

ATTACHMENT C

COMMUNITY CONSULTATION SUMMARY

Community Consultation Summary for Draft Markets Policy and Guide to Setting up a Market on Council Land

Background

The City of Sydney has developed the draft Markets Policy and Guide to Setting up a Market on Council Land to enable a transparent process for approving and managing markets conducted on land owned or managed by the City of Sydney.

The City of Sydney undertook a community engagement process to seek feedback on the draft Markets Policy and Guide to Setting up a Market on Council Land to meet both statutory and organisational consultation objectives.

Consultation activities

- The public exhibition period ran from 23 March 2015 until 19 April 2015;
- Key stakeholders were personally notified, including business chambers and market operators;
- A consultation webpage was created on sydneyyoursay.com.au displaying the draft documents along with a feedback form in order to allow for submissions;
- Public notice advertisements were published in the Sydney Morning Herald, Inner West Courier, Central, Wentworth Courier and Australian Chinese News Weekly;
- 3,000 subscribers to the City's online consultation hub sydneyyoursay.com.au were notified through SydneyYourSay enews;
- A link to the consultation material was available on the City's website;
- Printed copies made available in the One Stop Shop (CBD) and the City of Sydney's Neighbourhood Service Centre.

Participation

More than 119 individuals visited SydneyYourSay.com.au during the public exhibition period.

Three detailed submissions were received from the Chinatown Business Association Inc., Australian Farmers' Markets Association, and Organic Food Markets.

Outcomes

The feedback expressed support and commended Council on the draft policy and guide. A number of suggestions and issues were raised which relate to one or both the policy and guide documents. The key themes from the submissions are summarised below.

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Market Policy & Guide issues, comments and responses

Issues/ Comments	Response
<p>Market reviews “Markets are long term propositions. Quarterly reviews while sensible may well in practice not be met.... It would be much more positive to suggest that the market be established for a five year term with the Council having the right to break after 12 months.”</p>	<p>The 12 month approval is for new markets only, as a way of protecting the city asset and the operator (in the case of a market that is going badly).</p> <p>The Market Policy requires Market operators to participate in regular reviews with the City. This system of meetings and reviews will ensure that any issues raised by the community, operators and the City can be discussed and resolved quickly before escalating.</p> <p>The review process should not be seen as a burden or onerous but rather an opportunity to conduct a stronger and well-operated market. The review system will also ensure that all fees and charges are accurate and timely.</p>
<p>Disputes and Grievances A clause to be included around dispute processes, between stallholders and operators and operators and the City of Sydney</p>	<p>Disputes between market operators and stallholders should be addressed within the stallholder agreement.</p> <p>Training and facilitation could be offered to market operators to assist in dispute resolution.</p> <p>Disputes between market operators and the City and how to deal with them will be covered in the license agreements.</p>

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<p>Fees and Charges</p> <ul style="list-style-type: none"> One comment questioned whether a forecast fee structure based on a maximum number of stalls would put financial pressure on a new market It was asked if the site maintenance fee could be quantified in advance. 	<p>The proposed fee structure was arrived at after a review conducted for the City of fees paid at other markets.</p> <p>The proposed fee structure will always be discussed in advance with the operator to ensure clarity.</p> <p>Market operators will be invoiced monthly in advance, however the review process will allow for adjustments to be based on the difference between forecast and actual stall numbers.</p> <p>Specific Site maintenance fees (including such costs as power, provision of bins, park repairs) will be reviewed throughout the year to ensure an accurate reflection of the market's costs.</p> <p>The overall cost for site maintenance may also include a cost for site restoration, which will be provided to the operator through a quotation process</p>
<p>Risk Management</p> <p>Comment that the risk management planning process for markets and the risks for a market are “low-risk” and different to those of a large outdoor event. Therefore markets should not be burdened with the same risk management onus as a large outdoor event.</p>	<p>Risk management plans need to be specific to the “event”. There are some potentially serious hazards that are applicable to markets and there is not one specific plan that could be made appropriate for all markets.</p> <p>A well thought out and prepared risk management plan is one way of ensuring that a market operator has thought through their processes.</p>
<p>Competition and Consultation</p> <p>One comment was that whilst ensuring good neighbourly trading, in assessing how the market will impact and/or benefit the existing community there should be some flexibility.</p>	<p>The policy sets out to ensure market operators operate with local stakeholders (anyone who could be interested in, or impacted by the market) in mind.</p> <p>For potential markets the Policy and Guide requires an appropriate level of consultation with the local community by the City of Sydney and market operators.</p>

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Community Group Provisions One operator mentioned a concern with the requirement to dedicate stalls for community groups, social enterprises, not for profits and start-up businesses if the demand was not there.	The policy just asks that there is dedicated space. There is no onus in the policy for the operator to fill the space if there is no demand.
Equal Opportunity Land Use Five year terms for a market are too short, markets can take a long time to build into an ongoing concern. After 5 years Expressions of Interest for the next period will be called for.	Five years is the legal requirement. Refer to Section 46 of the Local Government Act 1993.

Summary

The proposed draft policy and guide were well received and respondents demonstrated a good knowledge of the proposed documents. The City has noted the suggestions and amendments for the Markets Policy and Guide to Setting up a Market on Council Land.

Although considered and discussed, none of the issues/ comments mentioned in this document have resulted in changes to the original policy or guide..