

1 May 2026

Our Ref: R/2023/3/D
File No: 2026/238136
Your Ref: SSD-53687734

Rodger Roppolo
The Department of Planning and Environment
Via Major Projects Planning Portal

Dear Rodger,

**Advice on Modification – Kent Street Concept Hotel Development – SSD-53687734
- Mod 1**

Thank you for your correspondence dated 20 April 2026 inviting the City of Sydney (the City) to comment on the modification to the Kent Street Concept Hotel Development located at 301 and 305 Kent Street and 35 – 39 Erskine Street Sydney (the Site).

It is understood that the modification seeks consent to amend the wording of Condition C17 of Development Consent SSD-53687734, which relates to driveway management and vehicular access associated with the existing Right of Way easement.

The submitted modification statement and neighbouring property consultation letter have been reviewed.

The City does not support the modification on the basis that it is premature, prior to the lodgement of a detailed design application which proposes a workable alternative access solution for the site. The following comments are provided for your consideration.

Right of Way easement and Condition C17

The Site is burdened by a Right of Way easement that benefits the adjacent site to the north (41-45 Erskine Street), providing vehicle access to that site.

The court approved development application for the adjoining site at 41-45 Erskine Street (D/2022/643) utilises the Right of Way on 301 Kent Street to provide vehicular access to a car lift for the approved residential development.

The reference scheme lodged with the concept application for the Site SSD-53687734 indicated a shared vehicular access point with 41-45 Erskine Street over the Right of Way easement.

It is understood that Condition C17 was included on the concept consent to ensure outstanding issues regarding access between the two sites were resolved at the detailed design stage. This included issues with both sites using the same ingress and egress driveway, waiting bay clearance widths, car lift speed, queuing issues and required traffic signalling systems. These issues have not yet been resolved.

Proposed alternative access on Kent Street

The submitted information states that Romanous intends to proceed with a design scheme that relies on an independent driveway on Kent Street, which provides separate access to the site from 41-45 Erskine Street and the approved access way under D/2022/643. No detailed plans have been included with the modification to demonstrate an appropriate alternative access solution or resolution of the above access issues.

The City considers this modification premature to approve, prior to the lodgement of a detailed design application which outlines a workable vehicular access solution for the Site. Premature approval may present downstream complications.

Further, a design solution that relies on an independent driveway on Kent Street will increase the proportion of the street frontage occupied by vehicle crossovers which is likely to have urban design, active frontage and pedestrian implications. These issues cannot be assessed until a detailed design application is submitted outlining:

- development yields
- parking provision and associated traffic generation profile of the driveway
- loading dock provision, vehicle generation profile, design, and interface with driveway
- further information about 41-45 Erskine St development information as requested in condition C17

Changes to the State Environmental Planning Policy (SEPP) (Planning Systems) 2021 mean that the detailed design application for the Site will no longer be State Significant Development and the City will be the consent authority.

The Department should not preclude/preempt the assessment of the detailed design application by the City through approval of this modification.

Any modification to the approved concept access arrangement conditions should be lodged concurrently with the detailed design application for the Site so that access issues can be appropriately resolved at this time.

Adjoining Landowner Engagement

The modification statement refers to engagement that has been undertaken and written correspondence received from the adjoining landowner. However, the City notes that no evidence of the adjoining landowner's support has been provided. The City considers that adequate consultation with the adjoining site at 41-45 Erskine Street should be undertaken prior to lodgement of the detailed design application.

If you have further enquiries, please contact Julia Errington, Senior Planner, on 9288 5984 or at jerrington@cityofsydney.nsw.gov.au.

Yours sincerely,



Graham Jahn AM LFRAIA Hon FPIA
Chief Planner / Executive Director
 City Planning | Development | Transport