
From: DYPXCPWEB@northernbeaches.nsw.gov.au
Sent: 13/03/2025 10:22:17 PM
To: DA Submission Mailbox
Subject: TRIMMED: Online Submission

13/03/2025

DR Mirko Spidalieri
42 / 76 Kenneth RD
Manly Vale NSW 2093
[REDACTED]

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

To whom it may concern,

Please do NOT approve this application. Based on the planning principles outlined in Section 4.15 of the Environmental Planning & Assessment Act (EP&A Act), I implore you to reject the application for this McDonalds. My concerns relate to the inconsistency with Environmental Planning Instruments, Development Control Plans, environmental and social impacts, and the public interest.

1. Inconsistency with Environmental Planning Instruments

Non-Compliance with the State Environmental Planning Policies (SEPP) & Local Environmental Plans (LEP)

- The Northern Beaches Local Environmental Plan (LEP) 2011 outlines zoning objectives that prioritise low-impact commercial activity and residential amenity. The McDonald's proposal, particularly its 24-hour operation and drive-through model, does not align with these objectives.

- SEPP (Transport and Infrastructure) 2021 requires developments to ensure minimal impact on local road networks. The submitted Traffic Impact Assessment (TIA) fails to adequately assess the effect of increased congestion on Condamine Street and Kenneth Road.

Requested Action: Require an independent Zoning Compliance Report to assess whether the development aligns with LEP and SEPP requirements.

2. Non-Compliance with the Development Control Plan (DCP)

Failure to Address Waste Management & Environmental Sustainability

- The Northern Beaches DCP 2013 mandates waste minimisation strategies, yet the McDonald's Waste Management Plan lacks enforceable commitments to mitigate littering and excess waste.

- The Odour Amenity Assessment Report suggests potential odour issues affecting nearby residences, which contradicts DCP provisions on air quality and residential amenity.

Requested Action: Require a Revised Waste Management Plan with stricter mitigation measures, including increased waste collection frequency, on-site composting initiatives, and proactive litter management.

3. Significant Environmental, Social & Economic Impacts

Traffic & Parking Congestion

- The Traffic Impact Assessment (TIA) does not account for peak-hour congestion impacts on

Kenneth Road and Condamine Street, both of which are already heavily congested.

- Increased vehicle activity from the drive-through and delivery services poses safety risks for pedestrians and cyclists. Requested Action: Conduct a Comprehensive Traffic Study that considers peak-hour congestion, pedestrian safety, and alternative access routes.

Noise Pollution & Residential Amenity

- The Acoustic Report underestimates noise pollution from idling vehicles, drive-through speakers, late-night customers, and waste collection trucks.
- A 24/7 operation disrupts local residents' sleep cycles, which conflicts with EPA Noise Policy for Industry guidelines.

Crime & Antisocial Behaviour Risks

- Similar 24/7 fast-food outlets have seen increases in loitering, vandalism, and antisocial behaviour.
- The Crime Impact Report does not sufficiently address strategies for enhanced security, CCTV coverage, and police liaison efforts.

Requested Action: Require a Social Impact Assessment (SIA) to evaluate and mitigate risks related to crime and antisocial behaviour.

Property Value Decline

- Research shows that proximity to 24-hour fast-food outlets leads to residential property devaluation due to increased traffic, crime, and noise pollution.

Requested Action: Require a Property Value Impact Assessment to analyse potential depreciation of nearby properties.

4. Not in the Public Interest

- The Northern Beaches Local Housing Strategy prioritizes the development of liveable, high-density residential communities. A 24/7 McDonald's contradicts this vision by introducing excessive noise, traffic, and environmental degradation.
- Public submissions have raised overwhelming opposition to the proposal, highlighting community disapproval and incompatibility with the area's character.

Requested Action: Reject the development application unless comprehensive independent studies prove minimal negative impact on the community.

Conclusion

Based on the outlined planning inconsistencies, environmental risks, social disruptions, and public interest concerns, I strongly urge the Northern Beaches Council to reject this application or require extensive modifications and further assessments. I request to be notified of any public hearings or consultation meetings regarding this development. Thank you for your time and consideration.

Sincerely,

Dr. Mirko Spidalieri, potentially a very disappointed, yet optimistic resident that this proposal will directly negatively impact.