



# **SUPPLEMENTARY BUSINESS PAPER**

## **GENERAL MEETING**

**Wednesday 11 December 2024  
at 6:30 PM**



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## **15 ESTABLISHMENT OF A TRIAL HORNSBY SPECIAL ENTERTAINMENT PRECINCT**

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### **EXECUTIVE SUMMARY**

- The NSW Government has produced a suite of vibrancy reforms through the Office of the 24-Hour Economy Commissioner with the goal of stimulating and supporting the night time economy across New South Wales.
- One such reform is the establishment of Special Entertainment Precincts. Special Entertainment Precincts (SEPs) are defined under the Local Government Act 1993 and are designated areas or streetscapes in which a council can set the trading hours and sound conditions to support live music and performances and provide greater certainty for businesses and residents in the precinct.
- The State Government is currently providing grant funding through the Special Entertainment Precinct Kickstart Grant Program to progress the development of a trial SEP. To be eligible for grant funding, a resolution of Council is required to implement the SEP. If grant seeking is successful, further stakeholder consultation will be undertaken to inform how trading hours and sound will be managed within the precinct.
- Council's Local Strategic Planning Statement, Community Strategic Plan, Delivery Program and Operational Plan, Economic Development and Tourism Strategy and the draft Destination Management Plan all refer to the need for a night time economy strategy – with a focus on Hornsby Town Centre.
- This report recommends that Council resolve to implement a trial Special Entertainment Precinct in Hornsby Town Centre within the Transport Oriented Development/Hornsby Town Centre Masterplan footprint and undertake grant seeking to achieve this outcome. The trial SEP would be reviewed 12 to 18 months after implementation.

### **RECOMMENDATION**

THAT Council approves the establishment of a Special Entertainment Precinct in the Hornsby Town Centre within the footprint of the Hornsby Town Centre Masterplan and apply for grant funding to roll out the trial.

## PURPOSE

The purpose of this Report is to seek Council's approval to establish a Special Entertainment Precinct (SEP) in the Hornsby Town Centre Masterplan footprint, such that grant seeking activities can support the delivery of a trial SEP.

## BACKGROUND

At the May 2021 General Meeting, Council considered General Manager's Report No. 14/21 - Draft Economic Development and Tourism Strategy - Feedback From Exhibition Period and resolved that Council:

1. Adopt the Economic Development and Tourism Strategy (2021-2026) detailed in Attachment 1 to General Manager's Report No. GM14/21.
2. Write to all submitters notifying them of the Council's decision and thanking them for their comments and suggested amendments.
3. Update the Future Hornsby website to reflect the adoption of the Strategy.

Action 3.10 of the Economic Development and Tourism Strategy requires that Council progress an approach to developing a night time economy in the Hornsby Town Centre through the development of a Night time Economy Strategy. Other Council strategic planning documents (referenced below) also support the enhancement of the night time economy within the Hornsby Town Centre.

## DISCUSSION

Special Entertainment Precincts are described on the NSW Department of Planning's website as follows:

*Special entertainment precincts support live entertainment through extended trading hours for live music venues and favourable noise controls that provide operational certainty for venues, neighbouring residents and businesses. Councils can establish special entertainment precincts in their local areas. The precinct framework allows councils to set requirements for amplified music and adopt their own plans to encourage more live music and performance venues.*

*Recent changes to the Local Government Act, 24-Hour Economy Legislation Amendment Bill 2023, will improve the precinct framework to support councils to establish precincts through:*

- *clearer sound governance: from mid-2024, Liquor & Gaming NSW manage entertainment sound complaints for licensed venues while councils will set sound standards and manage noise from unlicensed venues*
- *a trading extension for live music venues in special entertainment precincts, including 2 hour trading extensions on nights when live music is offered, and one hour on other nights*
- *new powers for councils to automatically adjust trading hours on development consents to support other businesses such as shops to open later*
- *strengthening governance arrangements to support safety and collaboration.*

A Special Entertainment Precinct is a defined area, in this case, the Hornsby Town Centre Masterplan/Transport Oriented Development Precinct, where sound from premises with amplified music is managed by Council through a Noise Management Plan. This lets councils more easily support live music and performance in the precinct.

A council identifies a Special Entertainment Precinct by amending its Local Environmental Plan via a planning proposal and publishing the Noise Management Plan on their website. A precinct may be a single premise, streetscape or other defined area. Given Hornsby Shire Council's previous resolution to focus a night time economy strategy on the Hornsby Town Centre Masterplan footprint, this is the SEP precinct that is recommended in this report.

The NSW State Government's Special Entertainment Precinct Kickstart Grant program is a \$1M grant program administered through the Office of the 24-Hour Economy Commissioner and designed to assist eligible councils across NSW to establish SEPs. For Council to be eligible to apply for the grant a resolution of Council is required which directs officers to progress the establishment a Special Entertainment Precinct and to nominate the SEP area boundaries. The grant program would provide the necessary funding to progress the various studies and engagement required to ultimately lodge a planning proposal to the Department of Planning, Housing, and Infrastructure to establish the SEP within the Hornsby Town Centre.

The grant funding opportunity was only made available on 21 November 2024. Grant applications close on 12 March 2025. Grants are awarded on a non-competitive/first come first served basis and so an early Council resolution to proceed with a trial for a Hornsby Town Centre Special Entertainment Precinct is likely to place Council's grant application in better stead than waiting until the first Council Meeting of 2025 to receive the same endorsement.

Implementing a SEP will support local businesses by making it easier for business to offer night time activities, enhance night time options in the Hornsby Town Centre and balance sound and amenity issues for residents living within the precinct. A Special Entertainment Precinct is one of the tools that Council can apply to help grow the night time economy. Council's partnership with the Hornsby After Dark (Uptown) Project is another initiative that Council has recently supported to help grow the night time economy in the 2077 postcode. The production of a Night Time Economy Strategy is another way that Council can identify strategic interventions to support the night time economy in a considered systematic way.

### **CONSULTATION**

The consultation informing this report has drawn from a variety of strategic planning processes and their associated consultation over the last few years – ranging from the Local Strategic Planning Statement, Community Strategic Plan, Delivery Program and Operational Plan, Economic Development and Tourism Strategy and the National Liveability Census 2021 and 2023. All documents point to a desire to enhance the night time economy offering in the Hornsby Town Centre. Council's submission to the NSW Government on the Hornsby Transport Oriented Development Program also included a request to progress a SEP within the precinct.

### **BUDGET**

There are no budgetary implications associated with this Report. The report recommends the establishment of a trial Special Entertainment Precinct – with the expressed purpose of lodging a grant application to fund the necessary studies and engagement activities to inform a planning proposal. If this grant seeking process is not successful, the process will not proceed unless funding is allocated to it by Council in future budgets.

### **POLICY**

There are no policy implications associated with this Report.

**CONCLUSION**

The establishment of a Special Entertainment Precinct in the Hornsby Town Centre Masterplan footprint is consistent with feedback received by the community over a number of years in that there is a desire for a more attractive and appealing night time entertainment offer within the town centre.

A SEP is one tool that will facilitate the delivery of this desired outcome and is driven by the Vibrancy Reforms being led by the Office of the 24-Hour Economy Commission in the State Government, consistent with the NSW 24-Hour Economy Strategy. This strategy aims to foster collaboration and create vibrant, diverse and coordinated precincts. Council's submission to the Hornsby Transport Oriented Development (TOD) proposal included reference to the desire to establish a SEP within the TOD footprint. The map of the footprint of the proposed Special Entertainment Precinct is attached.

**RESPONSIBLE OFFICER**

The officer responsible for the preparation of this Report is the Strategic Place Manager – David Johnston - who can be contacted on 9847 6800

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**Attachments:**

1.  Attachment 1 - Hornsby Special Entertainment Precinct Map

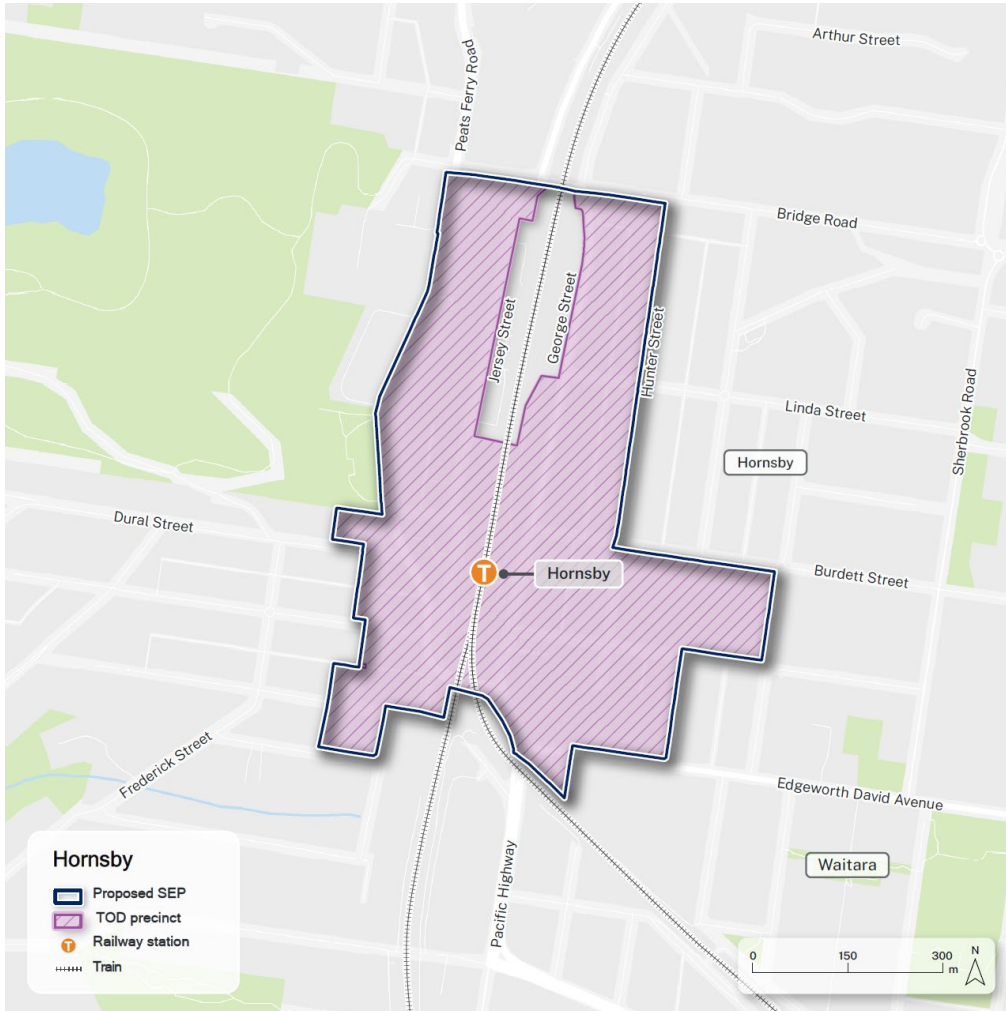
File Reference: F2004/06327

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Attachment 1

Boundary Map Special Entertainment Precinct Hornsby Town Centre



Source: [planning.nsw.gov.au](http://planning.nsw.gov.au) (modified)