

17 February 2026

Max Lans

Romanous Group  
Suite 181, Level 8, 10 Park Road, Hurstville, NSW, 2220

Dear Steve,

## Right of Way Easement – 301 Kent Street, Sydney

We write in relation to the Right of Way easement registered on the title of the property at 301 and 305 Kent Street and 35-39 Erskine Street, Sydney (**the site**). The Right of Way easement benefits your property, located to the north at 41-45 Erskine Street, Sydney (**neighbouring site**).

The Right of Way affects part of the land 10 feet wide on registered plan 76374 and was registered on the site by three conveyances in 1920, 1921 and varied in 1924.

As you are aware, the Department of Planning, Housing and Infrastructure (**DPHI**) granted concept development consent (SSD-53687734) for a building envelope for a future hotel on the site on 30 June 2025. The reference scheme which supported the concept proposal included a vehicular access point on Kent Street to service both developments. It is noted that this arrangement is not approved and is subject to the future detailed development application.

Condition C17 of SSD-53687734 imposed by DPHI states as follows:

*C17. The detailed development application must:*

*(a) include swept path assessments demonstrating that practical access is provided to the 41-45 Erskine Street car stacker, including demonstrating that a car can egress the lift as a car is waiting on the driveway to enter the lift.*

*(b) demonstrate that the driveway design is able to handle the 98th percentile queue from both buildings (the site and 41-45 Erskine Street) without impacting on Kent Street.*

*(c) include consultation with the developer of 41-45 Erskine Street to obtain car lift speed specifications to inform wait times for lifts.*

*(d) demonstrate how the traffic signal system will operate, including how the development will modify the signals already approved for the 41-45 Erskine Street development (under Condition 109, D/2022/643, LEC case number 2022/00350725).*

Following a design review, Romanous intend to progress to a solution that provides clear separation between vehicular access arrangements for our respective developments and avoids shared access complexities.

Accordingly, 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 your approved access works under DA D/2022/643. This approach ensures that our future design will not encroach upon or interfere with your use of the Right of Way, and that there is no reliance between the two consents to enable site operation.

This letter is to provide appropriate notification to you that Romanous will be lodging a minor modification application to amend Condition C17 to facilitate this independent outcome. It will seek to remove reference to 41-45 Erskine Street and its associated development consent from the concept approval for 301-305 Kent Street. This delineation is a practical step toward resolving interface issues between the operations of the two sites, , and will ensure that each development operates under its own development consent parameters.

The proposed condition amendments are included below for your information.

*C17. The detailed development application must:*

*(a) include swept path assessments demonstrating that practical access is provided to the site **for the development the subject of this consent**, without restricting the ability for 41-45 Erskine St right to use the existing right of way as set out in the terms of the right of way. ~~41-45 Erskine Street car stacker, including demonstrating that a car can egress the lift as a car is waiting on the driveway to enter the lift.~~*

*(b) demonstrate that the driveway design is able to handle the 98th percentile queue for the site **for the development the subject of this consent** from both buildings (the site and 41-45 Erskine Street) without impacting on Kent Street.*

*~~(c) include consultation with the developer of 41-45 Erskine Street to obtain car lift speed specifications to inform wait times for lifts.~~*

*(d) demonstrate how **a traffic signal system for the site** will operate if required **to manage traffic movements generated by the development the subject of this consent**, including how the development will modify the signals already approved for the 41-45 Erskine Street development (under condition 109, D/2022/643, LEC case number 2022/00350725).*

Please do not hesitate to contact the undersigned should you have any further questions. We would appreciate your acknowledgement of this correspondence within a reasonable timeframe.

Kind regards,

Maximus Lans

Asset Manager

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