To Councillors,

In accordance with section 367 of the Local Government Act, 1993 notice is hereby given that a Public Voice Committee will be held on:

DATE: Tuesday 20 March 2018

TIME: 5.30pm

VENUE: Council Chambers
2nd Floor
City Hall
290 King Street
Newcastle NSW 2300

Jeremy Bath
Chief Executive Officer

City Administration Centre
282 King Street
NEWCASTLE NSW 2300

Friday 9 March 2018

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<td>PV 20/03/18 - DA2017/01388 - 109 MAITLAND ROAD MAYFIELD - DEMOLITION OF FOOD AND DRINK PREMISES DWELLING AND OUTBUILDINGS ERECTION OF FOOD AND DRINK PREMISES ASSOCIATED CAR PARKING LANDSCAPING AND SIGNAGE</td>
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PUBLICATION SESSIONS

ITEM-1 PV 20/03/18 - DA2017/01388 - 109 MAITLAND ROAD MAYFIELD - DEMOLITION OF FOOD AND DRINK PREMISES DWELLING AND OUTBUILDINGS ERECTION OF FOOD AND DRINK PREMISES ASSOCIATED CAR PARKING LANDSCAPING AND SIGNAGE

APPLICANT: MCDONALD'S AUSTRALIA LTD
OWNER: MCDONALD'S AUSTRALIA LTD & W&T HOLLIDAY
NOTE BY: PLANNING & REGULATORY
CONTACT: DIRECTOR PLANNING AND REGULATORY / MANAGER DEVELOPMENT AND BUILDING

PURPOSE

An application has been received seeking consent for the demolition of a food and drink premises and a dwelling house, and the erection of a food and drink premises (McDonald's) associated car parking, landscaping and signage.

The proposal was notified to neighbouring properties for 14 days in accordance with the provisions of Newcastle DCP 2012. A total of nine submissions objecting to the proposal were received. An additional 30 late submissions have also been received. The submissions raised concerns including parking, traffic, noise, anti-social behaviour and streetscape impacts.

The application has been called-in to Council by two Councillors.

A copy of the submitted plans for the proposed development is appended at Attachment A.
1.0 THE SITE

The subject site comprises Lot 1, DP880892 and Lot 1, DP 194386, being 109 Maitland Road Mayfield and 51 Dora Street Mayfield.

An existing McDonald's restaurant is located on an irregular shaped lot, with an area of 4376m², at 109 Maitland Road Mayfield. The vehicle ingress to this site is currently through the adjoining property (111 Maitland Road, Mayfield), and vehicle egress is facilitated by two exit driveways to Maitland Road. A pedestrian access is available to/from Dora Street.

A dwelling house is located on 51 Dora Street, Mayfield, being a lot that is regular in shape, with an area of 341.5m². The overall development site has an area of 4717.5m², being generally flat and located within the Mayfield Renewal Corridor.

Surrounding development is a mixture of residential and non-residential uses. Directly to the north of the site is a childcare centre and a single-storey dwelling house. To the north, east and northwest of the site, the land is predominantly occupied by single-storey dwelling houses. To the east and west of the site, along both sides of Maitland Road, land uses are predominantly a mix of retail and business.

2.0 THE PROPOSAL

The applicant seeks consent to demolish a food and drink premises (existing McDonald's) and a dwelling house, and to erect a food and drink premises (McDonald's), associated car parking, landscaping and signage.

The proposal includes a change to the operating hours of the existing McDonald's premises, seeking to operate 24 hours a day, seven days a week.

The applicant describes the proposed works as:

i) Staged demolition of existing McDonald's building;
ii) Demolition of dwelling at 51 Dora Street;
iii) Staged construction of a new freestanding McDonalds building including McCafe party room and Playland (total GFA 538.2m²);
iv) Internal dining area seating capacity of 137;
v) Carpark area accommodating 69 car parking spaces (including two accessible spaces) and a bicycle rack;
vi) Dual lane drive-trough (capacity of 14 vehicle lengths);
vii) Alterations to existing internal ingress access point to allow egress as well;
viii) Closure of existing western egress driveway on Maitland Road and enlargement of existing eastern driveway to allow ingress and egress;
ix) New ingress/egress driveway on Dora Street;
x) New pedestrian walkway via Dora Street;
xii) Site landscaping;
xiii) Signage and;
xiv) Other minor works identified on the Architectural Plans
A copy of the submitted plans is appended at Attachment A. The various steps in the processing of the application to date are outlined in the Processing Chronology appended at Attachment B.

### 3.0 PUBLIC NOTIFICATION

The application was publicly notified for a period of 14 days in accordance with Council's Public Notification Policy. Nine submissions were received during the notification period and an additional 30 late submissions have also been received.

The concerns raised by the objectors in respect of the proposed development are summarised as follows:

a) **Amenity Issues:**

I. Noise from carpark and drive through facility.
II. Traffic and noise increase due to an increase in vehicles using the site.
III. Privacy.
IV. Impact on the quiet enjoyment of resident’s lives in Dora Street and surrounding streets.
V. Impacts from 24/7 operating hours, including increased patron and traffic noise.
VI. Anti-social behaviour, rubbish, graffiti, crime and security risks to childcare centre, residents and their property.

b) **Design and Aesthetic Issues:**

I. Aesthetics, street appeal, landscaping to Dora Street entrance.

c) **Traffic and Infrastructure Issues**

I. Traffic and parking impacts to street.
II. Car park entrance and exit will substantially increase traffic to Dora St and Church St and the surrounding residential areas.
III. Triangular traffic flow within the site is not necessary, existing entry/exit to Maitland Road is adequate.
IV. Safety concerns relating to proximity of entrance/exit to childcare centre.
V. Dora street is too narrow for proposal.
VI. Headlight glare direct into Dora Street bedrooms.

d) **Miscellaneous**

I. Impacts on property values.
II. Concerns over length and nature of notification process.
III. Suggest improvements to vacant land adjoining childcare centre.
ATTACHMENTS
Attachment A: Submitted plans - 109 Maitland Road Mayfield (Under separate Cover)
Attachment B: Processing Chronology - 109 Maitland Road Mayfield

Attachment A
Submitted Plans - Under Separate Cover - 109 Maitland Road Mayfield
THE CITY OF NEWCASTLE
Briefing Note to Public Voice Committee Meeting on 20 March 2018

PROCESSING CHRONOLOGY

DA 2017/01388 - 109 MAITLAND ROAD, MAYFIELD AND 51 DORA STREET, MAYFIELD

7 November 2017 - Development application lodged with Council.

15 November 2017 - Public exhibition (14 days).

21 December 2017 - Applicant requested to provide additional information.

25 January 2018 - Applicant requested to provide additional information.
ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

REPORTS BY COUNCIL OFFICERS

Attachment A - Plans  
DA2017/01388 - 109 Maitland Road & 51 Dora Street, Mayfield

Demolition of food and drink premises dwelling and outbuildings, erection of food and drink premises, associated car parking, landscaping and signage.
PROPOSED McDonald's Operation at:

109 Maitland Road,
Mayfield NSW 2304

Stage:
DA Issue

Issue G
OVERALL SITE PLAN

A001 H

SCALE DWG. NO. DRAWN CHECKED REV.

SERIES MOD516

STATUS: ISSUE AMENDMENT

1. DO NOT SCALE THIS DRAWING.
2. THE DRAWING SHOWS DESIGN INTENT ONLY
3. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION OR PRODUCTION.
4. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR/MANUFACTURER.
5. THIS IS A COMPUTER GENERATED DRAWING.
6. DO NOT AMEND BY HAND.

NOTES.

a. FIGURE DIMENSIONS ARE TO BE USED.
b. CONTACT ARCHITECT FOR CLARIFICATION IF DIMENSIONS ARE NOT CLEAR.

ALL DISCREPANCIES AND OMISSIONS ON SITE MUST BE REPORTED TO THE ARCHITECT FOR THEIR COMMENTS OR APPROVAL PRIOR TO COMMENCING WORK.

4. ALL DIMENSIONS ARE IN MILLIMETERS

PROPOSED ALTERATIONS TO EXISTING McDoNALD’S OPERATION AT: 109 MAITLAND ROAD, MAYFIELD NSW 2304

TITLE: PROJECT: REF.

© 2013 McDonald’s UNMODIFIED MASTER DRAWING

McDonald’s Australia Limited
ABN. 43 008 496 928

devgroup-aust@au.mcd.com

PROJECT SPECIFIC DRAWING

SEPTEMBER 2017

A PRELIMINARY ISSUE 28-07-2016 MW
B PRELIMINARY ISSUE 01-09-2016 MW
C PRELIMINARY ISSUE 21-09-2017 MW
D PRELIMINARY ISSUE 10-08-2017 MW
E PRELIMINARY ISSUE 22-08-2017 MW
F DA ISSUE 1-11-2017 MW
G DA ISSUE 1-11-2017 MW

KEEP CLEAR
NOTES
1. SITE AREA = 44818 SQ.M.
   BUILDING GFA = 5382 SQ.M.

2. SEATING CAPACITY
   DINING = 10 SEATS
   PARTY = 25 SEATS
   TOTAL SEATING = 35

3. PARKING = 69 SPACES
   67 X 2000 X 5400 CAR SPACES
   3 X 1000 X 2500 MOTORCYCLE SPACES
   16 BIKE SPACES
   2 X 2400 X 5400 ACCESSIBLE SPACE WITH
   1 X 2400 X 5400 CLEAR ADJACENT SPACE.
   1 X 2400 X 5300 SERVERY BAY (3RD WINDOW)
   2 X 2600 X 5400 WALKING BAYS
   1 X LOADING BAY.

LEGEND
- BOUNDARY
- VEHICLE DETECTOR LOOP.

Richmond + Ross Pty Limited
CONSULTING ENGINEERS AND PROJECT LEADERS
38 WILLIAM ROAD, CROWS NEST, NSW 2065
TEL: 1300 9430 9690 FAX: 1300 9433 1244

PROPOSED ALTERATIONS TO EXISTING 
Mcdonald's OPERATION AT: 109 MAITLAND ROAD, MAITLAND NSW 2320

BUILDING OPTIONS

REVISIONS:

DATE:  LEIGHTON 2017

DRAWN: RICHMOND + ROSS
CHECKED: RICHMOND + ROSS
PRINT No: A022.1
PROJECT STORE DRAWING

NO EXISTING SUBSTATION

ACOUSTIC FENCE H=2.2m
4/00 TO BUILDING SETOUT POINT

MAITLAND ROAD

SCHEMATIC PLAN

BLOW-OUT POINT

30200 OVERALL BUILDING

BUILDING SETOUT POINT

BIKE RACK
CAPACITY 16 BIKES

EXISTING SUBSTATION

NOTE: DO NOT SCALE THE DRAWING

THE DRAWING SHOWS ORGANISATIONAL PLAN ONLY
ALL DIMENSIONS ARE TO BE CHECKED ON THE SITE AND ACCURACY OF THE DRAWING IS THE RESPONSIBILITY OF CONSTRUCTION MANUFACTURER.

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### Notes

1. Figure dimensions are to be used. Contact architect for clarification if dimensions are not clear.
2. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work.

### REFERENCES

For building elevations:
- FIGURE 01 (A3)
- FIGURE 02 (A2)

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ABN. 43 008 496 928
02 9875 6666
devgroup-aust@au.mcd.com

PROJECT SPECIFIC DRAWING

REF: 160128

BUILDING OPTIONS

SEPTEMBER 2017

MW SH NTS @ A3

A205

Richmond + Ross PTY LIMITED

CONSULTING ENGINEERS AND PROJECT LEADERS

38 Wallis Cuppy Road, Charing West, NSW 2085
TEL: 1300 846 320 FAX: 1300 846 324

PROPOSED ALTERATIONS TO EXISTING
McDONALD'S OPERATION AT: 109 MAITLAND ROAD, MAYFIELD NSW 2304

FINISHES SCHEDULE

REV: A00122B
NOTES:

1. FIGURE DIMENSIONS ARE TO BE USED.
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7. CONSTRUCTION DETAILS TO BE CONFIRMED BY CONTRACTOR / MANUFACTURER.

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4. ALL DIMENSIONS ARE IN MILLIMETERS.
Do not scale this drawing. The drawing shows design intent only. All dimensions to be checked on site prior to construction or production. Construction details to be confirmed by contractor / manufacturer. This is a computer-generated drawing. Do not amend by hand. The following dimensions are to be used. Contact architect for clarification if dimensions are not clear. All discrepancies and omissions on site must be reported to the architect for their comments or approval prior to commencing work. All dimensions are in millimeters.

Proposed alterations to existing McDonald’s operation at: 109 Maitland Road, Mayfield NSW 2304
DO NOT SCALE THIS DRAWING.
THE DRAWING SHOWS DESIGN INTENT ONLY.
ALL DIMENSIONS TO BE CHECKED ON SITE
PRIOR TO CONSTRUCTION OR PRODUCTION.
CONSTRUCTION DETAILS TO BE CONFIRMED
BY CONTRACTOR/MANUFACTURER.
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   COMMENCING WORK.
4. ALL DIMENSIONS ARE IN MILLIMETERS.

PROPOSED ALTERATIONS TO EXISTING
McDONALD’S OPERATION AT: 109 MAITLAND
ROAD, MAYFIELD NSW 2304

TITLE:
PROJECT:
REF.

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CONSTRUCTION DETAILS TO BE CONFIRMED
BY CONTRACTOR / MANUFACTURER.

THIS IS A COMPUTER GENERATED DRAWING.
DO NOT AMEND BY HAND.

1. PEDESTRIANS WATCH FOR VEHICLES ENTRING FROM LEFT

2. NO PEDESTRIAN ACCESS

3. PARKING

4. CAR PARK SIGNAGE

5. PEDESTRIANS WATCH FOR VEHICLES ENTERING FROM LEFT

6. ALTERNATIVE TEXT ...FROM RIGHT

NOTES

- FIGURE DIMENSIONS ARE TO BE USED.
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REFERENCES

1. Designation on location within site, sign shall be set a minimum of 1800 mm above top of roof to prevent obstruction to occasional pedestrians, or to reduce interference from parked vehicles. If the dimension applies, change heights shall be set as noted.
2. Sign S19 is detailed with the COG unit details.
3. The signage contractor shall be responsible for checking the minimum height clearance available along the Drive Thru lane, including the awning and booth canopies. The clearance bar shall be set nominally 180 mm below this level and clearance height lettering incorporated accordingly.

PROJECT SPECIFIC DRAWING

PROPOSED ALTERATIONS TO EXISTING
MCDONALD'S OPERATION AT: 109 MAITLAND ROAD, MAYFIELD NSW 2304

MW SH 1:10 U.N.O

A807

01

CUSTOMER SPECIFICATIONS

DEADLINE: 01/10/2017

5. OPAQUE GREEN VINYL
6. OPAQUE WHITE VINYL
7. CHARCOAL GREEN PAINTED 3mm THK ALUMINIUM PANEL
8. 254 x 354mm

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Figure Dimensions are to be used.
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