Attachment D3

Submissions

Conclusion

The 8-storey building proposed to be built directly onto our rear boundary will make life for us in this terrace house almost un-liveable for the reasons, as outlined above:

- Destroying our visual privacy
- Introducing noise sources directly on our boundary
- Entirely removing our access to sea breezes and cross-ventilation.
- Removing all western sun from our west facing rooms
- Removing our harbour views entirely.

Please do not allow this development to go ahead,

Raymond Xue (Lei XUE)
123 Kent Street
6th March 2025.

From: Elizabeth Xue <[redacted] on behalf of Elizabeth Xue <[redacted] <Elizabeth Xue <[redacted]

Sent on: Thursday, March 12, 2026 7:32:20 PM

To: dasubmisions@cityofsydney.nsw.gov.au

CC: Elizabeth L Jones <ELJones@cityofsydney.nsw.gov.au>; City of Sydney <council@cityofsydney.nsw.gov.au>

Subject: Submission - D/2026/97 - 125A Kent Street MILLERS POINT NSW 2000 - Attention Elizabeth L Jones

Attachments: 25A Kent Street - objections to DA - Anne Warr 230226.pdf (2.53 MB), Objections to 125A Kent St from 123 Kent St.pdf (1.93 MB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Elizabeth,

I'm one of the owners of 62 Kent Street, Millers Point. My parents live at 123 Kent Street, Millers Point.

I'm writing to provide a submission regarding DA/2026/97 for 125A Kent St, Millers Point.

While I am not the owner of the adjoining property 123 Kent Street, I am a frequent visitor to my parents' home which directly backs onto the site 125A Kent Street. I regularly spend time there with my toddler and as I am currently pregnant, I anticipate that 123 Kent Street will continue to be an important place where my parents support me with childcare and family activities.

For this reason, I am concerned that the proposed additional five storeys will materially impact the residential liveability and amenity currently enjoyed at the home.

In particular, I would like to raise the following concerns:

1. Privacy Concerns
    a. The proposed increase in an additional five stories on top of the existing building has the potential to introduce significant overlooking into the backyard and internal living spaces of the neighbouring property. This will directly overlook private outdoor spaces and internal living spaces where children play, affecting the safe use of these ares for young children and diminishing the sense of privacy expected in a residential setting.
2. Solar Access
    a. Access to sunlight is particularly important for the safe and comfortable use of outdoor areas used by families with young children. The sun is particularly important for vitamin D in children as well as preventing toxic substances such as mould and fungal growth. The scale of the proposed height increase raises concerns that the backyard and adjoining living spaces may experience reduced sunlight, particularly during winter months. Reduced solar access would impact the usability of this outdoor space for children's play and general family use.
3. Noise and Activity
    a. The noise and debris from construction presents as a safety hazard for young children.
4. Heritage Concerns
    a. As detailed in the submission prepared by heritage architect Ann Warr, the proposed addition of five storeys to the existing structure would introduce a scale and bulk that is inconsistent with the established built form of the surrounding heritage items and the Heritage Conservation Area (HCA).
    b. The increased height and visual dominance of the development would diminish the heritage significance of the surrounding area, including the character of Jenkins Street and its historic sandstone retaining walls, which contribute meaningfully to the heritage fabric of the precinct and warrant recognition as a heritage

item.

c. In addition, the scale of the proposed development has the potential to adversely affect the amenity of adjacent heritage properties by reducing access to sunlight, natural light, air circulation and cross-ventilation.

In summary, the proposal will result in:

- The loss of privacy
- Reduced solar access
- Noise pollution
- Impact on heritage setting

Taken together, the impacts above significantly affect the day-to-day amenity of neighbouring residential properties. These effects are particularly relevant for families who rely on outdoor spaces for childcare and recreation.

As a result, I respectfully object to the proposed development in its current form. I urge the consenting authority to carefully consider these impacts in its assessment of the application. The proposal represents an overdevelopment of the site and is inconsistent with the scale and character of the surrounding area.

I've also attached the submission from my parents from 123 Kent Street and heritage architect Ann Warr.

Thank you for considering my submission.

Yours sincerely,
Elizabeth Xue

125A Kent Street
Millers Point

Objections to Proposed DA – D/2026/97

Introduction

The proposed development at 125A Kent Street Millers Point is for the conversion of an existing 3 storey warehouse to an 8-storey apartment building. The proposed 5 apartments will cover 540m2 on a site area of 154m2 with no setbacks.

Site description

The existing warehouse occupies the northern end of Jenkins Street and appears to have been constructed c1971 as a laboratory for the adjacent 19-storey Esso House completed in 1971. In 1992, Esso House was sold and converted to the 32-storey residential tower Highgate by 1995.

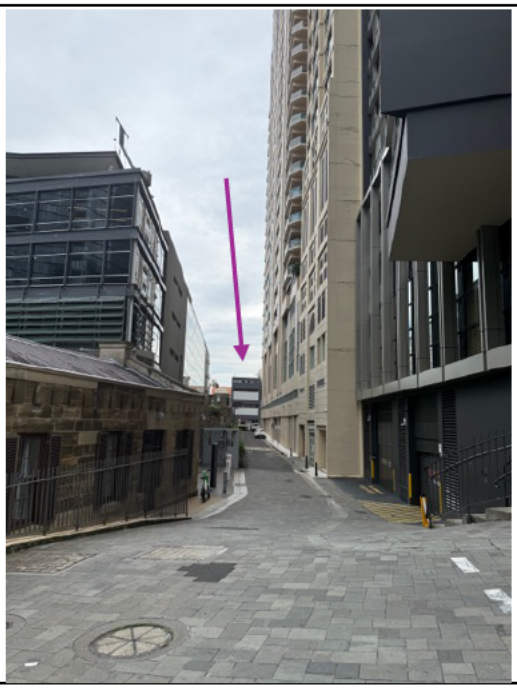
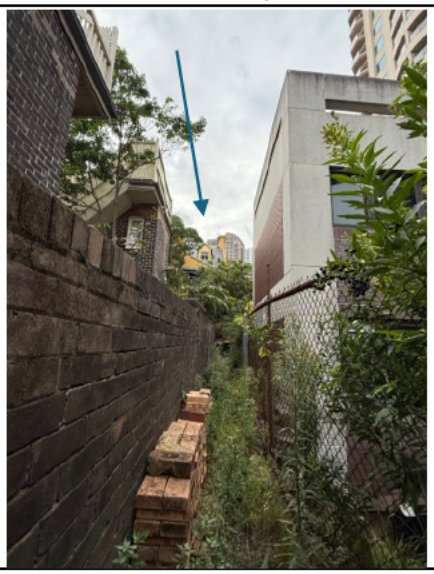


Figure 1.0, Looking north from junction of Gas Lane and Jenkins Street towards the subject property marked with red arrow, *AW 23.02.26*

Figure 2.0, Closer view of subject property from Jenkins Street with state heritage listed property at 7 High Street shown with blue arrow, *AW 23.02.26*

Figure 3.0, No. 7 High Street property next to subject property, *AW 23.02.26*	Figure 4.0, Easement entrance to subject property at 125A Kent Street, with 125 Kent Street on RHS, *AW 23.02.26*
	
Figure 5.0, Western elevation of subject property looking south, with former Lend Lease building on RHS. Note the sandstone cutting which supports the subject property – the same cutting that can be viewed from inside former Lend Lease building, *AW 23.02.26*	Figure 6.0, From back lane looking east towards 121 Kent Street (green arrow) with subject property on RHS, with High Street properties on LHS, *AW 23.02.26*

Easements covering the site

There are 7 easements affecting the subject site in Jenkins Street; - the first, Easement A, being created in 1970. Easement D allows for a '*1,524m wide passageway between the subject site and Kent Street to provide light, air and access to the property. The easement burdens the residential property to the west (No 125 Kent Street…) and*

benefits only the subject site…' (SEE Table 1). Figure 7.0 ,below, shows the easements on the site survey.

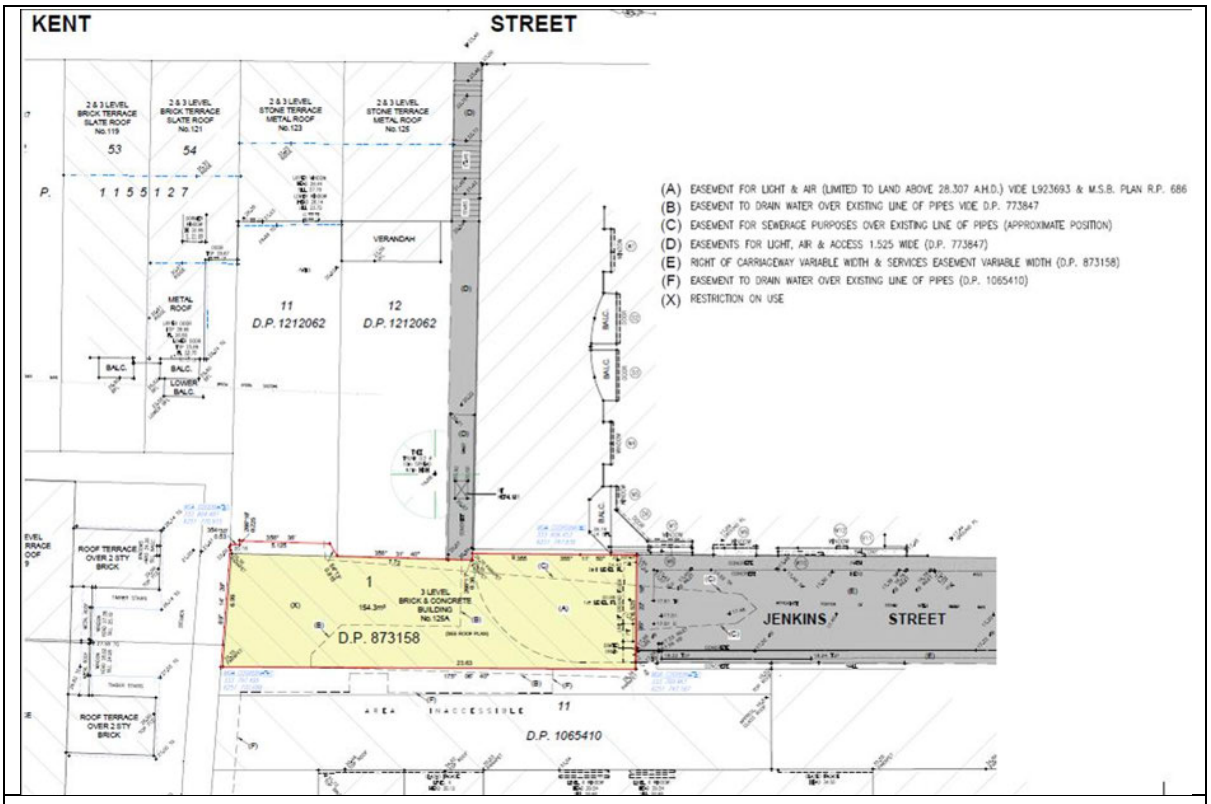


Figure 7.0, Site survey snippet extracted from the SEE by Mecone.com.au, showing easements – *Harrison Friedmann & Associates Pty Ltd modified by Mecone*.

The fact that so many easements are required to manage the land-locked warehouse at the end of Jenkins Street indicates the complexity of the site in relation to its many and varied neighbours which will only be exacerbated by the proposed increase in height and density.

Clearly, a building should never have been allowed to occupy the difficult land-locked site at the end of Jenkins Street in the first place and was probably initially tolerated as a service building of low height tucked away at the end of a service lane with low visitation.

Is the site a heritage item?

The current development is predicated on the use of the easement to 125 Kent Street for access, light, air, ventilation etc. The easement is part of the state heritage listing for 125 Kent Street and falls within the state heritage listed Millers Point Heritage Conservation Area (MPHCA). If part of the site is state heritage listed, shouldn't the whole development then be subject to the requirements of state heritage listed items? See figures 8.0 and 9.0 below.

Figure 8.0, City of Sydney DCP 2012, Planning Controls Map.

Figure 9.0, City of Sydney DCP 2012, Planning Controls Map showing State Heritage items and HCA.

The fact that the address chosen to identify the property is the Kent Street address, rather than the Jenkins Street address, immediately identifies the property as belonging within the MPHCA.

Jenkins Street has been identified as an item of local heritage significance (LEP#1890) as it '*contains remnants of a past streetscape'* including *'remnant sandstone walls and decorative wrought iron street light'* (NSW SHI listing). A remnant historic sandstone wall forms the foundations for the structure at 125A Kent Street, see figure 5.0 above. This is the same sandstone wall deemed of sufficient aesthetic significance to form a major component of the ground floor public spaces to the former Lend Lease Bond building which won numerous architecture awards on completion in 2004. Therefore, the subject building contains within it significant sandstone elements deemed to be of local significance by the City of Sydney.

Heritage Impact

The SHI argues that the proposed 8-storey building is acceptable as it *'will comfortably form part of the existing backdrop of much taller contemporary buildings'* (Weir Phillips SHI: 41). It fails to note the corollary which is that the proposed 8-storey building will very uncomfortably form part of the backdrop of existing much smaller heritage buildings.

The SHI also argues that the *...'proposal...is set well behind the heritage items...'* (Weir Phillips SHI: 41). The proposal in fact has *no* set back from the heritage items that surround it on 3 sides. The boundaries of the proposed development are in fact the boundaries of Jenkins Street (a local heritage item), 125-123 Kent Street (State heritage significant items) and 3-9 High Street (State heritage significant items) – with *no* setbacks.

In fact, as the SHI indicates, setbacks between the state heritage items of the HCA and the areas zoned for 30- and 80-metre-high development *are* needed to provide breathing space between the lower rise, fine grain of the heritage items and the much larger scale of the residential tower blocks.

The subject site should become part of MPHCA

The subject site sits at the pivotal junction between the high-rise residential zoning and the low-rise heritage conservation area and is somewhat of an anomaly. The south-western boundary of the MPHCA is the only boundary which meets an abrupt wall of high-rise development – already substantially in place when the MPHCA was placed on the State Heritage Register in 2003, see figure 10.0 below.

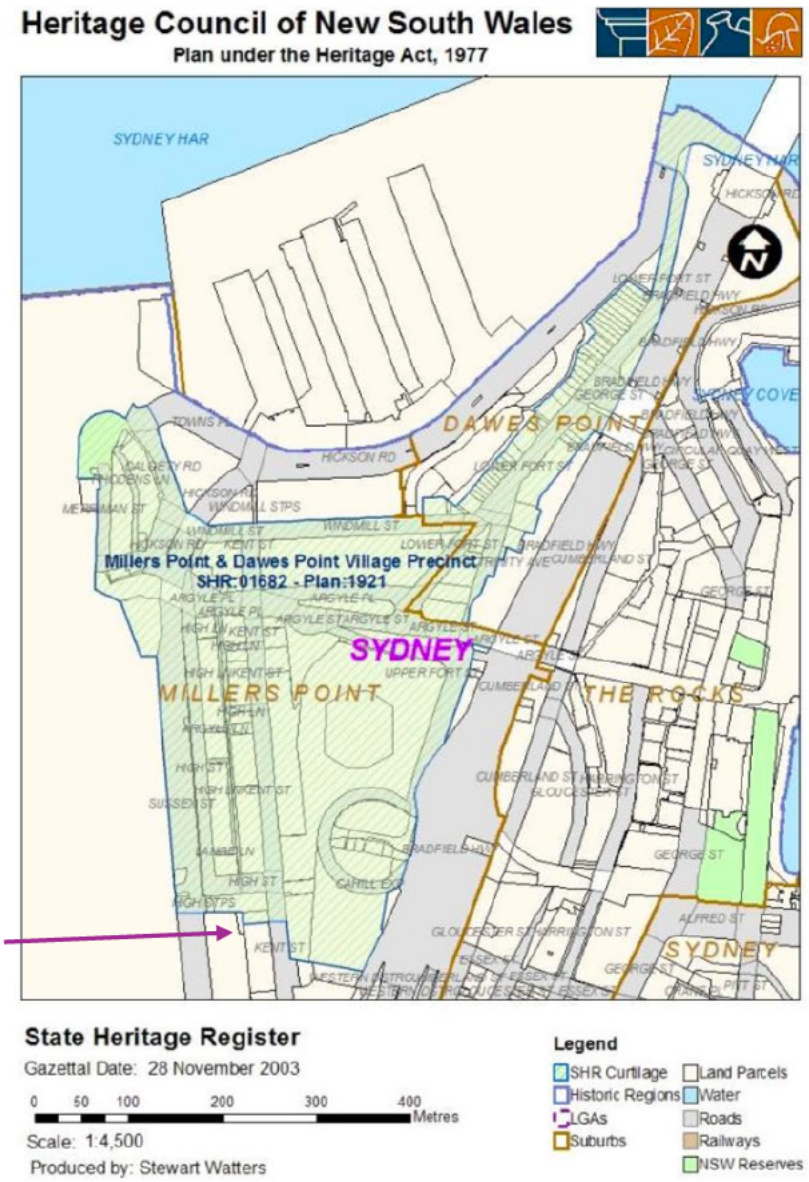


Figure 10.0, State Heritage Register listing for MPHCA, 2003. Subject site is shown with red arrow.

The remainder of the boundaries to the MPHCA are defined by existing topographical features of the landscape – sandstone cuttings etc. The ability to coherently read the heritage landscape of Millers Point as a unified part of the peninsula landscape is one of its aesthetically defining characteristics. The only area where this coherency is weak is the south-west junction with the high-rise components of Kent Street and Hickson Road around Jenkins Street. One of the joys of Millers Point is entering the precinct through one of the few roads leading into it – George Street North, Argyle Place, Kent Street, Dalgetty Street – and immediately feeling that you have entered a unique heritage precinct, see figure 11.0 below.

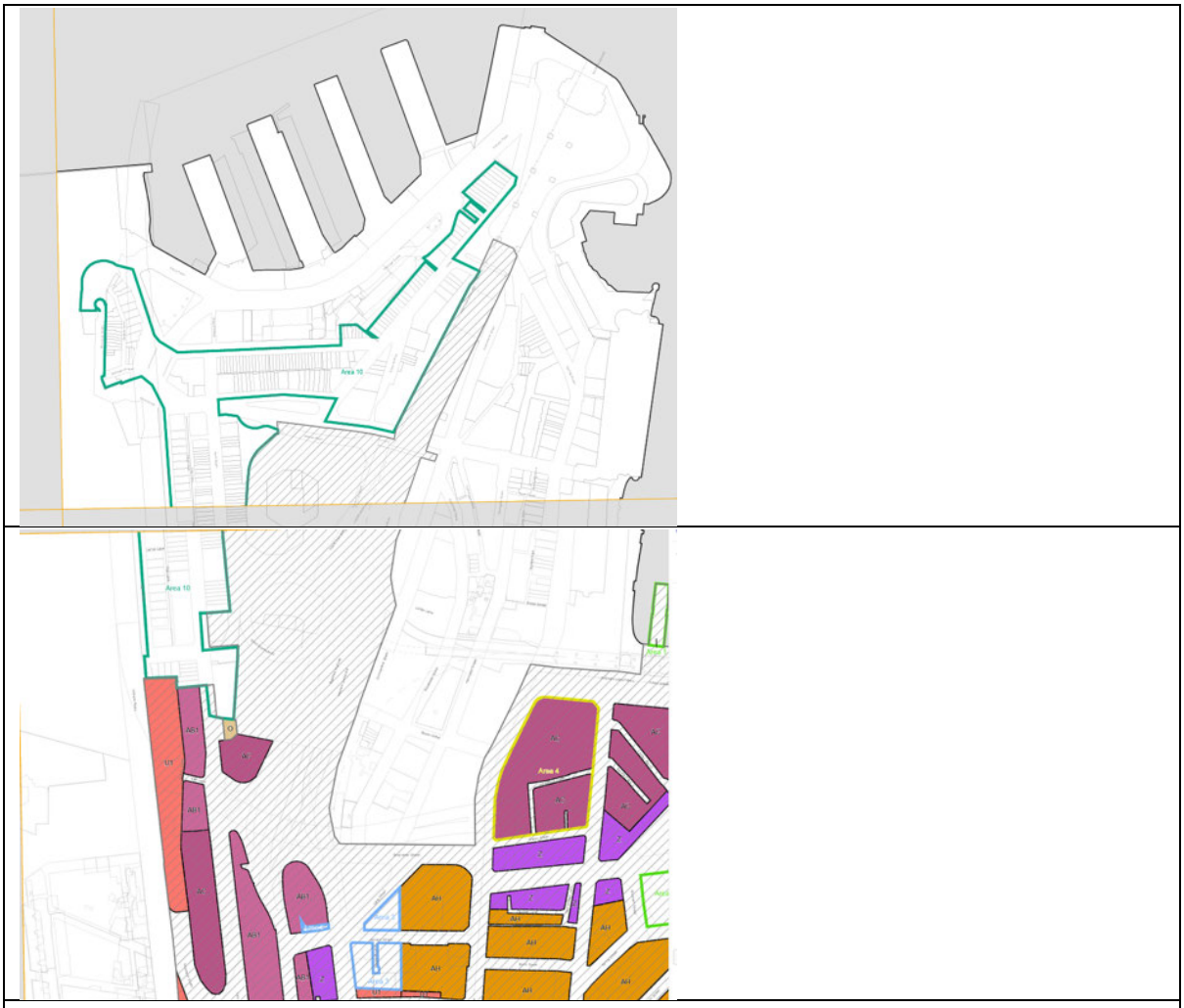


Figure 11.0, City of Sydney LEP 2012, Height of Buildings map HOB-013 and HOB-014

Logically the southern boundary of the MPHCA should have continued along the southern boundary of 125 Kent Street to meet the western side of Jenkins Street, however, this would have meant leaving the existing warehouse straddling 2 development zones. Hence on Heritage Map 013, the subject site appears as a no-man's-land disconnecting the adjacent heritage properties, see figures 12.0 and 13.0 below.

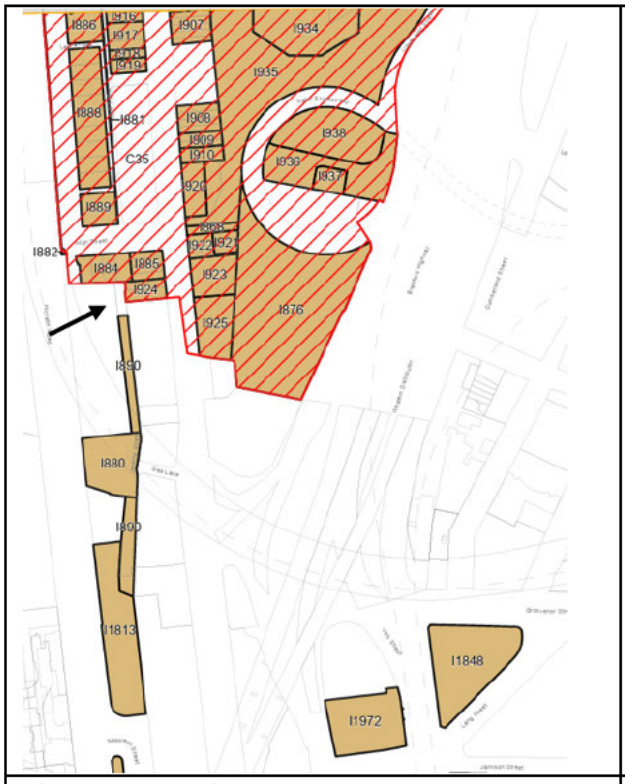


Figure 12.0, City of Sydney LEP 2012, Heritage Map 013, showing subject property with red arrow.

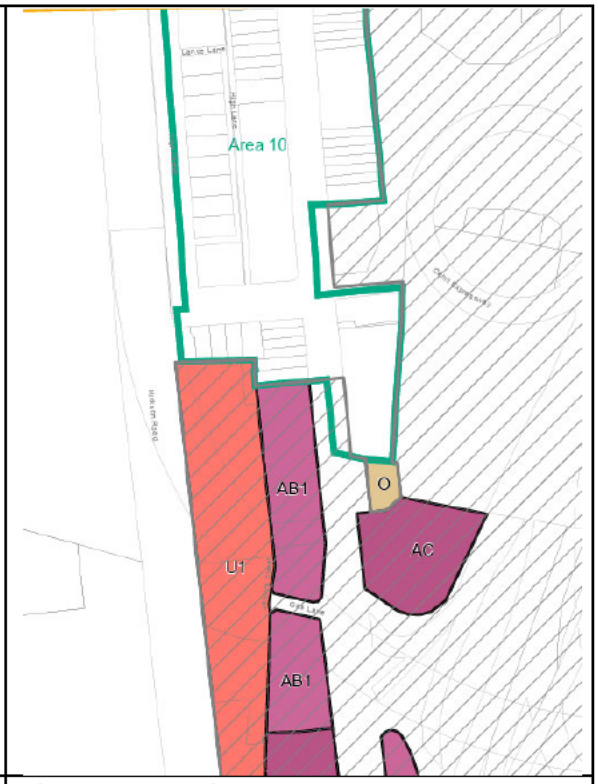


Figure 13.0, City of Sydney LEP 2012, Height of Buildings Map HOB 014, showing U1 – 30 metres and AB1 – 80 metres. With Jenkins Street falling within the 30 metre height zone.

In an ideal planning world, the subject warehouse would be demolished to allow the significance of Jenkins Street to be re-claimed, for good planning reasons as well as heritage reasons. The advantages of this would be:

- Allowing the heritage values of Jenkins Street to be enhanced by providing views through to the rear of the heritage-listed properties along High Street (similar to Phillip Lane which provides glimpses through to the dome of the Chief Secretary's building). A distinctive characteristic of Sydney is the juxtaposition of old and new buildings often glimpsed through slot views allowed from narrow streets and the undulating terrain.
- Providing an enhanced 'rear lane' experience which is already valued within the urban grain of the city of Sydney – such as Loftus Lane.
- Providing a linking element between the high-rise developments and the low-rise heritage properties, with a chance to appreciate the contrast of building types, with space between.
- Allowing air and ventilation to the wall of high-rise apartments on either side of Jenkins Street, as well as to the heritage properties at the northern end.

CONCLUSION

The proposal to develop 125A Kent Street into an 8-storey residential block should be rejected for the following reasons:

- The site should be identified as a heritage item as part of it includes the easement off 125 Kent Street which is part of the MPHCA,
- The proposal diminishes the surrounding heritage items and HCA,
- The proposal diminishes the local significance of Jenkins Street and the historic remnants within it such as sandstone walls.
- The proposal reduces the amenity of adjacent heritage items and high-rise development by reducing the amount of light, sunshine, air and cross ventilation to these properties.

This is an opportunity for the City of Sydney and Heritage NSW to remedy the anomaly of the weak south-west border of the Millers Point Heritage Conservation Area by strengthening the buffer zone around the High Street and Kent Street heritage properties bounded by Jenkins Street.

Anne Warr
Heritage Architect BArch MA (conservation studies) PhD FRAIA MICOMOS
42 Kent Street Millers Point
Annewarr.com.au
23 February 2026

Raymond Xue and Canna Cao
123 Kent Street
Millers Point 2000

Objections to Proposed DA – D/2026/97 – 125A Kent Street

We own and reside at the property at 123 Kent Street, directly behind the proposed development site. In fact, the rear, western, wall of our property is the side wall of the existing building at 125A Kent Street. The pictures below show the proximity of the development to our property:

Figure 1.0, View west from top floor of 123 Kent Street.

Figure 2.0, View from lower ground floor.

Figure 3.0, View from ground floor.

The site survey below shows the proximity of the development site to the rear of our property and our next-door neighbours at 125 Kent Street.

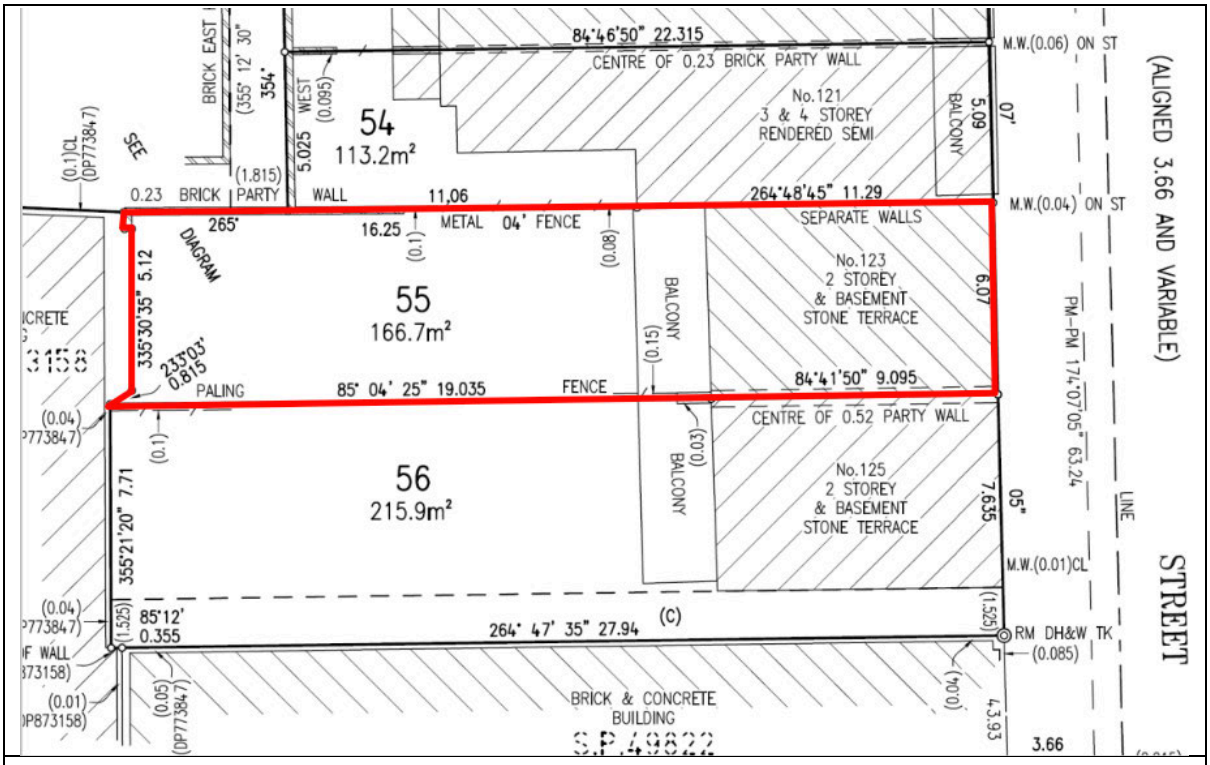


Figure 4.0, Site survey, showing our property, 123 Kent Street, outlined in red.

The aerial photo below, taken from our CMP, also shows the closeness of the development site to our property.

Figure 5.0, Aerial view, Sixmaps 2014. Our property outlined in red.

The proposed development will directly and adversely affect us in the following ways:

1. **Blocking our harbour views**
   At the moment, we enjoy looking onto Darling Harbour from our upper floors – in fact this is one of the main reasons we purchased the property recently.
   The new development will completely block all our harbour views. Our only outlook will be onto the side wall of the new development.

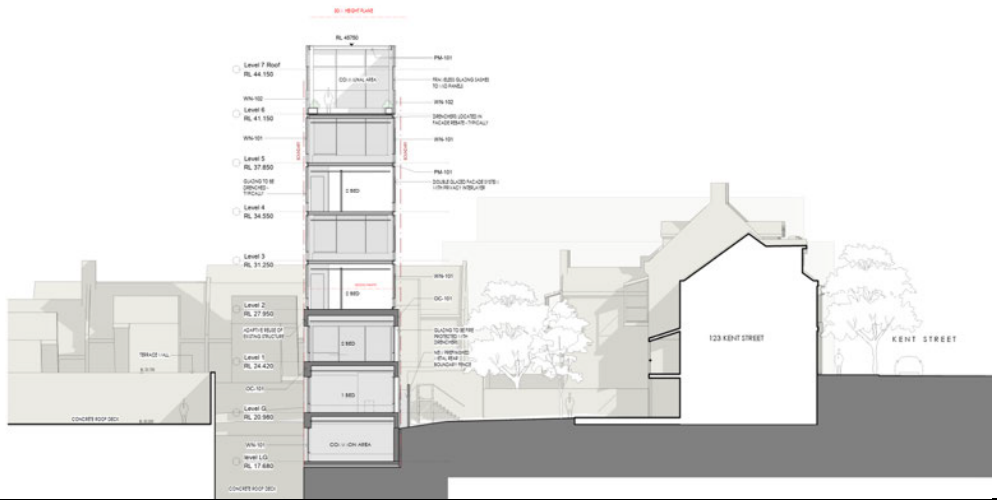


Figure 6.0, This section from the architectural plans shows the huge wall of development directly facing onto our property which will block our harbour views, sunlight and cross-ventilation.

2. **Taking away our privacy**

The proposed development will have windows facing on to our property, so it will allow people in the units to look directly into our property, thus taking away our privacy. The architectural plans indicate that only the windows on the lower two levels will have louvres 'angled up to maintain visual privacy'. The remaining 4 floors plus roof terrace will have no angled louvres, thus allowing people in these units to look directly into our property.

In addition to the lack of visual privacy, we will also be subjected to the noise from these 5 apartments when the windows are open, plus the rooftop entertainment area coming directly into our yard and house. The area is noisy enough as it is, without the additional noise from 5 apartments and roof top terrace coming directly into our back yard. It will be unbearable.

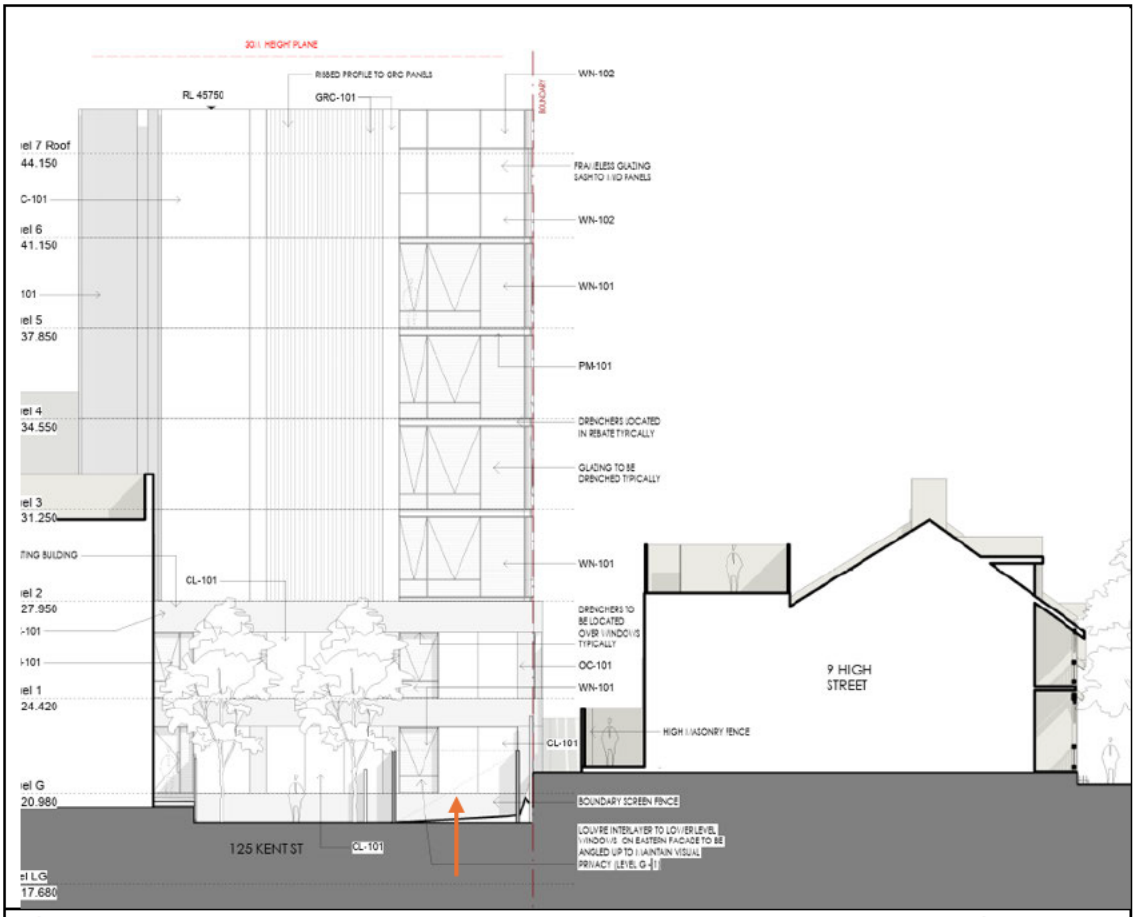


Figure 7.0, The orange arrow shows the back yard of 123 Kent Street, with a huge bank of floor to ceiling windows looking directly into our property.

3. **Taking away the cross ventilation**

At the moment, we enjoy the sea breezes which come from the west across Darling Harbour and through our terrace house. These breezes are very welcome on Sydney's hot humid days. The proposed 8 storey building will completely prevent the harbour breezes and any cross ventilation from coming into our

property, making it stifling on hot days. This will mean that we may have to install air-conditioning and keep all the windows and doors shut. Not the sort of living we intended when we bought this house.

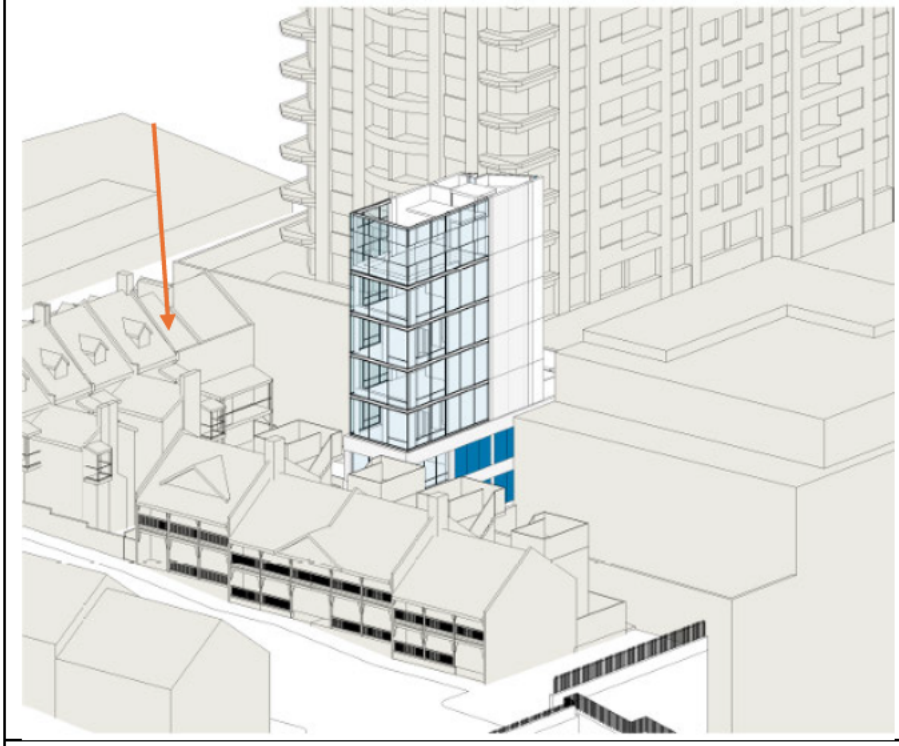


Figure 8.0, Shadow diagram from development application showing relationship of proposed building to our terrace at 123 Kent Street, marked with orange arrow.

4. **Taking away our afternoon sun.**
While we do get some northern sun into our yard, we rely on the afternoon sun for warming our west facing rear rooms and balcony. We enjoy this afternoon sun very much. The 8-storey building will completely block the afternoon sun from our property.

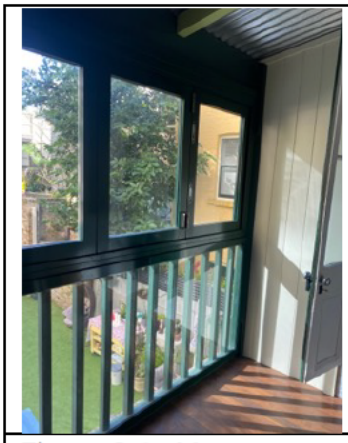


Figure 9.0, Afternoon sun coming into ground floor balcony.

Conclusion

The 8-storey building proposed to be built directly onto our rear boundary will make life for us in this terrace house almost un-liveable for the reasons, as outlined above:

- Destroying our visual privacy
- Introducing noise sources directly on our boundary
- Entirely removing our access to sea breezes and cross-ventilation.
- Removing all western sun from our west facing rooms
- Removing our harbour views entirely.

Please do not allow this development to go ahead,

Raymond Xue (Lei XUE) &
Canna Cao (Ying CAO).
123 Kent Street
6th March 2025.

From: Thoa Phan [redacted] > on behalf of Thoa Phan [redacted] <Thoa Phan [redacted]
Sent on: Monday, March 16, 2026 8:17:55 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: D/2026/97 - 125A Kent Street - Objection to Development Proposal
Attachments: excerpt from architect plans.jpg (284.23 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Mr/Mrs,

I am the owner and resident of 9 and 9A High Street, Millers Point, and I wish to lodge a formal objection to the development application for 125A Kent Street. My concerns are outlined below.

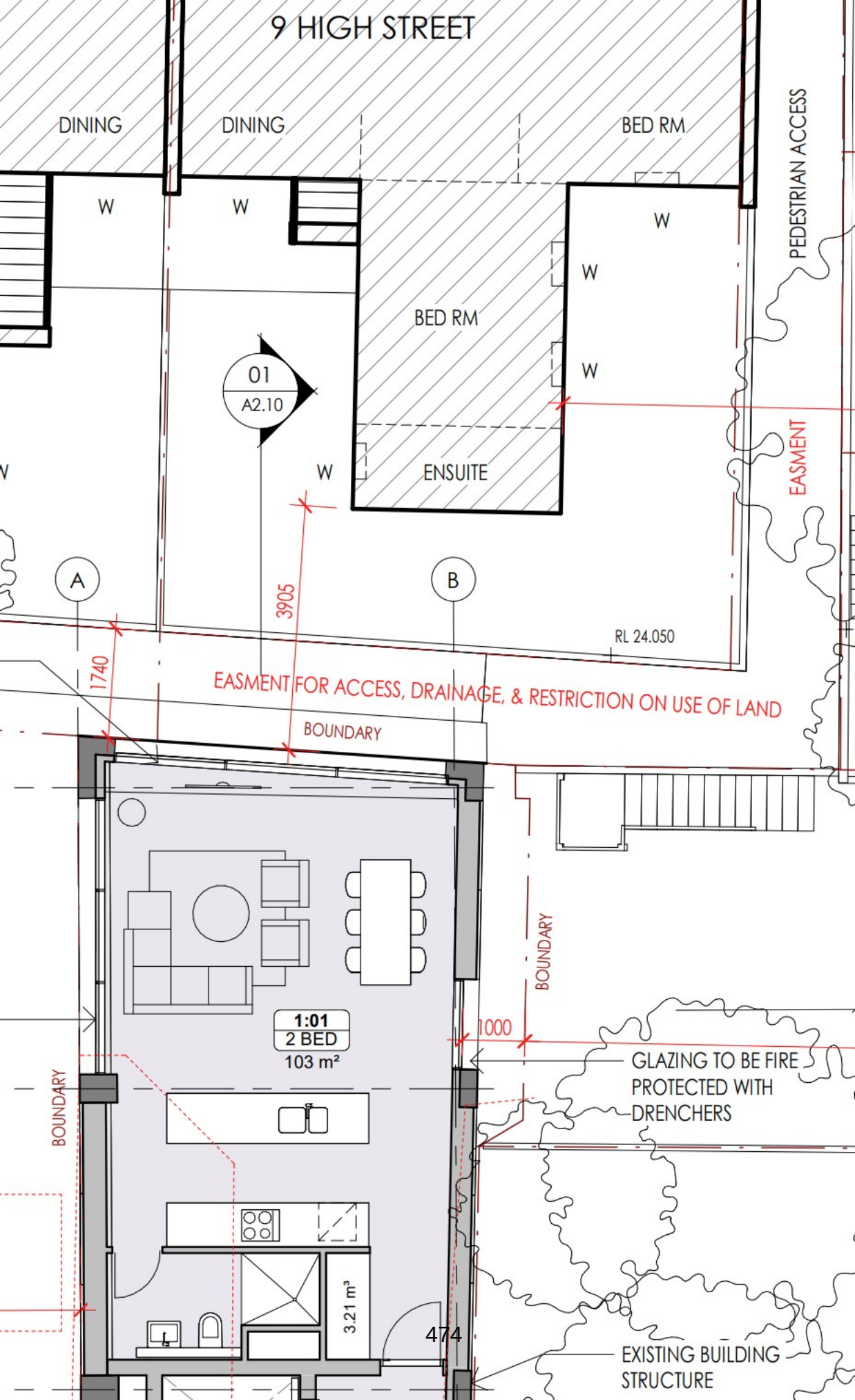
1. Non-compliant Building Separation, Invasion of Privacy and Acoustic impact
Sydney DCP 2012 (Section 4.2.3 - Amenity) and the Apartment Design Guide (Part 2F) establish clear minimum separation distances between residential buildings to prevent unreasonable overlooking. For buildings of these heights, separations of at least 12 metres are required between habitable rooms and between habitable rooms and balconies. The proposal provides virtually no side or rear separation and instead introduces extensive full-height glazing positioned extremely close to neighbouring properties.

This creates unavoidable direct overlooking into adjoining living areas and into our **only** private open space. Privacy screens or glazing treatments do not resolve the fundamental issue of inadequate separation. As shown in the architectural plans appendix 2 (see excerpt attached), the distance between 125A and my house is 3.905 metres. Such a small gap creates an overwhelming invasion of privacy and is also too small to buffer the noise of an 8-storey development.

A glass-faced tower in such proximity would significantly diminish the privacy and amenity of our outdoor areas.The proximity will lead to highly intrusive noise from residents and shared spaces, which will be felt most intensely within my property because of how close the buildings are.

2. Heritage and Streetscape Impacts
High Street is an important part of the Millers Point heritage precinct, with a cohesive and historically significant streetscape. The proposed building disrupts this character by inserting a tall, visually dominant structure into the centre of a heritage cluster. It overwhelms the surrounding terraces and intrudes upon the south-western edge of the conservation area. The development would be highly visible from High Street and from Agar Steps, where it would appear as an intrusive and incompatible element. This outcome is inconsistent with the heritage objectives that guide development in Millers Point.

3. Parking Impacts


9 HIGH STREET
DINING
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3905
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EASMENT FOR ACCESS, DRAINAGE, & RESTRICTION ON USE OF LAND
BOUNDARY
BOUNDARY
1000
1:01
2 BED
103 m²
BOUNDARY
GLAZING TO BE FIRE PROTECTED WITH DRENCHERS
3.21 m³
EXISTING BUILDING STRUCTURE

From: [redacted] on behalf of [redacted]

Sent on: Wednesday, March 18, 2026 10:47:05 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Re: DA/2026/97

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern :

Re: Development DA/2026/97

I wish to lodge an objection to the structure height.

I own an apartment on the south /southwest side of [redacted] and am concerned about blocking out of even more light and more intrusion of privacy, as has resulted from other buildings.

Kind regards,

[redacted]

[redacted]

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115 Kent Street
Millers Point NSW 2000
Tel:

18 March 2026

City of Sydney
GPO Box 1591
Sydney NSW 2001

Attn: Ms Elizabeth Jones
Specialist Planner
Planning Assessments

Re: D/2026/97
125A Kent Street, Millers Point NSW 2000

Dear Elizabeth,

I am writing to express my strong objection to the proposal to build an eight-storey building on 125/A Kent Street Millers Point (D2026/97).

I own 115 Kent Street Millers Point, a beautiful fully restored 1886 terrace house. Before I could undertake the restoration, I had to obtain the consent of the Government of NSW, which had owned the house since the early 1900's, the City of Sydney and the Heritage Council. The principal factors all considered the remediation being undertake was in character with the existing building and in sympathy with and complementary to the historic fabric of the Millers Point, Dawes Point, Rocks Precinct. Their determinations included such things as windows, colour scheme, a TV antenna (which was disallowed) and the restoration of a "crucifix" clothesline.

It would be outrageous if the monstrosity proposed at 125A Kent Street were allowed to proceed after all effort that has already been expended on maintaining the Millers Point Heritage Conservation Area ("MPHCA").

Whilst 115 Kent Street has no immediate boundary to 125A Kent Street it is only about 25 metres away, consequently, I strongly object as this development will affect us in the following manner;

- **It is visibly ugly dark brown monolith which adds nothing to the surrounding architecture.**

  Under Sydney LEP 2012 the Height and Floor Space Ratio controls intended to ensure development intensity is appropriate to site constraints, infrastructure capacity and surrounding context. I don't believe this proposed development meet the LEP's objectives of;

  i. Ensuring building height and bulk are consistent with the desired future character of the area,
  ii. Minimising adverse impacts on the amenity of the adjoining properties,
  iii. Achieving high-quality urban design outcomes.

- **Sunshine:** A tall boundary-to-boundary building on a narrow inner-city site will inevitably cast extensive shadows on neighbouring properties (including my home) particularly during winter when sunshine is most needed. The houses at 123 and 125 Kent Street are most affected as they will receive very little sunshine throughout the year. Consequently, I would strongly contest the proponent's assertion of very little solar effect.

- **Wind and Environmental Impacts.** Sydney DCP2012 requires wind effects to be assessed and mitigated, particularly for tall buildings in dense CBD environments. Tall boundary-to-boundary towers are known to exacerbate downwash and pedestrian-level wind impacts. (One only has to walk up Kent Street from Napoleon Street to Argyle Place to feel the downwash already). This development because it is taller than any adjourning buildings will only add to this discomfort.

- **Neighbourhood Amenity** The impacts to my property and to the immediate community in Kent Street, High Street and the Highgate building include;

  i. Significant loss of daylight and winter solar access,
  ii. Severe visual privacy impacts from zero separation and full-height glazing. (It will directly over-look the rear of our house including bedrooms and our outdoor dining veranda),
  iii. Excessive bulk and visual dominance inconsistent with DCP urban design,
  iv. Potential wind, glare and environmental comfort impacts,
  v. Adverse impacts on heritage setting and streetscape character.

  One has to query the egregious claims by the Developer and/or its Consultants such as;

  i. The design 'enables the development to integrate seamlessly into its established urban context resulting in a well-connected, high amenity residential outcome" or
  ii. "the proposed development's bulk and scale have been carefully considered to minimise impacts to adjacent developments, maintain a high level of amenity and be considerate of the urban fabric of Millers Point" or
  iii. "while the material selection remains restrained, it is rich in depth and variation, providing a sophisticated, enduring and contextually responsive architectural language that enhances both the surrounding context and resident experience".

  I cannot believe a professional could describe such a cheap and nasty building in such glowing terms!!

In conclusion I strongly object to this proposal as it fails on all counts of social amenity, architectural design excellence as set out in LEP 2012 and has a direct negative effect on my quality of life.

I look forward to your advice that the City of Sydney Council has rejected this DA/2026/97.

Yours sincerely

Karen Knight

From: Alison Tran [redacted] on behalf of Alison Tran [redacted] <Alison Tran [redacted]
Sent on: Friday, March 20, 2026 1:28:10 PM
To: Elizabeth L Jones <ELJones@cityofsydney.nsw.gov.au>; dasubmissions@cityofsydney.nsw.gov.au
CC: Vuong-Alison Tran [redacted]
Subject: D/2026/97 - 125A Kent Street - Objection to Development Proposal
Attachments: From 125 Kent Street - Alison and Doan Tran.pdf (742.26 KB)

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Elizabeth

Please find attached our objection submission, as owners of 125 Kent Street.

Best regards
Alison Tran

Summary:

We are Alison and Doan V. Tran, the owners of the state heritage property at 125 Kent Street, Millers Point.

The DA D/2026/97 for 125A Kent Street, Millers Point should have indicated in the submission that it is **in fact an integrated development** because it involves works on our property and our easement which are state heritage listed items. Section 60 application under the NSW Heritage Act 1977 is a mandatory approval process for undertaking works, alterations, or excavations on items listed on the State Heritage Register (SHR). In conclusion,

1) We do not give consent to the use of our building and the easement (under Section 23 of the Environmental Planning and Assessment Regulation 2021, supported by Section 4.12 of the Environmental Planning and Assessment Act 1979).

- We do not give consent to the Fire booster to be attached to our state heritage building.
- We do not give consent to the reconfiguration of the stairways on the heritage-listed easement.
- We do not give consent to the construction of the stair platform lift on the easement.
- We do not give consent to the demolition of the existing heritage-approved gate which will be replaced by a modern gate on the easement with many letter boxes attached.

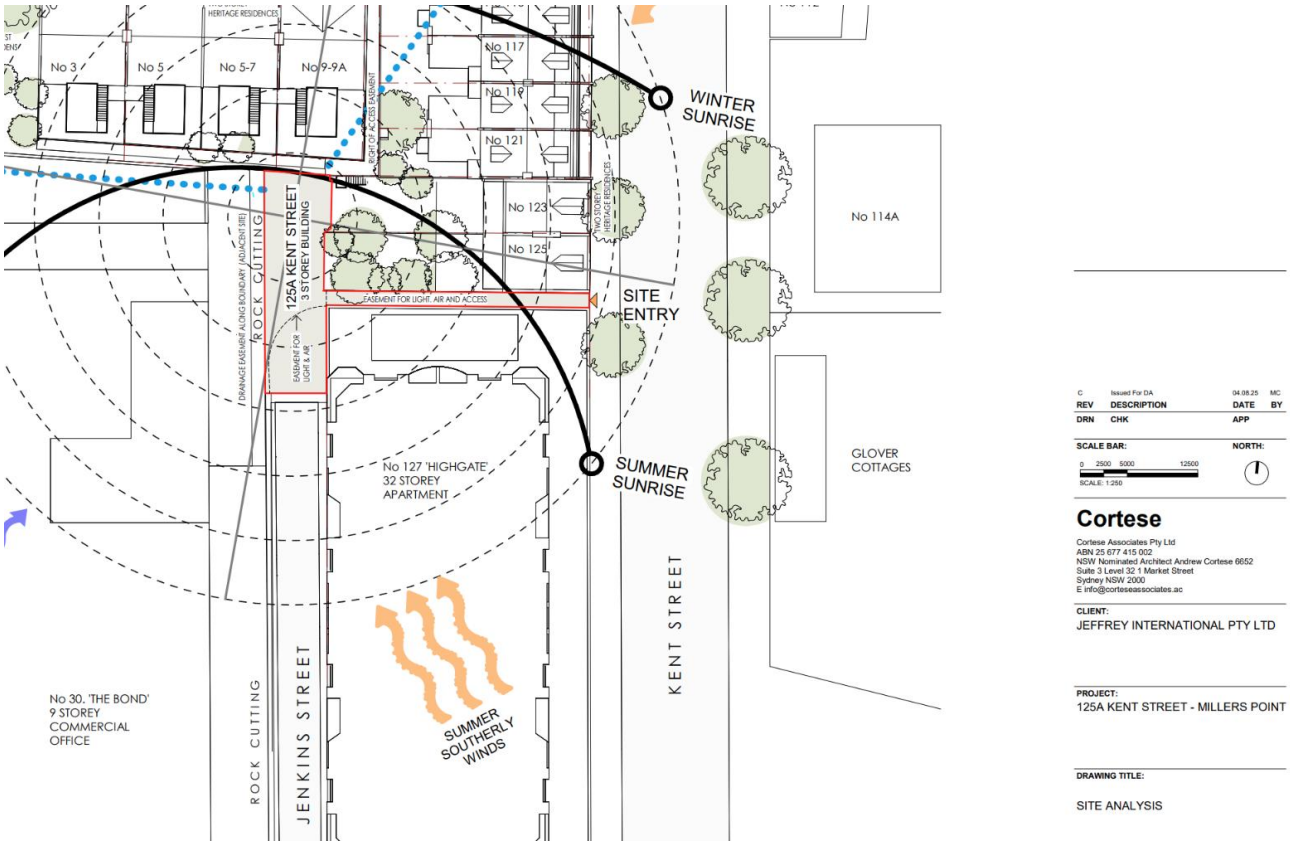
2) The new development will significantly reduce our solar access.
3) The new development will severely invade our privacy.
4) The new development will significantly **diminish** the value and severely affect the **amenity** of our property as well as many of the surrounding state heritage terraces.

1. Use of Easement

We do not give consent to the use of the easement. The easement is a 1.525m wide path described as "light, air and access" burdening our heritage house and land at 125 Kent Street. The easement is included in the DA as part of the development site (refer to the two excerpts from the DA below). It is referred to throughout the DA as the main entrance to the site. The DA proposes to modify the existing staircases on it, install a platform lift on it, install a fire booster on it, demolish the heritage-approved gate on it and build a new modern gate with many letter boxes on it. **In fact, the DA D/2026/97 is an integrated development; and without our permission, the owners of 125A shouldn't have been even permitted to submit a DA that proposes the use of our heritage-listed building and easement. The DA should therefore be refused on this basis.**

In the past, being a good neighbour, we have given permission for the owners of 125A to install their NBN connection with its cable running along the easement to their building. We also did not object when they installed a security camera over the easement pointing into our backyard and along the easement. However, we object to the new development because it will significantly **diminish** the value and severely affect the amenity of our property as well as many of the surrounding heritage properties.

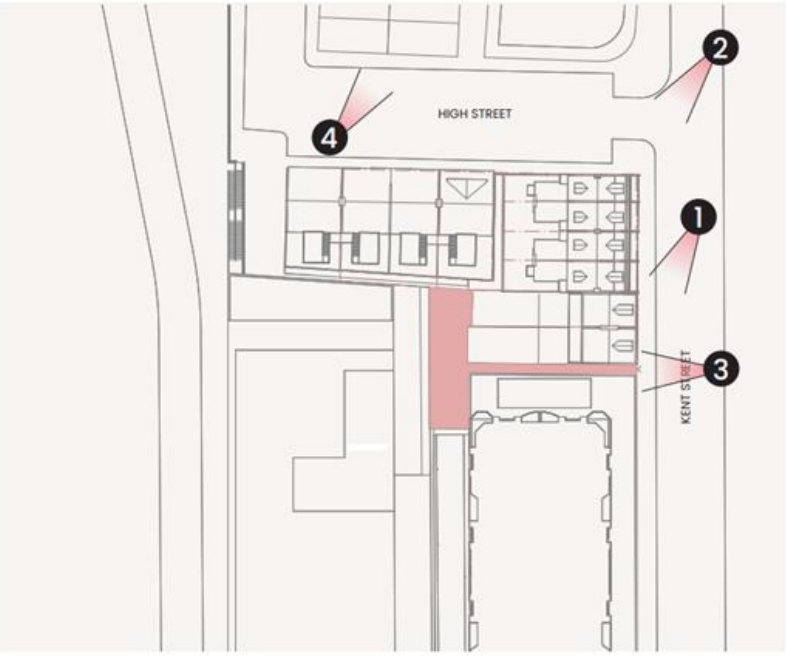
Excerpt 1 from DA:



Excerpt 2 from DA:

Site Context

1. View from Kent Street looking south.
2. View from corner of Kent Street & High Street. Adjacent heritage buildings in foregound with contemporary tower developments forming the backdrop.
3. Existing pedestrian site entry from Kent Street.
4. Heritage buildings to the north fronting High Street



The easement is land that belongs to us. The easement grants light, air and access and right of carriage-way.

The right of carriage-way is defined in Part 1, schedule 8 of the Conveyancing Act as follows:

CONVEYANCING ACT 1919 - SCHEDULE 8

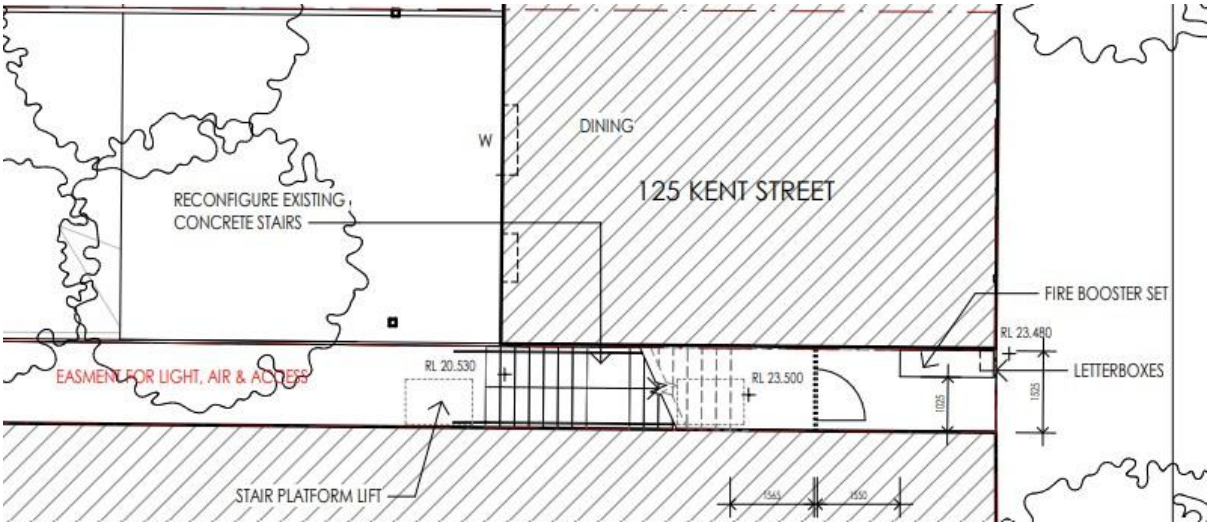
Part 1 - Right of carriage way

Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by that person, to go, pass and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof

- **Fire booster, letter boxes, platform lift and gate**

Please refer to the below excerpt from the architectural plans.

Excerpt 3 from DA:



As shown above, a fire booster set, letter boxes and gate are proposed to be attached to our state heritage sandstone building. The reconfiguration of the existing concrete stairs on our easement as well as the installation of a stair platform lift are also shown above. We do not give consent to these works. This is a state heritage listed building and easement. Even if we gave consent, this would need to be approved by the Heritage Council.

The right of carriageway does not give a right to build on, constrict or impinge on this narrow strip. The fire booster will significantly constrict the width of the easement, from 1.525m narrowed down to 1.025m as shown.

We do not give consent to the demolition of the existing heritage-approved gate which is proposed to be replaced by a modern gate further into the easement with many letter boxes attached.

- **Intensification of use of Easement**

The building has up until now been a single unit. The proposed development converts the single unit into an 8-storey residential building consisting of 5 apartments, a communal space as well as a rooftop communal area. As such the proposed DA is to substantially and significantly increase the number of occupants who will have the right to pass through our land, 125 Kent Street. This is a significant **intensification of traffic** on the easement that will destroy our amenity, in terms of privacy, security and peace and quiet.

2. Reduced solar access

- The DA severely **blocks light** into all our living areas - dining room, living room, 3 out of 4 bedrooms, landing, staircases and hallways which open onto and shed light into rooms, including kitchen, living room and all 4 bedrooms. Our west facing balcony is a key living area for us. We are very dependent on light coming in through the west facing windows. We have no north facing windows, and only 3 rooms have east-facing windows, we have no south facing windows.
- Our home relies heavily on the existing level of natural light being preserved. The state heritage listed terrace, built under different building/planning rules, already has **low internal light, well under today's standards**. No adaptations are possible (no walls can be changed) to increase window size to allow in more light.
- From the rear of our house the sun will disappear behind the **extended** 125A much, much, earlier in the day. The effect will be felt most severely in the winter. There are no sun diagrams in the DA for 22 March, yet it is an obligation under section 4.2.3.1(1) of Sydney DCP 2012 to provide them in the DA. The DA only provides sun diagrams for 21 June. As you progress from June through to March and through to December the impact increases because the sun travels more south-west than north-west. See photo below, taken standing at the rear of house at 5:39pm, 28 February 2026.
- There are no sun diagrams showing light impact to our west walls (where our windows are) - they will be much more in shadow hence much less light hitting our living areas.
- A lack of sunlight falling on sandstone walls can deteriorate them. There will be very much reduced hours of sunlight (if any hours at all) on the west facing sandstone walls.

Photo from rear of house, taken at 5:39pm, 28 February 2026.

3. Reduced sky

- What sky outlook we have now from our home will be totally obliterated by the massive wall that would be facing us from the west / north-west side. We have always treasured what sky we can see in the west / north-west for a sense of wellbeing. Sky outlook from 2 bedrooms, lounge, landing, staircase and hallway, and the balcony will be obliterated.

4. Sense of enclosure

- From inside our living areas and two bedrooms looking out of the windows to the rear of our home, we will feel like we are in a prison. The existing massive (south) wall of Highgate will join together with the newly massive (west and north-west) wall of 125A and both will now tower over us, totally enclosing us on south, west and northwest sides (the 125A wall is not just west but also extending north-west from where we are). Highgate itself is to our south side; the sunlight does not come from the south and we have no windows on the south. If a perpendicular towering wall is affixed to it at our west, it will become prison-like.

5. Privacy

The key privacy concerns (which of course also impact our mental well-being) are:

- All the east facing proposed windows will be an unbearable invasion of privacy into the rear of our property.
- The apartment windows would overlook all our living areas including two of our bedrooms resulting in us no longer having privacy in any part of those two bedrooms. We already have Highgate apartments looking down on us from the south. With the proposed development, 125A would overlook us from the west and north-west resulting in **nowhere to hide**.

- Privacy in our only open spaces, our balcony and backyard, will be totally destroyed.
- There are no setbacks for the windows. The proposed windows on Level 1 and ground floor plans **abut the boundaries** of our property. See Level 1 and ground floor plans.

6. **Statement of Environmental Effects (SEE) is unbalanced and misrepresents and omits the impact to heritage items**

- The SEE Appendix 13 cites some Principles from the Millers Point Locality Statements of the DCP, yet the SEE fails to address them. Principles include:
    - "Retain, conserve and reinforce the historic character and heritage significance of the Millers Point Heritage Conservation Area and individual items on the State Heritage Register."
    - **"New development is to respect and maintain the existing heights and established character of the area."**
- On page 28 the SEE states: "*The new addition is of slender design which minimises overshadowing and view impacts to neighbouring developments.*" This is patently unbalanced and **absolutely not correct**. This is a one-sided view, and the severely damaging effect on the **low-lying heritages terraces** are **intentionally** omitted. From all the terraces at 115 to 125 Kent street, the view at the new extended building at 125A is quite **towering and not slender** at all, especially for our property and our neighbours at 123 and 121. The extended 125A will absolutely overshadow its neighbouring properties due to its bulk and its almost 30 metre height.
- See page 40, section 5.10 on Overshadowing. The SEE states: "*Noting the slender design for the 4-storey extension, solar access to neighbouring residential developments, namely Highgate apartments located to the south-east of the site, will maintain a minimum of 2 hours of solar access between 9am to 3pm during Winter Solstice. As such, the proposal maintains adequate solar access to neighbouring developments in accordance with Objective 3B-2 of the ADG.*" This **intentionally ignores** the impact to **solar access** on our property. The towering 125A building on our north-west side will **absolutely reduce by more than 20%** our solar access, which is **not compliant with Objective3B-2.**

7. **Access**

- How will the project be completed without access to our land? We will not provide permission to use our land for access.
- How will maintenance occur on the building once finished without going over our land?
- The proposal is non-compliant with 5.1.1.3 (7) - facades that contain windows must be set back from side and rear site boundaries by a minimum of 2 metres. The SEE Appendix 13 proposes "Where access from neighbouring properties is required, this will be managed with neighbours as per existing conditions." What existing conditions are being referred to? No windows should be built on the facades that

abut neighbouring properties, or the facades should be set back 2 metres according to the rules to avoid trespassing onto those properties.

We would welcome the opportunity to discuss with you.

Best regards
Alison & Doan V. Tran

From: MARGARET WRIGHT [redacted] on behalf of MARGARET WRIGHT [redacted] <MARGARET WRIGHT [redacted]

Sent on: Friday, March 20, 2026 1:50:09 PM

To: dasubmissions@cityofsydney.nsw.gov.au

CC: Anne Crabb [redacted]

Subject: Reference to DA/2026/97 125A Kent Street

Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear sir/madam

I am the owner and a full time resident in Observatory Tower in Kent Street.

I am writing to object to the above development proposal.

The proposal indicates a residence completely out of character with the area, consistent with neither the modern high-rise towers such as ours nor the Victorian and early 19th century terraces and homes in our street. It will:also create additional parking and access pressures in a street which already has existing challenges.

The floor space available means that the five apartments built over 5 levels in a constrained floor area , allowing for floor access will be very small. It is hard to see how it will accommodate even a small number of additional permanent residents given the size of the plot and is more likely to be used for short term letting creating even greater challenges for our suburb.

With recent upgrades to the Fort Street School we need to make more homes available for families not what look likely to be smallish apartments with limited space.

Finally given teh incredible constraints placed on heritage homes in the area to ensure these were and remain in character with the area it would be outrageous for this to go ahead.

Finally the proposal will unnecessarily create additional construction noise and other impacts in a suburb where we have had to suffer this for too long.

Kind regards
Margaret Wright
1805/168 Kent Street
Millers POint , NSW 2000

QV LAW
LITIGATION LAW FIRM

Address: Suite 3, 294 Chapel Road
Bankstown NSW 2200
Email: p
Phone:

Principal Solicitor Quang Nguyen
B.Economics(Honours 1)
LLB (Honours 1)
Master of Business Administration
Former Barrister-at-Law

City of Sydney

By email: ELJones@cityofsydney.nsw.gov.au

20 March 2026

Dear Sir/Madam,

RE: Development Application - 125A Kent St Millers Point NSW 2000
D/2026/97
Submissions from adjoining property 125 Kent St Millers Point NSW 2000

A. This Objection

We represent the owners of the attached terrace house at 125 Kent St Millers Point (**Our clients' land**). The row of terraces of which our client's property is a part is a State listed heritage item.

Our clients object strongly to the above DA **made for a new residential flat building** 125A Kent St Millers Point.

The grounds upon which our client objects are:

(a) **Owners Consent** – The DA includes part of our client's land within the DA site which is subject to a limited right of carriageway. The DA cannot lawfully be made without their consent.

(b) **Heritage Act approval required** – because our client's land is a State listed heritage item, and physical work is proposed in the DA on our client's land (in addition to the architectural plans including part of our client's land in the "Site"), approval is required under the Heritage Act (see s 57(1)(e))

(c) **Bulk and scale** – the relationship of the proposed seven storey wall (plus roof top garden) to the backyards and built form of the heritage listed terraces is unacceptable.

(d) **Overlooking** – There would be unacceptable privacy impacts from the proposed windows, private open space and common areas overlooking the backyards of the heritage listed residences is unacceptable.

(e) **Unlawful impacts on right of carriageway** – the right of way is a shared accessway over which the owner of the development site has limited rights. It has no right to construct the proposed letter boxes, relocated front gate, stair platform lift and level changes proposed for the access way.

(f) **Heritage impacts –** The DA proposal would detract unreasonably and unacceptably from the heritage significance of the adjoining State listed heritage item, as well as the other State listed items such as the heritage pedestrian walk between the UNESCO listed Harbour Bridge and Barangaroo which involves a number of other State listed heritage sites.

(g) **Acoustic impacts –** The proposed development includes elevated common and private recreation areas with a zero setback to the rear yards, bedrooms and living areas of the heritage listed residences, and will cause unacceptable acoustic impacts.

(h) **Unacceptable impacts on common accessway –** the proposal would pose unacceptable impacts upon the common access way over the listed heritage item comprising our client's land by intensifying its use far beyond what might ever have been anticipated at the time of the easement's creation.

(i) **Inadequate parking provision –** The 5 large apartments have no parking provided, no loading or unloading area, and no provision for dropoff of disabled vehicles

These separate points of objection are expanded below.

B. Relationship of the proposal to the listed heritage residences

Our client's property is shown in this photograph. The DA site is to the immediate left as shown in the photograph below.

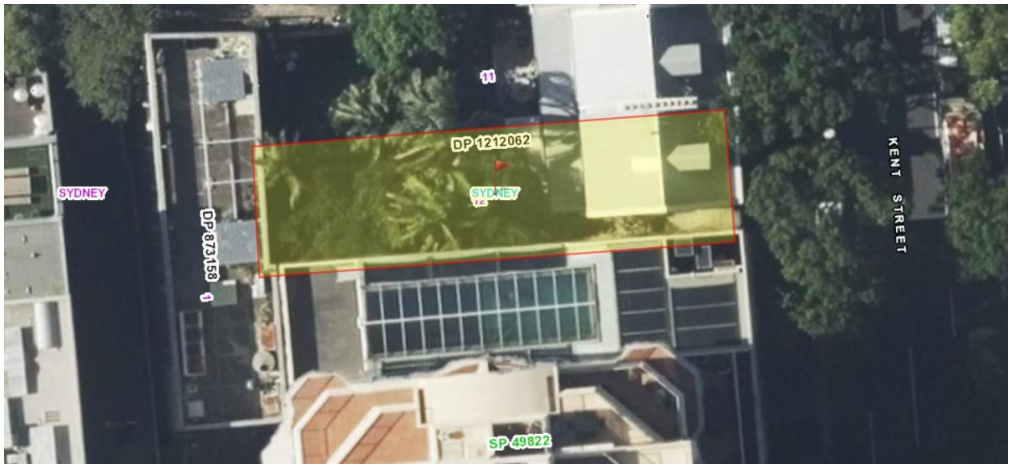


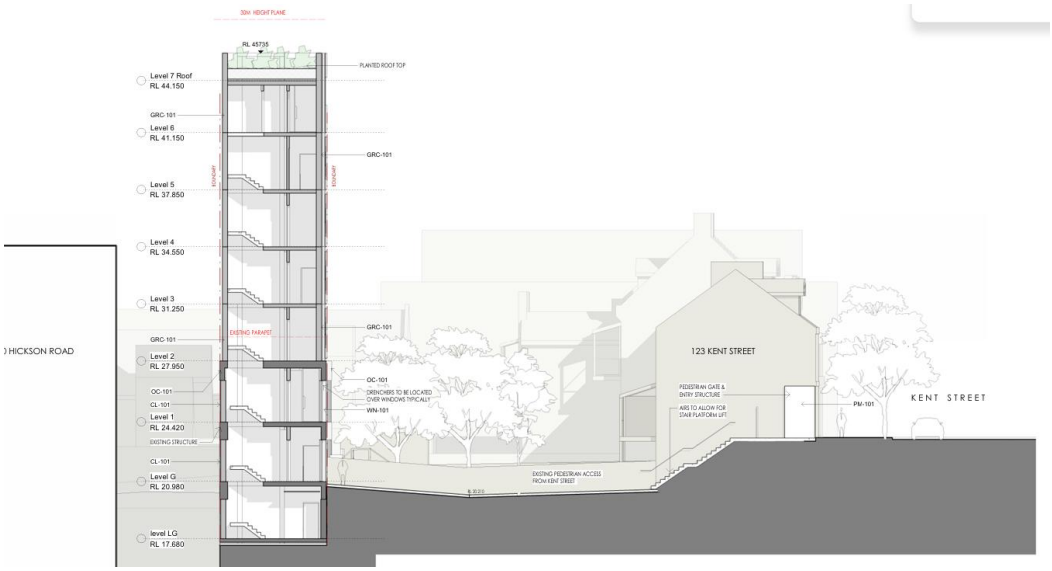
Figure 1 - No 125 Kent Street

The proposed development at 125A Kent St Millers Point is for the conversion of an existing 3 storey warehouse to an 8-storey apartment building, with 5 apartments that will cover 840sqm on a site area of 154sqm with no setbacks. That intensity of development is inappropriate for its context and must be refused.

The proposed development significantly affects the neighbour 125 Kent St not only by proposing to improperly impinge upon an easement on 125 Kent St, but also by significantly increasing the height of a building in an area where low level heritage housing and heritage zoned land all surrounds. The residents of 125 Kent St in particular will see substantial

disappearance of visible sky in their backyard, because converting from a 3 storey to 8 storey apartment building in a small backyard will virtually remove any sunlight after around 2pm.

This section extracted from the DA plans shows the self evidently unacceptable relationship between the open space and west facing windows of the heritage listed residences:



As seen from that section, the proposal would completely dominate the State listed item and change the environment of its rear yards.

Owners Consent and the easement

The first fundamental problem with the DA is that it proposes development over our client's land without their 'owners consent' as required by s 23 of the Environmental Planning & Assessment Regulation 2021, which reads:

> ***23 Persons who may make development applications***
>
> *(1) A development application may be made by—*
>
> *(a) the owner of the land to which the development application relates, or*
>
> *(b) another person, with the <u>written</u> consent of the owner of the land."*

This is the "Site Plan" included at Sheet A0.10 of the Architectural plans, which shades a part of our client's land subject to a right of way as part of the Site.

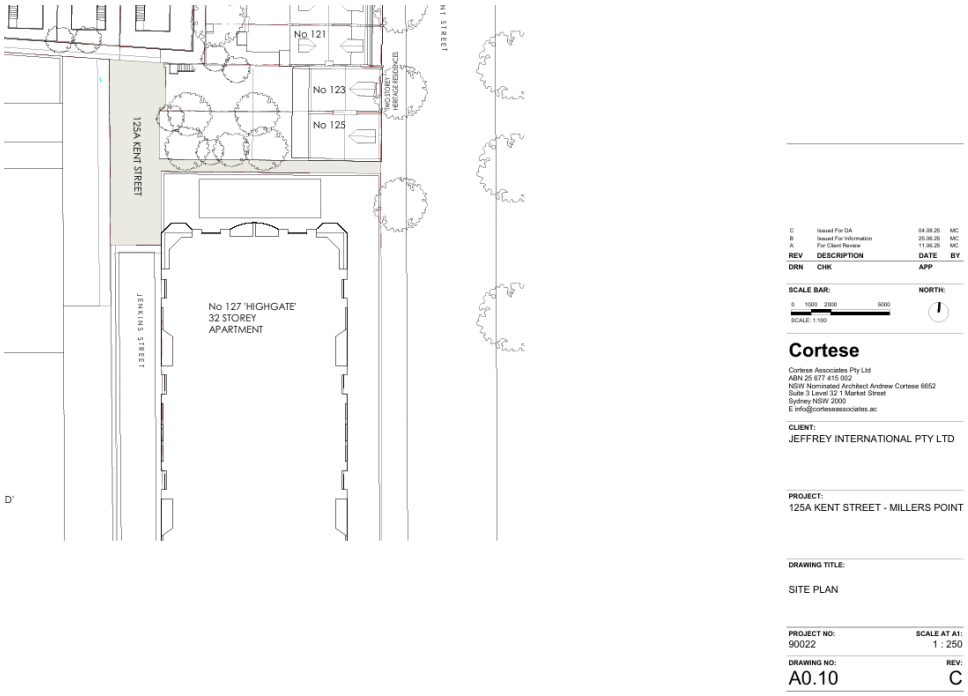


Figure 2 - DA SIte Plan.

The right of way allows only passage over the strip of land, not any development. Despite this the DA plans propose significant development including a relocated gate, a stair platform lift, letterboxes for many apartments within the new development, fire fighting infrastructure and changes to the shared pathway.

The Construction, Demolition and Operational Waste Management Plan describes the changes to the narrow strip comprising the area of the right of carriageway.

The terms of the easement are as follows:

> "An easement for the free and uninterrupted access of light and air across the Servient Tenement through the airspace shown on the Plan as "Easement for Light, Air and Access", to and for any building erected or to erected on the Dominant Tenement at all times, as well as a right of carriageway, over and across the land as shown on the plan as "Easement for Light, Air and Access" at all times

It does not permit the proposed work which are not essential for passage across the way. It does not permit the area of the easement for letterboxes, waste management, or fire fighting.

The right of carriage-way is defined in Schedule 8 to the Conveyancing Act as being:

> **CONVEYANCING ACT 1919 - SCHEDULE 8**
>
> **Part 1 - Right of carriage way**
>
> Full and free right for every person who is at any time entitled to an estate or interest in possession in the land herein indicated as the dominant tenement or any part thereof with which the right shall be capable of enjoyment, and every person authorised by that person, to go, pass and repass at all times and for all purposes with or without animals or vehicles or both to and from the said dominant tenement or any such part thereof.

The original easement that burdens our client lot 125 Kent St Millers Point, was intended to be a right of carriageway for one lot and impliedly for one lot occupant. The proposed DA D/2026/97 is to convert the one lot into 5 apartments or 5 occupants spread over multiple levels, 3 of which are 2 bedroom apartments, as well as for a rooftop communal area likely to entertain including for guests. As such the proposed DA is to substantially and significantly increase the traffic and number of people who will have the consequential right of pathway through our client lot 125 Kent St, from one occupant to 5 sets of occupants and their guests. If the DA is granted, every person who occupies any of the 5 apartments as well as all their guests, will have a right to pass through our client lot pursuant to the easement.

This is contrary to the spirit of the easement as it was originally granted. The DA should be refused as it significantly and seriously overburdens the easement as a right of carriageway in a way that was not intended nor envisaged when the easement was granted. It seriously affects our client land in an unacceptable manner, and affects acoustics, privacy and security of that pathway.

In ***Lowe v Kladis [2018] NSWCA 130***, the Court of Appeal recognised that both the dominant and servient tenements have rights over a right of way and neither should "unreasonably interfere" with the other. The Court held at [88] that:

> "This Court has held that for this purpose it is permissible to have regard to the physical features of both the dominant and servient tenements. The justification for this view is that the court is not taking into account matters, such as the intentions of the original grantor and grantee, that are inaccessible to a third party inspecting the register."

In this case it could not have been contemplated that a right of way in favour of land that small could ever have been intended to provide access for so many dwellings.

At Page 15 of the Construction, Demolition and Operational Waste Management Plan, there appears a FireBooster set rectangle that constricts the entrance to the easement on Kent St and narrows that entrance. That is not permissible by the easement. A FireBooster set cannot be interpreted in any reasonable manner to be part of any right of carriageway as defined in the Conveyancing Act. The FireBooster set, if it were to be installed, would presumably need to be drilled into place on the wall of 125 Kent St: see attached and marked "**A**" photo of this area that would need to be drilled into place. The Heritage Impact report in the DA, quite remarkably omits any consideration of how a FireBooster set would be installed on a heritage protected sandstone wall, as well as heritage zoned easement strip.

The current occupants of 125 Kent St live in a house that is inside and outside sandstone, where they are prohibited from nailing or drilling any holes of any kind whatsoever onto the walls by the Heritage Council. The DA hasn't properly considered this, and in truth, has intentionally omitted this from the Heritage Impact report, which should be highly discredited and disregarded in support of the DA.

Secondly, there is now a stair platform lift within the easement strip. There is no explation of how that stairlift will be serviced by electricity.

As stated above, an easement with right of carriageway, does not permit any building or construction items within this narrow strip. The right of carriageway is a right to "go, pass and repass", it is not a right to build a stair platform lift. Building a stair platform lift, is not

permitted by the easement, which is only to "go, pass and repass". Any construction within the easement is not permitted. Further, the Heritage Impact report in the DA again conveniently omits any consideration of the stair platform lift being constructed on heritage zoned land that is the entire block 125 Kent St including the easement. And has also omitted to state that such stair platform lift would need to be approved by the Heritage Council which is highly unlikely.

Thirdly, there also appears on the easement a doorway or gateway midway between the proposed stair platform lift and the FireBooster set. That is not permitted in the easement, which is only to "go, pass and repass", not to build a gateway or doorway for what appears to be the exclusive use of 125A. Further, the Heritage Impact report in the DA again conveniently omits any consideration of a doorway or gateway midway between the proposed stair platform lift and the FireBooster set, being constructed on heritage zoned land that is the entire block 125 Kent St including the easement.

The easement strip is only to "go, pass and repass", not to build or constrict in any manner shape or form, erect FireBooster sets, erect stair platform lift, erect gateways and doorways.

Further, there is described at the entrance the plural "letterboxes". Again, we now have a situation of a narrow entrance easement, created and intended for one occupant, now to be expanded for 5 letterboxes at the entrance of what is already a narrow strip. That cannot be within the original spirit of the creation of the easement, that there are now 5 occupants with antecedent 5 letterboxes, and 5 sets of occupants with rights of way. The visual and purposeful impact of 5 letterboxes must be considered very seriously at the entrance of such a narrow easement strip. Again, the Heritage Impact report intentionally omits any consideration of the impact of the simple green heritage approved gate to the easement entrance, to now be expanded to have 5 letterboxes. Attached and marked "**B**" is a current photo of this gate entrance with one letterbox only, and it is not clear how 5 letterboxes can fit on this small heritage approved gate. All changes and installations to the current approved gate, must be vetted and approved by the Heritage Council. The Heritage Impact report of the DA is very clearly biased in omitting so many crucial aspects, and as such the Heritage Impact report should be highly discredited and disregarded in support of the DA.

It should also be stated that the FireBooster set is proposed to be attached to the wall of 125 Kent St, which is a heritage sandstone wall. That would need consent of the owners of 125 Kent St, because the FireBooster set has nothing to do with any right to "go, pass and repass". Further it would need approval from the Heritage Council regarding visual impact as it would be visible from the street.

The proposed modern gate housing all 5 letterboxes, replaces an already wooden Heritage Council approved wooden gate, and that modern gate needs to be approved by the Heritage Council. In this regard, it is highly misleading for one of the photos in the DA labelled as "existing view" to have photoshopped out the existing Heritage Council approved wooden gate, and superimposed a modern gate in its place as if it was already there and as if it were already approved by the Heritage Council.

Additionally, the DA must not obstruct the occupants of 125 Kent St from continuing to use this easement land, which is technically land owned by 125 Kent St. The DA plans show that the FireBooster set would narrow the strip from 1.525m which it currently is with the existing

gate, to become 1.025m. As such the proposed DA obstructs the use by 125 Kent St by narrowing it substantially. This includes the modern gate with its numerous letterboxes. The proposed DA is impermissible as it substantially interferes with the usage by 125 Kent St, in a manner that must be found unlawful to the grant.

The owners of 125 Kent St do not give consent to the expanded usage of the easement in the various ways sought in the DA, and such refusal does not give rise to any rights to the owners of 125A Kent St to assert any unreasonableness or assertion of substantial interference or other ancillary right to relief: Owners Corporation Strata Plan 533 v. Random Primer Pty Ltd [2025] NSWCA 8, a decision of the Court of Appeal.

C. Overlooking

The DA proposes for there to be multiple windows on the new East facing wall of 125A Kent St, that overlooks our client backyard at 125 Kent St, being one window above the easement strip, and multiple windows in rooms above 123 Kent St that also gives vision of 125 Kent St backyard: see Architectural Plans Appendix 2 in the DA. The current situation is for a 3 storey wall, without any windows that can invade the privacy of 125 Kent St. This backyard is directly overlooked by this east facing wall, and the proposed DA is to add all these numerous windows that provides direct vision and overlooks the private backyard and bedrooms of 125 Kent St amounting to an unacceptable privacy issue as the proposed windows would see into the backyard, bedrooms and be clearly visible because of the small distance. The apartment windows would overlook all the living areas of 125 Kent St including two of their bedrooms resulting in no longer having privacy in any part of those two bedrooms.

D. Building Height and solar access

The owners of 125 Kent St already have a 3 storey building in the west side of their lot, that curtails sunlight from around 4pm each day in summer, whereas sunlight in summer continues to around 8pm. If this were to be converted into an 8 storey building, the backyard to 125 Kent St would see significant diminishment of sunlight, possibly losing sunlight from around 2pm every day in summertime. As it is, the backyard for 125 Kent St is already boxed in, with walls on the west and south. To increase the building height for the west wall to 8 storeys will significantly diminish sunlight into the backyard and house generally. See attached pictures showing the backyard and current 3 storey building on the west wall.

The DA would severely block light into all living areas of 125 Kent St - dining room, living room, 3 out of 4 bedrooms, landing, staircases and hallways which open onto and shed light into rooms, including kitchen, living room and all 4 bedrooms. There is also the west facing balcony of 125 Kent St that would very significantly diminished from loss of sunlight. The owners of 125 Kent St are very dependent on light coming in through the west facing windows, because there are no north facing windows, and only 3 rooms have east facing windows.

State listed heritage terraces like the current heritage house at 125 Kent St, are built under different building/planning rules, already have low internal light, well under today's standards.

The effect will be felt most severely in the winter. There are no sun diagrams in the DA for 22 March, yet it is an obligation under section 4.2.3.1(1) of Sydney DCP 2012 to provide them in the DA. The DA only provides sun diagrams for 21 June. As you progress from June

through to March and through to December the impact increases because the sun travels more south-west than north-west.

There are no sun diagrams showing light impact to the west walls (windows) of 125 Kent St - they will be much more in shadow hence much less light hitting these living areas.

Lack of sunlight falling on sandstone walls can deteriorate them (as is evident on the south side of the house of 125 Kent St. There will be very much reduced hours of sunlight (if any hours at all) on the west facing sandstone walls.

E. Outlook

What sky outlook there is now for 125 Kent St will be totally obliterated by the massive wall that would be facing them from the west / north-west side. This includes from 2 bedrooms, lounge, landing, staircase and hallway, and the balcony will be obliterated. These points above will have a detrimental impact on both physical and mental health of occupants of 125 Kent St - a depressing lack of light, lack of sky outlook and feeling of enclosure and being hemmed in.

F. Parking

With no dedicated parking provided with the DA, this is going to exacerbate the issue of parking for residents and impact all heritage residents severely. All neighbouring heritage residents do not have parking and have to park on the street. Increasing from one occupant into 5 apartments without parking in an already limited parking area for residents, will be to strain to an unacceptable level the parking issue in the area for residents. There is no provision for loading or unloading, or access by disabled persons.

G. Construction and Maintenance

The DA provides inadequate information as to how the building will be constructed and maintained given the zero setback to the heritage listed residences.

An important consideration is for maintenance of the eastern wall of 125A Kent St once it is constructed. How will this maintenance be done without impinging on the quite enjoyment by 125 Kent St of their backyard? How will the walls be maintained, or painted once finished, without accessing the private property of 125 Kent St.

H. Setbacks

The proposal appears to be non-compliant with 5.1.1.3 (7) of the DCP - facades that contain windows must be set back from side and rear site boundaries by a minimum of 2 meters

I. Heritage

Our clients purchased their residence because of its heritage significance.

The existing building on 125A should never have been constructed and meets no reasonable planning standards.

However, to increase the size of that building by more than double will exacerbate the stark and undesirable impacts of the commercial intrusion. The backyards and west facing windows will be loomed over by the new building which will totally dominate them.

On the whole the DA does not adequately or even properly consider the heritage impacts, purports to impose improperly and unlawfully on the easement that burdens 125 Kent St, and unreasonably burdens and impacts the resident of 125 Kent St visually, privacy wise, parking

wise for wider residents in the area, including sunlight and enjoyment of land of 125 Kent St. Any approval in the form it currently presents itself, must be highly problematic and subject to scrutiny.

Signed:

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Development Proposal
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