

Attachment D

Submissions

From: Zahava Bloch
Sent on: Wednesday, June 4, 2025 2:54:05 PM
To: dasubmissions
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Kate,

I hope you are well.

Thank you for the recent correspondence about the application as reference above and to be able to provide feedback.

My family are residents of Paddington living at Paddington Central, 3 Oatley Road. My family has resided in the eastern suburbs all our lives. I was raised in Bondi near the beach so very used having limited parking in the warmer months and no parking during the City to Surf. My family has also lived close to Christison Park Vaucluse which again has limited parking during school sports season and unable to leave the area during City to Surf. When we moved from Vaucluse, we researched what would affect us at each location and decide if we can live with it. We were very aware that we would be living very close to the sports and entertainment sector at Allianz Stadium, the SGC and Fox Studios and what the limitations would be. This included limited parking, lots of people moving to and from the events which we have absolutely no problems with. Research was also done with living on Oxford Street, including The Reservoir Gardens and what it would mean as we live right next door. We knew that functions could not be held there, the lower section of the park could not be accessed in the evenings, which is clearly outlined on the council's website and obvious by the locked gates in the evening and that the gardens does not have lights. It is with this information that we decided we could live with the park having full access during the day, but night-time would be quiet and have no impact on things like parking in the area and noise.

We are opposed to the proposal for the following issues:

The proposal is for permission to use the lower chambers which already goes against the use of the gardens. The performance will have a puppet with sound and there will be lighting which will need to be brought in to light up the area for lining up prior to each performance to see if spots are available, the performance and the exit of patrons. While we are not sure how the lighting will effect us, the echo in the chamber from the performance and the arrival and departure of patrons is quite loud. And for each unit, the lower and closer to the chamber the louder the echo as it seems to get trapped in the area of the buildings surrounding the park.**We are opposed due to the noise and the possibility of light entering units.**

Item 9: States that this is a free public event and is unticketed. People will need to line up as a first in first served format. So what if 300 people turn up and remain in the gardens waiting for each session.**We oppose this due to the inability to ensure crowd control as the event is unticketed.**

Item 16 Chart of event. What will happen with all the items used for the show in regard to safety? Where will they be placed in-between each show and then each week? My understanding is that there is a set up day prior to opening weekend and then pack up after the final performance.

Item 16 Chart of Event. Security is being provided by City of Sydney Event Team. Is that paid for by the rate payer?**We oppose this if the rate payer is paying for the security and any additional staff needed.**

Item 23. We weren't here for the Sydney Festival event of 2021. However, Head on Photo Festival, is quiet, like a gallery and opened during light hours and not in the evening, with the gates being locked when the festival staff are not on site. It is also opened again like a gallery and does not have large groups of people in organised times. The application states that other events include regular wedding and reception events

is**INCORRECT**. These events are not organised here unless they have not had prior approval and in most cases have been shut down by the sheriff. There have been photos taken by bridal parties again during daylight hours.

Item 24. This DA was in 2014, 10 years ago and not a similar event since. **We oppose the event if this is their only basis of precedent.**

Item 27. This shows that the application is not allowable under the current LEP. The current application easily comes in as an entertainment facility.**We oppose this event because it doesn't comply under the LEP.**

Item 31. The Master Plan of Management. While we haven't checked the actual plan as the park does not have lighting, it can be assumed that the items mentioned is only available during the day. This includes all items mentioned after this item to item 3.

Item 35. As a resident of Paddington Central, we believe that consideration hasn't been taken into account for all the reasons listed before and after this point.

Item 37 (Noise) of the application states that there will be a maximum of 200 patrons per session and item 40 (Capacity of premises and audience management) states there is going to be 3 sessions per day. This means that up to 600 people will be at the gardens every evening as outlined in item 10. While it doesn't mean that all 600 will be at the gardens at the same time, we know that there will be alot of overlap. While the businesses of Oxford Street would enjoy the patronage of the people attending the sessions, parking will be a premium and the noise again moving around to and from the gardens will be high.**We are opposed to this due to noise, anticipated amount of people attending and parking issues.**

Item 45 (deliveries and waste removal). This item states that the applicant is not responsible for separate waste removal plan. Who is obligated to ensure that the property is left in good repair and clean at the end of each evening? As a rate payer, I have a problem with this because my rates should not be responsible for these things.**We are opposed to this due to lack of transparency of who is responsible for repairs and rubbish removal.**

Item 56 Turf Protection. 2400 people per weekend using the gardens, waiting, lining up for the event may damage the turf. Who is liable for the damage?**We are opposed as it seems that the rate payer will be liable for any damage of turf.**

Should you wish to discuss this further, please do not hesitate to contact me at any time.

Regards,
Zahava Bloch
T: [REDACTED]

From: Nick Dacres-Mannings

Sent on: Thursday, June 5, 2025 8:23:10 AM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Hi

I live at Unit 43,13 Oatley Road, Paddington.

The reasons I chose to live there are:

- No lights in park;
- No organised sport or other activities in the park; and
- No rubbish or debris in park.

The proposed application is the antithesis of those points.

Having an event in the park after dark will allow attendees to see directly into our apartment. The invasion of privacy will be significant.

Sound travels directly from the park into our apartment. For example this morning we could here all of the conversation a man was having on the telephone when he stood at edge of park closest to our apartment. Presume that the noise and music would be a considerably higher than from the event.

When the doors from the Imperial Hotel are open and music is being played the sound is regularly >70db as we measured. The Hotel, after our complaints, has agreed to close their door. The proposed event would be 50 -60db for many hours.

We are not opposed to the event, only that it be limited to daylight hours.

My phone number is [REDACTED]

Regards

Nick Dacres-Mannings

From: Lachlan Fox
Sent on: Thursday, June 12, 2025 6:23:10 PM
To: dasubmissions
Subject: SUPPORT - DA/2025/411 Attention Kate Burton

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.

Hi Kate,

I'm emailing regarding **DA/2025/411** proposing Live Theatre in Paddington Reservoir.

I live in an apartment (U7, Paddington Gardens) that faces the reservoir, with the proposed activities likely to cause some noise impacts to my residence.

I'm emailing offering my support and endorsement for the submission, as I believe Sydney desperately needs more events like this - as a young person, it's great to see!

I am more than happy to 'tolerate' the associated impacts, and apologise for the comments you may receive/be receiving from my neighbours and other residents.

Let me know if I can voice my comments in a more formal way, or if I can assist in another way.

I hope this gets through!

Best,

Lachie Fox
7/13 Oatley Rd, Paddington 2021
M: [REDACTED]

From: Bernard Gresser

Sent on: Saturday, June 14, 2025 1:47:24 PM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Hi

I'd like to register my objection/concern regarding the planned event (D/2025/411).

I am a resident of the Paddington Central complex at 13 Oatley Road.

My understanding is that the Paddington Reserve Garden (PRG) is meant to act as a green oasis in an urban environment.

Already there are regular abuses of that peaceful enjoyment for all in the PRG and surrounding area.

An event like the one planned as part of D/2025/411 would impact that exponentially.

Unlike the SCG/Alliance entertainment precinct which was a known factor before people moving into the area and therefore residents knew what to expect, this planned usage of the PRG was not.

And also unlike the SCG/Alliance precinct where they have taken sound mitigation into their planning & refurb, the PRG does not have that infrastructure in place.

Please take these valid objections into consideration when deciding on whether the event can proceed.

Kind regards

BERNARD GRESSER



From: Charlotte Rush
Sent on: Sunday, June 15, 2025 8:47:36 PM
To: dasubmissions
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Ms Burton,

I'm writing in response to the Development Application D/2025/411 concerning the proposed temporary event activation - SofT foREST - at Paddington Reservoir Gardens throughout September 2025.

As a resident of Paddington, I choose to live in the area because of its green space, strong sense of community, and convenient proximity to local amenities. The gardens, particularly the Reservoir, are a treasured part of the neighbourhood's character and offer a rare sanctuary of calm within the city.

While I appreciate the importance of public art and culture and have no objection to smaller, non-intrusive exhibitions or community activities in the space, I do have concerns regarding this particular proposal.

The planned event raises issues of noise, privacy, and potential damage to the surrounding environment. Despite being described as "low impact", the duration (9 consecutive evenings), number of attendees (up to 200 per session plus onlookers above), and presence of amplified sound and lighting over multiple weekends will significantly disrupt what is normally a peaceful and reflective space.

Furthermore, there's limited information provided around how residents' privacy will be protected - particularly for those whose homes directly overlook the Gardens - and how crowd control, queuing, and wear on the site will be managed effectively. The structural and environmental sensitivity of the area, and the lack of permanent amenities such as toilets, make this kind of activation feel misaligned with the intent of the original Walter Read Reserve Management Plan.

I respectfully urge Council to reconsider this application and ensure that the needs of local residents, as well as the ongoing preservation of this unique public space, remain a key priority.

Kind regards,

Charlotte Rush

Ms Charlotte Rush
Organisational Psychologist
Master of Organisational Psychology | BA.Psychology (Hons)
E: [REDACTED]

From: Planning Systems Admin

Sent on: Monday, June 16, 2025 7:14:37 AM

To: DASubmissions

Subject: FW: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

-----Original Message-----

From: Carmel Dwyer Fourcees

Sent: Sunday, 15 June 2025 4:48 PM

To: DASubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

I strongly object to every aspect of this proposed usage of this precious heritage site and oasis in Paddington.

This proposal goes against everything the restoration of the Paddington Reservoir has meant to the community over the past 19 years

Yours Sincerely,
Carmel Dwyer
46 Gordon St
Paddington 2021

Sent from my iPhone

From: Robyn Hands
Sent on: Monday, June 16, 2025 2:33:13 PM

To: dasubmissions
CC: Robyn Hands

Subject: DA/2025/411. Attention Kate Burton

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.

Hello Kate,

I refer to the above DA and wish to express my comments as follows:

I believe there will be a severe impact on surrounding residents due to excessive noise, both from crowds and performances

Has there been any consideration given to the lack of toilet facilities?

Loss of Privacy to the residents in the apartments particularly. This is their home.

Public access to the park to be blocked? This is a public area so fail to see how this is justified especially on the scale proposed.

600 people in the chamber with unlimited numbers in the area above is excessive.

There is is perfectly good venue in the Chauvel Cinema which has facilities, including toilets.

This proposal is excessive in the extreme and I hope Sydney Council will reconsider this DA in its entirety.

Kind regards
Robyn Hands
(Resident of Ormond Street, Paddington)

From: tward4642
Sent on: Tuesday, June 17, 2025 12:28:13 PM
To: dasubmissions
Subject: DA/2025/411 object
Attachments: TW DA object (003).pdf (82.95 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.

P O Box 435
Edgecliff NSW 2027

Kate Burton
City of Sydney Council
GPO Box 159
Sydney NSW 2001
Email: dasubmissions@cityofsydney.nsw.gov.au
17 June, 2025

Development Application DA/2025/411 – Paddington Reservoir Gardens

I object outright the proposed DA for the Western Chamber, in fact the use of either Chamber for any event of more than a handful of people and with no amplified music or crowd noise. How would you like to have your bedroom next to the proposed musical production, particularly at my age as an octogenarian. I appreciate the special park alongside which we co-exist and it needs to be protected not abused. It is a heritage site!

My objection relates to the following

The DA is not in accordance with the Walter Reed Plan of Management for this special place

Lack of appropriate documentation re acoustics, crowd control and lack of amenities

Potential damage to this heritage site

Councils lack of ability to manage the park during day light hours

No amenities such as toilets

Parking & traffic flow

Totally unacceptable decibel limit in excess of other city venues – UNACCEPTABLE!

Impact on residents in adjoining Paddington Central and for those who are renting the noise will mean their leases are contravened!

I could write pages outlining why this event should not be held in any form but I am sure others will do that. It's simple - do not approve this DA in any form. Confusing that it was even allowed to submit this DA without the correct documentation and restrictions.

Yours sincerely

Tony Ward

P O Box 435

Edgecliff NSW 2027

Kate Burton
City of Sydney Council
GPO Box 159
Sydney NSW 2001

Email: dasubmissions@cityofsydney.nsw.gov.au

17 June, 2025

Development Application DA/2025/411 – Paddington Reservoir Gardens

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No amenities such as toilets
Parking & traffic flow
Totally unacceptable decibel limit in excess of other city venues – UNACCEPTABLE!
Impact on residents in adjoining Paddington Central and for those who are renting the noise will mean their leases are contravened!

I could write pages outlining why this event should not be held in any form but I am sure others will do that. It's simple - do not approve this DA in any form. Confusing that it was even allowed to submit this DA without the correct documentation and restrictions.

Yours sincerely

Tony Ward

From: Elizabeth Crundall
Sent on: Tuesday, June 17, 2025 3:04:21 PM
To: dasubmissions
Subject: Objection DA 2025/411
Attachments: Final DA Objection Letter.pdf (122.17 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.

City of Sydney Council
GPO Box 159
Sydney NSW 2001

Email: dasubmissions@cityofsydney.nsw.gov.au

ATTENTION: KATE BURTON

Re: Development Application DA/2025/411 – Paddington Reservoir Gardens

FORMAL OBJECTION DA/2025/411

I write to lodge a formal and strong objection to Development Application DA/2025/411 concerning the proposed events within the Paddington Reservoir Gardens. This application raises numerous, serious concerns relating to noise, privacy invasion, residential amenity, lack of information and facilities, together with the ongoing preservation of this unique heritage site.

We purchased Apartment 46 in the Paddington Central complex in 2013 as we were attracted to the beauty and heritage of the Paddington Reservoir Gardens – a peaceful oasis in a busy eclectic inner-city suburb. We enjoy watching people and tourists appreciate the Gardens, reading, chatting, taking a coffee break, walking a dog – in summary enjoying this extraordinary quiet space.

Our home is immediately adjacent to the Reservoir Gardens. Apartments on the north of our complex have bedrooms and living rooms only meters from the reservoir. Paddington Central was built circa 2002 and the Reservoir in 2006 and originally designed for both chambers to have a roof to assist with noise control.

At the time of our purchase the plan of management of the park ensured that this heritage quiet space would not be commercialised or used for events. As an elderly couple this was very important.

This DA claims to be an event of ‘slight impact’ when it will have ‘major impact’.

1. Excessive and Uncontrolled Noise

The DA proposes the use of wireless amplification and supports crowd attendance of up to 600 people per night within the site with further unknown unrestricted numbers of public viewing from above. It does not account for the ambient noise of the attendees and does not acknowledge that attendees may indeed clap etc. It appears to incorrectly assert that the crowd will stay silent. Amplified music is not permitted in this space.

The site is not fit for such a use:

- The maximum allowable noise for public events in Sydney is 70 decibels, a level reserved for purpose-built venues such as Allianz Stadium. Paddington Reservoir Gardens is an open-air, heritage-listed park, not acoustically or structurally suited to amplified sound or large gatherings. The Paddington Reservoir Gardens is not a stadium – it is a heritage-listed, open-air garden, not structurally designed for performance, crowd gatherings, or acoustic amplification.

This DA states that the event noise maximum will be 75dB and doesn't account for the acoustics of the site which amplify around the reservoir into the adjoining private residences, nor crowd participation or appreciation.

That such a decibel level is even under consideration for a small, acoustically reflective and structurally delicate space is deeply alarming. This event would be entirely inappropriate and highly disruptive to residents of Paddington Central and other neighbouring properties.

- The sandstone and concrete walls of the Gardens amplify sound significantly. Residents of Paddington Central, which directly overlooks the site, are already impacted by minor unregulated use. Large-scale events would result in unmanageable and invasive noise levels. Amplified music of any kind is expressly prohibited under existing guidelines and has historically been discouraged by council.
- The DA fails to include any acoustic report—an unacceptable oversight. Noise impacts cannot be properly assessed without professional analysis, and this omission alone should invalidate the application. The absence of this report is a serious procedural failure. Noise generated within the sunken space is magnified by its enclosed configurations and the impact worsened by the vertical walls and open void layout with sound carrying directly into the homes of Paddington Central residents.
- Ambient spectator noise is not accounted for and is likely to be significant.

Paddington Central residents have substantial audio-visual documentation of past unregulated events illustrating Council's inability to monitor and manage sound and people from the site. Future monitoring, if considered for any event, must also be conducted from Paddington Central balconies to reflect actual residential exposure.

2. Gross Overcrowding and Lack of Event Management

The DA proposes hosting 600 patrons per evening—**three times** the permitted maximum of 200 under the Walter Read Plan of Management. This is an unacceptable breach of current restrictions. Moreover, it encourages uncontrolled gatherings on the upper walkways of Oxford Street and Oatley Road, forming an unregulated amphitheatre not accounted for in attendance numbers.

The Plan of Management prohibits queueing, but the DA implies multiple sessions per evening, necessitating crowd turnover and encouraging loitering on narrow pavements and public thoroughfares.

There is **no crowd or traffic management strategy**, and the DA is silent on:

- Supervision of overflow and un-ticketed attendees
- Security staffing or stewarding provisions
- Protection of this fragile infrastructure
- Anti-social behaviour before and after events

The site's structure, scale, and setting make it wholly inappropriate for use as a commercial entertainment venue. The DA opens the door to unacceptable noise levels, and any approval without acoustic oversight and minimal decibels together with formal prohibition of amplification is contrary to residential amenity, heritage preservation, and public interest.

The Gardens were not intended to function as a public gathering space for medium to larger scale events, commercial or otherwise. Their designation as a heritage parkland and contemplative site is clearly incompatible with the proposed DA. The Walter Reed Plan of Management also notes the site's structural fragility, limiting not only capacity but also the type and duration of permitted public use.

Council has repeatedly failed to manage even small events at this site. Approval would set a highly concerning precedent and risk further undermining the site's intended passive use. Council Rangers rarely arrive in time to manage noise complaints and other unacceptable behaviour.

3. Lack of Public Amenities and Facilities

The Gardens lack essential infrastructure for public events. This DA makes no provision for:

- Onsite toilets
- Handwashing or sanitation stations
- Drinking water or adequate waste disposal

The nearest toilets are on the 1st floor in the Paddington Town Hall, or a unisex public unit a block away on Oxford Street—neither of which is suitable, accessible, or sufficient for 600+ people per night.

We have previously experienced the consequences of this shortfall, with patrons urinating into the Reservoir surrounds and private property, including ours. It is wholly foreseeable that this will recur.

This omission is not a minor planning issue—it is a public health, amenity, and decency failure. Council has a duty to ensure any sanctioned event on public land provides adequate sanitary provision. This application does not.

4. Parking and Traffic Disruption

Parking in Paddington is already severely limited. Renny Lane and nearby streets are regularly obstructed by illegal or inconsiderate parking. This DA makes no reference to a transport or parking management plan.

Without clear mitigation measures, residents will suffer the consequences of increased traffic volumes, unsafe pedestrian movement, and loss of parking—none of which are acceptable outcomes.

5. Impact of Lighting and Visual Intrusion

The proposal includes approximately 18 lighting installations in addition to puppet lighting. The DA fails to supply a lighting impact assessment or type of lighting (e.g., fixed, flashing, or coloured).

The impacts of this lighting will be significant:

- Light spill into private residences
- Compromised privacy and visual amenity
- Health and sleep disturbance impacts
- Spectators camera flashes
- If a generator is used for power it adds to the noise of the event.

Without expert evaluation and mitigation strategies, this element of the proposal remains untenable.

6. Failure of Process and Documentation

This DA is alarming in its lack of supporting documentation and its non-compliance with the existing Plan of Management. Key elements—acoustic reports, lighting assessments, crowd and facilities planning—are absent.

The City of Sydney should have refused to accept the application in its current state. To proceed with such an incomplete and inadequate submission is procedurally improper and a disservice to the community.

7. Alienation of Public Land

This event is scheduled from the media launch on 28th August until bump out on 22nd September. This heightens the impact drastically for those nearby.

This application represents a fundamental misuse of a sensitive public space. The Paddington Reservoir Gardens were designed as a contemplative garden—not a performance venue. The

heritage and civic value of this site lies in its peaceful character, passive use, and architectural integrity.

This DA, if approved, would convert a treasured local retreat into a high-traffic event space, undermining its purpose and alienating it from the community it serves.

This DA exhibits everything that should not occur in the Paddington Reservoir Gardens.

Conclusion

For the many valid reasons outlined above, I request that the City of Sydney Council **refuse Development Application DA/2025/41** outright. The proposal represents overuse, disregards the site's limitations, and poses serious risks to safety, amenity, heritage, and public interest.

I trust Council will give full and proper consideration to this objection, and I remain available for further clarification should it be required.

Yours sincerely,

Elizabeth Crundall

Unit 46, Paddington Central

13 Oatley Road and 255B Oxford Street

Paddington NSW 2021

Ph: Elizabeth 

From: alandupont50
Sent on: Tuesday, June 17, 2025 4:00:14 PM
To: dasubmissions
CC: alandupont50

Subject: DA/2025/411

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.

Attention: Kate Burton

Dear Kate

I am writing to express my concern about the proposal by Erth Visual and Physical Incorporated to run a series of live theatrical performances adjacent to the Paddington Reservoir over a three-week period in September. By way of background, I am a resident of Paddington Central the residential apartment complex which overlooks the reservoir, and I run a business from a home office in my apartment.

I want to say at the outset that I'm not opposed to appropriate social, artistic and cultural events in the reservoir chambers. But the proposed live theatrical production would seem to transgress the intent and constraints of the approved management plan for public use of the park which was not designed for events of this size and frequency.

A major concern is the level of noise the event will generate that, based on past experience, is almost certain to infringe on my privacy and capacity to work during the event which extends over multiple weeks. I note that there is no noise mitigation plan or explanation of how crowds will be managed. The DA is also inadequate in addressing other important issues like security for the event, potential hygiene issues, overcrowding and denial of the chambers to the public both during set up time and the events themselves.

For these reasons I strongly oppose holding this event in the reservoir.

Regards

Alan Dupont

Dr. Alan Dupont AO
Paddington
NSW | Australia | 2021
Email: [REDACTED]

From: Glizet Dupont
Sent on: Wednesday, June 18, 2025 9:08:49 AM

To: dasubmissions
Subject: DA/2025/411

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.

Attention: Kate Burton

I wish to express my opposition to the live event scheduled for September in the Paddington Reservoir proposed in DA/2025/411. I live in the apartments overlooking Paddington Reservoir and I am very concerned about the potential noise and disruption to me and my family should the event go ahead.

The DA has no noise management plan. Nor does it provide sufficient information about how attending crowds will be managed or the expected level of noise. We live right next door to the reservoir and can hear even normal crowd noise. It is reasonable to infer that a live performance is going to be noisy and disruptive especially since the performances will be held on multiple evenings over a three week period which is excessive.

I am completely opposed to this event and trust that the Council will not approve it.

Regards

Glizet Dupont

Sent from my iPhone

From: Patricia Hood

Sent on: Tuesday, June 17, 2025 9:38:21 PM

To: dasubmissions

Subject: DA/2025/411

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.

Attention of Kate Burton

Dear Ms Burton,

I wish to register my strong objection to the proposed DA above. The noise impact of this event over the period proposed will seriously affect my right to quiet enjoyment of my home and environs. The timeframe proposed over three consecutive weekends, 5pm-10pm Thursdays, Fridays and Saturdays for 3 consecutive weeks with the associated crowds will seriously impede access to my dwelling place, cause a public nuisance with associated accumulating garbage and lack of public toilets. It will also exceed existing noise limitations. Paddington Reservoir Gardens was intended to be a place of quiet enjoyment for the citizens of Sydney and not as a stage for live performances.

This Development Application needs to be rejected in such fashion that no further Development Applications such as the one above be considered at all. This must be made abundantly clear. DAs for use of Paddington Reservoir Gardens are consistently being made most of which are prohibited by the original grant of use.

Yours Sincerely,

Patricia Hood Owner Occupier

From: Rachel McEwen
Sent on: Thursday, June 19, 2025 7:00:51 AM
To: dasubmissions
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Ms Burton,

I'm writing to express my strong support for the proposed Live Theatre event at Paddington Reservoir Gardens this September. The initiative presents an exciting opportunity to activate one of our most unique public spaces and to bring high-quality, accessible cultural experiences to the heart of our local community.

As a resident of the area, I welcome the City of Sydney's continued commitment to supporting the arts and cultural activity at a local level. Exploring new ways to bring performance, creativity and connection into our neighbourhoods is vital to the vibrancy and identity of our city.

I also commend the council for its willingness to pilot new formats and venues for artistic programming. Initiatives like this not only enrich the lives of residents but help build a more inclusive and dynamic cultural landscape.

I look forward to hearing about the learnings and any optimisations that come from this event, and how residents will continue to be involved in shaping future opportunities.

Warm regards,

Rachel McEwen

2/13 Oatley Road
Paddington
Sydney NSW 2021



From: Planning Systems Admin

Sent on: Thursday, June 19, 2025 11:44:33 AM

To: DASubmissions

Subject: FW: DA/2025/411. Attention Kate Burton

-----Original Message-----

From: Judi Ruja

Sent: Thursday, 19 June 2025 10:45 AM

To: DASubmissions

Subject: DA/2025/411. Attention Kate Burton

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.

Proposed Development
Paddington Reservoir Gardens
251-255 Oxford street Paddington NSW 2021

Reference number. D/2025/411

I strongly disapprove of this or any live theatrical production being held at the Paddington Reservoir Gardens.
I live at Paddington Central Apartments overlooking the reservoir, where I watch visitors and locals enjoy this beautiful peaceful and historic place with its lovely gardens and tranquil pool it's a photographers delight and it's the reason I live here.
It should be noted that there are restrictions to the use of the Reservoir and the adjoining parks I reference to D/2014/1614.
In conclusion there are many venues that could be more suitable for such an event HydePark ,The Paddington Entertainment Quarter ,Carriage Works even the Domain .
Hoping you will see the adverse effects this event would have on The Reservoir and the people that live and visit it.

Yours faithfully
Judi Ruja

U15/13 Oatley Rd
Paddington
NSW 2021
Mobil [REDACTED]
Email [REDACTED]

Sent from my iPad

From: Steven Sher
Sent on: Saturday, June 21, 2025 12:37:48 PM
To: dasubmissions
Subject: DA/2025/411 ATTENTION KATE BURTON

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 Kate

I have recently become aware of the council's intention to host 600 teenagers in the Paddington Reservoir on a daily basis over a 3-week period.

I strongly object to this intended use of the tranquil garden for several reasons

- That heavy traffic will damage the gardens beyond repair
- That age group unfortunately have little respect for property or even themselves
 - They will take no care of the history that has been uncovered in the reservoir, repairing this will be at significant cost to council.
 - They will, fuelled by drug and alcohol, take risks such as hanging over the bridges and railing which will end in serious harm or death to themselves
 - They will urinate and defecate in the ponds and garden as there are no ablution facilities, causing council great expense to recreate the hygienic condition that currently exist.
- There is no shortage of other parks within a 1km radius of the reservoir that can house these events that will have little or not impact on the park or the environment.

I cannot see any benefit to the community, council or the attendees to host the event in such a beautiful tranquil space, I only see destruction, disturbance and cost for the rate payers.
Please find these more appropriate alternative venues worthy of this event ensuring its success for all stakeholders.

Thank you

Regards
Steven Sher



Steven Sher
Founder



304 Oxford Street
Paddington, NSW 2021
Sydney, Australia

From: [REDACTED]
Sent on: Sunday, June 22, 2025 11:23:50 PM

To: City of Sydney Council; dasubmissions
Subject: Re: Submission - D/2025/411 - 251-255 Oxford Street Paddington NSW 2021 - Attention Kate Burton

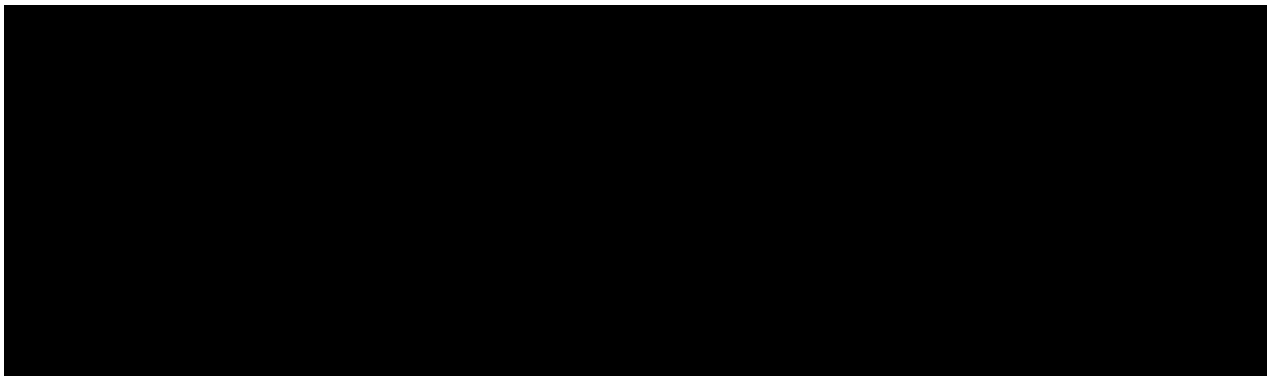
Caution: This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi again,

Please keep my name, email address, business name, photo and phone number private. I do not want anything that is able to identify me as making this submission.

Many thanks,

[REDACTED]



On Sun, Jun 22, 2025 at 3:15 PM [REDACTED] wrote:

Hi Kate,

I hope you are well.

I want to strongly object to this DA mentioned above. I am a resident of the apartments which border the western chamber of the Paddington Reservoir Gardens.

I have been a resident since 2007 when I purchased my apartment - *before* the park was even finished. I used to live directly on Oxford St Paddington so I'm not adverse to background noise, traffic noise, sirens etc and love the Paddington vibe. However the acoustics from the Western chamber are like no other, and completely unexpected. I certainly could not have anticipated these acoustics when I purchased. (Please see attached acoustic report which was done at the time of the last DA supporting just how bad the acoustics are - over 10 years ago)

Once the acoustics were realised - as per the attached - the items which this current DA says are approved, were in fact NOT approved. The current DA is factually incorrect about what is able to be approved in the PRG. Wedding receptions etc got stamped out years ago. 3 were approved by mistake in 2019 (no DA was approved to allow these) and due to video evidence provided by the neighbours of the extreme noise, the other weddings that had also been wrongly scheduled, got moved to other venues.

The only approved function now is the head on photo festival which causes no impact to residents in terms of sound.

This DA does not take into consideration anything from the attached acoustic report. It certainly doesn't take into consideration the natural amplification levels of the space.

The current DA goes against the acoustic report which states that there shouldn't be any catered gatherings, or anything which could result in vocal noise such as screaming or cheering. If you get 200 people together and others waiting to attend an event - there will be vocal noise. And the idea of policing vocal noise is nonsense.

The DA mentions the puppet gets to 75db. That's before you factor in the acoustics of the western chamber which is higher than considered reasonable by the attached acoustic report.

The acoustic report also supports that there should be no amplified music or catered gatherings. This DA contains "light amplified music". There is no such thing as "light amplified music" - music is either amplified or it's not. The DA clearly states that there will be two bluetooth devices. That's amplification. And before they suggest changing to musical instruments - these are also a no-go according to the attached report.

Vocal noise will ensue at the launch event, and throughout the evenings, as people wait to get in - again not appropriate according to the Acoustic report.

I also have an issue with loss of privacy of up to 600 people a night for almost 3 weeks peering into my apartment.

I also take issue with the use of lights that will be coming from the park into our apartments. At no point did I buy into a lighting show for nights on end. The park was built with gates to close each night for a reason.

Queuing also goes against the Walter Read plan of management. The area was never designed to have that many people there all at once.

Toilets - we have enough people using the surrounds of our apartments as toilets at the best of times. If you think that up to 600 people each night are going to make it across the road to the limited toilet facilities of the Paddington Town Hall, the applicant is deluded.

Cutting off park access by the local public who rely on this green space is not a fair use of the Gardens.

The City of Sydney has enough trouble policing the noise that occurs every weekend from misuse of the park, and robbing the neighbours of their right to quiet enjoyment generally. I certainly don't see how they are likely to have any regard for the residents in patrolling this overcrowded misuse of the space. And is the ratepayer paying for this security? I would rather security costs be put into policing the park on weekends to deal with noise that is already above the appropriate levels.

I also take issue with the fact that the City of Sydney is doing the assessment of this DA, yet they also control the space that has been applied for. Are we going to see terrace house owners able to approve their own external renovations in future??

Up to 600 people for weeks on end is inappropriate. Especially when the park is already misused and mismanaged. That many people will be noisy, regardless of the "meditative" nature of the event.

For all of the above reasons I strongly object to this DA which is a terrible misuse of the park and will significantly impact our right to privacy and quiet enjoyment.

I'm more than happy to have a conversation about this if that is helpful.

Kind regards,

[Redacted signature]

[Redacted address]



From: [REDACTED]
Sent on: Monday, June 23, 2025 11:10:12 AM

To: dasubmissions
Subject: DA/2025/411 - Attention Kate Burton

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.

Good morning Kate

I have recently become aware of the proposal to host an event in Paddington Reservoir for 3+ weeks in September.

I am a resident in Paddington Central with a North facing property and bedroom approx. 1.5m from the Paddington Reservoir boundary wall.

We already experience significant noise impact from the reservoir due to the acoustics of the reservoir/further amplification as it bounces off the boundary wall.

The length and scale of event is much greater than anything we have experienced in the 10+ years I have lived here.

There is very little detail on how much noise will be generated, is there an acoustic report available?

In addition, I have concerns about the volume of people, lack of amenities, additional lighting and limited access for locals to enjoy the gardens between 9am and 10pm for the duration of the event.

I look forward to receiving additional information on the DA/details of the event.

Kind regards

[REDACTED]
Resident, Paddington Central, [REDACTED] Oatley Road, Paddington 2021
Sent from my iPhone

From: Scott Brown
Sent on: Monday, June 23, 2025 12:11:35 PM

To: City of Sydney; DASubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street Paddington NSW 2021 - Attention Kate Burton

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,

While I genuinely appreciate the vibrant atmosphere of Paddington—including the usual background sounds of city life like traffic, sirens, and general activity—the acoustics within the Western Chamber are in a category of their own. The sound amplification in this space is extraordinary and entirely unforeseen when I purchased my property. The attached acoustic report, commissioned over a decade ago during the last development application process, clearly outlines just how problematic the acoustic profile of the chamber is.

Once this issue was brought to light, a number of proposed uses for the space—including some that this current DA claims are already approved—were in fact ruled out. The current application includes references to event types that were explicitly prohibited years ago due to their disruptive nature. For example, wedding receptions were identified as unsuitable and ceased entirely after three mistakenly scheduled events in 2019, none of which had the required DA approval. Following complaints and documented evidence from residents, these events were relocated elsewhere. The only activity that remains approved in the chamber is the Head On Photo Festival, which does not create acoustic disruption for nearby residents.

It is disappointing to note that the current DA completely ignores the findings of the attached acoustic report. It fails to address the space's natural sound amplification, which makes it fundamentally unsuitable for large or vocal gatherings. According to the report, activities involving amplified sound or significant vocal noise—such as cheering, singing, or even groups speaking loudly—should not occur. Inevitably, events with hundreds of attendees will result in such noise, and the notion that this could be effectively controlled or policed is simply not realistic.

The DA refers to a puppet producing 75dB of sound. This figure does not even account for the chamber's amplification, which exceeds the thresholds deemed acceptable in the report. Moreover, the claim of "light amplified music" is misleading. Amplified music, by definition, cannot be considered light in a space with these acoustic conditions. The use of two Bluetooth devices constitutes amplification, and even live musical instruments were specifically identified as inappropriate for this site.

The launch event and ongoing attendance over nearly three weeks will result in vocal noise from attendees both within the chamber and queuing outside. This again contravenes the recommendations of the acoustic report and is not in line with the intent of this public space.

Beyond noise, I also have serious concerns about privacy. Hosting up to 600 people per night for multiple weeks directly outside private residences significantly impacts our sense of security and seclusion. Constant lighting from the park into our homes is another issue that was never part of the original design or residential expectations for the area. The park was intentionally fitted with gates to limit night-time access, a measure now being circumvented.

Crowd management also poses practical concerns. The Walter Read Plan of Management does not support such volume or queuing in this location, and toilet access is wholly inadequate. The assumption that hundreds of visitors will use distant public toilets rather than the nearby residential surroundings is, frankly, unrealistic and naïve.

Restricting access to the park for local residents during this time is another point of concern. This green space is a valued and necessary amenity for the local community. Temporarily monopolizing it for a high-impact event is not a fair or appropriate use.

Finally, I find it problematic that the City of Sydney, which is responsible for assessing this DA, also controls the very space for which the approval is being sought. This dual role presents a clear conflict of interest. Were a private homeowner applying to approve their own external works, it would never be allowed.

In light of all the above, I must strongly oppose this DA. It represents an inappropriate use of the park that will result in significant disruption to local residents' peace, privacy, and access to public space. I would be happy to discuss this matter further should that be helpful.

Kind regards,

Scott Brown

Paddington Central Resident

From: Vladimir Ivanov

Sent on: Tuesday, June 24, 2025 10:04:22 AM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Hi Kate,

I hope this email finds you well.

I'm writing with regards to above DA application to Council. I have had a look through the documents submitted and am surprised that Council has considered these sufficient for consideration. As a practicing architect and a resident in Renny Street, I am surprised that you are even considering this application. It is incomplete, amateurish and lacking important details.

Please accept above as an objection to the DA.

Regards Vladimir Ivanov
1 Renny Street Paddington

Sent from my iPhone

From: diane mcqueen

Sent on: Tuesday, June 24, 2025 1:24:04 PM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

As an owner in the adjoining apartments to wish to object to the noise, lack of privacy and crowds of people. The numbers of people will also make it very difficult to access our Oxford Street gateway and Oxford Street itself. With so many people the risk of someone having a significant fall on the stairs linking our address to the park should not be taken lightly. Events such as this will remove our privacy and ability to live in a comfortable environment

Diane MCQUEEN apt 23

Sent from my iPhone

From: Britt Ruja
Sent on: Tuesday, June 24, 2025 3:32:48 PM

To: dasubmissions
Subject: D/2025/411 - Attention: Kate Burton

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.

Hi Kate,

Reference: Application D/2025/411

I am writing in response to the proposed public event at the park in front of Paddington Central. While I appreciate community activities, I have several concerns:

1. **Noise Impact:** With an expected 600 visitors daily, the noise from the event may significantly impact residents, especially due to the park's acoustics.
2. **Lack of Details:** There is limited information about the staging, such as its size and the area it will occupy, which leaves us uncertain about its impact.
3. **Overcrowding:** The park currently has no public toilets, and with such a large crowd, waste management and cleanliness are a concern.
4. **Recent Disruptions:** The Paddington Central residents have just undergone a lengthy and costly fire order, which involved scaffolding and significant disruption. We are eager for some peace and normalcy now that it's completed.
5. **Timing:** The event is planned during spring, which is a popular time for weddings and other activities in the park. This could limit access for wedding parties, tourists, and local families.
6. **Grass:** The grass in the sunken garden has only just been re-generated. 600 foot of traffic will surely return it to mud again.

I hope you will take these concerns into consideration. Thank you for your understanding.

Sincerely,
Britt Ruja

Paddington Central
38/13 Oatley Road,
Paddington NSW 2021
M: [REDACTED]

From: Nicola Barsby

Sent on: Wednesday, June 25, 2025 7:17:57 AM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Attention Kate Burton

I would like to register my objection to the DA submission for events requested in September in The Reservoir

I have lived in the Paddington Central complex for 12 years directly behind the Reservoir

I do not want this event to set a precedent for the future The noise bouncing off the walls into our home is already stressful with unauthorized gatherings and crowds of 600 + people on the lovely space will ruin the gardens

This should NOT be passed

Regards

Nicola Barsby

From: Lynne Wonnacott

Sent on: Tuesday, June 24, 2025 5:57:35 PM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Kate

In regards to the above D/A submission , I think it is a great idea to have live theatre at the Reservoir.

I live in Oatley Road and am use to having the noise, crowds and traffic from the stadiums during sporting events.

My family and I think it would be wonderful to have the Reservoir used more frequently for these type of events.

The only negative aspect is the lack of toilet facilities.

I'm sure that can be managed with a few portable ones.

Good luck and we look forward to seeing whatever is being performed in September.

Regards

Lynne

Sent from Lynne's iPhone

From: Paul Barsby

Sent on: Wednesday, June 25, 2025 9:38:55 AM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

I am writing to raise my objection to the above mentioned submission by Sydney council.

I am a long term resident and owner at Paddington Central. Council are already aware of the noise and disruption at weekends in particular with wedding parties, organised and catered picnics and countless other activities most of which are not allowed but which the rangers are slow to act on.

This proposal will be a massive noise issue for local residents over a lengthy period. There are many more purpose built green spaces around the city which are not 3 metres away from peoples homes. There would be a litter issue too, which there is after most of the weddings and which locals rather than the council clean up after.

Sincerely,

PaulBarsby

Paddington.

Sent from my iPhone

From: [REDACTED]
Sent on: Wednesday, June 25, 2025 11:01:32 AM
To: dasubmissions
Subject: attention: Kate Burton - objection to DA/2025/411

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.

Hi Kate,

I'm writing to comment on DA/2025/411. I'm a local resident who uses this park daily. It's an important part of my routine—I use both the upper and lower areas to exercise, read, and connect with others in the community.

When I first moved to the area, this park was where I met many of the friends I now have. It serves as a welcoming and accessible space for locals to relax, talk, and enjoy the outdoors. Not every public space needs to be turned into an entertainment venue, and this park, in particular, functions best as a quiet community space.

What is being proposed would effectively shut off a large portion of the park to the public for nearly a month. This significantly impacts local access and enjoyment. There are many other, more suitable venues in the area that are better equipped to handle events of this size without compromising residential amenity.

The park also backs onto apartment buildings, and this proposal would have a negative impact on residents' quality of life—through loss of privacy, increased noise, large crowds in a confined space, and queuing.

In conclusion, I urge you to reconsider this proposal. There are alternative venues in the council area that can support this type of event without displacing local residents and daily users of the park. Please don't take our park from us.

Kind regards,

[REDACTED]
[REDACTED] Renny street,
Paddington

(please do not include my last name and address if posted on a public site).

From: Anthony Chambers
Sent on: Wednesday, June 25, 2025 5:32:01 PM
To: dasubmissions
Subject: Ref DA/2025/411 Attention Kate Burton

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 Ms Burton,

As a City of Sydney resident and rate payer who lives at 20 Renny St Paddington I would like to lodge a strong objection to the development application DA/2025/411 that seeks to approve use of Paddington Reservoir Park for a live theatre event in September 2025.

My objection is based on the following facts:

- The event will cause noise that will affect the amenity of nearby residents
- The venue will be overcrowded
- There is no toilets or other amenities to support the activity - people already urinate in the gardens and on the steps leading from the reserve to Renny Lane
- The activity will prevent the use of the park by residents and others
- The City of Sydney Council has a poor record in overseeing these events and managing crowds, noise and illegal parking
- The event coincides with a number of major sporting events at the SCG and Sydney Football Stadium - making issues with crowds, noise, toileting and parking even worse

Thank you so much for taking these objections into consideration.

Best regards

Anthony Chambers
20 Renny St Paddington
[REDACTED]

--

Dr Anthony J. Chambers

<http://surgicaloncology.net.au>



From: [REDACTED]

Sent on: Wednesday, June 25, 2025 9:17:13 PM

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

Hello Kate

I am writing to express my concern at the proposed concerts in the Paddington Reservoir.

Currently even the slightest noises from dogs barking, picnics and children playing already reverberates very loudly. The existing curved roof structure over the raised walkway acts as an amplifier bouncing sound back towards our apartment.

We have our lounge and bedroom in [REDACTED] Oatley Rd facing North towards the Reservoir. Any additional noise in the public space will be very noticeable and disturbing.

We already experience significant disturbances when people play amplified music in the Reservoir. As residents in the adjoining building only a matter of metres from the Reservoir I hereby lodge my notice against the proposed concerts on the basis that it will significantly disturb both sleep and evening time when trying to rest after work.

Overall, Paddington Reservoir it not a suitable location for any such event, large gathering or any amplified sound due the immediate proximity to residential properties, their lounge areas, where people try to relax and the many bedrooms that face North along the length of the building.

Regards,

[REDACTED]

Resident

Paddington Central

[REDACTED] Oatley Road

From: Gayle While <[REDACTED]> on behalf of Gayle While <[REDACTED]> <Gayle While <[REDACTED]>
Sent on: Friday, June 27, 2025 7:59:57 AM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: DA/2025/411 Live Theatre: Paddington Reservoir

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.

Hello
I am writing to express my concerns about the proposed 3 weeks of theatre productions at Paddington Reservoir in September.

As a resident of Renny Street there are a number of areas that alarm me

- length of the proposed shows

3 weeks is a long time to disrupt and inconvenience local residents with no benefit to them

- Noise impact

We have seen no report of the sound levels or how this will bounce off walls/our properties.

We manage the Stadium noise as it is infrequent and for a set duration of an evening, however three continuous weeks is a lot to expect local people to tolerate.

- Loss of Privacy and safety

An influx of people will impact our personal living space, community bringing not just increased foot traffic but also vehicles with issues on parking and uber drop offs etc.

This is also a public space that as residents we all enjoy – it is unfair and inconvenient for many, to prevent access for such a long duration.

- Overcrowding

This is an open public venue so how can you guarantee that people observing from above are safe and that numbers are controlled. There is a lot of risk of improper behaviour and also misuse of public spaces – e.g. using them as bathrooms/littering/drunken behaviour.

Many thanks

Gayle While

Gayle While

CEO
Havas Host
t [REDACTED]
a 121 Harrington Street, Sydney NSW 2000

HAVAS Host
Part of the Havas Creative Network

We acknowledge the Traditional Custodians of the land on which we live, learn and work, the Gadigal people of the Eora Nation, and pay our respects to Elders past and present.

From: Aaron Chong <[REDACTED]> on behalf of Aaron Chong

<[REDACTED]> <Aaron.Chong@[REDACTED]>

Sent on: Wednesday, June 25, 2025 11:16:56 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/411 - 251-255 Oxford Street Paddington NSW 2021 [attn Kate Burton]

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.

Hi Kate

I am currently an owner of one apartment in Paddington Central facing Oxford St. The apartment is currently rented out .

I came across the mentioned DA and I wish to write to object to the mentioned DA. Having resided in the apartment before renting out - I have experienced strong noise pollution myself and I do not wish for my tenant to experience this . It is imperative that we source for a different location as my tenant advised me that this would potentially affect his workspace and private residence.

You can appreciate my reserve this instance.

Rgds

Aaron Chong

[U29 - Paddington Central]

From: Laura Jones <[REDACTED]> on behalf of Laura Jones <[REDACTED]> <[REDACTED]>

Sent on: Wednesday, July 2, 2025 11:15:25 AM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Kate Burton -

I'm writing to protest against the DA which allows this live production to take place over 3 weeks in September. The heritage listed Reservoir Gardens definitely can't take 600 people! Plus the sound, lights and general noise from these events would impact the local area. The site has no toilet facilities, and parking around Paddington is limited. I see this DA as being a totally inappropriate use of the beautiful Reservoir Gardens. Please don't go ahead with it.

Sincerely -

Laura Jones

Oatley Rd

Paddington

Sent from my iPhone

From: Evan [REDACTED] <[REDACTED]> on behalf of Evan [REDACTED]
<[REDACTED]> <Evan [REDACTED]> <[REDACTED]>
Sent on: Wednesday, July 2, 2025 3:45:42 PM
To: dasubmissions@cityofsydney.nsw.gov.au
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton
Attachments: Objection Letter to CoS DA.pdf (35.94 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 Kate,

Please find attached my objection letter regarding D/2025/411.

For privacy reasons, I am happy for only my first name to be published online.

Kind regards,

Evan [REDACTED]
[REDACTED]
[REDACTED]

Dear Kate,

I'm writing to respond to Development Application D/2025/411, which proposes the use of Paddington Reservoir Gardens for the "Soft foREST" live performance event this September.

I live in Paddington and chose to make this neighbourhood home because of its peaceful character, strong heritage, and public access to green space. The Paddington Reservoir Gardens, in particular, are a calm, contemplative environment - a space where I enjoy the sun, walk the dog, or simply take time out from a busy city. My building is tucked back from Oxford Street, and the relative quietness of this location has been central to its appeal.

While I support small-scale community events and art installations, I am concerned about the size, nature and duration of this proposed activation. The planned event brings several issues that stand in direct contrast to the established use of this public park:

- **Noise and Amplification:** Despite being described as "low impact," this is a live performance involving amplified sound (up to 75db), held in an enclosed space known for its intense acoustic reverberation. Noise will not only be generated by the performance but by patrons queuing, socialising, or interacting. No professional acoustic report has been submitted.
- **Loss of Public Access:** The proposal effectively blocks access to the park's lower garden for almost a month. This undermines the original intention of the Reservoir as a shared and accessible space, not a commercialised venue. This is not VIVID!
- **Privacy Intrusion and Light Spill:** With spectators both inside the chamber and overlooking from above, residents whose homes border the gardens face significant loss of privacy. The use of multiple lighting fixtures for performances and queuing will result in light spill into homes, disrupting sleep and the peaceful evening amenity of the area. We have older adults and young children in our building. It is not fair on them.
- **Overcrowding and Poor Crowd Control:** With up to 600 attendees each night and an unticketed, first-in system, crowd overflow and congestion are inevitable. The DA offers no detailed crowd, queuing, or traffic management strategy, and the site is ill-suited to managing high foot traffic.

- **Lack of Amenities and Hygiene Issues:** There are no toilets within the park. Residents already deal with people urinating near Oatley Road and at our building entrance after events. The absence of onsite facilities is a serious oversight and a known ongoing issue.
- **Inappropriate Venue Selection:** Paddington Reservoir Gardens is a heritage-listed, structurally sensitive site not designed for live performances or frequent crowd turnover. The Walter Read Plan of Management explicitly restricts queuing and high-impact usage. There are numerous more suitable venues nearby – including the Entertainment Quarter – that are equipped for this scale of activity including parking and amenities.

In an effort to better understand this event and its selection process, I submitted a GIPA information request to the City of Sydney. I was told that the details are commercial in confidence, which is surprising and, frankly, concerning given this is a public event taking place in a public space and using public funds. I simply wanted to understand why Paddington Reservoir Gardens was chosen despite it falling outside the original Management Plan's intended use, and to review details about the event that have not been provided in the DA. Transparency from Council would have allowed residents to make better informed and constructive contributions - instead, this process feels unnecessarily opaque.

Like many in the community, I am not opposed to the arts or creative initiatives. But this is not the right space for this type of activation. I respectfully ask that Council prioritise the original purpose of the Gardens – a shared, reflective parkland – and not set a precedent that compromises its future.

Thank you for your time in considering this submission.

Kind regards,
Evan

From: Ross Nicholas <[REDACTED]> on behalf of Ross Nicholas <[REDACTED]> <Ross Nicholas <[REDACTED]>
Sent on: Saturday, July 5, 2025 11:55:16 AM
To: DASubmissions <dasubmissions@cityofsydney.nsw.gov.au>
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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.

I refer to the above DA and express my support for the proposed DA.

As someone who visits the Reservoir a number of times a week, I consider activation of the facility and increased visibility to be of great benefit to the community.

It seems to me that the proposed activity will be a relatively benign and constructive use of the Reservoir.

Kind regards

Ross Nicholas
21 Cook Road
Centennial Park NSW 2021

T [REDACTED]

E [REDACTED]

City of Sydney Council
GPO Box 159
Sydney NSW 2001

Email: dasubmissions@cityofsydney.nsw.gov.au

ATTENTION: KATE BURTON

Re: Development Application DA/2025/411 – Paddington Reservoir Gardens

FORMAL OBJECTION DA/2025/411

I write to lodge a formal and strong objection to Development Application DA/2025/411 concerning the proposed events within the Paddington Reservoir Gardens. This application raises numerous, serious concerns relating to noise, privacy invasion, residential amenity, lack of information and facilities, together with the ongoing preservation of this unique heritage site.

We purchased Apartment 46 in the Paddington Central complex in 2013 as we were attracted to the beauty and heritage of the Paddington Reservoir Gardens – a peaceful oasis in a busy eclectic inner-city suburb. We enjoy watching people and tourists appreciate the Gardens, reading, chatting, taking a coffee break, walking a dog – in summary enjoying this extraordinary quiet space.

Our home is immediately adjacent to the Reservoir Gardens. Apartments on the north of our complex have bedrooms and living rooms only meters from the reservoir. Paddington Central was built circa 2002 and the Reservoir in 2006 and originally designed for both chambers to have a roof to assist with noise control.

At the time of our purchase the plan of management of the park ensured that this heritage quiet space would not be commercialised or used for events. As an elderly couple this was very important.

This DA claims to be an event of ‘slight impact’ when it will have ‘major impact’.

1. Excessive and Uncontrolled Noise

The DA proposes the use of wireless amplification and supports crowd attendance of up to 600 people per night within the site with further unknown unrestricted numbers of public viewing from above. It does not account for the ambient noise of the attendees and does not acknowledge that attendees may indeed clap etc. It appears to incorrectly assert that the crowd will stay silent. Amplified music is not permitted in this space.

The site is not fit for such a use:

- The maximum allowable noise for public events in Sydney is 70 decibels, a level reserved for purpose-built venues such as Allianz Stadium. Paddington Reservoir Gardens is an open-air, heritage-listed park, not acoustically or structurally suited to amplified sound or large gatherings. The Paddington Reservoir Gardens is not a stadium – it is a heritage-listed, open-air garden, not structurally designed for performance, crowd gatherings, or acoustic amplification.

This DA states that the event noise maximum will be 75dB and doesn't account for the acoustics of the site which amplify around the reservoir into the adjoining private residences, nor crowd participation or appreciation.

That such a decibel level is even under consideration for a small, acoustically reflective and structurally delicate space is deeply alarming. This event would be entirely inappropriate and highly disruptive to residents of Paddington Central and other neighbouring properties.

- The sandstone and concrete walls of the Gardens amplify sound significantly. Residents of Paddington Central, which directly overlooks the site, are already impacted by minor unregulated use. Large-scale events would result in unmanageable and invasive noise levels. Amplified music of any kind is expressly prohibited under existing guidelines and has historically been discouraged by council.
- The DA fails to include any acoustic report—an unacceptable oversight. Noise impacts cannot be properly assessed without professional analysis, and this omission alone should invalidate the application. The absence of this report is a serious procedural failure. Noise generated within the sunken space is magnified by its enclosed configurations and the impact worsened by the vertical walls and open void layout with sound carrying directly into the homes of Paddington Central residents.
- Ambient spectator noise is not accounted for and is likely to be significant.

Paddington Central residents have substantial audio-visual documentation of past unregulated events illustrating Council's inability to monitor and manage sound and people from the site. Future monitoring, if considered for any event, must also be conducted from Paddington Central balconies to reflect actual residential exposure.

2. Gross Overcrowding and Lack of Event Management

The DA proposes hosting 600 patrons per evening—**three times** the permitted maximum of 200 under the Walter Read Plan of Management. This is an unacceptable breach of current restrictions. Moreover, it encourages uncontrolled gatherings on the upper walkways of Oxford Street and Oatley Road, forming an unregulated amphitheatre not accounted for in attendance numbers.

The Plan of Management prohibits queueing, but the DA implies multiple sessions per evening, necessitating crowd turnover and encouraging loitering on narrow pavements and public thoroughfares.

There is **no crowd or traffic management strategy**, and the DA is silent on:

- Supervision of overflow and un-ticketed attendees
- Security staffing or stewarding provisions
- Protection of this fragile infrastructure
- Anti-social behaviour before and after events

The site's structure, scale, and setting make it wholly inappropriate for use as a commercial entertainment venue. The DA opens the door to unacceptable noise levels, and any approval without acoustic oversight and minimal decibels together with formal prohibition of amplification is contrary to residential amenity, heritage preservation, and public interest.

The Gardens were not intended to function as a public gathering space for medium to larger scale events, commercial or otherwise. Their designation as a heritage parkland and contemplative site is clearly incompatible with the proposed DA. The Walter Reed Plan of Management also notes the site's structural fragility, limiting not only capacity but also the type and duration of permitted public use.

Council has repeatedly failed to manage even small events at this site. Approval would set a highly concerning precedent and risk further undermining the site's intended passive use. Council Rangers rarely arrive in time to manage noise complaints and other unacceptable behaviour.

3. Lack of Public Amenities and Facilities

The Gardens lack essential infrastructure for public events. This DA makes no provision for:

- Onsite toilets
- Handwashing or sanitation stations
- Drinking water or adequate waste disposal

The nearest toilets are on the 1st floor in the Paddington Town Hall, or a unisex public unit a block away on Oxford Street—neither of which is suitable, accessible, or sufficient for 600+ people per night.

We have previously experienced the consequences of this shortfall, with patrons urinating into the Reservoir surrounds and private property, including ours. It is wholly foreseeable that this will recur.

This omission is not a minor planning issue—it is a public health, amenity, and decency failure. Council has a duty to ensure any sanctioned event on public land provides adequate sanitary provision. This application does not.

4. Parking and Traffic Disruption

Parking in Paddington is already severely limited. Renny Lane and nearby streets are regularly obstructed by illegal or inconsiderate parking. This DA makes no reference to a transport or parking management plan.

Without clear mitigation measures, residents will suffer the consequences of increased traffic volumes, unsafe pedestrian movement, and loss of parking—none of which are acceptable outcomes.

5. Impact of Lighting and Visual Intrusion

The proposal includes approximately 18 lighting installations in addition to puppet lighting. The DA fails to supply a lighting impact assessment or type of lighting (e.g., fixed, flashing, or coloured).

The impacts of this lighting will be significant:

- Light spill into private residences
- Compromised privacy and visual amenity
- Health and sleep disturbance impacts
- Spectators camera flashes
- If a generator is used for power it adds to the noise of the event.

Without expert evaluation and mitigation strategies, this element of the proposal remains untenable.

6. Failure of Process and Documentation

This DA is alarming in its lack of supporting documentation and its non-compliance with the existing Plan of Management. Key elements—acoustic reports, lighting assessments, crowd and facilities planning—are absent.

The City of Sydney should have refused to accept the application in its current state. To proceed with such an incomplete and inadequate submission is procedurally improper and a disservice to the community.

7. Alienation of Public Land

This event is scheduled from the media launch on 28th August until bump out on 22nd September. This heightens the impact drastically for those nearby.

This application represents a fundamental misuse of a sensitive public space. The Paddington Reservoir Gardens were designed as a contemplative garden—not a performance venue. The

heritage and civic value of this site lies in its peaceful character, passive use, and architectural integrity.

This DA, if approved, would convert a treasured local retreat into a high-traffic event space, undermining its purpose and alienating it from the community it serves.

This DA exhibits everything that should not occur in the Paddington Reservoir Gardens.

Conclusion

For the many valid reasons outlined above, I request that the City of Sydney Council **refuse Development Application DA/2025/41** outright. The proposal represents overuse, disregards the site's limitations, and poses serious risks to safety, amenity, heritage, and public interest.

I trust Council will give full and proper consideration to this objection, and I remain available for further clarification should it be required.

Yours sincerely,

Elizabeth Crundall

Unit 46, Paddington Central

13 Oatley Road and 255B Oxford Street

Paddington NSW 2021

Ph: Elizabeth 

17 June 2025

46/13 Oatley Road
Paddington NSW 2021
M: [REDACTED]

17 June 2025

[REDACTED]

Dear Allegra

Re: Proposed Musical Production at Paddington Reservoir Gardens – Request for Intervention

I write to you not only as a concerned resident of Paddington but as a long-term neighbour of the heritage-listed Paddington Reservoir Gardens — a site of exceptional historic, architectural and civic value. Whilst this matter does not come within your jurisdiction as our federal member of parliament, I appeal to you as someone who has consistently demonstrated a commitment to civic responsibility and respect for residents' amenity to intervene and help where ever possible to have this DA defeated and withdrawn. It is a site which needs preserving for all Australians and visitors. Everyday tourists can be seen enjoying this unique space.

My husband and I have lived for many years at Paddington Central, immediately adjoining the Reservoir Gardens. This cherished civic space — known for its tranquil atmosphere, reflective pools and sensitive landscaping — has long been protected by a carefully considered Plan of Management. That plan rightly emphasised the need to preserve the space for quiet contemplation, in keeping with its heritage significance and immediate proximity to residential dwellings.

Regrettably, the City of Sydney Council appears increasingly willing to ignore the spirit and substance of that Plan. Recent proposals — most notably Development Application DA/2025/411 to host a musical production at the site — represent a profound threat to the amenity of local residents, the integrity of the Gardens, and the principles of appropriate urban planning. The decibel measure proposed we are led to believe is in excess of that for purpose-built venues such as Alliance Stadium!

The Reservoir Gardens were never intended for large or medium -scale amplified events. The area functions as a natural acoustic chamber, where even modest noise is significantly magnified. It is an echo chamber. Our living and sleeping areas are located just metres from the performance space. We and other nearby residents will be directly and unavoidably affected for over three weeks by noise pollution and intrusive lighting. Any suggestion that this can be effectively managed is demonstrably unsupported — indeed, Council's current enforcement of even modest existing restrictions (including bans on drones and amplified sound) is patchy, slow and inadequate. We have documented multiple incidents, supported

by video and response logs, evidencing Council's inability to manage current levels of usage. These recordings highlight the natural 'echo chamber' effect on unamplified noise!

Furthermore, this proposed musical production should be relocated. There are numerous purpose-built venues within a short radius — including the Paddington Town Hall, the Entertainment Quarter, Moore Park and within Centennial Parklands — all of which are equipped to manage lighting, sound and crowd control, without impacting residents or threatening heritage values.

We have lodged a formal objection to the Development Application highlighting the extraordinary lack of documentation, absence of meaningful acoustic or impact modelling, and the clear breach of acceptable noise and lighting thresholds.

Allegra, as our federal member of parliament and a resident of the East we urge you to do all possible as a matter of urgency to ensure this DA is defeated. We remain confounded as to why this DA was ever allowed to be lodged when it flouts existing protections for the space. It shows unconscionable effects for adjoining and nearby residents and has the potential to damage this historical site.

Please act now to protect this irreplaceable public space. Its preservation as a contemplative, quiet, low-impact environment is entirely consistent with the values of our city and the expectations of the community.

Yours sincerely

Elizabeth Crundall

ATTACHMENT A

**CONSULTANT'S PLANNING REPORT
PREPARED BY HELENA MILLER,
MG PLANNING**

**251-255 OXFORD STREET PADDINGTON
(PADDINGTON RESERVOIR GARDENS)**

ATTACHMENT A

DEVELOPMENT APPLICATION: 251-255 OXFORD STREET, PADDINGTON – USE OF PADDINGTON RESERVOIR GARDENS FOR COMMERCIAL, CULTURAL AND COMMUNITY EVENTS

FILE NO: D/2014/1614

DEVELOPMENT APPLICATION NO: D/2014/1614

SUMMARY

Date of Submission: 22 October 2014 (Additional information received 4 August 2015)

Applicant: City of Sydney

Architect: Smith & Tzannes

Developer: City of Sydney

Owner: City of Sydney

Cost of Works: Nil - Use only

Proposal Summary: Use of Paddington Reservoir Gardens for commercial, cultural and community events. The total span of operating hours proposed are between 8.00am and 10.00pm, 7 days per week. Events are proposed in three categories being Group A (Low Impact), Group B (Slight Impact) and Group C (Moderate Impact) with varying restrictions proposed in terms of maximum numbers of persons, hours of operation, number of events per year, number of allowable consecutive days and acoustic management restrictions depending on the potential impact. The types of uses range from workshops, film screenings, guided tours, weddings and catered functions.

The proposed development is Integrated Development under Section 57 of the *Heritage Act 1977* as Paddington Reservoir is listed as an item on the State Heritage Register. The NSW Heritage Office has not commented on the proposal.

A total of 46 submission were received, 43 objecting and 3 in support. The objections raised a number of issues including: noise; hours of operation; traffic and parking; lack of amenities on site; and, the impact to the surrounding residential dwellings.

ATTACHMENT A

Summary Recommendation: The development application is recommended for deferred commencement approval so as to require a comprehensive and suitable Plan of Management in accordance with the requirements of Sydney Development Control Plan 2012 to be prepared and approved. In addition the recommended scope of the approval includes a significant scaling back of the proposed uses to ensure consistency with the zoning and adopted Plan of Management which applies to the site under the Local Government Act and the imposition of stringent conditions of consent to ameliorate potential amenity impacts.

Development Controls:

- (i) Heritage Act 1977
- (ii) State Environmental Planning Policy No. 55 – Remediation of Land
- (iii) State Environmental Planning Policy (Infrastructure) 2007
- (iv) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended)
- (v) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended)
- (vi) Walter Read Reserve and Paddington Reservoir Plan of Management and Masterplan (Adopted 28 June 2004)

Attachments: A1 - Site Plan

RECOMMENDATION

It is resolved that

- (A) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No D/2014/1614, subject to the following condition:

(1) PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED

- (a) The Venue Management Plan accompanying this Development Application has not been approved by this consent.
 - (b) A Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the premises can operate without disturbance to the surrounding locality. The plan must address the whole of the proposed operations and reflect the matters contained in the Schedule 3 of the Sydney Development Control Plan 2012. The Plan of Management shall address:
 - (i) Hours of Operation
 - (ii) Amenity of neighbourhood
 - (iii) Noise
 - (iv) Behaviour of patrons and responsible service of alcohol
 - (v) Deliveries and waste removal
 - (vi) Maintenance
 - (vii) House Policy
 - (viii) Staffing levels and security management
 - (ix) Capacity of Premises
 - (x) Use of areas
 - (xi) Waste and rubbish
 - (c) The plan must include but not be restricted to; compliance with all other operational conditions of this consent; hours of operation; noise; security management; bump in and bump out arrangements, services, traffic management and handling complaints.
- (B) evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within 12 months of the date of this deferred commencement consent, failing which this deferred commencement consent **will lapse** pursuant to section 95(6) of the Environmental Planning and Assessment Act 1979;

- (C) the consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied; and
- (D) upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the following conditions of consent and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions:

CONDITIONS OF CONSENT

SCHEDULE 1A

Approved Development/Design Modifications/Covenants and Contributions/Use and Operation

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

Development must be in accordance with Development Application No. D/2014/1614 dated 22 October 2014 and as amended by the conditions of this consent. This consent only approves the uses as outlined in Condition 4 of this consent.

(2) LIMITATION OF THIS CONSENT – USE ONLY

This consent is limited to use only and does not provide for any physical works to be undertaken. Any physical works are to be subject to separate development application as required.

(3) USE CONSISTENT WITH ADOPTED PLAN OF MANAGEMENT UNDER LOCAL GOVERNMENT ACT 1993

The use of Walter Read Reserve and Paddington Reservoir Gardens must be in accordance with the adopted Plan of Management applying to the site under section 35 of the Local Government Act 1993.

(4) RESTRICTION ON USE

- (a) The use of Walter Read Reserve and Paddington Reservoir Gardens for cultural and community events is to be in accordance with the table below and only for the specific uses mentioned in the table below:

ATTACHMENT A

	Group A – Low Impact	Group B – Slight Impact
Permitted uses	Eastern Chamber - Guided tours, storytelling, workshops, exhibitions	Eastern Chamber - Art exhibitions, markets (maximum 20 stalls), light music
	Western Chamber - Guided tours, storytelling, exhibitions	Western Chamber - Art exhibitions, light music
Hours of operation	8am – 10pm, 7 days per week	8am – 8pm, 7 days per week
Maximum number of people	Eastern chamber – 30 Western chamber – 50 Combined Maximum - 80	Eastern chamber – 100 Western chamber - 200 Combined Maximum - 200
Maximum days / year	Not applicable	100 (including bump in and bump out) in any calendar year Maximum 42 consecutive days
Acoustic Management measures	No amplified voice or music allowed	Light music only No amplified voice or music allowed Western Chamber – no wind or percussion instruments. All music activities to be limited to grassed area
Security	Not applicable	Where > 100 people
Toilets	Not applicable	To utilise facilities in Paddington Town Hall

(b) No events are to be allowed within Walter Read Reserve.

(5) MAXIMUM CAPACITY

The maximum occupancy capacity on site at any one time for organised events (excluding staff and performers) is restricted to 200 persons.

(6) NO AMPLIFICATION APPROVED

The proposed use may not include the provision of amplified voice or music at any time.

(7) TIME LIMITED CONSENT

- (a) The period during which the events are approved to operate is restricted to two years from the date of this consent becoming operative. The events must cease after that time (unless a further Development Application has been lodged for consideration). A further development application may be lodged before the end of that period for Council's consideration of the continuation of the events.
- (b) Council's consideration of this further application will take into account the compliance of the use by reference to matters including, but not limited to, the following: conditions of consent; number and nature of substantiated complaints regarding the operation of the premises; and any views expressed by the NSW Police Service.

(8) DELIVERY VEHICLES

Deliveries associated with the site that involve the movement of vehicles, must only occur between the hours of 6.00am and 8.00 pm.

(9) PLAN OF MANAGEMENT

The site must be operated and managed in accordance with the Plan of Management approved prior to this consent becoming operative.

(10) REMOVAL OF GLASS

Patrons must be prevented from removing glasses, opened cans, bottles or alcohol from the premises.

(11) NOISE FROM GLASS REMOVAL

Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied / transferred inside of the building on the premises and removed in containers.

(12) QUEUING

No persons are to be permitted to drink or queue outside the premises at any time. Event managers or security officers (where required) are to ensure that there is no queue for the premises and take all reasonable steps to ensure compliance with this condition.

(13) NO OBSTRUCTION OF PUBLIC WAY

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

(14) EMISSIONS

- (a) The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.

- (b) Gaseous emissions from the development must comply with the requirements of the Protection of the *Environment Operations Act, 1997* and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.

(15) EVENT BUMP IN – BUMP OUT

The time for bump in and bump out is limited to the hours of 8.00am to 11.00pm.

(16) GROUP A EVENTS - NOISE & OPERATIONAL RESTRICTIONS

(a) Group A Event

For the purposes of this determination, Group A events are activities which are taken to be low impact on the surrounding amenity from an environmental noise perspective and can occur without limitation on frequency or other parameters aside from the following terms in this condition which must be complied with.

Noise – Entertainment, Patrons, Personal Amplification

The cumulative $L_{A10, 15 \text{ minute}}$ noise level emitted from the use must not exceed the lessor of:

- (i) The background noise level ($L_{A90, 15 \text{ minute}}$) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 8.00am and 10.00pm when assessed at the boundary of any affected residence. Or,
- (ii) The following maximum noise levels:

1/1 Octave Centre Band Frequencies (Hz)									
f	31.5	63	125	250	500	1k	2k	4k	8k
dB(Z)	63	62	57	53	52	51	47	42	34
dB(A)	24	36	41	44	49	51	48	43	33

- (iii) The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level $L_{A90, 15 \text{ minute}}$ is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment L_{A90} / rating L_{A90} methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.

(iv) The following meanings are given:

- a. Entertainment Noise means music (unamplified), or any other noise which is generated in course of providing entertainment to a group of people other than that generated by mechanical pant and ancillary equipment to support or service the event.
- b. Patron Noise means conversational discourse noise and other noise made by patrons who attend the event.
- c. Personal Amplification noise means noise generated by a loudspeaker or any other device or apparatus\ used for the purpose of providing speech reinforcement.

(b) Permitted Hours, Days & Regularity of Operation

- (i) Permitted hours of operation are 8am to 10pm, 7days per week.
- (ii) Operations may occur on any day of the week, and the total number of operations in any given year is unrestricted.

(c) Permitted Maximum Capacity

The maximum capacity for Group A events will be as follows,

- (i) 50 persons for events held in the West Chamber only (not including staff and performers),
- (ii) 30 persons for events held in the East Chamber only (not including staff and performers, and
- (iii) 80 persons for events held in or across both chambers (not including staff and performers.

(17) GROUP B EVENTS - NOISE & OPERATIONAL RESTRICTIONS

(a) Group B Event

For the purposes of this determination, Group B events are activities which are taken to be medium impact on the surrounding amenity from an environmental noise perspective and must occur only in accordance with the terms given in this condition.

(b) Noise – Entertainment, Patrons, Personal Amplification

The cumulative $L_{A10, 15 \text{ minute}}$ noise level emitted from the use must not exceed the lessor of:

- (i) The background noise level ($L_{A90, 15\text{minute}}$) in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) by more than 5dB between the hours of 8.00am and 8.00pm when assessed at the boundary of any affected residence. Or,
- (ii) The following maximum noise levels:

ATTACHMENT A

1/1 Octave Centre Band Frequencies (Hz)

f	31.5	63	125	250	500	1k	2k	4k	8k
dB(Z)	63	62	57	53	52	51	47	42	34
dB(A)	24	36	41	44	49	51	48	43	33

(iii) The $L_{A10, 15 \text{ minute}}$ noise level emitted from the use is as per the definition in the Australian Standard AS1055-1997 Acoustics – Description and measurement of environmental noise. The background noise level $L_{A90, 15 \text{ minute}}$ is to be determined in the absence of noise emitted by the use and be representative of the noise sensitive receiver. It is to be determined from the assessment L_{A90} / rating L_{A90} methodology in complete accordance with the process listed in the NSW EPA Industrial Noise Policy and relevant requirements of AS1055.1997.

(iv) The following meanings are given:

- a. Entertainment Noise means music (unamplified), or any other noise which is generated in course of providing entertainment to a group of people other than that generated by mechanical part and ancillary equipment to support or service the event.
- b. Patron Noise means conversational discourse noise and other noise made by patrons who attend the event.

(c) **Permitted Hours, Days & Regularity of Operations & Records to be kept**

- (i) Permitted hours of operation are 8.00am to 8.00pm, 7days per week.
- (ii) Operations may occur on any day of the week, however the total number of operations in any given calendar must be limited as follows:
 - a. 100 days total, and
 - b. No more than 42 consecutive days of any Group B events are to occur.
 - c. An accurate record of Group B Events that are held is to be kept and furnished on request.
 - d. Where public access to any part of any chamber is restricted for the purpose of bump in and bump out of an event, that day or any part thereof counts towards one day of the limits provided in a. and b. above.

(d) **Permitted Maximum Capacity**

The maximum capacity for Group B events will be as follows:

- (i) 200 persons for events held in the West Chamber only (not including staff and performers),
- (ii) 100 persons for events held in the East Chamber only (not including staff and performers), and
- (iii) 200 persons for events held in or across both chambers (not including staff and performers).

(18) NOISE – MECHANICAL PLANT & ANCILLARY EQUIPMENT (NOT MUSIC PATRONS & PERSONAL AMPLIFICATION) – ALL GROUP EVENT TYPES

- (a) The emission of noise associated with the use of the premises including the cumulative operation of any mechanical plant and equipment, and air conditioning shall comply with the following:
 - (i) The $L_{Aeq, 15 \text{ minute}}$ noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the *NSW EPA Industrial Noise Policy*. Noise must be measured in accordance with the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise.
 - (ii) Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment $L_{A90, 15 \text{ minute}}$ / rating $L_{A90, 15 \text{ minute}}$ process to be in accordance with the requirements for noise monitoring listed in the *NSW EPA Industrial Noise Policy* and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise.
 - (iii) Modifying factors in Table 4.1 of the *NSW EPA Industrial Noise Policy* are applicable.
- (b) An $L_{Aeq, 15 \text{ minute}}$ noise level emitted from the use must not exceed the $L_{A90, 15 \text{ minute}}$ noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence or noise sensitive commercial premises provided that;
 - (i) Where the $L_{A90, 15 \text{ minute}}$ noise level is below the threshold of hearing, T_f at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 : 2003- Normal Equal-Loudness-Level Contours then the value of T_f corresponding to that Octave Band Centre Frequency shall be used instead.
 - (ii) The $L_{Aeq, 15 \text{ minute}}$ noise level and the $L_{A90, 15 \text{ minute}}$ noise level shall both be measured with all external doors and windows of the affected residence closed;

- (iii) The relevant background noise level ($L_{A90, 15 \text{ minute}}$) is taken to mean the day, evening or night rating background noise level determined in complete accordance with the methodology outlined in the *NSW EPA Industrial Noise Policy* and Australian Standard AS1055.1997 Acoustics – Description and measurement of environmental noise.
- (iv) Background noise shall be established in the absence of all noise emitted from the use but with the ventilation equipment normally servicing the affected residence operating. Background noise measurements are to be representative of the environmental noise levels at the affected location.
- (v) Modifying factors in Table 4.1 of the *NSW EPA Industrial Noise Policy* are applicable. Internal Noise measurements are not to be corrected for duration.

(19) HERITAGE ACT 1977 APPROVAL REQUIRED

Approval must be obtained under sections 57 and 60 of the Heritage Act 1977 prior to events commencing.

SCHEDULE 2

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply where there is building work:

1. The prescribed conditions are as follows:
 - (a) The work must be carried out in accordance with the requirements of the *Building Code of Australia* (as in force on the date the application for the relevant construction certificate is made).
 - (b) This condition does not apply to:
 - (i) the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of the *Environmental Planning and Assessment Regulation 2000*; or
 - (ii) the erection of a temporary building.
2. In the case of residential building work for which the *Home Building Act 1989* requires that there be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force.

BACKGROUND

The Site and Surrounding Development

1. A site visit was carried out on 2 April 2015.
2. The subject site comprises Walter Read Reserve and Paddington Reservoir Gardens at 255A – 255B Oxford Street (Lot 1, DP 1111940). It is located on Oxford Street to the east of its intersection with Oatley Road and directly across Oxford Street from Juniper Hall and the Imperial Hotel. The site abuts the John Thompson Reserve at its western end (and Paddington Town Hall), retail and commercial development fronting Oxford Street to the east and a residential flat development, Paddington Central accessed off Renny Lane to the south. The site is shown on Figure 1 below.



Figure 1: Site location

3. The site is a public park at street level with a semi-open public space and gardens at its lower level comprising the eastern and western chamber of the former Paddington Reservoir. The eastern chamber is currently not publicly accessible however the western chamber has been adaptively reused as a public park.

ATTACHMENT A

4. The site was previously used as a water storage reservoir until 1899 and has since been used for various purposes including storage, garaging and as a mechanical workshop / service station. In 2006 - 2007, following a roof collapse, the former service station was removed, the site remediated, stabilised and redeveloped in the form of a sunken garden and boardwalk.
5. The site is both a local and State heritage item and is also within the Paddington South Heritage Conservation Area (Area 38).
6. Photos of the site and surrounds are provided below:



Figure 2: Site viewed from Oatley Road looking east



Figure 3: Street level view looking west

ATTACHMENT A



Figure 4: Oxford Street frontage looking west (Paddington Town Hall in background)



Figure 5: Oxford Street frontage looking east



Figure 6: Entrance to sunken garden off Oxford Street

ATTACHMENT A



Figure 7: Sunken garden in western chamber



Figure 8: Boardwalk in western chamber



Figure 9: Looking east to eastern chamber

ATTACHMENT A



Figure 10: Eastern chamber



Figure 11: Accessible ramp and lift to right of frame



Figure 12: Boundary with Paddington Central Residential development immediately to the south

ATTACHMENT A

PROPOSAL

7. The proposal seeks consent to use the Paddington Reservoir Gardens (lower level including both the eastern and western chambers) and Walter Read Reserve at street level for a range of commercial, cultural and community events in accordance with a proposed venue management plan. Events proposed are generally to include markets and stalls, community meetings, tours, low key performances (art and music presentations), displays, public presentations, catered functions, weddings and filming. As detailed in the Statement of Environmental Effects the proposal is for a minimum of less than 20 people (community gatherings, award ceremonies or small night time events) and a maximum of 200 people for large events such as music and art performances, markets and functions.
8. The types of events for which consent is sought have been separated into three categories (as described in the DA) as follows:

	Group A – Low Impact	Group B – Slight Impact	Group C – Moderate Impact
Examples of types of events	Guided tours, meetings, storytelling, workshops, exhibitions	Art exhibitions, markets, silent cinema, light music	Catered function, weddings, film screenings, live performances, product / fashion launch, lectures
Hours of operation	8am – 10pm, 7 days per week	8am – 8pm, 7 days per week	8am to 8pm Sunday – Monday 8am – 10pm Friday and Saturday
Maximum number of people	Eastern chamber – 30 Western chamber - 50	Eastern chamber – 200 Western chamber - 200	Eastern chamber – 150 Western chamber - 100 Maximum - 200
Maximum days / year	Not applicable	180	24 (to conclude by 6pm on 8 of 24 days)
Acoustic Management measures	Background plus 5 dBA	Light non amplified music Background plus 5 dBA Western chamber – wind and percussion not allowed	Background plus 10dBA Installation of acoustic management panels

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	Group A – Low Impact	Group B – Slight Impact	Group C – Moderate Impact
Security	Not applicable	Where > 100 people	Where > 100 people
Toilets	Not applicable	To utilise facilities in Paddington Town Hall	To utilise facilities in Paddington Town Hall OR temporary facilities

9. The proposal originally also sought consent for works including:
 - (a) The installation of permanent power and lighting required for the carrying out of events – including the removal of existing power provided in plastic conduit in the Eastern Chamber
 - (b) The installation of permanent hooks to enable the temporary fixing of installations for the events – to minimise damage to the existing fabric
 - (c) The installation of a permanent sound system to ensure a controlled and defined acoustic environment, and
 - (d) Signage.
10. However these works were not illustrated on any plans and no assessment of impact was provided. This issue was raised with the applicant and a letter was provided dated 21 September 2015 which clarifies that consent is sought for the proposed use only. Accordingly no works have been included in the subject assessment.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

11. A development application (D2009/1628) for the use of the site for up to 12 low impact passive events (such as temporary art installations, photographic and other exhibitions; temporary staging; and wedding ceremonies) in a 12 month period was approved in March 2010. The approved events were limited to a maximum of 10 days at a time, included no greater than 6 wedding ceremonies (no receptions) for a maximum duration of 3 hours and 50 persons and a maximum total capacity for quiet events of 400 persons. No alcohol or amplified music was allowed.
12. In March 2011 approval was granted to a section 96 application (D2009/1628A) to allow the duration of the approved uses to be extended from not more than 10 days to not more than 42 days in a 12 month period. No other changes were made to the existing approval.
13. In addition to the existing approval for low impact passive events provided for under development consent D2009/1628 (as amended), a number of approvals have been issued for use of the site for 'one off' events. An example of this includes the "Elle Style Awards" held on Friday 24 October 2014 (D2014/1125). This approval allowed for the use of the site for a maximum capacity of 250 persons, included both the eastern and western chamber, provided for the service of alcohol and amplified music. The event was allowed to operate between 6.30pm and 10.30pm with bump in occurring 2 days prior and bump out 1 day post the event.

ECONOMIC/SOCIAL/ENVIRONMENTAL IMPACTS

14. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:

Heritage Act 1977

15. The site is identified as an item on the State Heritage Register and the application is therefore integrated development under the Act. The application was referred to the NSW Office of Environment and Heritage. General Terms of Approval (GTAs) have not been received.
16. Notwithstanding this, assessment of the application can be completed in accordance with section 70 of the *Environmental Planning and Assessment Regulation 2000* which requires GTAs to be provided with 21 days of the community submissions being provided to the NSW Office of Environment and Heritage. More than 21 days have passed since the submissions were provided.
17. Separate approval under section 60 of the Heritage Act would be required prior to the use of the site commencing in accordance with the development application, unless an exemption is granted by the Heritage Office.

State Environmental Planning Policy No 55—Remediation of Land

18. The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
19. The subject site has been remediated as part of the previous restoration / adaptive reuse of the site. Accordingly the site is suitable for the proposed use.

State Environmental Planning Policy (Infrastructure) 2007

20. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.
21. The application is subject to Clause 101 of the SEPP as the site has frontage to Oxford Street, which is a classified road. Clause 101 provides that:
- (a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

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22. The application is considered to satisfy Clause 101 of the Infrastructure SEPP subject to conditions of consent.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

23. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
24. The development is consistent with the controls contained within the deemed SEPP.

Sydney LEP 2012

25. The site is located within the RE1 Public Recreation zone under Sydney LEP 2012. A number of the proposed uses applied for are not permitted in the RE1 zone as they are considered to fall within the definition of an 'entertainment facility' or 'function centre' in the LEP. Uses that are not permissible in the zone include silent cinema, catered functions, weddings, film screenings, product / fashion launches. Accordingly it is considered that these uses should not be allowed in this consent. Other proposed uses are considered to be permissible in the zone in accordance with the land use table and meet the aims and objectives of the zone.
26. Relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Compliance Table		
Development Control	Compliance	Comment
5.10 Heritage conservation	Yes	<p>The site is identified as a local and State heritage item and is also located within a heritage conservation area.</p> <p>The proposed use of the existing recreation area for a range of low to moderate impact community, cultural and commercial events does not involve the installation of any permanent structures. All lighting, power, staging and seating is to be freestanding and will not adversely affect the heritage significance of the site or area.</p>

Sydney DCP 2012

27. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

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2. Locality Statements – Oxford Street, Paddington

The subject site is located in the Oxford Street, Paddington area. The intermittent use of the Paddington Reservoir Gardens for a range of low to moderate impact community and cultural events (not including commercial type events as outlined above) is generally considered to be in keeping with the unique character of the area and design principles in that it supports the viability of commercial development that fronts Oxford Street. It is also consistent with the identified role of Oxford Street being “a community hub for Paddington: distinctive, lively, vibrant, attractive and well used... [which] features a range of interesting shops, galleries and venues, shops and services for local needs, a high quality public domain and a pedestrian scale”.

3. General Provisions

Development Control	Compliance	Comment
3.1 Public Domain Elements	Yes	It is considered that a limited range of community and cultural events (as outlined above) will enhance activity in the Paddington Reservoir Gardens themselves and the wider public domain of Oxford Street and its surrounds. It is therefore considered that the proposed uses will have a positive impact on the public domain.
3.9 Heritage	Yes	<p>The site is identified as a local and State heritage item and is also located within a heritage conservation area.</p> <p>The proposed use of the existing recreation area for a range of low to moderate impact community and cultural events does not involve the installation of any permanent structures. It is therefore considered that it will not adversely affect the heritage significance of the site or area.</p>
3.14 Waste	Yes (subject to conditions)	<p>The venue management plan submitted with the application does not provide adequate details of waste management procedures however states that applications will follow Council's established event approval process. This process requires compliance with the Event Guidelines (2010-2011) which includes the City's requirement for waste management. Appropriate conditions of consent are also required to ensure compliance.</p>

3. General Provisions		
Development Control	Compliance	Comment
3.15 Late Night Trading Management	Yes	The site is located within a Local Centre Area which the DCP defines as active places that are the commercial and cultural focus of the local community. The proposed use for events as outlined in the DA are categorised as a 'low impact – Category B premise' for the purposes of the late night trading provisions. Category B premises have base hours of 8am to 11pm in local centres under the DCP. The subject events are intended to cease (at the latest) at 10pm which is consistent with the DCP provisions.
3.16 Signage and Advertising	N/A	No signage or advertising is proposed as part of the subject application.

Walter Read Reserve and Paddington Reservoir Plan of Management (under the Local Government Act 1993) and Masterplan

28. The Walter Read Reserve and Paddington Reservoir Plan of Management and Masterplan was adopted by Council on 28 June 2004 and accordingly applies to the proposal. The Plan of Management identifies that "the restoration and the adaptive re-use of the Walter Read Reserve and Paddington Reservoir [is to be] centred around the concept of a public park with ancillary facilities focused upon a theme of recreation and culture". Major elements of the activity concept will include:
- (a) an upper level park suitable for passive recreation, sitting, viewing and relaxing;
 - (b) a lower level sunken courtyard garden suitable for passive recreation incorporating a possible point-of-sale refreshment kiosk, shaded outdoor refreshment areas and water elements;
 - (c) the adaptive reuse of the eastern chamber for cultural uses such as art gallery, museum and exhibition centre and incorporating possible coffee shop/refreshment centre area;
 - (d) the potential development of below ground areas between the reservoir structure and Oxford Street boundary to provide accommodation for back-up support services and amenities such as toilets, kitchens and store;
 - (e) the development of the interface zone between the Reservoir structure and Oxford Street.

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29. In accordance with the *Local Government Act 1993* Walter Read Reserve is categorised as a 'park' and Paddington Reservoir for 'general community use'. Under the Act the core objectives for a 'park' are:
- (a) To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
 - (b) To provide for passive recreational activities or pastimes and for the casual playing of games, and
 - (c) To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
30. The core objectives for 'general community use' are:
- (a) To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:
 - (b) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
 - (c) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).
31. More specifically the Plan of Management provides the following site specific objectives:
- (a) To recognise the heritage significance and cultural importance of the Reservoir in the design redevelopment, stabilisation and adaptive reuse of the structure.
 - (b) To provide a safe, pleasant, attractive, and accessible amenity for all users.
 - (c) To provide equitable access that conforms to relevant codes and standards.
 - (d) To allow for service and emergency access provisions to facilitate the adaptive reuse of the Reservoir.
 - (e) To create a diversity of recreation opportunities that caters for the needs of the community.
 - (f) To achieve a high quality integrated design outcome for the redeveloped Reserve and Reservoir.
 - (g) To allow leasing and licencing opportunities as per the requirements of the Local Government Act 1993.
 - (h) To provide a well maintained and safe environment for park users.
32. Section 35 of the *Local Government Act 1993* requires that community land be used and managed in accordance with the Plan of Management applying to the land. The table below outlines the consistency of the proposed uses with the PoM as well as permissibility under the LEP:

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	Permissible in RE1 zone	Permitted by Plan of Management	
Group A		Eastern Chamber	Western Chamber
Guided tours	Y	Y	Y
Meetings	Y	N	N
Story telling	Y	Y	Y
Workshops	Y	Y	N
Exhibitions	Y	Y	Y
Group B			
Art exhibitions	Y	Y	Y
Markets	Y	Y	N
Silent Cinema	N	N	N
Light music	Y	Y	Y
Group C			
Catered functions	N	N	N
Weddings	N	N	N
Film Screenings	N	N	N
Live performances	N	N	N
Product / fashion launches	N	N	N
Lecture	N	N	N

33. Having regard to the above assessment, a number of the proposed uses are considered to be inconsistent with the PoM and some uses are not permissible in the zone as outlined above. Only uses that are permissible in the zone and permitted by the Plan of Management are considered appropriate for approval. Acceptable uses are therefore considered to be:

Group A:

- Guided tours – Eastern and Western Chambers
- Story telling - Eastern and Western Chambers
- Workshops – Eastern Chamber Only
- Exhibitions - Eastern and Western Chambers

Group B:

- Art Exhibitions - Eastern and Western Chambers
- Markets – Eastern Chamber Only
- Light Music – Eastern and Western Chambers

Group C:

- Nil proposed uses.

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34. In addition to the proposed uses themselves, the development application proposes that specific restrictions be applied to the Category A B and C uses to ameliorate adverse impacts. As Category C uses are not considered to be permissible these have not been addressed below. Restrictions proposed by the applicant for Group A and B uses are as follows:

	Group A	Group B
Number of events	No limit	Max. 180 days per calendar year Max. 42 consecutive days
Hours of operation	8am – 10pm, 7 days	8am – 8pm, 7 days
Maximum numbers	Western Chamber – approx. 50 Eastern Chamber – approx. 30	Western Chamber – 200 Eastern Chamber – 200
Acoustic management	Speech reinforcement permitted only in grassed area of western chamber between 8am – 6pm	Non amplified music in both chambers. No wind or percussion permitted in Western Chamber. Activities in Western Chamber limited to grassed area.

35. The application also applies a maximum limit of 200 persons combined in both chambers at any one time.
36. The proposed uses and restrictions are considered to be generally consistent with the intent of the PoM however it is considered that the use of the Eastern and Western Chambers for Group B events for 180 days per calendar year is excessive. This could potentially result in the public being excluded from the site for up to 50% of the time. Accordingly it is recommended that Category B events be limited to a maximum of 100 days per calendar year and not more than 42 consecutive days as proposed. This restriction will ensure that the space is available for public use for the majority of the time.
37. In relation to hours of operation, the PoM provides that events may be generally be held between the hours of 8am and 10pm. The proposed hours for Group A and B uses are consistent with this requirement.

ISSUES

Noise

38. The proposed use of the site for a range of events as outlined above, will result in varying degrees of acoustic impacts ranging from negligible to significant particularly given the close proximity of residences immediately adjacent to the site. An acoustic report (Acoustic Direction) has been submitted with the application which assessed the potential impacts of the Category A, B and C events having regard to the applicable noise criteria. In summary the report includes detailed recommendations for the three different categories of events including whether amplified music should be allowed (and if so in which chamber), appropriate acoustic criteria to be applied, requirements location of speakers, maximum number of people etc. It includes recommendations both in relation to the control of noise impact on nearby residents and to enhance the experience of people attending events in the Reservoir and to facilitate easier management of noise impact on residents. Significantly the report recommends that a dedicated system of loudspeakers should be installed at defined positions in both the eastern and western chambers to provide all amplified sound requirements. A condition of hiring would be that only the installed sound system could be used. The report makes it clear that without the installation of a permanent sound system with associated limiter, it will be very difficult to control noise impacts of proposed events with amplified sound to acceptable levels.
39. As discussed above, it considered that Group C events are not permissible on the subject land nor are they consistent with the Plan of Management applying to the site. Whilst the majority of noise impacts would be associated with these types of events, consideration of the noise impacts of Category A and B events is required.
40. Council's Environmental Health Officer and Acoustic Specialist reviewed the submitted acoustic report and has provided advice including detailed conditions of consent to ameliorate potential noise impacts including specific conditions in respect of noise levels, permitted hours, days and regularity of operation, maximum capacity and additional requirements for each category of event. These recommendations are relevant to Group A and B uses however are not considered relevant for Group C uses as these have been assessed as not being appropriate as outlined above.
41. Consistent with the Acoustic Report Council's Environmental Health Officer and Acoustic Specialist has also concluded that any amplification of sound could only be acceptable if a dedicated system of loudspeakers was installed to provide all amplified sound requirements. Advice has been provided that the installation of such a system (and subsequent control of noise levels within the site) is the only way that Council could be confident that the proposed uses will meet the relevant criteria. The installation of such a system would require works to the building which are not included in the subject application and which would require separate development approval and approval under section 60 of the Heritage Act 1977 as the structure is a State heritage item. It is therefore concluded that should the proposed uses be recommended for approval no amplification of voice or music should be allowed. Rather should the applicant wish to pursue the use of amplification as part of the proposed uses a separate application should be submitted in this respect which details the proposed works and any associated heritage impacts.

42. Further it is noted that the application seeks to limit Group A uses to speech reinforcement only (between 8am and 6pm in the grassed area of the Western Chamber) and Group B uses to light non-amplified music in both chambers with wind or percussion instruments not allowed in the western chamber and activities in the Western Chamber limited to the grassed area. These further restrictions are considered appropriate however given the advice of the Acoustic report and Council's Environmental Health Officer and Acoustic Specialist, it is recommended that no speech reinforcement (amplification) be allowed. A recommendation has also been made that numbers of patrons for Category B events in the Eastern Chamber be limited to a maximum of 100.
43. Subject to the above limitations it is considered that the proposed restricted uses will not result in any significant adverse noise impacts. The proposed limitations to use will address noise impact issues raised in the public submissions and in particular concerns raised by the residents of the adjoining Paddington Central residential development immediately to the south. Whilst some noise impacts may still result from the proposed uses it is considered that these are generally reasonable and will be limited by the restricted number of days and hours of operation.
44. Notwithstanding this conclusion it is considered that the cumulative impacts of the proposed uses (as restricted) require testing. In this regard the approval of a 2 year trial is appropriate to enable the applicant to demonstrate that the proposed uses can be appropriately managed. Following the completion of the proposed 2 year trial period it will be possible for an evidence based assessment to be made to determine whether the proposed uses should be allowed to continue. Any such assessment would be publicly notified and should include the performance of the operator in relation to the compliance with development consent conditions and Plan of Management, any substantiated complaints received and any views expressed by the Police. A condition to this effect is recommended.
45. Further it is considered that the submitted venue management plan is not acceptable. A comprehensive operational Plan of Management for the venue in accordance with the requirements of Schedule 3 of Sydney Development Control Plan 2012 should be required and a deferred commencement consent is recommended in this respect.

Residential amenity

46. The major impact of the proposed uses on the residential amenity of the surrounding neighbourhood relates to acoustic impact. This matter is addressed in detail above and it is considered that the proposed restricted uses and prohibition on amplification and instruments as part of the proposed uses will effectively mitigate the major potential adverse noise impact. Noise impacts from patrons, parking etc. is considered to be reasonable and will be ameliorated to a reasonable level through the proposed management measures, limitation on patron numbers, hours of operation etc.
47. Residents of the adjacent Paddington Central residential development have raised concerns regarding privacy impacts as a result of the proposed uses. In this regard it is considered that no additional privacy impacts will result over and above the existing use of the park by members of the public. The relationship between the park and the residential development is close and accordingly some privacy impacts will result however it is considered that the privacy impacts are adequately offset by the benefit of the park as an outlook for the residential properties. In any event this relationship is existing and will not be affected by the subject application.

Alienation / Commercial use of public space

48. A number of submissions have raised concerns that the proposed commercial use of the site and lack of availability of the space for public recreation. This matter is addressed in detail above and in summary it is considered that the primary commercial uses proposed for the site (Category C uses) are neither permissible nor consistent with the Plan of Management. Accordingly it is recommended that these uses not be allowed in any consent.
49. The proposed Category A and B uses are generally community uses that are consistent with the Plan of Management for the site and with the primary use of the site as a public park. It is however considered that the proposal to allow for Category B uses for 180 days per calendar year is excessive and would potentially restrict public access to the site to an unacceptable level. Accordingly it is recommended that these uses be limited to not more than 100 days per year and 42 consecutive days.
50. Further to the above it is considered that limiting public access to the site as a result of the proposed uses should be kept to a minimum. Accordingly it is considered appropriate that bump in / bump out for any events / uses should be included in the permitted maximum number of event/use days. This restriction is intended to encourage the exclusion of the public to be kept to a minimum. A condition to this effect is recommended.

Amenities

51. Concerns have also been raised in the public submissions that no amenities exist within the site and that the proposed use of facilities within the adjacent Paddington Town Hall is inappropriate and will result in safety concerns. It is noted that Council's Health and Building section has not raised any concerns in relation to the proposed arrangements. Given the proposed limitations to be placed on uses, as recommended in this report, it is considered that the proposed arrangements are acceptable.

Traffic and parking

52. No parking is proposed as part of the proposed uses. Given the nature of the surrounding area, it is considered likely that the majority of people travelling to the site will either walk, or will catch public transport or taxis. The area is well known for not having readily available car parking. Accordingly it is considered that the proposed uses will have negligible impact on parking and traffic in the locality. In terms of loading and unloading impacts an existing loading bay is located off Oatley Road (with removable bollards). Loading access would be provide in this existing location and is considered unlikely to result in any adverse traffic impacts.

Access

53. Access for disabled persons has been provided to the Paddington Reservoir Gardens and it is therefore considered that the proposed uses will provide equitable access.

Other Impacts of the Development

54. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to the implementation of a 2 year trial period and the imposition of appropriate conditions as recommended herein.

Suitability of the site for the Development

55. The proposed restricted uses, as outlined above, are generally in keeping with the nature and overall function of the site and will provide for a suitable use of the space for the benefit of the community. It is recommended that some Category A and B uses only be permitted and that these uses be subject to stringent conditions as outlined above. Subject to these requirements the proposed uses will be acceptable and will provide for a range of uses to meet the physical, social, cultural and/or intellectual development or welfare of the community. This is consistent with the intentions for the site as outlined in the Plan of Management and the RE1 zoning. The proposed restrictions will also limit the amount of time that the site will not be available for passive recreational uses. The site is located in a mixed uses area and the proposed uses (subject to the limitations proposed) will not result in any unacceptable impacts on the surrounding neighbourhood. In this regard a 2 year trial period is proposed to enable testing of the actual impacts of the proposal.

INTERNAL REFERRALS

56. The conditions of other sections of Council have been included.
57. The application was referred to the Heritage Specialists; and Environmental Health; who advised that the proposal is acceptable subject to the recommended conditions and detailed matters outlined in this report.

EXTERNAL REFERRALS

Notification, Advertising and Delegation

58. The application constitutes integrated development and as such the application was notified and advertised for 30 days in accordance with the provisions of Environmental Planning and Assessment Regulations 2000. The application was notified and advertised between 6 November and 8 December 2014. As a result of this notification there were 46 submissions received; 43 objecting to the proposal and 3 in support. Issues raised in the objections, in frequency order, are outlined below:

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	Issue	Frequency raised
1	Noise impacts including amplification and generators	41
2	Hours of operation	32
3	Capacity of venue considered excessive	27
4	Lack of amenities (toilets and bins)	27
5	Service of alcohol and associated impacts	26
6	Use of public space for private use, alienation of public space	25
7	Parking and traffic impacts	22
8	Impact on residential amenity	20
9	Safety and security including need for patrons to access toilets across Oatley Road (Paddington Town Hall) and antisocial behaviour	18
10	Impact from bumping in and out of events including noise and unavailability of public space.	12
11	Impact on heritage fabric	5
12	Privacy impacts to residents of Paddington Central	4
13	Impact on property prices	3
14	Contrary to existing consent	3

59. Reason outlined for letters of support include that the proposed will provide for an increased use of space for variety of users and in addition it will increase the vibrancy of surrounding area,
60. The primary issues of noise impacts, impacts on residential amenity, heritage impacts, use of public space for private / commercial events and amenity have been addressed in detail in the Issues section above. Other issues raised in submissions are outlined below:

Traffic and parking

- (a) The proposed use will exacerbate car parking and traffic issues in the surrounding neighbourhood.

Response – The site has good access to public transport and is known to be an area that is highly constrained in terms of car parking availability. No on-site parking is provided and it is proposed that patrons will be encouraged to use public transport to access the site. Further, loading is proposed to be undertaken from an existing hardstand area within John Thompson Reserve (accessed via removable bollards off Oatley Road). It is therefore considered that it is unlikely that the proposal will result in any adverse car parking or traffic impacts.

Privacy impacts

- (b) A number of residents of Paddington Central (which adjoins the site immediately to the south) have raised concerns that use of the space as proposed will result in adverse privacy impacts to their dwellings.

Response – The proposed use relates primarily to Paddington Reservoir Gardens which is sunken below street level and accessed directly off Oxford Street. No events are proposed at street level (John Thompson Reserve and Walter Read Reserve). Accordingly it is considered that the proposed use of the gardens will not result in any increase in privacy impacts to adjacent dwellings.

Impact on property prices

- (c) Concerns have been raised that the proposed use would have an adverse impact on property prices.

Response – While this is not considered to be a planning issue it is considered unlikely that the proposed use of the Paddington Reservoir Gardens for the proposed restricted uses would have an adverse impact on property prices.

Contrary to existing consent

- (d) Some submissions raised concern that the proposal is inconsistent with the existing development consent applying to the site.

Response – It is agreed that some of the proposed uses are inconsistent with the existing approvals for the site. Accordingly the subject development application has been submitted seeking consent for the proposed uses.

PUBLIC INTEREST

61. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions as recommended.

FINANCIAL IMPLICATIONS/S94 CONTRIBUTION

Section 94 Contributions

62. The development is not subject to a Section 94 Contribution.

RELEVANT LEGISLATION

63. The Environmental Planning and Assessment Act 1979, Heritage Act 1977.

CONCLUSION

64. Having regard to all matters outlined above, it is considered that the proposed use of Walter Read Reserve and Paddington Reservoir Gardens for a limited range of proposed Category A and Category B cultural and community events is generally consistent with the objectives and provisions of the Sydney LEP 2012 and the Walter Read Reserve and Paddington Reservoir Plan of Management and Masterplan subject to the limitations as outlined above. It is however considered that the proposed Category C events are not appropriate, are not permissible in the zone and are inconsistent with the Plan of Management. Accordingly these events are not recommended for approval.
65. It is considered that the submitted Venue Management Plan is not acceptable and that a revised operational Plan of Management in accordance with the requirements of Schedule 3 of Sydney Development Control Plan 2012 should be required prior to commencement of the consent. Accordingly a deferred commencement consent is recommended in this respect.
66. In addition it is considered that to ensure that the proposed uses do not give rise to any significant amenity impacts, the consent should be limited to a 2 year trial to enable testing of the cumulative impacts of the proposed uses. A condition to this effect has also been included.
67. Conditions of consent are recommended to mitigate potential adverse impacts and include a prohibition on sound amplification (voice and music), limit on use of percussion and wind instruments in the Western Chamber and limit of 100 days per calendar year to apply to Group B events.
68. Subject to the above it is considered that the proposed uses are generally suitable in the subject location and will provide improved recreational and cultural offerings within the locality for the local community. The proposed uses are consistent with surrounding land uses and with the existing recreational uses of the site. Accordingly it is considered that the proposed uses are acceptable and are therefore recommended for approval subject to recommended conditions of consent.

GRAHAM JAHN, AM

Director City Planning, Development and Transport



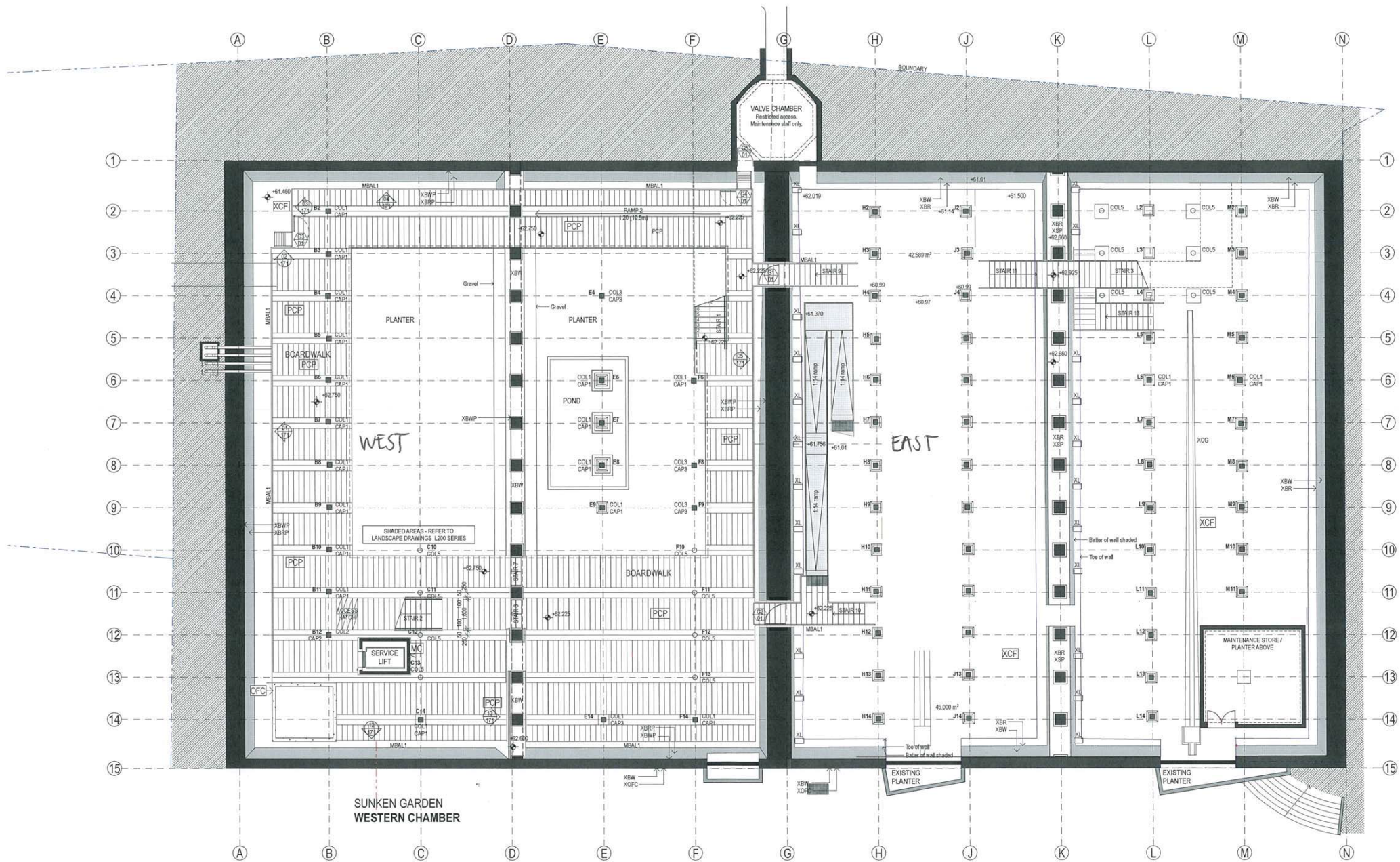
Helena Miller, Consultant Planner, MG Planning Pty Ltd

ATTACHMENT A

ATTACHMENT A1

SITE PLAN

**251-255 OXFORD STREET PADDINGTON
(PADDINGTON RESERVOIR GARDENS)**



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REV		NOTES	DATE	NOTES		DATE	NOTES		DATE
REV		NOTES	DATE	NOTES		DATE	NOTES		DATE

NOTES:		CLIENT:		PROJECT:	
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Level 23 Town Hall House 456 Kent Street Sydney NSW 2000 P: (02) 9265 9333 F: (02) 9265 9116		NORTH		DRAWING TITLE:	
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PROJECT NO:		PHASE:		DATE PRINTED:	
				DRAWING NO:	
				REV:	

From: Mark Matkovich <[REDACTED]> on behalf of Mark Matkovich
<[REDACTED]> <Mark Matkovich <[REDACTED]>

Sent on: Saturday, July 5, 2025 4:30:19 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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I think this is a great initiative and fully support this.

Local Paddington resident

Mark Matkovich
Sent from my iPhone

From: John Berg <[REDACTED]> on behalf of John Berg <[REDACTED]> <John Berg <[REDACTED]>

Sent on: Tuesday, July 8, 2025 5:10:35 PM

To: dasubmissions@cityofsydney.nsw.gov.au

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Kate,

We live at number 1 Oatley Road and wish to lodge our objections about the proposed development.

The reservoir space is very small and is bounded by properties. It should remain as an area of passive recreation for locals and tourists. Surely this was the intended use. Closing it for a month is unfair to regular users.

Acoustically the area carries noise very well and we already suffer on Friday and Saturday evenings with the very loud karaoke sounds from the imperial hotel. It is directly opposite the reservoir in Oxford Street and the sound carries straight through to us on Oatley Road.

We expect activity on a daily basis in respect of set up and take down to be intrusive. This and of course the events themselves are likely to significantly impact local parking.

And of course, considering that the only public amenity (a recent addition) is 300 metres away in Oxford Street we expect that at least a few of the large numbers of attendees will illegally urinate against our walls.

Finally, before approval is given to the event, we would like to have more details of how the events we be managed, how people will be supervised, how ticketing and entry will be managed etc.

Best regards

John and Louise Berg

From: Underwood54
Sent on: Sunday, July 6, 2025 11:34:41 AM
To: dasubmissions
Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

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 Ms Burton,

We are writing to express our strong concerns regarding the proposed temporary event activation at Paddington Reservoir Gardens as part of the Art & About 2025 program.

We moved from Woollahra to Paddington specifically for its preserved heritage character, peaceful residential setting, and the rare green spaces like the Reservoir Gardens. These gardens are a vital part of the community – a place for quiet recreation and reflection, not a venue for repeated large-scale performances.

While we support thoughtful and non-intrusive artistic events – such as exhibitions or low-key community gatherings – this particular proposal raises serious concerns:

Noise & Acoustic Impacts: There has been no acoustic report provided. Despite claims of low sound levels, the event includes amplified music and multiple crowd gatherings until 10pm over three weekends. The idea that this won't disrupt the neighbourhood is highly questionable.

Loss of Public Access: The park will be effectively inaccessible for the majority of September due to set-up, performances, and pack-down. This deprives residents of their local public space for an extended period.

Lack of Transparency: The DA lacks critical information about lighting, crowd management, and the practical oversight of the event. Key operational details are vague or missing altogether.

Inappropriate Commercial Use: The proposal stretches the intended use of this park. The Reservoir Gardens are not designed for repeated evening crowd events. This is a heritage-listed, structurally sensitive site, not a commercial event venue.

Traffic & Safety Hazards: Illegal parking and congestion are already serious problems in nearby streets like Renny Lane. The proposal fails to adequately address how transport and crowd issues will be handled.

Lighting Disruption & Privacy Concerns: Residents in Paddington Central will be directly impacted by noise, lighting, and spectators gathering above the event space.

Conflict with Management Plan: The Walter Read Reserve Management Plan clearly outlines restrictions on event size, queuing, and type of use – several of which are contradicted by this proposal.

We urge Council to reject this DA in its current form. Artistic expression and community engagement should not come at the cost of local amenity, privacy, safety, and access to cherished public space.

Sincerely,
Martin and Anna Cohen
54 Underwood St Paddington

From: Kate Burton
Thursday, July 10, 2025 11:08:31 AM
Sent on: DASubmissions
To: FW: OBJECTION TO PROPOSED USE OF PADDINGTON RESERVOIR GARDENS SITE
Subject: FOR A "TEMPORARY EVENT", DA No. D/2025/411, PPTIES: 251-255 OXFORD STREET, PADDINGTON

Attachments: 1452_001.pdf (116.38 KB)

Please see objection to D/2025/411 received from Tony Moody with attachment (a survey plan).

From: Tony Moody
Sent: Thursday, 10 July 2025 10:45 AM
To: Kate Burton; City of Sydney
Cc: elizabeth; Evan Karagiannis; Judi Ruja; Carinne Bird; Ben Small; Carlote Rush

Subject: RE: OBJECTION TO PROPOSED USE OF PADDINGTON RESERVOIR GARDENS SITE FOR A "TEMPORARY EVENT", DA No. D/2025/411, PPTIES: 251-255 OXFORD STREET, PADDINGTON

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.

ATTENTION: KATE BURTON, SENIOR ASSESSMENT OFFICER

RE: OBJECTION TO PROPOSED USE OF PADDINGTON RESERVOIR GARDENS SITE FOR A "TEMPORARY EVENT", DA No. D/2025/411, PPTIES: 251-255 OXFORD STREET, PADDINGTON

Dear Kate,

I refer to the abovementioned Development Application (DA) seeking approval for the following proposed development:-

"Use of Paddington Reservoir Gardens for a temporary event associated with the 2025 City of Sydney Art and About Program. Live theatrical production to occur from 5.00pm – 10.00pm Thursday to Saturday for 3 consecutive weeks in September".

The Paddington Reservoir Gardens site (Reservoir Gardens site) is a Heritage Item.

I was requested by owners/residents in an existing adjoining residential flat development, known as "Paddington Central" which contains 47 apartments and was completed in approximately 2003.

My Clients' units lie immediately to the south of the Reservoir Gardens site. The northern facades of my Clients' units directly face the Reservoir Gardens site.

Following the above request by the abovementioned owners/residents in Paddington Central, I have undertaken a review of the documents, plans, reports, Statement of Environmental Effects (SEE) and the Applicant's proposed Plan of Management (POM) lodged in support of the current DA.

I inspected a number of the units in my Clients' building and inspected the Reservoir Gardens site and the immediate locality.

I have assessed the current DA against the range of Planning Controls of City of Sydney Council (Council) and also the relevant Council adopted POM.

For the reasons referred to below, I raise strong objections against the current DA. Of particular concern is the failure of the Applicant to provide adequate details and information for a proper assessment of the potential impacts of the proposed temporary event. As you are aware, a failure to undertake a proper assessment of relevant matters

is **alegal** flaw.

Furthermore, I raise objections on a number of **merit** grounds against the proposed development.

Prior to providing my points of objection, I wish to provide the following preliminary comments:-

- By way of introduction, I am a Consultant Planner with 15 years' experience in 3 Local Government Councils, including 9 years as a Senior Development Control Planner. I hold a Bachelor of Town Planning Degree from the University of NSW, and a Bachelor of Laws Degree (Hons) from the University of Technology, including a High Distinction in Environmental Studies. I have previously appeared as an Expert Planning Witness for 9 Councils in the Land and Environment Court (Court) and I have also appeared in numerous Appeals as a Court Appointed Expert.
- I note that the period of public exhibition has been extended until Thursday, 10 July 2025.

My points of objection against the DA are as follows:-

1.0 PREVIOUS 2014 APPROVAL GRANTED BY COUNCIL ON RESERVOIR GARDENS SITE

- At paragraph 24 on page 17, the SEE refers to a previous 2014 approval granted by Council for a number of approved uses on the Reservoir Gardens site. The SEE in support of the current DA claims that the above 2014 Council approval is a "precedent" for the current DA. I strongly disagree. I have reviewed the previous approval granted by Council in 2014 and consider that the previous approved uses on the subject site are totally different from the current DA for the following reasons:-
 - i. I note that Council appointed an independent Planning Consultant to assess the previous 2014 proposed development "to ensure impartiality in the assessment, as the City of Sydney is the Applicant and the landowner of the subject site". I assume that Council will adopt the same approach in the assessment and reporting on the current DA by appointing an independent Planning Consultant.
 - ii. The uses approved under the previous 2014 Council approval included "guided tours, workshops, exhibitions, live music and markets". These previous approved uses were clearly of Low Impact and would not likely generate adverse impacts on the amenity of adjoining properties.
 - iii. The previous 2014 Council approval did **not** involve any "amplified voice or music allowed". The current DA does involve "amplified voice" equipment.
 - iv. The previous 2014 Council approval involved "group A events" which were limited to between 30 to 80 persons. The previous approved development also involved group B events which involved 100 to 200 persons. In other words, whilst the whole of the Reservoir Gardens site under the current DA is to be used for a maximum of 200 persons, the previous 2014 Council approval involved use of part of the Reservoir Gardens site for only 30 to 80 persons.
 - v. The 2014 Council approval included a range of very quiet uses such as guided tours, storytelling, workshops and exhibitions. As you would be aware, such uses are generally Low Impact, particularly in terms of Lighting and Acoustic Impacts. In contrast, I consider that the current DA is likely to generate impacts greater than the 2014 approved uses.
- Thus, despite the claim in the SEE, I consider that the previous Council approval in 2014 has no relationship with the current DA and cannot be used as a "precedent".
- In the report on the previous Council approval in 2014, the Consultant Planner for Council noted that the current RE1 zone does not allow uses such as "entertainment facility" or "function centre". Council's Consultant Planner decided that any prohibited use under the Land Use Table should not be allowed because such prohibited uses would be contrary to the Land Use Table for the RE1 zone and also contrary to the objectives of the RE1 zone. Subsequently, Council in 2014 adopted the approach of Council's Consultant Planner and only approved uses which were allowed in the Land Use Table for the RE1 zone (even though the Heritage Incentive Clause allows any use).
- The Consultant Planner for Council in 2014 recommended that the "acceptable uses" on the Reservoir Gardens site should be limited to only permissible uses under the Land Use Table for the RE1 zone including "guided tours", "storytelling", "workshops", "exhibitions", "markets" and "live music". It could be fairly said that these approved uses on the Reservoir Gardens site were of Low Impact and with no amplified music. The current proposed development is clearly a very different use compared to the previous Council approved 2014 uses.
- The previous Council approved 2014 uses were accompanied by an Acoustic Report which assessed the potential Acoustic Impacts of the proposed uses having regard to applicable noise criteria. No Acoustic Report has been submitted with the current DA to allow a proper assessment of the Acoustic Impact. Thus, whilst the Council approval in 2014 was accompanied by an Acoustic Report, the current DA is not accompanied by an Acoustic Report.
- Whilst Clause 5.10(10) of Sydney Local Environmental Plan 2012 (LEP 2012) allows any use on a Heritage Item site, the Consultant Planner for Council previously considered that only those uses which were permissible under RE1 zone should be approved. Council agreed with the approach of its Consultant Planner and limited the range of approved uses in its 2014 approval. I consider that the same approach

should be adopted here. Furthermore, I strongly consider that there are likely adverse amenity impacts generated by the current DA on adjoining properties and the public domain. The fact that the Applicant has not provided adequate information for proper assessment of the proposed use is a further event for refusal.

2.0 RESPONSES TO “PLAN OF MANAGEMENT” (POM)

- One of the Applicant’s documents supporting the current DA is entitled “Plan of Management” and appears to have been prepared by the same company proposing the operation the temporary event, being Erth Visual and Physical Inc.
- On page 2, the Reservoir Gardens site is described as Lot 1 DP 998214. This appears to be an incorrect titled description. Based on the attached Deposited Plan, the Reservoir Gardens site comprises DP 1111940, being the consolidation of Lot 1 DP 998214 and Lots 1, 2 and 3 DP 106173. The above lots correspond with the drawing on page 3 described as “Site”.
- At paragraph 9 on page 8, the author of the POM describes the use as follows:-

“This is a free public event. The event will be **un-ticketed** with audiences admitted on a first in, first served format” (emphasis added).

“Each event will have a maximum capacity for 200 people per session”.
- I am very concerned with the **un-ticketed** nature of the proposed event. It is highly likely that many people will come to the Reservoir Gardens site in the hope/expectations of gaining entry but will be unsuccessful. The consequences of uncontrolled numbers of persons seeking to attend a free event will be significant. If the event was to be carried out on say a rural environment or a large park with no adjoining commercial and residential uses, then the impacts would be dissipated. In this case, however, uncontrolled numbers of people in a close urban setting, such as the Paddington Town Centre, would likely have significant adverse impacts.
- At pages 9 to 11 of the POM, there is limited information about the operations of people ingressing and egressing the subject site. There is also no expert evidence from a Fire Safety Expert as to whether the proposed ingress and egress arrangements are satisfactory and in compliance with relevant Fire Safety legislation. Please refer to additional comments below.
- At paragraph 16 on page 12, the SEE claims that the proposal “would seek to mitigate sound and lighting on residential tenants within the vicinity by maintaining strict level checks throughout the event”. Full details of the proposed Lighting and Acoustic Controls are not provided. Furthermore, the issue of the acoustic levels generated by persons attending the event have also not been addressed. The Applicant has also not provided any acoustic or lighting levels from the same event conducted elsewhere. Such details are essential for proper assessment of the proposed development.
- At paragraph 24 on page 17, reference is made to a previous Council approval for an event which is claimed to justify as a “precedent” for the current proposed development. On this point, please refer to Section 1.0 of my submission.
- At page 19, the POM considers that the “proposed uses will have positive impact on the public domain”. I disagree. I raise a number of concerns relating to the operation of the proposed event which are likely to generate adverse impacts on the public domain. I am particularly concerned that the Applicant has not provided adequate information for proper assessment of the DA. Please refer to Section 4.0 below.
- At paragraph 35 on page 20, the Applicant states that “residential amenity for the duration of the temporary activation event is forefront to the proposal”. I agree that the amenity of adjoining units, including my Clients’ units, must be at the “forefront” of the proposal. Unfortunately, the Applicant has not provided adequate information for proper assessment of the proposed event for the reasons referred to in this submission.
- On page 21, the Applicant’s POM seeks to address “Noise”, but I consider that the information provided is inadequate for proper assessment for the following reasons:-
 - i. The previous approved Council uses in 2014 were accompanied by an Acoustic Report prepared by a qualified Acoustic Consultant. There is **no** Acoustic Report accompanying the current DA.
 - ii. The POM claims that “the sound emanating from the puppet by Erth Visual and Physical Inc will be minimal with wireless amplification”. There is **no** information provided by the Applicant to support such a claim. I particularly note the following:-
 - a. Presumably, the proposed event has been previously conducted in another location. But the Applicant has not provided an Acoustic Report to assist Council and the local residents to test whether there would be an adverse Acoustic Impact.
 - b. The Applicant claims that the “sound emanating from the puppet will be minimal”. There is no empirical objective evidence to support such a claim.
 - c. The Applicant claims that the “performance is meditative and quiet and does not require loud clapping or cheering from patrons”. Again, there is no evidence to support such a claim.
 - d. As previously noted, the previous Council approved uses 2014 did not permit amplification. The current DA involves amplification.

- At paragraph 42 on page 21, the POM states that “the upper viewing platforms overlooking the sunken gardens will be accessible to the members of the public and passersby”. These existing viewing platforms on the southern side will result in a direct Overlooking Impact into a number of units of my Clients on their northern facades. This is one of the adverse Amenity Impacts generated by the proposed development which have not been addressed in the DA documentation.
- At paragraph 52 on page 22, the POM states that “there will only be one entry into the event space and one separate exit from the same gardens in order to control traffic flow”. I raise a concern relating to congestion at the entry and exit points, particularly when persons are declined entry due to the un-ticketed nature of the proposed use. There will be people who will come to the subject site in the hope they will gain entry, but they will not be able to enter due to a limit on the numbers.
- Furthermore, I am concerned with lack of an assessment by an appropriate Fire Consultant as to compliance with Fire Safety legislation.
- I note that under the “Contingency Planning” there is a possible scenario of “crowd crush”. This possible scenario is of significant concern particularly in terms of Amenity Impacts on the adjoining locality and, most importantly, the issue of Fire Safety.
- At paragraph 60 on page 24, an “Emergency Evacuation Plan” has been prepared by City of Sydney’s Security and Emergency Management Unit. I consider that such an Emergency Evacuation Plan must be prepared by an appropriate expert in Fire Safety. Query whether the author of the above Emergency Evacuation Plan which is included in the current DA has the appropriate qualifications and experience.

3.0 RESPONSES TO SEE

- On page 6, the SEE claims that “this temporary event activation will be considered as a “slight impact event” and will include a management plan to mitigate noise and light impact on residents”. I disagree. I consider that there is a range of likely adverse impacts on adjoining properties and the public domain for the reasons referred to in this submission. I particularly note that there has been a failure by the Applicant to provide adequate information for proper assessment of the current DA. Please refer to comments elsewhere in this submission.
- In terms of “Noise” and “Lighting”, I refer to my previous comments in response to the POM.
- The SEE essentially replicates the POM and I reiterate my previously stated concerns.

4.0 INADEQUATE INFORMATION FOR PROPER ASSESSMENT OF DA

- Whilst I note that the advice of the City of Sydney Planning Assessment Team that a BCA report is not required, I consider that a report from an Expert Fire Consultant is essential to ensure that there are adequate Fire Safety measures and adequate ingress and egress provisions to comply with the relevant legislation.
- In terms of Acoustic Impact, the current DA is not accompanied by an Acoustic Report prepared by an appropriate Acoustic Consultant. In contrast, the previous Council approval in 2014 was accompanied by an Acoustic Report prepared by an Acoustic Consultant.
- There is no Acoustic Report nor Lighting Report evidencing the noise and lighting impacts of the proposed event. The Applicant’s proposed POM and SEE claim that the proposed performance is “meditative and quiet and does not require loud clapping or cheering from patrons”. There is no evidence to support such a claim. Furthermore, there will be amplified voice equipment whereas the 2014 approval by Council did not permit amplified voice equipment.
- I note that there is a “Evacuation Diagram” prepared by Council’s Security and Emergency Management Unit, but I consider that this should be supplemented by advice from an appropriate Fire Safety Expert to ensure that the use does meet appropriate Fire Safety legislation.
- As previously noted, the proposed use is “un-ticketed”. As a result, it is highly likely that there will be many people who will seek to attend the subject site in the hope/expectation that they will gain access, but access will be denied due to the limit on numbers. As a result, this excess number of persons attending the subject site will likely generate excess and unreasonable impacts on the adjoining locality, including my Clients’ units.
- I also note that there has been no Traffic and Parking Report permitted by the Applicant which is a normal requirement for a proposed use of such scale. As to the issue of scale, whilst each performance is to be limited to a maximum of 200 persons, there will obviously be a time period at the end of the first performance and the beginning of the second performance during which there will be an overlap of people leaving the event and coming to the event. No assessment has been made of this overlapping of persons attending the performances.

5.0 ADVERSE AMENITY IMPACTS ON ADJOINING PROPERTIES

- The first potential Amenity Impact is that of Acoustic Impact for the reasons referred to in this submission. Again, I note that the previous Council approved uses in 2014 were accompanied by an Acoustic Report prepared by a qualified Acoustic Consultant. No such report has been provided as part of the current DA. Furthermore, the proposed use does involve amplification equipment, whereas the previous Council approval in 2014 prohibited such amplification.
- The potential Acoustic Impact has not been confirmed by an Acoustic Report in response to the same

event in a different location. Simply put, the claim that the proposed use is contemplative and quiet has not been corroborated. The fact that the proposed use will be within an open-air excavated basement also has the potential for amplification of any noise.

- A further concern is that of Overlooking Impact for persons standing and walking along the elevated pathways will have a direct line of sight into my Clients' northern facades. This issue has not been considered. I am also concerned with the lack of public amenities and facilities. The Applicant seeks to use the toilets in The Paddington Town Hall. There is no expert advice as to whether the location and number of toilets available in the Paddington Town Hall would meet relevant regulations.
- The Applicant states that "residential amenity for the duration of the temporary activation event is the forefront to the proposal". For the reasons raised in this submission, I strongly consider that the documentation submitted with the current DA has not properly assessed the residential amenity of adjoining properties, particularly my Clients' units immediately to the south.
- For the reasons referred to in this submission, I consider that the proposed use is likely to generate a range of adverse Amenity Impacts which have not been properly addressed in the DA including, but not limited to, the following:-
 - i. Acoustic Impact.
 - ii. Lighting Impact.
 - iii. Fire Safety Regulations.
 - iv. Amenities and facilities including on-site toilets.
 - v. Overlooking Impact into my Clients' northern facades.
 - vi. Parking and Traffic Impacts.
- I am very concerned that the abovementioned potential Amenity Impacts have not been addressed in the DA documentation.

6.0 CONCLUSION

- I wish to express my support for the proposed performance, in principle, due to its focus on educating persons relating to global warming and the natural environment. The fact that children are encouraged to attend is also obviously commendable.
- I, however, consider that location of the proposed event is most unreasonable, particularly due to the immediately adjoining residential units and the Paddington Town Centre. This sensitive interface places an onus on the Applicant to provide adequate assessment of all potential impacts. I note that the Applicant has claimed that "residential amenity for the duration of the temporary activation event is the **forefront** to the proposal" (emphasis added). But the documentation submitted with the current DA has **not** properly assessed the range of potential impacts.
- I strongly consider that the Applicant has not provided adequate information as part of the current DA to demonstrate that there would be no unreasonable adverse Amenity Impacts on either the adjoining residential units or the public domain in general.
- One of my Clients correctly notes that there are "numerous purpose-built venues within a short radius- including the Paddington Town Hall, The Entertainment Quarter, Moore Park and various facilities within the Centennial Parklands- all of which are equipped to manage lighting, sound and crowd control without impacting residents or Heritage values". I fully agree.
- The proposed event should be relocated to more appropriate locations referred to above. I also wish to reiterate that the previous 2014 Council approval for use of the subject site has totally different features than the current proposed development and cannot be considered to be a "precedent" as claimed in the Applicant's SEE and POM.

Thank you for considering this submission.

My Clients would like the opportunity for you to inspect their units to understand and consider the interface with the adjoining Reservoir Gardens Site.

Yours Sincerely,

Tony Moody

U10/21 Sydney Road, Manly 2095

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SIGNATURES, AND SEALS ONLY.

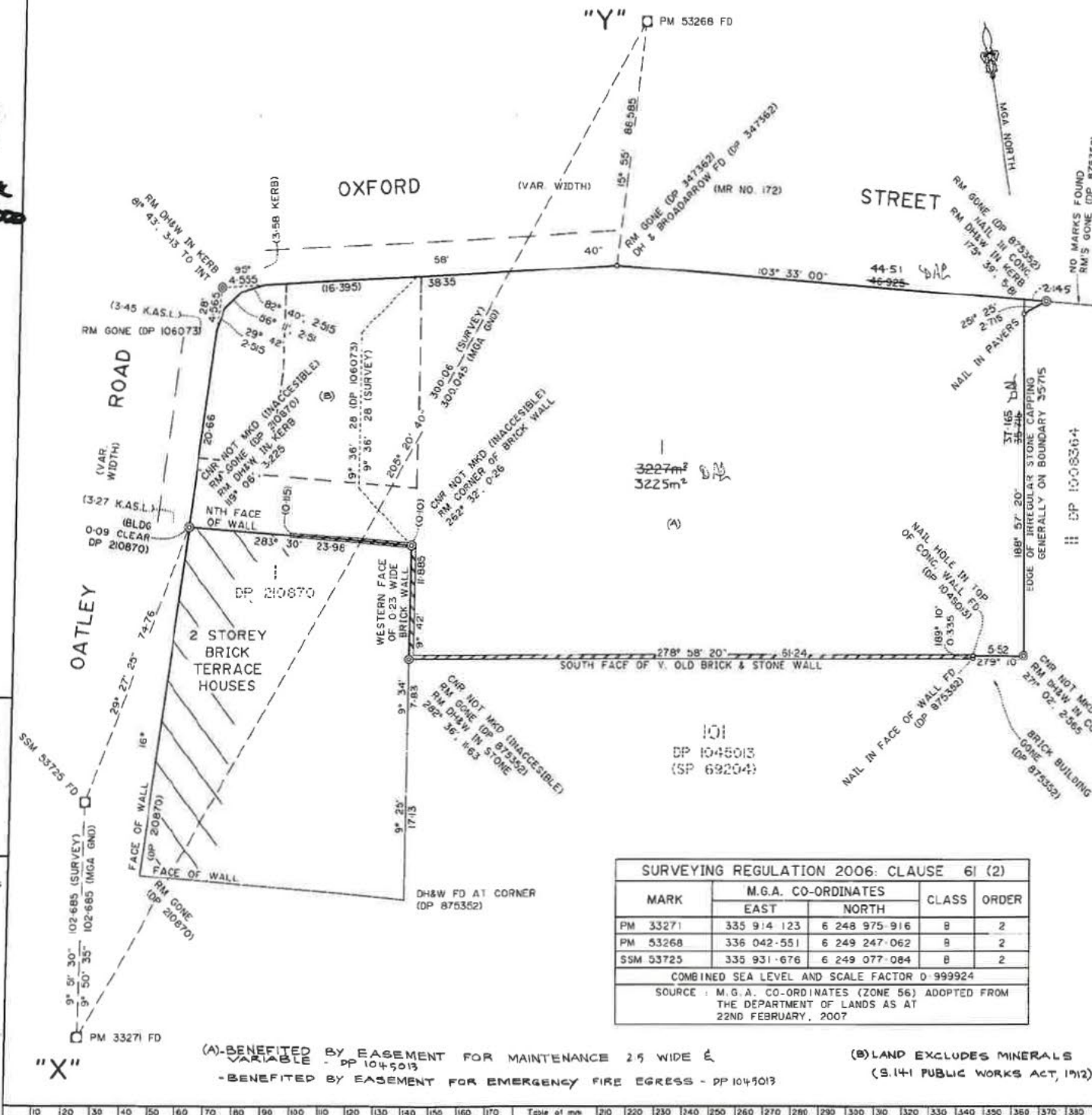
InfoTrack

Peter Vlaodeta
PETAR VLAODETA
 City of Sydney
 City of Sydney by its
 duly appointed PETAR
 VLAODETA Power of
 Attorney No 393 Book
 4275 dated 7 June 2000
 in the presence of:

Nikki Gerslun
Nikki Gerslun
 Witness

Reg: 552603 / Doc: DP 1111940 P / Rev: 14-Aug-2007 / NSW LRS / Pgs: ALL / Ppt: 03-Jul-2025 07:43 / Seq: 1 of 1
 Office of the Registrar-General / s/s: InfoTrack / Ref: Paddington Reservoir and Gardens

Department of Lands Approval
 I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the above is a true and correct copy of the original plan as submitted to me, and that the same has been approved by me for registration.
 Signature: _____
 Date: _____
 Title: _____
 Office: _____
 Subdivision Certificate
 I, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the above is a true and correct copy of the original plan as submitted to me, and that the same has been approved by me for registration.
 Signature: _____
 Date: _____
 Title: _____
 Office: _____



DP1111940

Registered: 14/8/2007

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: U1845-42

Last Plan: DP 998214, DP 106073

PLAN OF CONSOLIDATION OF LOT 1 DP 998214 & LOTS 1, 2 & 3 DP 106073

Lengths are in metres Reduction Ratio 1:300

L.G.A.: SYDNEY CITY

Locality: PADDINGTON

Parish: ALEXANDRIA

County: CUMBERLAND

This is Sheet 1 of my plan as shown on the plan.

1. DAVID A. LOOMES
 2. PETER BOLAN & ASSOC P/L
 38/104 BATHURST ST SYDNEY
 3. A surveyor registered under the Surveying Act 2002.
 4. I certify that the survey represented on this plan is accurate.
 5. I have been made in accordance with the Surveying Act 2002 and was completed on 23-06-06 & 16-02-07.
 6. The survey is to WHOLE.

I have signed this plan and it is a true and correct copy of the original plan as submitted to me, and that the same has been approved by me for registration.
 Signature: _____
 Date: 23-02-07
 Title: _____
 Office: _____

DP 106073 DP 1045013
 DP 210870
 DP 347362
 DP 875352
 DP 998214
 DP 1008364

PANEL FOR USE ONLY for statements of intention to dedicate public roads to create public reserves, drainage reserves, easements not shown on the plan or other or positive covenants

SURVEYING REGULATION 2006: CLAUSE 61 (2)					
MARK	M.G.A. CO-ORDINATES		CLASS	ORDER	
	EAST	NORTH			
PM 33271	335 914 123	6 248 975 916	B	2	
PM 53268	336 042 551	6 249 247 062	B	2	
SSM 53725	335 931 676	6 249 077 084	B	2	
COMBINED SEA LEVEL AND SCALE FACTOR 0.999924					
SOURCE: M.G.A. CO-ORDINATES (ZONE 56) ADOPTED FROM THE DEPARTMENT OF LANDS AS AT 22ND FEBRUARY, 2007					

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

From: Planning Systems Admin

Sent on: Thursday, July 10, 2025 11:32:48 AM

To: DASubmissions

Subject: FW: DA / 2025/411 - Attention Kate Burton

-----Original Message-----

From: Denis McCarthy

Sent: Wednesday, 9 July 2025 4:42 PM

To: DASubmissions

Subject: DA / 2025/411 - Attention Kate Burton

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.

Hello Kate

My wife Carolyn and I reside at 13 Oatley Road Paddington, adjacent to Paddington Reservoir.

We would like to strongly object against the proposed DA to allow the Paddington Reservoir to be used for live theatrical productions from 5pm to 10pm for 3 weeks in September 2025. The Paddington Reservoir is encased in concrete, noise magnifies and travels directly out of the reservoir and into our apartment behind. For this to occur for 5 hours a night for 3 weeks is completely unreasonable.

Perhaps the Council should test the acoustic effect before considering the DA. The Paddington Reservoir is meant to be a garden area for the community to enjoy. It should not be used as a theatre or music venue. This event, and no doubt others to follow, will make our apartment unliveable for that period. What is next - rock bands, heavy metal, hip hop ... ?

We further note, there are no facilities, notably toilets, for crowds of people to use. Where are they likely to relieve themselves?

Surely there are better venues for these events that do not impact so directly on residential areas. May be a hotel or RSL club that can easily cater for these events and put money in the pockets of small businesses or community clubs?

Please feel free to call me if you wish to discuss.

Kind regards

Denis McCarthy

10/13 Oatley Road Paddington



From: Paddington Central Strata Committee
Thursday, July 10, 2025 12:09:42 PM
dasubmissions
Sent on: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate
To: Burton
Subject:

Attachments: Letter from Paddington Central SC.pdf (88.78 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 Kate,

I have been told our submission was not visible online.

I am resubmitting this again for inclusion.

Kind regards,

Secretary

On behalf of the Paddington Central Strata Committee
SP 69204

Paddington Central

13 Oatley Rd, Paddington NSW 2021
paddingtoncentral.com.au

From: Paddington Central Strata Committee

Date: Wednesday, 2 July 2025 at 11:25 am

To: dasubmissions

Subject: Submission - D/2025/411 - 251-255 Oxford Street PADDINGTON NSW 2021 - Attention Kate Burton

Dear Kate,

Please find attached a letter from the Paddington Central Strata Committee regarding D/2025/411.

Kind regards,

Secretary

on behalf of the Paddington Central Strata Committee
SP 69204



RE: D/2025/411

Dear Kate Burton,

I am writing to you as Secretary of the Owners Committee of Paddington Central (13 Oatley Rd Paddington 2021) – the accommodation precinct immediately adjacent to Paddington Reservoir Gardens – regarding the proposal by Erth Visual and Physical Incorporated to run a series of live theatrical performances over a three-week period in September 2025 (D/2025/411).

The Committee holds serious concerns about this application. In short, the proposed activation appears fundamentally at odds with the intended and permitted use of this sensitive public site. The Paddington Reservoir Gardens, as outlined in the Walter Read Reserve and Paddington Reservoir Plan of Management, are designated for light “recreational, cultural, social and educational pastimes and activities” and for quiet community enjoyment. This proposal is inconsistent with those guiding principles.

While the event has been described as “meditative,” the information provided raises clear red flags about its true impact. The event includes amplified music, artificial lighting, large crowds, and a four-metre-tall inflatable puppet that traverses the reservoir space, potentially floating metres above the chamber wall. We understand that the performances are targeted towards families and children. This all raises significant privacy, amenity, and noise concerns for residents whose living rooms, bedrooms, and balconies overlook the site from just a few metres away.

There are 47 apartments in Paddington Central, home to more than 120 residents, the majority of whom have direct sightlines into the western chamber where the performances are to be staged. The event will run on three consecutive Thursdays, Fridays, and Saturdays throughout September – from 5pm to 10pm – totalling 45 hours of scheduled performances. This does not include the August “media launch” event, four days of set-up, nor the bump-out period. In effect, we are looking at nearly a month of disruption to residents’ peaceful enjoyment of their homes.

Despite the proposed scale of this event, the applicant has not provided a formal acoustic report or a comprehensive sound management plan. This makes it impossible for our Committee to assess how noise will be monitored or mitigated, particularly in a space known for its strong reverberant acoustic properties. The plan references a 75dB noise limit at 1 metre from the speaker source, which is comparable to a vacuum cleaner in volume – and considerably higher than what is tolerable in a residential setting. It should be noted that nearby sporting facilities like Allianz Stadium and the SCG use a 70dB outdoor threshold

– and only after extensive consultation and complaints by nearby residents. The absence of clear benchmarks or enforcement protocols in this case is unacceptable.

Equally concerning are the public amenity, safety, and access issues the proposal raises. Although capped at 200 attendees per session, each night includes three back-to-back sessions and an open upper-level viewing platform. Realistically, more than 600 people could be circulating through the site each evening. There is no clear plan for crowd control along narrow access points such as Oatley Road and Oxford Street. Nor is there adequate information about how public movement will be managed to avoid congestion, noise spill, and disruption to residents. The proposal also relies on public toilets within Paddington Town Hall, which are not sufficiently close or numerous to cater for this level of visitation, especially in the evenings. These oversights raise significant health and safety concerns.

To provide context, Paddington Central residents have long tolerated – and indeed supported – the occasional use of the Reservoir Gardens for small-scale, non-intrusive community or cultural events. However, our tolerance has been tested over recent years by recurring activities that have caused undue disturbance, including commercial wedding receptions, boot camps, and exercise classes with loud music. These events have frequently been accompanied by poor supervision and lax compliance, including the flying of drones above the chamber and excessive noise bouncing off the chamber walls. Thankfully, Council has taken some steps in recent months to curb this misuse. But the cumulative impact has been deeply frustrating for residents, who often cannot enjoy their balconies or open their windows, and who are sometimes unable to hear conversations inside their own homes because of amplified sound from the chamber below.

We note too that these intrusive activities often preclude public access to the gardens. This is another worrying feature of the current proposal, which would effectively alienate a significant portion of public open space for the majority of September. This goes against the spirit of open, inclusive community use and sets a troubling precedent for future commercial-style events.

Let us be clear: residents are not unreasonable. We fully recognise that Paddington Reservoir Gardens are a valued public asset and we appreciate the vibrancy that comes with living in a diverse, inner-city precinct. We coexist with the nearby pubs, restaurants and stadiums, and accept a certain level of ambient activity as part of the neighbourhood's character.

But the SoFT foREST proposal, as described, is not the type of use that the site was intended for. It is overreaching in scale, poorly planned, and demonstrably incompatible with the immediate residential context. The lack of clarity, combined with unresolved issues around privacy, access, noise, crowd control and amenity, makes this proposal unacceptable in its current form.

We respectfully urge the City of Sydney to reject this Development Application. If future event proposals are to be considered for Paddington Reservoir, they should be clearly aligned with the site's intended low-impact use, accompanied by full community consultation, and subject to rigorous controls that respect both heritage and residential amenity.

Yours sincerely,

Secretary

on behalf of the Paddington Central Strata Committee
SP 69204