more residential areas with greater sensitivity.

A *takeaway food and drink premise* is permitted with consent in E3 Productivity Support zones, defined under the LEP as:

**take away food and drink premises** means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

### Note—

Take away food and drink premises are a type of food and drink premises—see the definition of that term in this Dictionary.

The proposed McDonald's development is defined as a *take away food and drink premise* as the site layout, design, and sales pattern of existing operations, indicate an operation engineered for the preparation and retail sale of food or drink (or both) for immediate consumption predominantly offsite. This characterisation is enhanced by the dedication of site area to the dual lane drive-thru facility and driver pick-up room, and the comparatively small front of house.

As such, the proposed use of a take away food and drink premises is permissible with consent as the land is zoned E3 Productivity Support under the Manly LEP 2013. As examined, development is considered highly compatible with the objectives of the zone.

## 5.5.2 Demolition Requires Development Consent

Under Clause 2.7, all demolition requires consent from the approving authority, in this case, Northern Beaches Council. The proposal necessitates the demolition of all existing buildings currently onsite, which predominantly accommodate coffee roasting activities and an ancillary cafe, and the existing hardstand surfaces.





Removal of the hardstand surfaces, and the potential for contaminant exposure, has been addressed in the Detailed Site Investigation, included at **Appendix B**. Overall, the demolition and removal of the existing structures and hardstand onsite do not pose any significant impacts for adjoining lots. Emissions arising from the demolition phase will be properly mitigated by dust and sediment controls.

### 5.5.3 Height of Buildings

Pursuant to Clause 4.3, the site is subject to a maximum height limit of 11 metres – refer to **Figure 7**.

The tallest element of the building is 7.2m in height, and the overall tallest element is the pylon sign, 9m in height. As such, the proposal is compliant with the prescribed limit.

**Figure 7: Height of Buildings Map Extract (red depicting site) (Source: HOB\_003)**



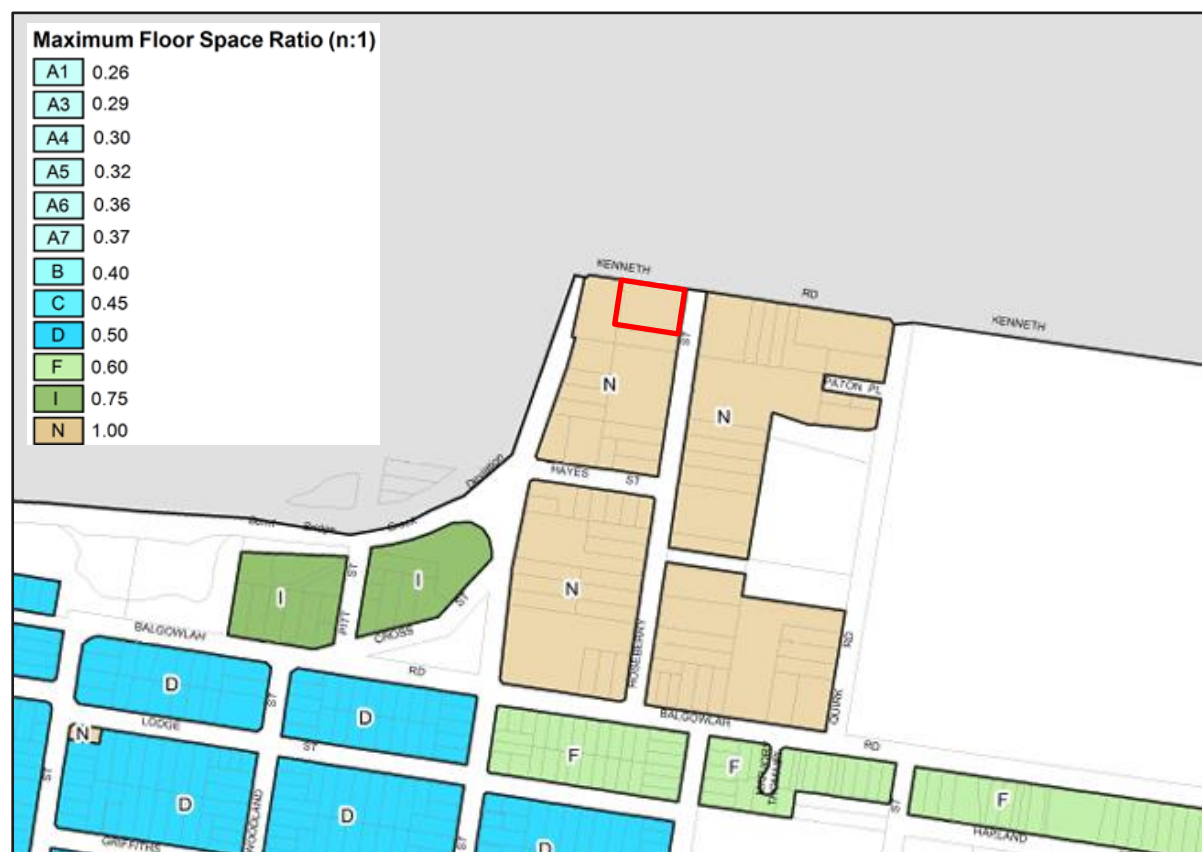
### 5.5.4 Floor Space Ratio

Pursuant to Clause 4.4, the site is subject to a maximum floor space ratio of 1:1 – refer to **Figure 8**.

The proposed GFA is 381m<sup>2</sup> and the site area is 2,765m<sup>2</sup>. As such, the development complies with FSR limit.



**Figure 8: Floor Space Ratio Map Extract (Source: FSR\_003)**



### 5.5.5 Heritage Conservation

The site is not identified as containing any heritage items nor located within a conservation area. Additionally, there are no heritage items with proximity to the site.

### 5.5.6 Flood Planning

The objectives of Clause 5.21 Flood Planning are to minimise flood risk to life and property, allow development on land if it is compatible with flood function and behaviour, avoid development which adversely impacts flood behaviour and the environment, and ensure the safe occupation and efficient evacuation of sites in flood prone land.

A Comprehensive Flood Information Report has been obtained from Council which indicates that the site may be subject to flooding. A review of the flood report has indicated the following:

- Flooding in the 1% Annual Exceedance Probability (AEP) event is less than 150mm (general definition of flooding in NSW, as this is gutter/step height)
- The site is located at the very edge of the flood fringe and any blockage or obstruction of flow is not going to impact on any other site in the 1% AEP event

A Flood Impact Assessment (refer **Appendix I**) has been prepared demonstrating that the site will not be susceptible to nor exacerbate any unacceptable flood risk in the surrounding area. A Flood Emergency Assessment has also been prepared (within the Flood Impact Assessment) to ensure the safe evacuation of staff and patrols during flood events.

Clause 5.22 Special Flood Considerations applies to sensitive and hazardous development on land between the flood planning area and the probable maximum flood that require the evacuation of people or other safety considerations. The proposed take-away food and drink premises is not considered a sensitive or hazardous development under Clause 5.22.



### 5.5.7 Public Utility Infrastructure

The objective of Clause 7.1 is to ensure development consent is only granted when proposed development has adequate access arrangements for water, electricity, and sewerage.

The proposed development is sufficiently equipped with essential utilities typical for McDonald's operations and commercial premises more broadly. Refer to the Civil Plans at **Appendix D** and Stormwater Design Report at **Appendix E** for full detailing of these systems.

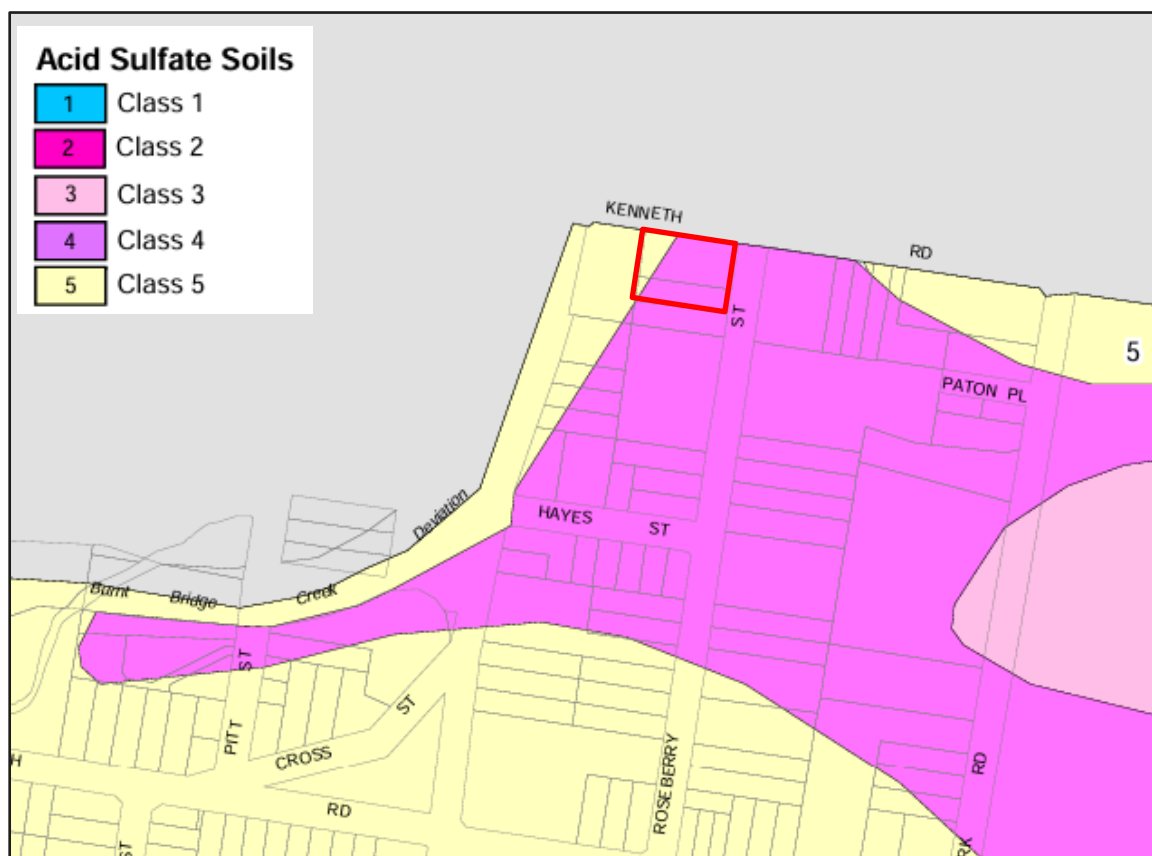
### 5.5.8 Acid Sulfate Soils

The site is located on predominantly Class 4 land and Class 5 land– refer to **Figure 9**.

As prescribed by subclause 6.1(2) and (3), land classified as Class 4 land subject to works more than 2m below the natural ground surface and/or lower the water table more than 2m below the natural ground surface, triggers the need for an Acid Sulfate Soils Management Plan (ASSMP). An ASSMP has been prepared and is attached as **Appendix F**.

Additionally, the soils onsite have been assessed and deemed suitable for commercial use in accordance with the Detailed Site Investigation, included at **Appendix B**.

**Figure 9: Acid Sulfate Soils Extract (CL1\_003)**



### 5.5.9 Earthworks

The objectives of Clause 7.6 are to ensure that earthworks, for which development consent is required, will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land and to allow earthworks of a minor nature without requiring separate development consent.

The proposal involves earthworks to erect all onsite structures and landscaping beds, as well as facilitate drainage through levelling and drainage infrastructure. These works will not result in an unalterable landform nor one which impedes future use and development. Furthermore, appropriate erosion and sediment controls will be employed to minimise any potential effects on neighbouring





properties or surrounding environment. Refer to the Civil Plans at **Appendix D** for full details of the earthworks and further information.

### 5.5.10 Stormwater

The objective of Clause 6.4 is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.

A suitable stormwater management and disposal system has been designed in accordance with Council standards to minimise any offsite effects. Refer to the Stormwater Design Report at **Appendix E** for full details on the proposed stormwater system.

## 5.6 Manly Development Control Plan 2013

Development of the site is subject to the controls of the Manly Development Control Plan 2013 (DCP), which applies to all land also subject to the Manly Local Environmental Plan 2013.

The following sections are considered applicable to the proposal:

- Part 1: Introduction
  - o 1.7 Aims and Objectives of this plan
- Part 3: General Principles of Development
  - o 3.1 Streetscapes and Townscapes
  - o 3.3 Landscaping
  - o 3.4 Amenity (Views, Overshadowing, Overlooking / Privacy, Noise)
  - o 3.5 Sustainability
  - o 3.6 Accessibility
  - o 3.7 Stormwater Management
  - o 3.8 Waste Management
  - o 3.9 Mechanical Plant Equipment
  - o 3.10 Safety and Security
- Part 4: Development Controls and Development Types
  - o 4.3 Development in LEP Zone B6 Enterprise Corridor
  - o 4.4 Other Development (all LEP zones)
- Part 5: Special Character Precincts, Areas and Sites
  - o 5.4 Environmentally Sensitive Lands

Compliance of the proposed development with the above specified controls has been comprehensively assessed – refer to Table 1 of **Appendix M**. Overall, the proposal is largely compliant with the Manly DCP 2013, and all variances from such are justifiable considering the nature of the site and proposed operations.



## 6.0 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15(1) of the EP&A Act that are relevant to the proposal.

### 6.1 Compliance with Planning Instruments and Controls

The proposed development generally complies with or is consistent with all relevant planning instruments and controls, as established in **Section 5.0**, in that:

- *Take away food and drink premises* are permitted with consent in the E3 Productivity Support zone pursuant to the Manly LEP 2013;
- The proposal is compliant with all other EPI's applicable to the site and development; and
- The proposal is compliant with the Manly DCP 2013.

### 6.2 Construction Impacts

Construction will occur during standard hours of construction 7am-6pm, Monday-Friday, 8am-1pm, Saturday and no works on public holidays.

#### 6.2.1 Noise

Increased noise levels will likely occur from the use of construction equipment during the course of the works. Noise emissions will be temporary in nature and use of equipment will be managed in accordance with the relevant NSW Construction Noise Guidelines and the recommendations of the Noise Impact Assessment at **Appendix G**.

#### 6.2.2 Dust

During the earthworks, dust will be visually monitored. If excessive dust is being generated, areas of earthworks will be sprayed with water to reduce dust levels. Soil to be stockpiled will be covered or wetted down to minimise dust generation.

During excavation and transport of any soil off-site, truck wheels should be cleaned or driven through a constructed wash bay or similar control (e.g., rumble grid) to prevent potentially contaminated soil from being transported onto local roads.

### 6.3 Landscaping

Landscaping is proposed to complement the built form and hardstand areas of the development through the provision of various trees, shrubs, accent plants, grasses, and groundcovers. The proposed landscaping has been prepared generally in accordance with the DCP as well as having regard for the practicality of ongoing management.

The proposed landscaping is considered an incredibly versatile feature of the development, providing visual softening, privacy, noise and light mitigation, and consistency with the native-vegetation requirements of the Manly DCP 2013.

In summary, the new landscaping proposed will integrate the built form and hardstand areas associated with the proposal as well as positively contribute to the overall landscape character of the area and created create visual interest at the site's corner location. A detailed Landscape Plan is included at **Appendix A**.

### 6.4 Safety and Security

The development has been designed and shall be managed to minimise and discourage criminal activity and ensure the safety of customers, staff, and the local community. Details associated with safety measures during proposed works will be addressed within a Construction Environmental Management Plan (CEMP) to be provided as part of the Construction Certificate.



A Crime Risk Assessment has been undertaken and is included at **Appendix N**. The purpose of the Crime Risk Assessment is to identify and assess crime risk associated with the proposed development which will trade 24 hours a day, and to minimise opportunities for crime through design. The Crime Risk Assessment has regard for the 4 key strategies (surveillance, access control, territorial reinforcement and activity and space management) of Crime Prevention and Public Safety.

## 6.5 Stormwater Management

The proposed stormwater management system has been designed to direct stormwater to the new drainage outfall in Roseberry Street. No On-Site Detention (OSD) is proposed due to the site's location within a flood affected area. The proposed system is able to handle 1 in 100-year flows connecting into Councils stormwater network.

The proposed drainage infrastructure will enhance the current drainage qualities of the site by enhancing overground outflow onto Flinders Street and into the associated drainage system.

The proposed system has been designed to comply with Manly City Council technical manuals and the NSW EPA Guidelines. Full details of proposed Stormwater Management arrangements are shown within the Stormwater Design Report at **Appendix E** and the Civil Plans attached at **Appendix B**.

## 6.6 Flood Management

As above, stormwater discharges will occur to the new drainage outfall in Roseberry Street. The Reduced Level (RL) of the parking area is reduced to 7.68 AHD and decreases to 7.44 AHD towards the eastern boundary to facilitate outflow.

The Finished Floor Level (FFL) of the building is 8m AHD which will be the high point on the site and above the Flood Planning Level of 7.89 AHD.

As a result, no negative impact on the existing flood extent, volumes, or velocities is anticipated. The proposal will not increase flood levels nor cause net loss to the floodplain volumes available within the site boundaries.

## 6.7 Waste Management

Waste from each of the site operator's will be stored in the individual waste areas provided on site. All general waste, liquid waste and cardboard storage will be kept within these areas. Waste areas will be screened from public view and are easily accessible to service vehicles. Waste collection times will be discussed with the contractor and will depend on store volumes once operational.

This application includes a Waste Management Plan at **Appendix J**, which provides comprehensive details of waste management onsite during demolition, construction, and ongoing operation.

The key strategies of waste management for the proposed operation are examined below.

### 6.7.1 Litter Management

Some of the actions from McDonald's Litter Management Strategy to be applied at the Balgowlah operation include:

- Develop a series of litter messages, logo and litter branding for use on and around the site;
- Identification of a litter patrol area whereby crew safely patrol and pick up litter;
- Installation of litter traps in car park to minimise gross pollutants from entering the stormwater drainage system;
- Litter branding for all bins;
- Tray-mat messages communicated instore; and
- Crew and Management training on implementation of the operations litter program.



### 6.7.2 Waste Minimisation and Management

McDonald's have produced a national Waste Minimisation and Management Plan. Some of the actions from the Plan which will be applied in the Balgowlah operation include:

- Cardboard carton recycling;
- Used cooking oil recycling;
- Use of McDonald's preferred waste supplier. Preferred suppliers are managed by McDonald's Australia to ensure compliance to company standards; and
- Assistance with ongoing efforts to reduce waste and minimise pollution.

Waste collection times will be discussed with the contractor and will depend on store volumes. All general waste, liquid waste and cardboard storage will be kept within the corral area.

### 6.7.3 Packaging

Packaging is one of McDonald's key focuses in relation to waste and litter reduction. McDonald's Purchasing Department continuously seeks alternatives to their current packaging including:

- Light weighting of raw products;
- Reduced use of virgin materials;
- Reduced sizing of packages;
- Material review; and
- Reduction of in stock items through review of McDonald's menu.

All McDonald's take away packaging contains anti-litter logos and waste management messages.

### 6.7.4 Community Education

McDonald's participation and major sponsorship of "Clean-Up Australia Day" contributes to communicating the importance of litter management in the community.

Construction waste details and operational waste quantities are included in the WMP at **Appendix J**.

## 6.8 Sediment and Erosion Control

All sediment control devices will be constructed, placed, and maintained in accordance with respective Council specifications. Temporary contractors' vehicular access to the site will be restricted to a single point off Flinders Street to reduce the likelihood of sediment being trafficked off site. As indicated in the Civil Plans at **Appendix D**, sediment fencing material will be erected around the low site boundaries.

## 6.9 Noise

A Noise Impact Assessment (NIA) undertaken by Muller Acoustic Consultants measured and modelled the potential noise generation for the operation including sleep disturbance noise emissions – refer to **Appendix G**. The assessment quantifies operation emissions pertaining to project generated noise, including customer light vehicles, truck deliveries and mechanical plant items.

The site is generally surrounded by residential and commercial uses with the nearest residential receivers located on the northern side of Kenneth Road, approximately 20m from the operation's boundary. However, the ambient noise environment surrounding the proposed operation is already dominated by existing commercial and vehicular noise from Kenneth Road and the surrounding urban area.

The results of the NIA demonstrate that the predicted operational noise level results show compliance with the project noise trigger levels for all operational scenarios, including heavy good deliveries and waste collection during the day and evening periods. Furthermore, sleep disturbance is not anticipated, as emissions from impact noise are predicted to comply with the NPIs maximum noise trigger levels at all times of the day and night.



## 6.10 Odour

According to the Odour Amenity Assessment procured by SLR Consulting, included at **Appendix O**, the proposed development will not have any significant impact on surrounding premises from any potential odours associated with activities undertaken on the site. The configuration of the ventilation system, in conjunction with the existing wind profile, indicates odour emissions will be effectively dispersed and ensure no single receiver is unduly affected. Considering the predominance of commercial operations within the vicinity, the proposed operation will not considerably contribute to the odour profile of the area.

To ensure any risk of odour impacts are managed McDonald's will comply with the following mitigation measures:

- Store all waste materials in sealed/ enclosed bins.
- Ensure regular disposal of waste materials from the site.
- Regularly clean and maintain dining area, kitchen and storage areas.
- Ensure all raw materials are not left out for excessive periods.

Design and maintain the ventilation system in accordance with McDonald's Mechanical Service Master Specification with the design sized appropriately for the location and anticipated sales volumes, and in accordance with all relevant standards.

## 6.11 Lighting

Appropriate lighting will be installed on the proposed premises, including lighting for the car parking and drive-thru areas. External lighting will contribute to the overall safety of the site, in conjunction with other security measures such as CCTV cameras.

Light spill and related impacts will be minimised by compliance with AS/NZS 1158.3.1:2020 and AS/NZS 4282:2019. The lighting related works are to be conducted in accordance with AS/NZS 1158.3.1:2020 and AS/NZS 4282:2019 and modelling software.

## 6.12 Social, Economic and Environmental Impacts

The proposal will result a visually enhanced, efficient, and secure development which will contribute socially and economically in the local area. The operations will generate employment opportunities and to provide a convenient, accessible hospitality site to satisfy the demands of a range of local residents, workers and tourists in the region and beyond.

### 6.12.1 Community Safety

McDonald's is an experienced nighttime operator and has over 650 sites which trade during late night hours nationally. McDonald's have been operating sites with late night trading hours for over 20 years, and in doing so, understand the risks and responsibilities that are required to be considered and managed. Standard operating policies are in place at all McDonald's operations to mitigate and manage risks as well as the impact for staff and the surrounding amenity relating to late-night trading.

As noted within the Plan of Management (POM) at **Appendix H**, no fewer than three (3) staff members will be working at the premises at any one time. Of these staff members, at least one (1) will be a senior staff member or manager. McDonald's managers possess thorough training in dispute resolution tactics so they understand how to de-escalate nuisance behaviour. Managers receive training related to security & safety including but not limited to:

- Conflict management;
- Dealing with angry & aggressive people;
- Ejection of patrons policy & procedure;
- Hold up procedure;
- Managing theft;



- Secure money handling;
- Security risk analysis;
- Security risk audit;
- Action plan creation and completion to address any gaps/concerns from audits/assessments; and
- Incident management following acts of anti-social behaviour/violence.

All staff members (regardless of position held) received training including, but not limited to:

- Dealing with difficult people, intoxicated and aggressive behaviour;
- Hold up procedure; and
- Security, crime & violence procedures.

Training programs are delivered by McDonald's Registered Training Organisation and held on a regular basis to reinforce safety and security procedures for the operation. Employees will be encouraged to report any suspicious activity or persons in and around the area to the Duty Manager and / or Local Police.

Risk analysis, risk audit and associated action plans are created and reviewed annually, or, in the rare event that a serious incident occurs. McDonald's also keeps digital records of all incidents for their sites on a centralised database. This database is reviewed periodically as well as during the completion of the security audits to identify any patterns or trends in incidents at each store.

All McDonald's operations are designed with CPTED principles incorporated. Further details relevant to CPTED and operational management measures are detailed under separate headings in the following pages.

### 6.12.2 Health

The food range Australians can eat at McDonald's has changed significantly in recent years from the iconic 'Big Mac and fries'. In response to consumer concerns around the nutritional value of fast-food items, food items such as wraps, salads and fruit now appear as regular items on the menu across all stores as do gourmet burgers, vegetable-based burgers and a range of bakery items. Nutritional information is easily accessible with kilojoule labelling on menu boards introduced nationally in 2012.

As part of McDonald's corporate responsibility, menu changes are continuous to enhance the nutritional value of food on offer. McDonald's work closely with Accredited Practising Dietitians at The Food Group Australia and the menu will continue to be reviewed and updated based on customer and stakeholder feedback. McDonald's Australia has worked with the Heart Foundation in recent years to bring their 'Tick' of approval to all stores. A heart foundation tick involves strict standards around serving size, saturated fat, salt and vegetable/fibre content.

McDonald's menu is made-up primarily of locally sourced ingredients and products, with more than 90% of the food and drink served manufactured in Australia. Consistent with current procurement patterns, it is likely that a portion of the produce required for the store will be sourced locally.

In terms of food safety, McDonald's are vigilant and collaborate with government, industry bodies and other experts to support innovation and improvement in food safety practices. To ensure the integrity of the food, stringent food safety procedures are in place at every stage of the food preparation process.

### 6.12.3 Community Interaction

In order to assess the potential social impact of the proposed McDonald's store, it is necessary to understand where customers are likely to come from and how this may impact on how people live, work, play and interact with one another on a daily basis. While it is expected that some patronage will come from residents, workers and students in the surrounding area, McDonald's studies on sources of trade indicate that a large percent of patronage for free standing stores will come from people traveling through the area, with the McDonald's business model focusing on drive-thru sales. This injects money into the local area having a widespread economic benefit.





McDonald's is often recognised as a focal point or meeting point. Stores provide the general public with a safe and accessible place to convene, regardless of social stature. This encourages community cohesion and a sense of belonging. McDonald's stores cater to all sectors of society and do not discriminate based on age, gender, culture, or any other aspect of diversity.

Part of the McDonald's philosophy encourages operators to give back to the community. This is commonly through social investment in the community sponsorship of local sporting/community groups. It is also through diverse employment and training opportunities, particularly for young people.

#### 6.12.4 Employment Opportunities

McDonald's is the nation's largest employer of youth and has more than 1,030 stores throughout Australia and employ over 115,000 employees. The economic contribution of McDonald's Australia to the national economy is very significant.

The employment opportunities offered by opening a McDonald's store in Balgowlah has obvious economic benefits to members of the local business community, but the social benefits should not be underestimated. Typical to the food and beverage industry, McDonald's offer employment for both permanent and casual staff on a full time and part time basis with the creation of around 120 new local jobs at the store.

McDonald's is well known for its commitment to providing the highest levels of training, education, development programs and career pathways. McDonald's provides skills-based training with transferable skills. Training at McDonald's provides opportunities for young people to learn skills that will assist them with their future employment and that they can apply throughout their working lives. McDonald's has been a Registered Training Organisation for over 20 years, offering nationally recognised qualifications (TAFE equivalent) via traineeships in retail, hospitality, and business management.

A report prepared by McDonald's in 2012, titled, *Corporate Responsibility and Sustainability Report*, estimated that more than \$40 million is spent annually on training crew, managers and corporate employees. The social benefits resulting from local job creation will be directly experienced by members of the Balgowlah community.

McDonald's have donated millions of dollars over the years to sporting groups, charities and community organisations all across the country. The flexibility of the McDonald's system means that the store could contribute locally in a way that is most relevant and appropriate for the community. This may mean contributing in a small but meaningful way to several community groups and activities and, sometimes, to local individuals with particular needs.

This grassroots approach has proven successful and effective at other McDonald's stores. To this end, McDonald's supports programs that encourage physical activity and leverage sponsorship of sporting teams and events to encourage more people, especially children, to participate in sport. In developing a partnership with a community group, the McDonald's store will be able to provide more than just financial support.

In terms of general community support, the store has the opportunity to add value to the local community through charity work (clean up Australia day, Ronald McDonald House) and community activities in addition to the financial contributions to local sporting teams and individuals.

#### 6.12.5 Economic

Local employment and training for approximately 120 full time, part time and casual positions will be generated. However, the effect on employment is broader than just those employed to work at the store. McDonald's are committed to using local suppliers and there are over 9,000 suppliers in Australia who benefit from their relationship with McDonald's. The McDonald's franchise model also provides positive economic benefits by providing business opportunities for local franchisees.

#### 6.12.6 Environmental Impact

The environmental impacts of the proposal are detailed in this SEE and are supported by specialist reports where necessary. McDonald's are becoming increasingly focused on building their store's sustainably so that the impact on the environment is minimised and the contribution to the communities within which they operate is positive.



McDonald's has clear goals and commitments across key social and environmental topics such as forest conservation, diversity, animal health and welfare, ethic responsibility and supporting families and farmers. This is part of their ongoing effort to produce food responsibly and take care of people and the planet.

McDonald's, as a leader in the market, will always be under close public scrutiny and therefore are more accountable in terms of their committed to sustainable business practices. The conduction of their operations is undertaken in a manner that does not compromise the ability of future generations to meet their needs. Sustainability along with corporate responsibility are key components of making a positive contribution to the community.

## 6.13 Ecologically Sustainable Development

McDonald's responsibility to the environment spans the entire life cycle of its products. It starts with the fresh ingredients at the farm and the design of McDonald's food packaging, and extends through food manufacture, stores, customers, and waste disposal.

In 2008, McDonald's adopted an environmental sustainability framework to support the business in its sustainability effort. The environmental sustainability framework is designed to assist McDonald's in defining and delivering appropriate initiatives against the major environmental themes of five identified sustainability pillars. These being:

- 1 The *corporate operations pillar* pertains to all McDonald's corporate offices and training centres across the country, and the policies and practices that govern them.
- 2 The *store operations pillar* which covers all McDonald's stores, both company and franchisee, and the policies and practices that govern their location, design, development, refurbishment and daily operations.
- 3 The *sustainable supply pillar* covers all policies and practices involved in sourcing, packaging and distributing food and beverages to McDonald's operations.
- 4 The *advocacy and partnerships pillar* covers external stakeholder engagement with customers and other stakeholders including government agencies, Non-Governmental Organisation (NGO's), and community organisations, as well as partnerships and alliances.
- 5 The *culture and communications pillar* covers internal stakeholder engagement with franchisees, suppliers, corporate staff, operational managers and crew on sustainability and issues of importance to the business and industry.

All pillars of the sustainability framework are important, but store operations and sustainable supply are how McDonald's can make the most significant difference. The aspiration of McDonald's Australia is to bring its environmental sustainability priorities to life in its stores, not only through the physical build but through the operating policies and practices, as well as manager and crew training.

The Balgowlah store will incorporate key principles such as energy efficiency by having the building appropriately insulated to help improve building energy efficiency.

## 6.14 Building Access

Access to the building will be compliant with the relevant legislation and criteria including The Building Code of Australia (BCA) and the Disability Discrimination Act 1992 and AS1428 – Design for Access and Mobility to ensure that adequate pedestrian and disabled access is provided for the development. As illustrated on the proposed plans, access for the disabled is made available to (via the pedestrian ramp) and throughout the site, carpark, building entrance, and building. It is anticipated Council will include a condition of consent ensuring full compliance prior to Construction Certificate.





## 7.0 Conclusion

The proposed development and use of a McDonald's take away food and drink premises at 37 Roseberry Street, Balgowlah NSW, will provide a well-designed, modern facility which is compliant with relevant environmental standards and guidelines. The proposed development aims to provide convenient everyday goods and services to residents across Balgowlah whilst ensuring amenity of the locality is protected.

The proposal is generally compliant with relevant legislative requirements and Environmental Planning Instruments. As assessed, the proposed land uses are permissible and consistent with the objectives for the E3 Productivity Support zone under the Manly LEP 2013. The development is compliant with the relevant LEP clauses, presenting no variations to any development standard.

The proposal has been found to be generally compliant with the requirements of the Manly DCP 2013, with exceptions related to signage only. These variations have been discussed in **Appendix M**, justified given the nature of the development, the commercial context, and overall DCP objectives satisfaction.

The proposed development incorporates high-quality building presentation and signage with an integrated overall approach to site development. Significant landscaping is proposed along both street frontages to ensure high levels of amenity are achieved and integration with the streetscape. The design of the development incorporates appropriate stormwater and flood management, respects the natural environment, ensures universal accessibility, and minimises potential amenity impacts on neighbouring properties.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including contamination, traffic, access and parking, noise, light, odour, visual amenity, waste, and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development. Furthermore, it is in the interest of the future operators to employ strict management procedures for each premises to ensure that the development is a safe, efficient, and pleasant environment in which to work and visit.

Given the merit of the design of the proposal, and the absence of any significant adverse environmental impacts, this DA is considered to be in the public's interest and worthy of Council's support.





# Appendix A Architectural Drawings

## Statement of Environmental Effects

**Construction and Use of a Take-Away Food and Drink Premises 37 Roseberry Street, Balgowlah NSW 2093**

**McDonald's Australia Limited**

SLR Project No.: 610.032207.00001

16 December 2024



# Appendix B Detailed Site Investigation

## Statement of Environmental Effects

**Construction and Use of a Take-Away Food and Drink Premises 37 Roseberry Street, Balgowlah NSW 2093**

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# Appendix C Survey Plans and Report

## Statement of Environmental Effects

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# Appendix D Civil Plans

## Statement of Environmental Effects

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# Appendix E Stormwater Design Report

## Statement of Environmental Effects

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# Appendix F Acid Sulfate Soil Management Plan

## Statement of Environmental Effects

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# Appendix G Noise Impact Assessment

## Statement of Environmental Effects

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# Appendix H Plan of Management

## Statement of Environmental Effects

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# Appendix I Flood Impact Assessment

## Statement of Environmental Effects

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# Appendix J Waste Management Plan

## Statement of Environmental Effects

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# Appendix K Traffic Report

## Statement of Environmental Effects

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# **Appendix L SEPP (Industry and Employment) 2021 Compliance Assessment**

## **Statement of Environmental Effects**

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**Table M-1: SEPP (Industry and Employment) 2021 Compliance Table**

Assessment Criteria		Comment	Compliance
1. Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes, the proposed signage is compatible with the existing and desired future character of the area.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No. There is no apparent advertising theme within the area.	N/A
2. Special areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No, the proposed signs have been designed, scaled and located to complement the visual quality of the surroundings and not have a significant negative impact on the amenity of the location.	Y
3. Views and vistas	Does the proposal obscure or compromise important views?	The proposed signage does not obscure or compromise important views.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate the skyline or reduce the quality of vistas.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
4. Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale of the signage is proportionate to the structure. It remains set back from the streetscape and appropriate for the surrounding streetscape.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The overall proposal, including the signage, is considered to improve the visual interest of Flinders Street.	Y
	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	The proposal utilises a consolidated approach to signage on the site; whilst ensuring adequate business identification from all facades.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, the proposed signage does not protrude above these features as existing.	Y
	Does the proposal require ongoing vegetation management?	No.	N/A
5. Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage has been designed to continue to be compatible with the existing built form and site characteristics.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y



Assessment Criteria		Comment	Compliance
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to ensure identification of all services provided by the premises.	Y
6. Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No proposed platforms, lighting devices or logos are designed into the signage.	Y
7. Illumination	Would illumination result in unacceptable glare?	Illumination of the pylon is configurable and will not result in unacceptable glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	Illumination of the pylon is configurable and will not affect safety for pedestrians, vehicles or aircraft.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	Illumination of the pylon is configurable and will not detract from the amenity of any residence.	Y
	Can the intensity of the illumination be adjusted, if necessary?	Yes.	Y
	Is the illumination subject to a curfew?	No.	Y
8. Safety	Would the proposal reduce the safety for any public road?	The signage will not affect road safety.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	No, the sign will not reduce the safety for pedestrians or cyclists.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, sightlines are not affected by the proposal.	Y







# Appendix M DCP Compliance Assessment

## Statement of Environmental Effects

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# Appendix N Crime Risk Assessment

## Statement of Environmental Effects

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**McDonald's Australia Limited**

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# Appendix O Odour Report

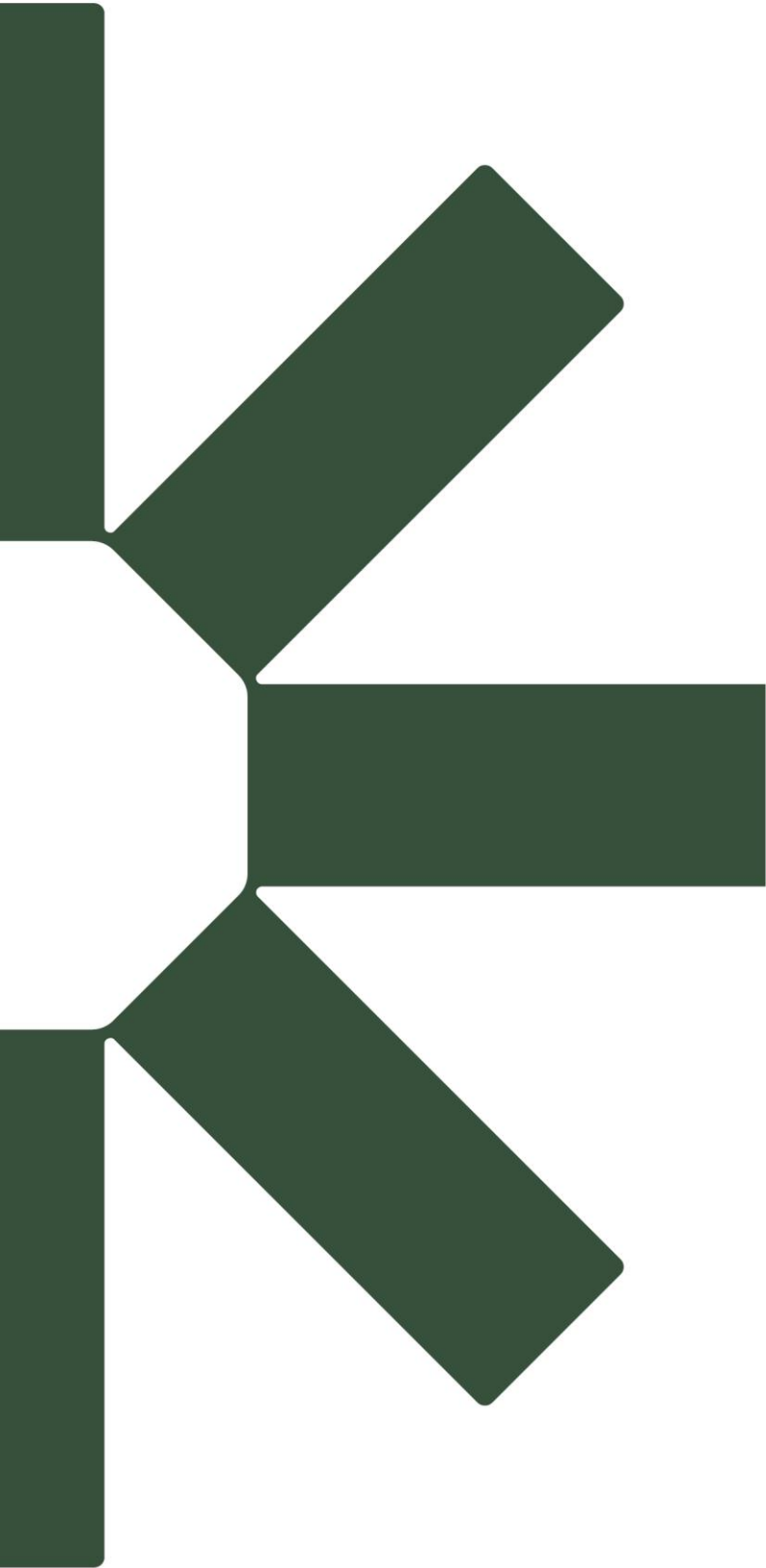
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