



IRF26/4958

Gateway determination report – PP-2026-1383

Hornsby Town Centre Special Entertainment Precinct

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Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1. Reports and plans supporting the proposal

Relevant reports and plans
Planning proposal
Draft Special Entertainment Precinct Management Plan
Acoustic report, prepared by Renzo Tonin & Associates
Local Planning Panel Minutes (April 2026)
Council Report (June 2026)
Council Minutes (June 2026)

1 Planning proposal

1.1 Overview

Table 2. Planning proposal details

Local Government Area	Hornsby
Planning proposal authority	Hornsby Shire Council
Name	Hornsby Town Centre Special Entertainment Precinct
Reference	PP-2026-1384
LEP to be amended	Hornsby Local Environmental Plan 2013
Address	Certain land Hornsby Town Centre (see Figure 1)
Received	30/06/2026
File number	IRF26/4958
Political donations	There are no donations or gifts to disclose, and a political donation disclosure is not required
Lobbyist Code of Conduct	There have been no meetings or communications with registered lobbyists with respect to this proposal

Planning system updates: Guidance improvements

On 1 July 2026, the NSW Government released updated key planning guidance to improve clarity, consistency and ease of use. This included the updated Local Environmental Plan (LEP) Making Guideline, a revised section 9.1 Ministerial Direction – Local Plan Making and consolidated 18 planning circulars.

The updated materials apply to planning proposals lodged on the NSW Planning Portal from 1 July 2026. As this planning proposal was lodged prior to 1 July 2026, it has been assessed against the requirements of the LEP Making Guideline (August 2023) and Section 9.1 Ministerial Directions that applied at the time of lodgement.

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes to explain the intent of the proposal.

The objective of the planning proposal is to establish the Hornsby Town Centre Special Entertainment Precinct (SEP) supporting Council's long-term vision for an active, thriving and connected Hornsby.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Hornsby LEP 2013 to identify the Hornsby Town Centre as an SEP. In summary, Council proposes to formally establish the Hornsby Town Centre SEP consistent with the 202C *Local Government Act 1993* by amending the LEP to:

- Introduce a new clause into Part 6 Additional local provisions
- Identify the SEP area on the Additional Local Provisions Map.

The proposal includes drafting clauses to demonstrate changes intended. The Gateway determination includes a condition requiring the proposal to note that the wording is indicative only and final wording will be subject to the drafting process by Parliamentary Counsel.

Existing zoning and principal development standards that apply to the land are not proposed to be amended.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.3.1 Supporting documents

To establish a SEP in accordance with section 202C, 202D and 203 of the *Local Government Act 1993*, supporting documents are to be prepared, this typically includes:

- Precinct management plan
- Development control plan.

See Department's consideration below.

1.3.1.1 Special Entertainment Precinct Management Plan

Council has prepared a SEP Management Plan to manage the operation of the SEP as required by section 202D of the *Local Government Act 1993*:

- (2) *Before the special entertainment precinct is established, the council for the area in which the special entertainment precinct will be located must prepare a plan (a precinct management plan) that provides the following –*
- (a) *the trading hours for premises in the special entertainment precinct*
 - (b) *the regulation of sound from entertainment activity from premises in the special entertainment precinct,*
 - (c) *that the process of managing complaints in relation to licensed premises in the proposed special entertainment precinct is in the process set out in the Liquor Act 2007, Part 5, Division 3*

The management plan is a principal document for the Hornsby SEP to provide entertainment sound requirements and trading hours for premises. The sound criteria within the SEPMP have been developed in response to the acoustic engineering input of Renzo Tonin & Associates. The management plan also includes a map of the Sound Category Areas.

The SEP will operate through a trial period of 6 to 12 months, allowing premises time to operate under extended trading hours. The trial period provides Council the opportunity to assess benefits and impacts across seasonal trading periods, receive feedback and fine-tune sound requirements, trading hours and compliance framework as needed.

1.3.1.2 Development control plan

The planning proposal states that it will consider amending the Hornsby Development Control Plan (DCP) 2024 at a later stage.

Council's justification is that the current level of development activity within the Hornsby Town Centre is low, and that any potential impacts can be appropriately managed through the existing DCP and implementation of the SEP Management Plan.

Council has indicated that the future DCP amendment would update Part 4 Business, Section 4.5 Hornsby Town Centre to:

- Quantify noise levels that new entertainment venues would need to comply with
- Quantify noise levels that new mixed-use development must consider in building design and noise attenuation
- Detail when an acoustic report is required and what it needs to demonstrate.

The preparation of a DCP can occur at a later stage and does not prevent the planning proposal from proceeding. It is noted that the SEP management plan covers matters relating to hours of operation, sound attenuation and that the framework requires a trial period for the SEP. Council is encouraged to prepare an amendment to its DCP as soon as practicable to ensure consistency and transparency across the suite of applicable documents that will apply to the precinct.

1.4 Site description and surrounding area

The extent of the Hornsby Town Centre SEP is outlined in **Figure 1** below. It is bounded by Bridge Street to the north, Peats Ferry Road to the west, Webb Avenue and Edgeworth David Avenue to the south, and Albert, Florence, Muriel, and Burdett Streets around to Hunter Street along the eastern edge.

The land within the SEP is zoned a mix of SP2 Infrastructure, E3 Productivity Support, MU1 Mixed Use, RE1 Public Recreation, and R3 Medium Density Residential under HLEP 2013 (**Figure 2**). Adjacent the SEP are a mix of residential zones, RE1 Public Recreation zones, and MU1 Mixed Use zones, consisting of a variety of land uses.

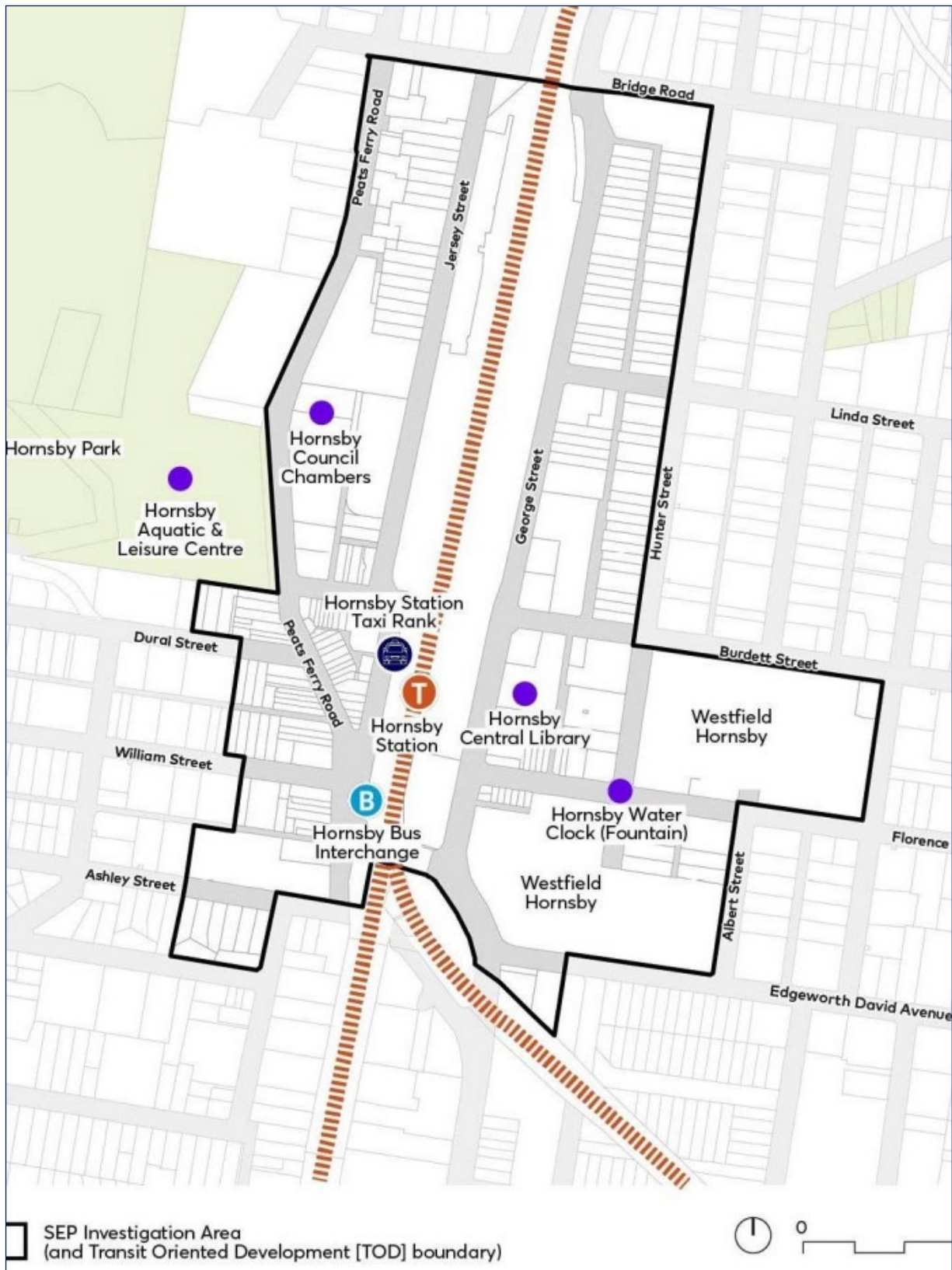


Figure 1. Site extent (Source: Hornsby Council)

1.5 Mapping

The planning proposal includes the draft SEP Map which is suitable for public exhibition.

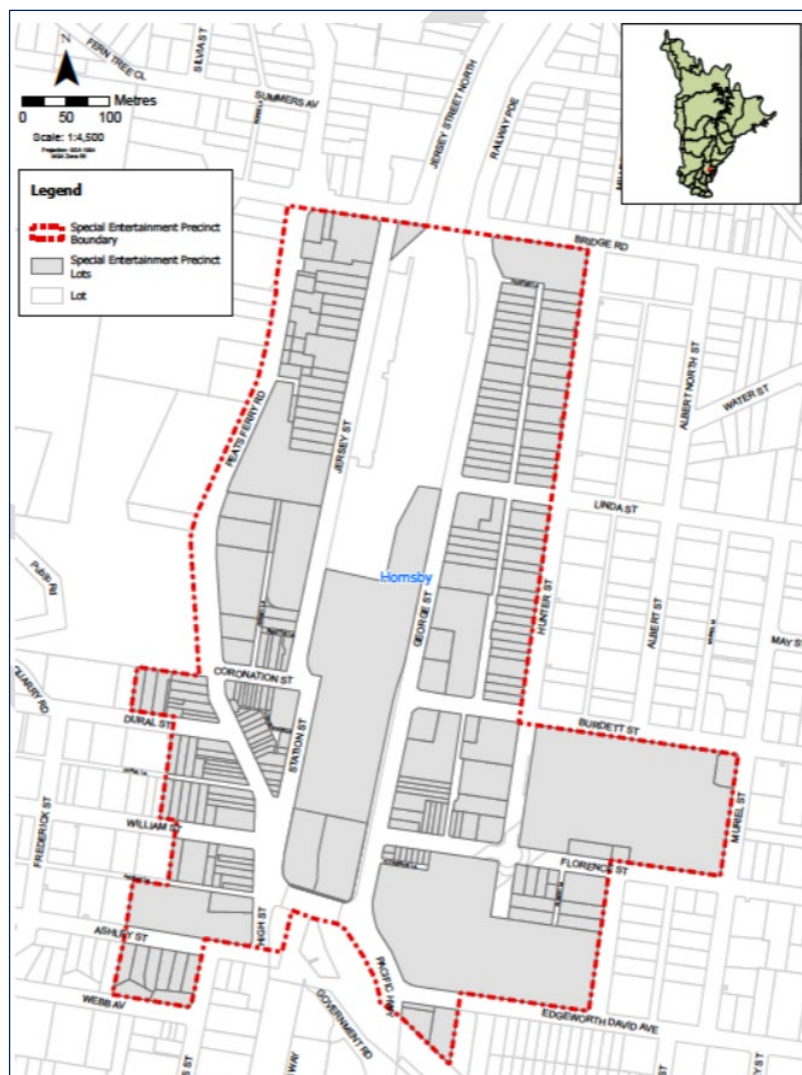


Figure 3. Draft SEP map (Source: Hornsby Council)

1.6 Background

1.6.1 Policy context and NSW Government Vibrancy Reforms

The Special Entertainment Precincts (SEPs) framework was introduced as part of the NSW Government's Vibrancy Reforms which seek to support the night-time economy and streamline noise, liquor licensing and planning regulation.

The purpose of SEPs is to future proof and foster diverse, safe and vibrant night-time precincts by cutting red tape and providing incentives for venues that want to trade later or host live entertainment and setting expectations for what levels of sound are reasonable.

SEPs are established under section 202C of the *Local Government Act 1993* and are areas mapped in a local environmental plan in which entertainment sound and trading hours are regulated in accordance with a Precinct Management Plan (PMP) prepared by councils.

1.6.2 Timeline of planning proposal

A timeline of events relevant to this planning proposal is shown in **Table 4** below.

Table 3. Timeline of key events

Date	Event
2019 - 2020	The Joint Select Committee on Sydney's Night-Time Economy 2019 and the Sydney 24-Hour Economy Strategy 2020 recommends the designation of entertainment precincts to balance residential amenity with the protection of existing venues from noise complaints.
2021	The <i>Liquor Amendment Act 2020</i> inserts section 202 to the <i>Local Government Act 1993</i> allowing Councils to establish SEPs where: - Rules for amplified music would be governed by laws other than the <i>Liquor Act 2007</i>, and - Councils would manage these areas using a council created Noise Management Plans.
2023 - 2024	The <i>24-Hour Economy Legislation Amendment (Vibrancy Reforms) Act 2023</i> (as amended) strengthens the SEP framework by offering greater incentives for venues, streamlining regulations, and improving governance.
29 April 2026	Hornsby Local Planning Panel provided advice to Council supporting the draft planning proposal.
10 June 2026	Council resolves to submit the planning proposal for a Gateway Determination.

2 Need for the planning proposal

The planning proposal responds to the NSW Government's 24-Hour Economy Strategy which seeks to improve the night-time economy in NSW. The strategy is being implemented through the NSW Government's Vibrancy Reforms which allow councils to establish special entertainment precincts that support live music, entertainment and hospitality.

Establishing the SEP aligns with strategies including Hornsby Council's Local Strategic Planning Statement, Economic Development and Tourism Strategy, Employment Lands Study, and Community Strategic Plan.

Clause 202C Establishing special entertainment precincts of the *Local Government Act 1993* states that:

- (1) *A special entertainment precinct may be established—*
- (a) *by the Council for the area in which the precinct will be located, by identifying the precinct in a local environmental plan that applies to the land on which the precinct will be located, or in a State Environmental Planning Policy.*

A planning proposal to amend the Hornsby LEP 2013 is considered the best means of achieving the intended outcomes.

3 Strategic assessment

3.1 Region Plan

The Sydney Plan (the Region Plan) was released by the NSW Government on 13 August 2026. It is the NSW Government's 20-year strategic land use plan to guide future growth in the Sydney region. It is informed by the NSW State Land Use Plan (State Plan) and state land use planning priorities. The Sydney Plan replaces the Greater Sydney Region Plan – A Metropolis of Three Cities (2018) and the associated district plans.

The planning proposal is consistent with the following response and action of the region plan:

- Response 5: Create a more vibrant Sydney
- Action 5.2: Establish special entertainment precincts where appropriate to protect, grow and support diverse community arts, cultural and retail uses as part of council-led precinct planning.

The planning proposal is consistent with the above as it seeks to implement a special entertainment precinct trial.

For planning proposals received prior to 13 August 2026, such as this one, the Minister (or delegate) must consider whether the proposal can continue through the planning process or whether amendments are required to address the Sydney Plan. In this case, the above assessment under the new provisions demonstrates the planning proposal can proceed as drafted as it continues to align with the planning direction for the Sydney region.

The Gateway determination includes a condition for the planning proposal to be updated prior to exhibition to address the Sydney Plan.

3.2 Local Strategies

The proposal states that it is consistent with the following local plans and endorsed strategies, as well as the strategic directions and objectives outlined in **Table 6** below.

Table 4. Local strategies assessment

Local Strategy	Justification
Hornsby Local Strategic Planning Statement (LSPS) (2020)	The Hornsby LSPS sets out Council's 20-year vision for growth and change and identifies the priorities and actions needed to support its implementation. The proposal is consistent with the following LSPS priorities: • Priority LP7 – Promoting the arts, creative industries and temporary uses as well as the night-time economy • Priority PP3 – Focussing economic development in and around existing centres and employment precincts in the Shire, with a key focus on the strategic centre • Priority PP5 – Prioritising local employment opportunities, and improvements to services, amenities, and infrastructure to support the future population The proposal supports the LGA's night-time economy through the implementation of the SEP. It will include sound mitigation and management measures through a SEP management plan to help balance precinct vibrancy and neighbourhood amenity.

Local Strategy	Justification
Hornsby Economic Development and Tourism Strategy	The Hornsby Economic Development and Tourism Strategy provides a high-level action plan that stimulates, supports, and maintains business activity in the LGA. The proposal gives effect to the strategy by supporting: • Action 4. Progress an approach to developing a night-time economy in the Hornsby Town Centre The proposed SEP supports implementation of the strategy by providing a framework to facilitate the growth of a vibrant and diverse night-time economy in the Hornsby Town Centre.
Hornsby Employment Lands Study	The Hornsby Employment Lands Study provides strategic directions to guide the supply, development and utilisation of employment lands in the Shire, ensuring a well-informed approach to fostering economic growth and employment opportunities. The proposal is generally consistent with the study.
Hornsby Shire 2035 Community Strategic Plan (CSP)	The CSP identifies community priorities and aspirations for the next 10 years. The proposal gives effect to the CSP by supporting these actions: • Action 6.1.1: Support economic development through sound planning, information sharing and collaborative partnerships. • Action 6.1.2: Revitalise the Hornsby Town Centre and establish flourishing local mixed use centres and rural villages. • Action 6.1.4: Encourage the development of an early and late evening economy. The implementation of the SEP supports economic and cultural activation in a manner that maintains amenity.

3.3 Local Planning Panel recommendation

On 29 April 2026, the Hornsby Local Planning Panel (LPP) considered the planning proposal and provided the following advice to Council that it supports the progression of the planning proposal for a Gateway Determination subject to:

1. The inclusion of a third dot point that references the Precinct Management Plan.
2. The inclusion of a definition of a Special Entertainment Precinct in the draft Precinct Management Plan and the LEP.
3. An amendment to the DCP to include standard provisions and controls relating to the management and expectations for the SEP be progressed at the conclusion of the trial.

Council updated the proposal to address the advice of the proposal. On 10 June 2026, having considered the advice of the LPP and an updated proposal, Council resolved to submit the planning proposal for a Gateway determination.

3.4 Section 9.1 Ministerial Directions

The proposal's consistency with relevant section 9.1 Directions are discussed in **Table 7** below:

Table 5. Ministerial Directions assessment

Direction	Consistency	Justification
3.2 Heritage Conservation	Consistent	Direction 3.2 aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The Direction applies because several heritage items are located within the SEP. The proposal is consistent with this direction as it does not reduce or affect the ongoing application of existing LEP provisions for heritage conservation.
4.1 Flooding	Consistent	Direction 4.1 ensures that the provisions of an LEP that apply to flood prone land considers flood impacts. The Direction applies as Hornsby Town Centre is affected by minor localised flooding. Council has indicated drainage network upgrades will be undertaken as development progresses in the area. Existing flood-related development controls will continue to apply to all development within the precinct.
5.1 Integrated Land Use and Transport	Consistent	Direction 5.1 ensures that urban structures, land use, and development pattern support the integration of transport and land use planning. The Direction applies as the proposal will alter a provision relating to urban land. The proposed SEP is located in an area with high levels of public transport infrastructure, including high frequency suburban rail, bus, and night services. Walking and cycling options are also available.
6.1 Residential Zones	Consistent	Direction 6.1 aims to encourage diverse housing types for current and future needs, efficiently use and provide access to infrastructure and services, and minimise the environmental impact of residential development. The Direction applies because the proposal includes sites located in zones that permit residential uses. The proposal will not reduce the capacity for residential development of the land.
7.1 Employment Zones	Consistent	Direction 7.1 seeks to ensure that employment zones support business activity, economic growth, and the viability of centres. The Direction applies as the proposal affects MU1 Mixed Use and E3 Productivity support zoned land. The proposal supports the precinct by establishing a regulatory framework which supports the night-time economy while managing amenity impacts. The SEP provides clearer regulations regarding trading hours, sound levels and compliance procedures, benefiting businesses and community through reduced uncertainty. The proposal retains the existing zones and supports its ongoing viability.

3.5 State environmental planning policies (SEPPs)

The planning proposal is generally consistent with the relevant SEPPs and does not hinder the application of any SEPPs.

4 Site-specific assessment

4.1 Environmental

Given the nature of the planning proposal, critical habitat areas, threatened species, populations, ecological communities, or their habitats are unlikely to be adversely affected.

Table 6 below provides an assessment of the other environmental impacts associated with the proposal.

Table 6. Environmental assessment

Impact	Assessment
Noise	The planning proposal may increase patronage to existing venues and activity within the public domain, particularly during the evening and night-time periods. Potential noise impacts associated with entertainment activities, including live music and patron activity will be appropriately managed through the SEP management plan. These include defined entertainment sound criteria, acoustic requirements, and a compliance framework informed by acoustic engineering input. The proposed framework ensures that any increase in entertainment sound is balanced with the protection of residential amenity. Future development will also be subject to acoustic assessment and attenuation requirements to mitigate impacts on sensitive receivers. Noise associated with increased pedestrian activity will be managed through operational measures and the SEP management plan compliance framework, including regulatory oversight by Council, Liquor and Gaming NSW, and NSW Police when required. The SEP will be monitored during the trial period, allowing Council to respond to any emerging issue and refine management measures as necessary. A Gateway condition requires Council to consult with relevant public agencies.
Traffic	The planning proposal may increase visitor numbers to the precinct, which could result in increased vehicle traffic. The precinct is well serviced by public transport, as well as active transport options. Night services, including late-running trains and night rail buses provide ongoing access to and from the precinct, reducing reliance on private vehicles. Taxi and ride share services are also available. Parking is available in and around the precinct, including Hornsby Aquatic and Leisure Centre, Westfield shopping centre, and the Jersey Street carpark. Any increase in vehicle traffic is expected to be appropriately managed and is not anticipated to result in significant adverse environmental impacts.

4.2 Social and economic

Table 7 below provides an assessment of the potential social and economic impacts associated with the proposal.

Table 7. Social and economic assessment

Impact	Assessment
Social	The planning proposal is expected to generate positive social outcomes by supporting a more vibrant and activated town centre. This may contribute to enhanced social interaction and a stronger sense of place for residents, workers, and visitors within the Hornsby Town Centre. While increased activity and patronage may lead to potential impacts such as anti-social behaviour, these are expected to be appropriately managed through existing regulatory frameworks. This includes liquor licensing requirements, responsible service of alcohol, venue management practices, and enforcement by relevant authorities including Liquor and Gaming NSW and NSW Police. The SEP management plan supports this through a clear compliance framework for managing disturbances. The SEP trial period will allow Council to monitor social outcomes and implement additional management measures if required.
Economic	The planning proposal is expected to generate positive economic outcomes by supporting increased activity and investment within the Hornsby Town Centre, particularly during evening periods. The establishment of the SEP provides greater certainty around acceptable noise levels and operating conditions which is anticipated to improve business confidence and encourage expanded venue offerings. As a result of the proposal local economic activity is expected to grow within the SEP, specifically for sectors such as hospitality, retail, and creative industries.

4.3 Infrastructure

The planning proposal seeks to rely on existing transport infrastructure for the delivery of the SEP.

The planning proposal outlines the various public transport methods available to the precinct including bus routes, suburban train stations, taxi, ride share, and parking (both public and private).

The existing transport links are considered adequate for the purposes of the SEP.

The area is serviced by water, sewer services, electricity, gas and telecommunications.

5 Consultation

5.1 Community

The planning proposal is categorised as ‘standard’ under the LEP Making Guidelines (August 2023). A community consultation of 20 working days will be recommended as a Gateway condition.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Office of the 24-Hour Commissioner
- Office of Local Government
- NSW Police (Hornsby Local Area Command)
- Transport for NSW
- NSW Health
- Liquor and Gaming NSW.

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. The planning proposal is categorised as ‘standard’.

The Department recommends an LEP completion date of 25 June 2027 in line with its commitment to reducing processing times. A condition to the above effect is conditioned within the Gateway determination.

7 Local Plan-making Authority

Council has not requested delegation to be the Local Plan-making Authority (LPMA). It is recommended Council be provided this function as the proposal related to a local planning matter.

8 Assessment summary

The planning proposal is supported to proceed with conditions, for the following reasons:

- It demonstrates strategic merit in being consistent with the Sydney Plan, the local strategic planning statement and other local strategic plans, and applicable SEPPs and Ministerial Directions.
- It facilitates the establishment of a Special Entertainment Precinct, supporting a vibrant night-time economy and contributing to the local arts and cultural sector.
- The proposal has considered environmental, social, economic and infrastructure impacts.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

Gateway conditions are recommended to address the following matters:

1. Prior to exhibition, the planning proposal is to be amended to:
 - a) Remove reference to the Greater Sydney Region Plan and Eastern City District Plan
 - b) Address the Sydney Plan
 - c) Include an advisory note indicating that the draft clauses are indicative only and will be subject to drafting by Parliamentary Counsel’s Office should the proposal progress to finalisation

- d) Clarify the statement about when Council intended to prepare a DCP amendment.
2. The planning proposal should be made available for community consultation for a minimum of 20 working days.
3. Consultation is required with the following public authorities and government agencies:
- NSW Police
 - NSW Health
 - Liquor and Gaming NSW
 - Transport for NSW
 - Office of the 24-Hour Commissioner.

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 25 June 2027 be included on the Gateway.



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29 September 2026

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