



SUPPLEMENTARY BUSINESS PAPER

(Item 7 – GM28/25)

GENERAL MEETING

**Wednesday 14 May 2025
at 6:30 PM**



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7 SPECIAL ENTERTAINMENT PRECINCT UPDATE

EXECUTIVE SUMMARY

- In December 2024, Council resolved to approve the establishment of a Special Entertainment Precinct (SEP) in the Hornsby Town Centre within the footprint of the Hornsby Town Centre Masterplan – which is also the Hornsby Transport Oriented Development (TOD) footprint.
- A Special Entertainment Precinct is a defined area where sound conditions and trading hours are set by a council in a precinct management plan to support and enable the functioning of a vibrant night time economy.
- Following Council's December resolution, officers subsequently successfully applied for a Special Entertainment Precinct Kickstart Grant from the Officer of the 24-Hour Economy Commissioner to progress the Hornsby TOD SEP project. This grant funding was provided to establish a trial SEP for a period of 12-18 months.
- The SEP Kickstart funding agreement contains defined project milestones that may make timely reporting to Council on draft precinct management plans and draft planning proposals difficult. It is noted that the submission of these documents will be for draft documents only and that Council will need to formally endorse the documents prior to formal submission of the Precinct Management Plan and the Planning Proposal.
- To support public participation in this process, a Precinct Working Group is being established, and Councillors are encouraged to nominate to participate in this group to ensure transparent and open governance.
- At the time of writing this report, the grant agreement is being renegotiated to both delay project commencement and extend the project duration to manage Council's reporting requirements. This report is provided for the information of Council and the community given the uncertainty associated with the project timelines and the agility with which the project will need to be delivered under the funding agreement.

RECOMMENDATION

THAT Council:

1. Note the successful application to the SEP Kickstart Grant Program and the constraints and timeframes associated with the funding detailed in this report.
2. Nominate 1 to 2 Councillors to participate in the Precinct Working Group for the Hornsby TOD SEP Project.

PURPOSE

The purpose of this Report is to advise Council of the grant conditions associated with the Special Entertainment Precinct and outline attempts to manage these to ensure public participation and open and transparent decision making.

BACKGROUND

At the December 2024 General Meeting, Council considered General Manager's Report No. GM64/24 and resolved that:

1. *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.*

DISCUSSION

Council was successful in seeking a \$200,000 grant from the State Government to deliver a trial Special Entertainment Precinct (SEP) within the Hornsby Town Centre Transport Oriented Development (TOD) footprint. The project is referred to as the Hornsby TOD SEP.

The Hornsby TOD SEP project will essentially result in an amendment to the Hornsby Local Environment Plan (LEP) and the inclusion of updates to the Hornsby Development Control Plan that will apply to the Hornsby TOD Precinct only. The amendments will relate to noise management and trading hours – all of which will be administered under a soon to be developed Precinct Management Plan.

The intent of these changes is to enable the development of a vibrant night time economy within the precinct whilst balancing the needs of residents, businesses and visitors. Given Hornsby's TOD status, it is not anticipated that the SEP trial will result in significant enhancements in the night time economy in Hornsby in the short term. However, the benefit of progressing this project now is that it will future proof the town centre by having controls in place to manage noise and trading hours before development takes place so that Hornsby may have a more active night time offering for residents and visitors in the future once development takes place.

At the time of writing, the final timeframes of the grant agreement are being renegotiated due to both a delayed Ministerial announcement of the awarding of the grant (which constitutes the project commencement trigger) and the delivery model that Hornsby Council has employed to manage the project - which necessitates the engagement of consultants beyond the delivery of Milestone 1 outcomes. Milestone 1 is the presentation of a draft Precinct Management Plan and a draft Planning Proposal to the funding body.

At a high level, the Hornsby TOD SEP project plan involves early-stage community consultation on business opening hours and sound management within the Hornsby TOD footprint, technical studies and planning that are driven by this feedback, and then the drafting of a Precinct Management Plan and planning proposal. The Office of the 24-Hour Economy Commissioner then reviews the draft documentation and before finalised documents are lodged for a Gateway determination which would amend the Hornsby LEP. Once amended, the trial period for the SEP of 12-18 months commences.

At the time of writing, due to project timeframes driven by the grant agreement, it appears that it may be logistically impossible to formally provide Council with the draft Precinct Management Plan and Planning Proposal prior to submitting the draft documents to the Office of the 24-Hour Economy Commissioner. To manage this logistical matter, officers will seek to provide Councillors with draft

documents prior to submission in an informal capacity for feedback and will seek to formally bring these documents to Council when draft documents are with the Commissioner's Office. Essentially, every effort will be made to ensure that a public process is adhered to that allows Council to have clear and transparent decision-making processes regarding the implementation of this trial.

It is noted that the grant funding is provided to implement a trial of the Special Entertainment Precinct. The grant funding has not been provided to work towards or consider a trial. A trial needs to be implemented under the conditions of the grant agreement as the funding has been provided to implement a trial SEP. This intention was reflected in the wording of Council's December resolution to "establish a Special Entertainment Precinct". The wording of this resolution was guided by the requirements of the SEP Kickstart grant guidelines because the provision of funding was contingent upon the consultation and planning studies leading to the establishment of a trial SEP.

The community will be consulted in the first instance to set up conditions that inform the Precinct Management Plan which will govern the trial. This will take place via surveys, pop ups in Hornsby Mall and via the establishment of an 1800 telephone feedback service. Once the trial is implemented, the community will have the opportunity to provide feedback on the impact of the trial. Community feedback on the actual impacts of the trial will be what governs the review of the continuation of the SEP – not the forecast impacts.

Given the above grant conditions, and the sensitivities that may arise during the trial, it is important that the community have confidence that the Council and Councillors are active participants in the process and that there is a clear line of communication with regards to any concerns that residents or businesses may have. To this end, the grant will fund the establishment of a Precinct Working Group – which will include key town centre stakeholders, government agencies (e.g. Police and Transport for NSW), and Councillors. This report seeks Councillor nominations to participate in this working group.

CONSULTATION

Officers have consulted with the Office of the 24-Hour Economy Commissioner in the development of project timelines associated with this project.

BUDGET

There are no budgetary implications associated with this Report.

POLICY

There are no policy implications associated with this Report.

CONCLUSION

The Hornsby TOD SEP Kickstart Grant is an opportunity to future proof the Hornsby Town Centre by planning for and enabling the development of a vibrant nighttime economy within the TOD precinct. It is not anticipated that the SEP will have a significant short-term impact on the amenity or vibrancy in the town centre. It is setting up controls to manage this vibrancy in the future once development occurs.

The grant agreement for the SEP Kickstart Grant has timing constraints associated with its delivery. At the time of writing, these timing constraints will require the submission of draft documents to the Office of the 24 Hour Economy Commissioner prior to Council formally endorsing these documents. Officers will make every effort to ensure that Council and the community are provided with an appropriate democratic and public process around decisions associated these matters – noting that

the grant funds necessitate the actual establishment of a trial SEP. A review of the success and/or negative impacts of the approach taken within the trial will be critical to considering the longer-term management of the Special Entertainment Precinct.

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.

JULIE RYLAND
Manager Strategy and Place
Office of the General Manager

STEVEN HEAD
General Manager
Office of the General Manager

Attachments:

There are no attachments for this report.

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