

**Sent:** 5/06/2025 5:01:44 PM  
**Subject:** Objection to DA2025/0132 37 Roseberry Street Balgowlah

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

Application Number: DA2025/0132 objection To Whom  
It May Concern,

Thank you for advising the updated application documents as tendered for the DA2025/0132  
I reiterate my formal objection to the McDonald's restaurant development in Balgowlah in relation to the following reasons:  
My earlier objections still stand.  
My objections to the submitted Amendments to the development application.

**A) Hours of Operation**

**RFI:** The proposed hours of operation, being 24 hours a day, seven days a week, are not supported in the surrounding context, adjoining residential development.

**SLR response:** The hours of operation are now proposed to be reduced from 24/7 to 5:00am-12:00am (Mon-Sun) to further minimise any potential acoustic and associated amenity impacts on residential receivers.

**11.2.4 Intersection Design Life Assessment**

For the intersections identified as operating outside the acceptable performance limits (in terms of DOS, delays or LOS) or where approach queues impact adjacent intersections, a design life assessment was undertaken in SIDRA to identify the expected year of failure (noting no assessment was undertaken beyond Year 2038) as summarised below:

- Condamine Street and King Street – **Year 2018** (the intersection currently operates at the acceptable performance thresholds);
- Condamine Street and Kenneth Road – **Year 2018** (the intersection already exceeds acceptable performance thresholds);
- Condamine Street and Burnt Bridge Creek Deviation – intersection operates at acceptable performance thresholds in **Year 2038**;
- Condamine Street and Balgowlah Road – **Year 2018** (the intersection already exceeds acceptable performance thresholds);
- **Balgowlah Road and Roseberry Street** – queues on the western approach are expected to reach the approach length of around 120m after seven years (**i.e. Year 2025**); and
- **Kenneth Road and Roseberry Street** – the intersection reaches theoretical capacity (approaching DOS 1.0) in five years (**i.e. Year 2023**) in the weekend peak, however by this time the model shows the eastern approach with queues in the order of 240m which extend through the Quirk Road / Kenneth Road intersection. Further analysis demonstrated that queues are expected to reach the roundabout in **two to three years**. In the PM peak assessment, the intersection reaches theoretical capacity in 11 years (**i.e. in 2029**). Queues on the critical western approach are also at the limit of the approach length after 11 years (approximately 90m).

While the development location is within an E3 zone, the locality is adjacent to R2 zone and directly opposite a R3 zone.

Even with reduced hours as now proposed the above noise generation of the operation of the restaurant would unfairly and severely impact on adjacent residents on the northside of Kenneth Road directly opposite and adjacent to the proposed site.

The noise generation of the commercial business activity of a drive through McDonald's will be detrimental to their ability to enjoy the amenity of their homes at any given time and impact on their sleep quality in PM.

The SLR response via the Acoustic Report Addendum that the building will provide a barrier to sound/noise generation. Further, SLR states that nighttime trading will result in a 50% reduction compared to AM hours, with noise being reduced. These are both assumptions of an outcome but not actually verifiable.

The inclusion of an additional acoustic screen will not mitigate the impact of the proposed development.

It is worth noting that even at the proposed reduced trading hours it far exceeds trading hours of those other business within the vicinity (with variance for further reduced hours on weekend trading);

Business – Roseberry Street Corridor (E3 Zone)	Trading Hours	Total Hours
Woolworths	7am to 10pm	15 hours
Aldi	8.30am to 9pm	12.5 hours
Harvey Norman	9am to 5.30pm	8.5 hours

Bunnings	7am to 7pm	12 hours
<b>Business – Condamine Street (E1 Zone)</b>	<b>Trading Hours</b>	<b>Total Hours</b>
KFC	9.30am to 11pm	13.5 hours
<b>Business – Koorala Street (R3 Zone)</b>	<b>Trading Hours</b>	<b>Total Hours</b>
Coles	7am to 10pm	15 hours

#### B) Traffic Report (with SIDRA traffic modelling)

The construction of a large drive-through McDonalds at the proposed location would cause a seriously negative and permanent impact on the traffic flow in the surrounding locality.

The area is already over congested with the following intersections all impacting on traffic flow and congestion at the others;

Roseberry Street / Kenneth Road (closest to proposed development)

Kenneth Road / Condamine Street (will be impacted by above intersection)

Roseberry Street / Balgowlah Road

Condamine Street / Balgowlah Road

All of the above are at capacity and under to cope with the existent traffic during AM and PM peak, school run (pick up and drop off) as well as weekend traffic, mainly Saturday AM to lunchtime.

The additional addendum contains irrelevant and flawed data with traffic flows noted at other McDonalds locations with reference to data generated in a study **dated 2016**.

How we can rely on this modelling from data that is almost a decade old surely renders this irrelevant to the consideration of this DA.

Furthermore, comparisons with the proposed location 37 Roseberry Street versus their data locations;

Northmead: 225 Windsor Road.

Liverpool: Corner of Hoxton Park & Lyn Parade, 2,621 square metre site

Rosehill: Cnr Hassall Street & James Ruse Drive.

Stanmore: Corner of Bridge Rd and Parramatta Road

Haberfield: Parramatta Road

Parramatta Road is considered a major arterial road from the heart of Sydney to the western suburbs.

Windsor Road is a major north/south arterial road in Sydney.

James Ruse Drive is an arterial road in Sydney, serving as a bypass of Parramatta and is part of a larger Parramatta Ring Road project.

Hoxton Park Road is considered an arterial road, specifically a "principal arterial" road.

Roseberry Street and Kenneth Road are suburban streets / busy thoroughfares but do not have the same capacity to operate as the arterial roads noted above. Both are congested single lane streets in a suburban context.

The amended traffic report is still lacking in detail for consideration.

The original report states: *"In order to gauge traffic conditions, counts were undertaken on Friday (8 November 2024) and Saturday (9 November 2024) during the weekday afternoon and Saturday midday peak periods"* at the three closest intersections.

However, no detail is provided as to how this was modelled, nor is the time utilised correctly – where is the AM peak hour traffic numbers detailed?

I draw attention to the **Balgowlah Manly Vale Traffic & Parking Review – Final Report (created by Bitzios Consulting)** and tabled to Council on or around a Council Meeting **27 November 2018**.

This report details various elements of parking, cycling and access in the locality where the proposed McDonalds is to be situated.

Point 2.4 outlined relevant intersections and Point 2.4.7 detailed how traffic numbers and conditions were captured, noting relevant time of day – weekday peak and weekend peak.

#### 2.4.7 Data Collection

Traffic surveys were undertaken by Traffic Data and Control (TDC) on Thursday 21<sup>st</sup> June 2018 (AM and PM weekday peak periods) and on Saturday 23<sup>rd</sup> June 2018 (weekend peak) to determine background traffic volumes at the subject intersections. Peak hour periods for each intersection were identified as follows (based on volumes at each intersection):

- Condamine Street and King Street;
  - 8:00AM – 9:00AM;
  - 4:00PM – 5:00PM; and
  - 10:30AM – 11:30AM (weekend peak).
- Condamine Street and Kenneth Road;
  - 8:00AM – 9:00AM;
  - 3:15PM – 4:15PM; and
  - 12:00PM – 1:00PM (weekend peak).
- Condamine Street and Burnt Bridge Creek Deviation;
  - 8:00AM – 9:00AM;
  - 3:15PM – 4:15PM; and
  - 11:45AM – 12:45PM (weekend peak).
- Condamine Street and Balgowlah Road;
  - 8:00AM – 9:00AM;
  - 4:30PM – 5:30PM; and
  - 11:45AM – 12:45PM (weekend peak).

This is the level of detail that the proposed development needs to articulate in their submission to fully reflect the usage of these intersections near 37 Roseberry Street.

Point 7.2 reflects the community feedback in 2018 and reviewing the number of objections to the proposed development I can say that most if not all remain relevant in 2025.

Point 2, 3, 4 and 6 will be impacted by the proposed development at 37 Roseberry Street.

#### 11.2.4 Intersection Design Life Assessment

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The Balgowlah Manly Vale Traffic & Parking Review – Final Report further notes the impact on traffic conditions and flow in the locality in regard to specific intersections.

Point 11.2.4 indicates the **expected year of failure** in regard to **acceptable performance**.

This report was independently generated by Bitzios Consulting in 2018. My own highlight below.



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A number of considerations of this report was reliant on a proposed Quirk Road extension, between Kenneth Road and Balgowlah Road to enable traffic flow in this grid without using Roseberry Street as a thoroughfare road.

As we all know the Quick Road extension did not happen as it was deemed too expensive.

**Is this option now back under consideration by NB Council?**

#### **Proposal of Hayes Street Roundabout**

Further, in relation to the applicant's suggestion of a roundabout at the Hayes-Roseberry Street T Junction. This was rejected as an option under the initial traffic report.

This modification will not alleviate any additional traffic generated by the development at 37 Roseberry Street. Lack of space at the junction in question will make it difficult for the roundabout to be effective.

The Hayes Street roundabout option will force traffic to use Roseberry Street twice in order to access the development site – in fact, all McDonald's traffic will be forced to use the Kenneth Road/Roseberry Street roundabout at least once, if not twice to access the site.

A Hayes St roundabout is not a feasible proposal.

The number of objections to the proposed development at 37 Roseberry Street clearly shows it does not have any local support from residents in the surrounding streets and wider community in Manly Vale and Balgowlah. The proposed development is fundamentally incompatible with the residential character of the area and would create significant adverse impacts on local amenity, traffic safety, and residents right to enjoy their privacy and peace in their homes.

The submission itself is flawed through lack of detail and information on key areas such as traffic, odour control and noise/light emissions.

I strongly urge the council to outrightly reject this application on the grounds that it would create unacceptable impacts on the local community and environment.

Thank you

Anna Lindell -  
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