

13 May 2021

Karl Fetterplace  
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Planning and Assessment | Department of Planning, Industry and Environment  
4 Parramatta Square, 12 Darcy St, Parramatta NSW 2150

**By email to:** [karl.fetterplace@planning.nsw.gov.au](mailto:karl.fetterplace@planning.nsw.gov.au)

Dear Mr Fetterplace,

**Environmental Impact Statement (EIS) for the 50-52 Phillip Street New Hotel Stage 1  
Concept DA**

I am writing in response to your email of 15 April 2021 requesting Royal Botanic Garden and Domain Trust (the Trust) input into the Environmental Impact Statement (EIS) to guide the preparation of a Development Application (DA) in support of a State Significant Development Application (SSD) DA under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the redevelopment of a new hotel at 50-52 Phillip Street, Sydney.

As a prominent landowner directly to the east of this site, the Trust has a particular interest in any redevelopment of this land and its potential impact on the Garden. We welcome, therefore, the opportunity to comment on the EIS for the proposal.

Potential overshadowing is the greatest concern to the Trust with any development of this size as the loss of sunlight can significantly impact the health and appearance of the Garden, its botanical displays, and individual specimens. We note in the EIS that the proponent presented various design options and suggested an amendment to Sydney's LEP 2012, including a slight modification to the Royal Botanic Gardens and The Domain Sun Access Plan (SAP's). Although this may have been minor in nature, the potential implications accompanied by climate change may have caused irreversible damage to the living collection. The Trust is pleased to see that Option C has been chosen, which avoids any potential overshadowing of Trust land and will be incorporated in the approved Concept DA for Stage 1 of the proposal, and the Draft (SSD) DA will require the proponent to demonstrate how solar access to key public open spaces and the surrounding public domain will be protected.

A further concern that should be noted is the materiality and reflectivity of the building exterior and its impact on reflecting sunlight back into the Domain and Gardens in the mornings. Reflected heat has been noted in the past from other structures and the Trust would ask that this be considered as part of the Concept DA. The Trust will therefore offer further comment at the competitive design process and Stage 2 Detailed SSD DA.



No other potential issues for the Trust were apparent from the plans or reports, so we have no major comments and would be happy for the Concept DA to be issued to the proponent.

Should you have any further enquiries regarding this matter, please contact our Planning Project Manager, Louise Farley, on telephone number 4647 7957 or Email [louise.farley@bgcp.nsw.gov.au](mailto:louise.farley@bgcp.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Salouros', with a stylized flourish at the end.

George Salouros  
*Director Asset Management, Planning and Projects*