

20 June 2022

At the conclusion of the Corporate, Finance, Properties
and Tenders Committee

Business and Economic Development Committee

Agenda

- 1. Disclosures of Interest**
- 2. Grants and Sponsorship - Economic Grants**
- 3. Public Exhibition - Markets Policy**

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2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

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Item 1.

Disclosures of Interest

Pursuant to the provisions of the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

Item 2.

Grants and Sponsorship - Economic Grants

File No: S117676

Summary

The City of Sydney's Grants and Sponsorship Program supports initiatives and projects that build the social, cultural, environmental and economic life of the city and assist in the recovery from the Covid-19 pandemic. To achieve the objectives of the Community Recovery Plan and Sustainable Sydney 2030, genuine partnership between government, business and the community is required.

The provision of grants and sponsorships is a mechanism to further the aims identified in the City's social, cultural, economic and environmental policies. Applications are assessed against these policies and against broad City objectives and plans. In this way, the City and the community act collaboratively to achieve the goals of the Community Recovery Plan and Sustainable Sydney 2030.

The City advertised the following three categories of the Business Support Grant Program in the annual Grants and Sponsorship Program for approval in 2021/22 and payment in 2022/23:

- Business Support Grant - Live Music and Performance;
- Business Support Grant - Night Time Diversification; and
- Business Support Grant - Place and Industry.

For the Business Support Grants - Live Music and Performance program, 27 eligible applications were received. This report recommends a total of 13 grants to a total value of \$236,452 in cash.

For the Business Support Grants - Night Time Diversification program, 21 eligible applications were received. This report recommends a total of five grants to a total value of \$117,000 in cash.

For the Business Support Grants - Place and Industry program, applicants can apply for up to three projects per application. Six eligible applications were received which included 15 projects. This report recommends a total of six grants, including all of the 15 projects submitted, to a total value of \$252,341 in cash.

On 22 February 2021, Council adopted a revised Grants and Sponsorship Policy. All grants in this report were assessed in accordance with the Grants and Sponsorship Policy, the Grants and Sponsorship Guidelines, the priorities set out in the Community Recovery Plan and various other relevant City strategies and action plans.

All grant recipients will be required to sign a contract, meet specific performance outcomes and acquit their grant. All figures in this report exclude GST.

Recommendation

It is resolved that:

- (A) Council approve the cash recommendations for the Business Support - Live Music and Performance Grant Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Live Music and Performance Grant Program as shown at Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as shown at Attachment D to the subject report;
- (E) Council approve the cash and value-in-kind recommendations for the Business Support - Place and Industry Grant Program as shown at Attachment E to the subject report noting that all applications are recommended;
- (F) Council note that all grants amounts are exclusive of GST;
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (H) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Attachments

Attachment A.	Recommended for Funding - Live Music and Performance Grant Program
Attachment B.	Not Recommended for Funding - Live Music and Performance Grant Program.
Attachment C.	Recommended for Funding - Night Time Diversification Grant Program
Attachment D.	Not Recommended for Funding - Night Time Diversification Grant Program
Attachment E.	Recommended for Funding - Place and Industry Grant Program

Background

1. The City of Sydney's Grants and Sponsorship Program supports residents, businesses and not-for-profit organisations to undertake initiatives and projects that build the social, cultural, environmental and economic life of the city.
2. On 22 February 2022, the City announced the grants program for approval in 2021/22 and payment in 2022/23 as being open for application on the City's website, with grant applications closing on 11 April 2022.
3. The three categories of the Business Support Grant promoted were:
 - (a) Live Music and Performance;
 - (b) Night Time Diversification; and
 - (c) Place and Industry.
4. Information about these grant programs (such as application dates, guidelines and eligibility criteria) was made available on the City's website. The City actively promoted the program through Facebook, Twitter, LinkedIn, Instagram, What's On, and ArtsHub. Supply Nation, Multicultural NSW, Digest, Sydney University and Haymarket Chamber of Commerce also promoted the program through their networks. The City Business team worked closely with industry stakeholders to promote these grants and delivered a dedicated virtual briefing for business intermediaries such as local chambers of commerce, industry organisations and Liquor Accord associations to promote these programs through their channels and networks. Email campaigns were utilised to target interested parties who have applied previously for grants at the City or who have expressed an interest in the City's programs.
5. Following adoption of the revised Grants and Sponsorship Policy on 11 December 2017, the Live Music and Performance and Night Time Diversification categories are open to appropriately incorporated for-profit organisations and partnerships.
6. Twenty-four applications were received this round from for-profit organisations and sole traders through the Business Support Grant - Live Music and Performance category and the following 11 for-profit organisations and sole traders are recommended in this report:
 - (a) Bake House Independent Theatre;
 - (b) Chipplord Pty Ltd;
 - (c) Club 77 Holdings Pty Ltd;
 - (d) Hollywood Hotel and Bar Pty Ltd;
 - (e) Improv Theatre Sydney Pty Ltd;
 - (f) M87 Pty Ltd;
 - (g) Polygon Cogent Pty Ltd;
 - (h) Redfern Surf Club Pty Ltd;
 - (i) The Trustee for Always Sunny Trust;

- (j) Trevor Roger Brown; and
 - (k) Watson's EQ Pty Ltd.
7. Twenty applications were received this round from for-profit organisations and sole traders through the Business Support Grant - Night Time Diversification category and the following five for-profit organisations and sole traders are recommended in this report:
- (a) Burdekin Hotel Group Pty Ltd;
 - (b) Hollywood Hotel and Bar Pty Ltd;
 - (c) Mary's Underground Pty Ltd;
 - (d) The Trustee for Macquarie Hotel Unit Trust; and
 - (e) Waxman Jones Pty Ltd.
8. There were a total of 54 grant applications received across the three Business Support grant programs. Twenty-four are recommended for funding as detailed in this report.
9. It is expected that all successful applicants will work co-operatively with relevant City staff throughout the project for which they have received funding.
10. All grants and sponsorships are recommended on the condition that any required approvals, permits and development consents are obtained by the applicant. In the current environment this includes but is not limited to, requirements associated with the service of alcohol or food services, consent from the respective landowner(s), and State Planning Legislation and State Government health requirements. Approval must be sought from the City for any relevant development consents and temporary outdoor event activities.
11. The City's Grants and Sponsorship Program is highly competitive. Applications that are not recommended have either not scored as highly against the assessment criteria as the recommended applications or have incomplete or insufficient information. The City's Grants and Sponsorship team provides feedback to unsuccessful applicants when requested.
12. The assessment process includes advice and recommendations from a suitably qualified assessment panel. The applications are scored against defined criteria for each grant program as well as the integrity of the proposed budget, project plan, partnerships, contributions and connection to the local community and industry sectors. Once recommended applications are approved by Council, a contract is developed, which includes conditions that must be adhered to, and acquitted against.
13. In assessing the grant applications, the assessment panels included in their considerations and recommendations:
- (a) Community Recovery Plan 2020;
 - (b) Creative City Cultural Policy and Action Plan;
 - (c) Economic Development Strategy;
 - (d) Grants and Sponsorship Policy;

- (e) Live Music and Performance Action Plan;
 - (f) Economic Development and Business Sub-Committee 21 June 2021
 - (g) OPEN Sydney Strategy and Action Plan;
 - (h) Sustainable Sydney 2030; and
 - (i) alignment with other core City strategic policies and action plans.
14. Assessors consider the cash and in-kind contribution from the applicant and other sources in reviewing applications. Applicants are asked to demonstrate a capacity to match the grant investment with other sources of funding or contribute their own cash resources to the project.
15. Applicants are requested to list their project's community partners, confirmed funding sources and the contribution the organisation is making to the project (cash or in-kind) to demonstrate their contribution.

Business Support Grants - Live Music and Performance

16. The Live Music and Performance grant program aims to support local businesses, venues and licensed premises to undertake capital works or equipment upgrades to either introduce live entertainment to a business's offerings or to improve existing live music and performance venues, rehearsal and recording studios and spaces for creative production and participation. These projects might include:
- (a) acoustic improvements to help manage sound transfer from venues to surrounding properties;
 - (b) investment in equipment or in-venue acoustics which improve audience experience;
 - (c) works that facilitate the introduction of live music or performance programming, or significantly improve/expand existing programming; or
 - (d) works that improve the health and safety of audiences, performers and venue staff.
17. The assessment panel for the Live Music and Performance grant program consisted of City staff from the Creative City, Social City, Strategy and Communications and Venue Management teams.
18. The applications recommended for the Live Music and Performance grant program are outlined in Attachment A to this report. The applications not recommended are listed in Attachment B to this report.
19. Additional funds for the Live Music and Performance grant program were made available due to an underspend in the other Grants and Sponsorship Economic programs, this includes the Business Support - Industry and Place and Business Support - Night Time Diversification grant programs.

20. The Business Support Grants - Live Music and Performance budget is set out below:

Total draft budget for payment in 2022/23	\$225,000
Less: Total cash committed to previously approved applications	(\$0)
Total cash available for Business Support Grants - Live Music and Performance program from Economic Programs underspend	\$11,452
Total cash available	\$236,452
Total number of eligible applications this allocation	27
Total cash value requested from applications	\$581,171
Total number of applications recommended for cash support	13
Total amount of cash funding recommended	\$236,452
Cash amount remaining for payment in 2022/23	\$0

Business Support Grants - Night Time Diversification

21. The Night Time Diversification grant program aims to support projects that increase the variety of business offerings and activities in commercial precincts after 6pm. The grants assist businesses to trade later through creative programming and initiatives, and in doing so, attract new customers and create lively, safe and engaging city precincts after dark, contributing to the night time economy and the cultural and economic character of the city. The grant also supports live entertainment venues to extend or expand their programming of live music and performance (such as comedy, cabaret, theatre and poetry programs) as well as creative producers who wish to work with businesses in their area to curate a program of events or night-time activities.
22. The assessment panel for the Night Time Diversification program consisted of City staff from the Strategy and Communications and Venue Management teams.
23. The applications recommended for the Night Time Diversification Program are outlined in Attachment C to this report. The applications not recommended are listed in Attachment D to this report.

24. The Business Support Grants - Night Time Diversification grant program budget is set out below:

Total draft budget for payment in 2022/23	\$200,000
Less: Total cash committed to previously approved applications	(\$0)
Total cash available	\$200,000
Total number of eligible applications this allocation	21
Total cash value requested from applications	\$503,190
Total number of applications recommended for cash support	5
Total amount of cash funding recommended	\$117,000
Total cash underspend to be made available for other grant programs with recommended overspend currently being considered by Council (refer Financial Implications section).	\$83,000

Business Support Grants - Place and Industry

25. The Place and Industry grant program aims to support projects that promote local economies for the benefit of businesses, connect business to opportunities, grow business skills and capacity, and advocate on key issues on behalf of local business. The grants assist local businesses to increase awareness of local business offerings and experiences; increase footfall, patrons and spending in local retail precincts; improve access to industry information, upskilling and networking opportunities for local businesses; and strengthen advocacy by local chambers of commerce and precinct associations.
26. The program is only available to not-for-profit, members-based organisations with an economic focus, such as a chamber of commerce or industry association.
27. The assessment panel for the Place and Industry program consisted of City staff from the City Business and Safety, Strategy and Communications and Venue Management teams.
28. Applicants of the Place and Industry category were invited to meet with the assessment panel on 3 May 2022 to present their projects to the panel. Applicants were provided with 15 minutes to present the projects they had applied for, followed by 10 minutes of questions from the panel. All organisations applying for this grant program participated in this opportunity.
29. The applications recommended for the Place and Industry Program are outlined in Attachment E to this report, noting that some applications contained multiple projects.

30. The Business Support Grants - Place and Industry Program budget is set out below:

Total draft budget for payment in 2022/23	\$355,000
Less: Total cash committed to previously approved applications	(\$0)
Total cash available	\$355,000
Total number of eligible applications this allocation	6
Total cash value requested from applications	\$327,941
Total value-in-kind requested from applications	\$0
Total number of applications recommended for cash support	6
Total amount of cash funding recommended	\$252,341
Total amount of value-in-kind support recommended	\$0
Total cash underspend to be made available for other grant programs with recommended overspend currently being considered by Council (refer Financial Implications section).	\$102,659

Key Implications

Strategic Alignment - Sustainable Sydney 2030

31. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This grant is aligned with the following strategic directions and objectives:

- (a) Direction 6 - Vibrant Local Communities and Economies - the recommended grant projects in this report contribute to fostering strong and sustainable local economies.
- (a) Direction 7 - A Cultural and Creative City - the recommended grant projects in this report contribute to a city where opportunities for individual creative expression and participation in all its forms are visible, valued, and accessible, and where business and creative opportunities for local artists, creative workers and cultural organisations are supported.

Organisational Impact

32. The grants and sponsorships contract management process will involve key staff across the City of Sydney. Identified staff set contract conditions and performance measures for each approved project, and review project acquittals, which include both narrative and financial reports.

Economic

33. The City's Grants and Sponsorship Program provides the City with a platform to support cultural, economic, environmental and social initiatives from the communities, and community organisations, within the local area.

Financial Implications

34. There are sufficient amounts allocated in the Grants and Sponsorship Economic program budget, included in the City's draft operating budget for 2022/23, to fund the recommended amounts. A combined total of \$605,793 in cash is recommended from the 2022/23 (draft) cash budget, as follows:
- (a) Business Support Grant - Live Music and Performance – \$236,452 is provided against the draft budget of \$225,000;
 - (b) Business Support Grant - Night Time Diversification – \$117,000 is provided against the draft budget of \$200,000; and
 - (c) Business Support Grant - Place and Industry – \$252,341 is provided against the draft budget of \$355,000.
 - (d) This report recommends a total of \$11,452 in savings from the Business Support - Night Time Diversification grant program be made available for the Business Support Grant - Live Music grant program.
35. The remaining \$239,207 in savings from the Grants and Sponsorship Economic program as a result of this report will be made available for the following grant programs currently being considered by Council. This includes the amount of \$65,000 which had been budgeted for ad hoc economic grants in 2022/23 but remains unspent.
- (a) Community Services Grant Program - \$48,985;
 - (b) Festivals and Events Sponsorships (Village and Community) - \$34,937; and
 - (c) Knowledge Exchange Sponsorship Program - \$155,285.

Relevant Legislation

36. Section 356 of the Local Government Act 1993 provides that a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.
37. Section 356(3)(a) to (d) is satisfied for the purpose of providing grant funding to for profit organisations because:
- (a) the funding is part of the following programs:
 - (i) Business Support Grant – Live Music and Performance;
 - (ii) Business Support Grant – Night Time Diversification; and
 - (iii) Business Support Grant – Place and Industry;

- (b) the details of the Business Support Grant programs were included in the Council's adopted operational plan for financial year 2021/22;
- (c) the program's proposed budgets do not exceed five per cent of Council's proposed income from ordinary rates; and
- (d) these programs apply to a significant group of persons within the local government area.

Critical Dates / Time Frames

38. Funding for the Business Support Grants is approved in 2021/22 for activity taking place from 1 July 2022 to 30 June 2023. Contracts will be developed for all successful applications after Council approval to ensure their funding is released in time for projects starting in July.

Public Consultation

39. During February and March 2022, three briefing sessions took place where stakeholders were notified about the grants and how to apply:
- (a) An in-person business collaboration session called Revitalising Sydney was held at Mary's Underground on 22 February 2022. A total of 38 participants, including creative producers, artists, business chambers and local businesses attended this session.
 - (b) An online grant briefing session specifically for Business Chambers was held on 2 March 2022. A total of 17 attendees participated in the session.
 - (c) An online briefing session for general grants enquires was held on 3 March 2022 for potential grant applicants. A total of 173 attendees participated in the session.

EMMA RIGNEY

Director City Life

Peter Keogh, Grants Officer

Attachment A

**Recommended for Funding
Live Music and Performance Grant Program**

Business Support Grant – Live Music and Performance

Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested	\$ Amount Recommended	Additional Conditions
Bake House Independent Theatre	Lighting Equipment - Bakehouse Theatre, Ultimo	A capital works project to purchase lighting equipment for Bakehouse Theatre's new performance space.	\$30,000	\$30,000	Applicant to submit a revised timeline; Applicant to provide confirmation of new tenancy; Subject to DA approval.
Chippolord Pty Ltd	Sound Equipment Upgrade - Lord Gladstone Hotel, Chippendale	A capital works project to upgrade the sound and audio equipment and improve soundproofing to reduce noise leaking to neighbouring properties.	\$15,320	\$15,320	Nil
Club 77 Holdings Pty Ltd	Sound Equipment Upgrade - Club 77, Darlinghurst	A capital works project to upgrade the sound and audio equipment to improve the quality of live performances for audience and performers.	\$23,117	\$23,117	Nil
Hayes Theatre Co Ltd	Accessibility Equipment - Hayes Theatre, Potts Point	A capital works project to purchase captioning equipment to support captioned performances.	\$11,330	\$11,330	Nil
Hollywood Hotel and Bar Pty Ltd	Audio Equipment Upgrade - Hollywood Hotel, Surry Hill	A capital works project to upgrade the sound and audio equipment to improve the quality of live performances for audience and performers.	\$30,000	\$22,167	Applicant to submit a revised budget.
Improv Theatre Sydney Pty Ltd	Theatre Upgrade - Improv Theatre, Alexandria	A capital works project to complete the theatre upgrade, including dedicated performance and rehearsal space.	\$29,750	\$29,750	Nil
M87 Pty Ltd	Accessibility Upgrade - Knox St Bar, Chippendale	A capital works project to improve venue accessibility, including the purchase of a hearing augmentation system, tactile ground surface indicators and improved signage.	\$23,000	\$10,000	Applicant to submit a revised budget.
Polygon Cogent Pty Ltd	Stage, Sound and Lighting Equipment - Jiminix, Surry Hills	A capital works project to purchase new sound and lighting equipment, to re-activate 280 Cleveland St in Surry Hills.	\$30,000	\$30,000	Nil
Redfern Surf Club Pty Ltd	Sound Equipment Upgrade - Redfern Surf Club, Alexandria	A capital works project to upgrade the audio equipment and improve soundproofing, including speakers, sound absorption panels, stage curtain and rigging.	\$18,430	\$18,430	Nil
The New Theatre (Properties) Ltd	Stage Upgrade - New Theatre, Newtown	A capital works project to build a new, levelled stage to improve the safety of the venue for performers and staff.	\$25,000	\$25,000	Nil
The Trustee for Always Sunny Trust	Sound Equipment Upgrade - Hive Bar, Erskineville	A capital works project to upgrade the speaker system to improve sound quality and reduce noise leaking to neighbouring properties.	\$1,907	\$1,907	Nil

Organisation Name	Project Name	Project Description	\$ Amount Requested	\$ Amount Recommended	Additional Conditions
Trevor Roger Brown	Sound Equipment Upgrade - East Sydney Hotel, Woolloomooloo	A capital works project to upgrade the speakers, cables, microphones and stands, to improve the quality of live performances for audience and performers.	\$8,431	\$8,431	Nil
Watson's EQ Pty Ltd	Audio Equipment Upgrade - Watsons, Moore Park	A capital works project to upgrade the sound and audio equipment to improve the capacity to host live performance.	\$30,000	\$11,000	Applicant to submit a revised budget.

Attachment B

**Not Recommended for Funding
Live Music and Performance Grant Program**

Business Support Grant – Live Music and Performance

Not Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested
Amalgamated Hotels Pty Ltd	Lighting Equipment - The Marlborough Hotel, Newtown	A capital works project to upgrade the lighting equipment to improve the quality of live performances in the upstairs performance space.	\$15,166
Big Beat (Australia) Pty Ltd	Sound, Lighting and Security Equipment Upgrade - Home, Sydney	A capital works project to upgrade the sound, lighting and security equipment to improve the quality of live performances and safety of the venue for performers and audiences.	\$30,000
Frasers Sydney ML Hotel Pty Ltd	Sound Equipment - Pumphouse, Darling Square	A capital works project to upgrade the sound and audio equipment to improve the capacity to host live performances.	\$9,091
Grove Bar Pty Ltd	Sound Equipment and Acoustics Upgrade - Grove Bar, Darlinghurst	A capital works project to install new staging, acoustic treatment and the purchase of new lighting and audio equipment.	\$29,355
Kehoe Pty Ltd	Sound and Lighting Equipment Upgrade - ARQ, Darlinghurst	A capital works project to upgrade the sound and lighting equipment to improve the capacity to host live performances.	\$30,000
L Coy & C Staff & The Trustee for Dickson McLoughlin Family Trust & C Whelan	Acoustics and Lighting Upgrade - The Mercantile Hotel, The Rocks	A capital works project to upgrade the sound, audio and lighting equipment to improve the quality of live performances for audience and performers.	\$2,783
Lilo Hospitality Pty Ltd	New Venue Set Up - Lilo Hospitality, Newtown	A capital works project to establish a new venue with a stage, sound and lighting equipment.	\$30,000
Murray Stewart Lake	Acoustic Upgrade - Sentir Studio, Rosebery	A capital works project to upgrade the acoustic qualities at the recording studio to improve sound quality for artists.	\$16,636
Recap IV Operations No. 6 Pty Ltd	Sound and Lighting Equipment Upgrade - The Republic Hotel, Sydney	A capital works project to upgrade the sound and lighting equipment, including speakers, sub-woofers and lighting to improve the live performance quality for artists and audience.	\$14,000
Sydney Dance Company	Foyer Upgrade - Sydney Dance Company, Dawes Point	A capital works project to allow live performance opportunities in the cafe and foyer area, including sound proofing and purchase of audio equipment and speakers.	\$27,855
The Trustee for Macquarie Hotel Unit Trust	Sound Equipment and Acoustics Upgrade - Hotel Harry, Surry Hills	A capital works project to improve the soundproofing of the venue and upgrade audio equipment, including DJ equipment, mixing board, microphones and speakers.	\$15,000
The Trustee for the KX Operations Trust	Sound and Lighting Equipment Upgrade - The Kings Cross Hotel, Potts Point	A capital works project to upgrade the sound and lighting equipment and allow central control across all levels of the venue.	\$30,000
Village Hospitality Sydney Pty Ltd	Sound and Lighting Equipment Upgrade - The Landsdowne, Chippendale	A capital works project to upgrade the sound and lighting equipment to improve the quality of live performances for audience and performers.	\$30,000
Yesdac Pty Ltd	Audio Equipment Upgrade - Zen Bar, Sydney	A capital works project to upgrade DJ equipment, acoustic treatment and install new staging.	\$25,000

Attachment C

**Recommended for Funding
Night Time Diversification Grant Program**

Business Support Grant – Night Time Diversification

Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested	\$ Amount Recommended	Additional Conditions
Burdekin Hotel Group Pty Ltd	Free Live Music at The Burdekin, Darlinghurst	A series of free live music events to attract new audiences to Oxford Street.	\$30,000	\$25,000	Nil
Hollywood Hotel and Bar Pty Ltd	Live Music at the Hollywood Hotel, Surry Hills	A series of free live music events three nights a week to attract new audiences to Surry Hills.	\$30,000	\$30,000	Applicant to provide a programming plan.
Mary's Underground Pty Ltd	The Presents Series at Mary's Underground, Sydney	A monthly live music series curated by different artists, labels and collectives, showcasing emerging and diverse artists.	\$28,500	\$28,500	Applicant to provide a list of partners.
The Trustee for Macquarie Hotel Unit Trust	Harry Forever at Hotel Harry, Surry Hills	A series of mid-week events featuring live music, DJs and listening parties, showcasing emerging musicians and electronic producers.	\$25,000	\$25,000	Nil
Waxman Jones Pty Ltd	Monday Evening Gunk at MoshPit, Erskineville	A fortnightly live music event featuring a live performance, interview and audience Q&A.	\$10,000	\$8,500	Nil

Attachment D

**Not Recommended for Funding
Night Time Diversification Grant Program**

Business Support Grant – Night Time Diversification

Not Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested
Amalgamated Hotels Pty Ltd	Live Music at The Marlborough Hotel, Newtown	A series of live music and art events, activating all three levels of the Marlborough Hotel.	\$30,000
Amalgamated Hotels Pty Ltd	Woody's Thursdays at the Bank Hotel, Newtown	A weekly event featuring live music and DJs in a safe space for LGBTQI artists and community.	\$30,000
Art Gallery Society of New South Wales	Live at the Lounge at the Art Gallery of New South Wales, Sydney	A series of free weekly events at the Art Gallery of NSW Members Lounge, including live performance, artist talks and interviews.	\$25,000
Jen Retail Properties Pty Ltd	Market City Live at 1909 Dining Precinct, Haymarket	A series of live music events on Friday and Saturday nights at the dining precinct in Haymarket.	\$17,200
Jr Glow Pty Ltd	Beauty Workshops at La Cosmetique, Darling Square	A series of evening beauty workshops, with a focus on Korean skincare and makeup.	\$23,750
Kehoe Pty Ltd	Live Performance at ARQ, Darlinghurst	A series of live performance events showcasing local LGBTQI artists, performers and community.	Year 1 - \$30,000 Year 2 - \$30,000
Mentmore & Morley Pty Ltd	Fine Dining at Mentmore and Morley, Rosebery	To offer dinner three times a week, diversifying the restaurants trading hours.	\$25,200
Opera Mondo Pty Ltd	Diva Plays the Blues at Vini Divini, Sydney	A series of events bringing artists and local businesses together with a curated playlist by guest artists.	\$15,000
Polygon Cogent Pty Ltd	Night Time at Jiminix, Surry Hills	A series of live performance events, including music, comedy, theatre and talks to re-activate 280 Cleveland Street in Surry Hills.	\$30,000
The Mayors Lunch Pty Ltd	Immersive Entertainment at Mayfair Lounge, Darlinghurst	A series of live events, including music, dance and circus performances.	\$7,800
The Sydney Aquarium Company Pty Ltd	Discovery After Dark at Sealife Aquarium, Darling Harbour	A series of monthly activations allowing visitors to explore the aquarium after dark and attend animal keeper talks.	\$15,000
The Trustee for The KX Operations Trust	Kings Cross Destination Drive at The Kings Cross Hotel, Potts Point	A 12-month program of live music and DJs to encourage visitors to Kings Cross.	\$25,740
Victorian Dreaming Pty Ltd	Tuesday Nights at No 92, Glebe	Weekly collaborations between local hospitality venues to produce dining events involving emerging and established chefs.	\$30,000
Village Hospitality Sydney Pty Ltd	Live and Local Music at The Landsdowne, Chippendale	A three-month live music program to showcase and support local artists.	\$30,000
Viral Ventures (Australia) Pty Ltd	Late Night at Karen's Diner, Sydney	A series of events including comedy, life drawing, bingo and live music to support late night trading.	\$30,000
Yesdac Pty Ltd	Live Performance at ARQ, Darlinghurst	A series of live performance events showcasing local LGBTQI artists, performers and community.	\$15,000

Attachment E

**Recommended for Funding
Place and Industry Grant Program**

Business Support Grant – Place and Industry

Recommended for Funding

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
CBD Sydney Chamber of Commerce Limited	Project 1 - CBD Business Expo	A series of three CBD focused mini business expos bringing together business groups to share expertise and capabilities and to identify further collaboration opportunities.	\$30,975	Nil	\$7,350	Nil	Nil
	Project 2 - CBD Women in Business	A series of three CBD 'Women in Business' events providing presenters and expert services around personal growth, training and mentorship opportunities to increase skills and business capacity.			\$12,675	Nil	Nil
	Project 3 - Getting Business Ahead of the Curve	A series of three events that combine business education and networking, focused on increasing skills and business capacity.			\$10,950	Nil	Nil
Darlinghurst Business Partnership Incorporated	Project 1 - Business Enrichment	A series of networking nights for local businesses of the Darlinghurst precinct.	\$110,600	Nil	\$10,000	Nil	Nil
	Project 2 - Hubs	A project to engage and assist the different geographical, cultural and professional hubs within Darlinghurst, each with their own needs, challenges and potential.			\$10,000	Nil	Nil
	Project 3 - Eastside Sydney Vespa	The continued development of the Eastside Sydney destination marketing and precinct management project run jointly with the Potts Point Partnership and Surry Hills Creative precinct.			\$40,000	Nil	Applicant to supply a revised budget for Project 3 and a detailed project plan to continue the destination marketing strategy including the map review and reprint.

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
Paddington Chamber of Commerce Inc.	Project 1 - Paddington Trails Digital Guide	A project to digitise the 'Paddo Trails' Guide in a ready-to-use format online.	\$33,000	Nil	\$12,000	Nil	Applicant to provide detailed project plan and detailed budget
	Project 2 - "Visit Paddington" Promotion & Marketing	The implementation of a promotion, marketing and social media strategy for the Paddington business district.			\$16,000	Nil	Applicant to provide detailed project plan and detailed budget
	Project 3 - Networking Events & Masterclasses	A series of networking events and masterclasses promoting education and advice for businesses.			\$5,000	Nil	Applicant to provide detailed project plan and detailed budget
Pymont - Ultimo Chamber of Commerce and Industry Inc	Project 1 - Advocate - Integrated Transport Blueprint Report	The development of an Integrated Transport Blueprint report aimed at creating a vision and voice for local Pymont-Ultimo businesses and the community on key issues related to transport.	\$42,366	Nil	\$15,700	Nil	Applicant to focus the scope of Project 1 on business consultation to understand transport needs for the area and supply a revised budget.
	Project 2 - Connect - Networking Events and eNewsletters	A series of four networking events and monthly e-newsletters to help connect businesses to opportunities and keep them abreast of issues in the local precinct and beyond.			\$26,666	Nil	Nil
Social Enterprise Council of NSW & ACT (SECNA) Ltd	Project 1 - Social Enterprise Myths and Legends - Live Storytelling Events	A series of facilitated discussions featuring diverse participants that will unpack social enterprise myths while introducing the community to sector innovators.	\$85,000	Nil	\$20,000	Nil	Applicant to provide revised budget

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
	Project 2 - Social Enterprise Market	A festival including a social enterprise market, talks, workshops, and live entertainment to raise awareness about social enterprise, inspire support for the community and attract people interested in social enterprises to Sydney.			\$40,000	Nil	Applicant to provide revised budget
Sydney Gay and Lesbian Business Association Incorporated	Project 1 - Fruits in Suits and Lemons with a Twist Networking Events	A series of events including guest speakers, to drive business, education and connection back with the LGBTIQA+ communities.	\$26,000	Nil	\$11,000	Nil	Nil
	Project 2 - Australia's Largest LGBTIQA+ Networking Event in 2023	An evening event in Sydney Harbour during WorldPride to connect delegates from overseas to meet and educate local businesses from the business association and LGBTIQA+ communities.			\$15,000	Nil	Applicant to provide a revised project plan for Project 2 demonstrating business engagement and networking opportunities as part of the event.

Item 3.

Public Exhibition - Markets Policy

File No: X084995

Summary

The City permits third parties to operate markets on City owned and managed land throughout the local government area. Governing the City's approach and management of third party markets is the Markets Policy which provides a framework for Council to assess, manage and approve markets on land owned or managed by the City.

The original policy was adopted by Council on 29 June 2015, and a further review was undertaken on 24 June 2019. In line with the City's Policy Management Procedure, a further review of the policy has been undertaken in 2022.

As a result of this review, minor changes have been made to the Policy that improve language, enhance clarification and understanding, but do not alter the intent of the Policy.

Changes to the Policy include:

- inclusion of the prohibition of the sale or promotion of any prohibited items or services at a market on Council land, such as fur and exotic animal skin products, other than where is permitted under traditional first nation cultural practices;
- clarification of the scope of Council land where a market can take place and for which the policy is applicable to include all lands under the care, control, or management of the City, including Crown Land;
- increase in the number of occasions a temporary market can be held as a temporary event prior to the markets policy process applying, from four occasions, to 12 occasions, within a 12-month period;
- removal of the detail of the market approval stages within the policy, with referral to this specific detail being within the markets guidelines;
- inclusion of operator criteria and objectives the City applies to the assessment and consideration of market proposals;
- confirmation that the City will issue public notices and accept and review community feedback for all market occasions on City land; and
- revision of the detail regarding the specific calculation of market land use fees to refer to the adopted fees and charges schedule.

In addition to updating the policy, updates have been made to the supporting guidelines to ensure consistency so that both documents accurately reference each other.

Recommendation

It is resolved that:

- (A) Council approve the draft Markets Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note the draft Guidelines to Setting Up a Market on Council Land, as shown at Attachment B to the subject report, which will be exhibited together with the draft Markets Policy; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Markets Policy and Guidelines.

Attachments

Attachment A. Draft Markets Policy

Attachment B. Draft Guidelines for Setting Up a Market on Council Land

Background

1. On 29 June 2015, Council adopted a Markets Policy with the purpose of providing a standard approach to the approval of markets. The Policy also provides an assessment framework for the City to approve ongoing markets.
2. The Markets Policy was reviewed and amended on 24 June 2019.
3. At the 9 March 2020 Council meeting, the Chief Executive Officer was requested to investigate amending the City's Markets Policy, Event Guidelines and Guide to Setting up a Market on Council Land to prohibit the sale of all fur products, mislabelled fake fur products and exotic animal skins at markets and stalls on council owned land
4. Subsequently, the Markets Policy was updated to reflect this change and on 26 October 2020, Council approved that the draft Markets Policy be placed on public exhibition.
5. Community consultation was placed on hold at the time due to the Covid-19 pandemic and many markets not operating during that period.
6. During 2021, a further review and update to the Market Policy was undertaken.
7. Changes to the Market Policy are minor in nature and improve language, clarification and understanding, and do not alter the intent of the Policy.
8. Changes include:
 - (a) inclusion of the prohibition of the sale or promotion of any prohibited items or services at a market on Council land, such as fur and exotic animal skin products, other than where is permitted under traditional first nation cultural practices;
 - (b) clarification of the scope of Council land where a market can take place and for which the policy is applicable to include all lands under the care, control, or management of the City, including Crown Land;
 - (c) increase in the number of occasions a temporary market can be held as a temporary event prior to the markets policy process applying, from four occasions, to 12 occasions, within a 12-month period;
 - (d) removal of the detail of the market approval stages within the policy, with referral to this specific detail being within the markets guidelines;
 - (e) inclusion of operator criteria and objectives the City applies to the assessment and consideration of market proposals;
 - (f) confirmation that the City will issue public notices and accept and review community feedback for all market occasions on City land; and
 - (g) revision of the detail regarding the specific calculation of market land use fees to refer to the adopted fees and charges schedule, which may be varied where required.

9. In addition to updating the policy, updates have been made to the guidelines including:
 - (a) a revised application and assessment process to a Request for Proposal process, which allows greater flexibility for changes to be made to proposals post assessment, based on Council or community feedback;
 - (b) clarification that during the public notice period of a market location, as the notice does not include the specific details of a particular proposal, the City will accept additional Requests for Proposals, which will be competitively assessed along with the original Request for Proposal at the close of the public notice period; and
 - (c) removal of fees for market site application assessments.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

10. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
 - (a) Direction 5 - A Lively and Engaging City Centre - Markets provide an attractive drawcard and destination for locals and tourists to visit, creating an activated and vibrant location, and contributing towards village identity.
 - (b) Direction 6 - Vibrant Local Communities and Economies - Markets are an important part of community and business ecostructures, providing opportunities for the community to shop for fresh produce, food, and items, facilitating employment and contributing towards the economy.
 - (c) Direction 10 - Implementation through Effective Governance and Partnerships - The revision to the Policy improves transparency, clarity and provides better understanding for the community of how the City assesses market applications and what criteria it uses, what return the City is seeking from market operators, and the process through which the City provides approvals.

Organisational Impact

11. Markets are overseen by the Venue Management unit that is resourced to deliver markets and other activations in the public domain. There are no additional organisational impacts.

Risks

12. There are no significant risks associated with the adoption of the revised markets policy.

Social / Cultural / Community

13. The benefits that the community obtains from a market in their local area is the opportunity to purchase fresh produce, goods and services including food and beverage items, handicrafts, and other items.

14. Markets also act as an opportunity for the community to meet as an activity in itself, as well as providing opportunities for the community to come together.

Environmental

15. The City requires operators to undertake a site assessment and detail how they will minimise impact on the location, including having wet weather contingencies.
16. The City requires operators to develop and provide detailed plans for how they will manage load in and load out, vehicle movements, infrastructure placement, waste management and safety to reduce impact on the location.

Economic

17. Markets are an important part of the City's business ecosystem, providing employment for stallholders that include food and beverage operators, local creatives, florists, and other retailers, and additionally, markets employ a range of ancillary businesses to facilitate their activities.
18. Local businesses also benefit from the presence of markets driving more foot traffic into the area as the market is a destination, activating the space and is an additional driver for both the local community and people from elsewhere to visit the village.

Financial Implications

19. Income of approximately \$100,000-\$120,000 was generated from Market Fees in recent (pre-Covid-19) years. Annual income could reasonably be expected to increase to more than \$150,000 per annum over time.
20. Market operators are responsible for all costs associated with running the market including waste management above and beyond the City's normal service of the site, and issues of maintenance and/or damage that are directly attributable to the market.

Relevant Legislation

21. Due to the varied nature of markets, their activities and how they take place in the public space, markets are governed by a range of legislation including:
 - (a) Local Government Act 1993
 - (b) Crown Land Management Act 2016
 - (c) Roads Act 1993
 - (d) Environmental Planning and Assessment Act 1979
 - (e) Disability Discrimination Act 1992
 - (f) Food Act 2003
 - (g) Protection of Environmental Operations Act 1997
 - (h) Sydney Local Environment Plan 2012

- (i) Work Health and Safety Act 2011

Critical Dates / Time Frames

- 22. The Markets Policy was last reviewed in June 2019 and is due to be reviewed before June 2023.

Public Consultation

- 23. In line with the City's Policy Management Procedure, the Markets Policy will go on public exhibition for 28 days pending endorsement by Council.

EMMA RIGNEY

Director City Life

Peter Rugg, Manager Venue Management

Attachment A

Draft Markets Policy

Markets Policy

Purpose

The purpose of this policy is to establish the City of Sydney's approach to approval of **approving** markets and the level of commitment it requires from market operators to achieve quality market operations. It aims to facilitate **encourage** well managed markets that help to support and contribute to local communities, complementing the offerings of local businesses.

Scope

The Markets Policy applies to ongoing markets on Council land ~~within~~ **in** the City of Sydney Local Government Area. Ongoing markets are classified as markets that operate more than ~~four~~ **twelve (12)** occasions ~~in their first~~ **in a 12 month** ~~s of operation~~ **period**.

The Markets Policy provides an assessment framework for the City to approve ongoing markets.

In addition to obtaining Market Approval **market approval**, ongoing markets ~~that operate for more than 52 days (whether or not consecutive) in any 12 months period or operate on sites containing heritage items, are required to submit a development application and obtain development consent before operation. Other approvals may also be required. It is the Market Operators responsibility to obtain all necessary consents/approvals to operate the market~~ **are required to lodge a development application to obtain development consent before operating, if the market operate more than 52 days (consecutively or not) in any 12 month period or if the markets operate on sites containing heritage items. Other ancillary approvals may also be required. It is the market operator's responsibility to obtain all necessary consents/approvals to operate the market.**

Markets not covered by this Policy

Temporary Markets on Council Land

The Markets Policy **markets policy** and Guide **guide** do not apply to temporary markets on Council land. Temporary markets are classified as markets that operate on up to ~~four~~ **twelve (12)** occasions ~~in every~~ **times in a 12 month** ~~12 months of operation~~ **period**. To be added (Refer City of Sydney Event Guidelines).

The City of Sydney's ~~Events Guidelines~~ **guidelines** for holding outdoor events, intended for one-off and temporary events, apply to temporary markets. Temporary markets must meet requirements of the Events Guidelines and receive an Event Approval before operation. A copy of the Events Guidelines is available on the City of Sydney website.

Temporary markets must meet the event guidelines requirements and receive an event approval before operating.

Markets on land other than Council Land

The market policy does not apply to markets that are not on Council land, including private property, other **NSW** State Government Agencies **agencies** or Statutory Authorities **statutory authorities**. Contact Council if you would like more information about conducting markets on land other than Council land. ***For markets on land that is not Council land, our land ownership map will help you determine the landowner you need to contact.***

Definitions

Term	Meaning
Council land	<p>Land owned or controlled by the City. Land owned by the City includes operational and community land; land controlled by the City includes roads (including footways) and Crown reserves.</p> <p><i>Land owned or under the care, control, and management of the City of Sydney. Land owned by the City of Sydney includes land classified as operational or community, including public reserves.</i></p> <p><i>Land under the City of Sydney's care and control and management includes Crown land, roadways (including footpaths) and third-party owned land where the City of Sydney has been granted tenure.</i></p>
Market Approval	Formal approval granted by the City of Sydney for a market to begin operation. <i>operating.</i>
Market Operator	The individual or group who intend to operate the market and who will enter into an agreement with the City of Sydney for the use of the site.
Market Proposal	A detailed document describing the layout, management and preliminary operational plans for a market. The Market Proposal is submitted after a Market Site Application is approved.
Market Site Application	An application form enabling Market Operators to indicate interest in using a site on Council land to operate a market.
Ongoing Market	A market of regularly scheduled outlet for the sale of goods and services at the same or similar location, with the majority of goods and services provided by the producer, grower, crafts person or service person. Market activities in line with the terms of an approved market licence.

Policy Statement

The City of Sydney ~~(the City)~~ supports quality markets in the Local Government Area (LGA). Markets provide for the needs of the community, ranging from ~~the provision of fresh food to goods and services.~~ ***providing fresh food to goods and services. We recognise the***

potential contribution of markets to community life and local economies. Markets can complement local business offerings and provide opportunities for emerging enterprises.

The City recognises the potential contribution of markets to community life and local economies. Markets can complement the offerings of local businesses and provide opportunities for emerging enterprises.

The following principles encapsulate the City's approach to approval of markets and the level of operational performance the City requires of Market Operators.

The City **We** will:

- apply a consistent assessment framework to the approval of Market Site Applications and Market Proposals ***approving site applications and market proposals***
- require Market Operators ***market operators*** to demonstrate capacity to meet community needs, contribute to social cohesion, strengthen the local economy, and complement the offerings of local businesses
- consult the community about new Market Proposals ***market proposals*** by providing consultation opportunities for the community to comment.

Market Operators will be required to:

- minimise the impact of their ***any undue impact of the*** market on the environment, local residents and nearby businesses ***and stakeholders***
- ensure market sites are well-maintained and accessible for all members of the community
- prioritise community health and safety by rectifying hazards and problems immediately ***where required***
- ***Comply with all conditions as set out in market consent approval.***

Approval of Markets

The City **of Sydney** receives regular requests from commercial enterprises, community groups, not-for-profit organisations and the general public about establishment of new markets on Council land. This section outlines the market approval process and conditions. ***seeks diversity of quality markets across the local area. Preference will be given to a market proposal that demonstrates innovation and diversity.***

Identification of Market Sites

The City encourages Market Operators to identify appropriate market sites. New market sites are proposed by:

- Market Operators — through the submission of a Market Site Application to the City
- The City — where a site has been identified to meet community needs

Market Approval Stages

There are six basic steps to setting up markets on Council land in addition to any development consent requirements:

- a. Choose a market type — identify the primary purpose of the market
- b. Identify a suitable site — hard stand areas are preferred for the placement of stalls and

other infrastructure

- ~~c. Submit a Market Site Application—the City assesses the capacity and suitability of a site. The application will not proceed to the next step if the site is considered to be unsuitable~~
- ~~d. Plan your market—prepare a detailed Market Proposal and market impact report, which addresses the impact of the market on the surrounding residents, businesses and the environment~~
- ~~e. The City will undertake community consultation—including letters to residents and businesses in the area, notification displayed at the site and on the City's website~~
- ~~f. Set up market—pending approval, a formal agreement will be drawn between the City and the market operator. The City will monitor performance of the market.~~
- ~~g. Use of the site may be subject to tender.~~

~~Market applications will be assessed against criteria based on the principles set out in this policy and the Markets Guide. The City will not proceed with Market Site Applications and Market Proposals that do not meet assessment criteria, tendering briefs where applicable, and the needs of the community identified by the City.~~

Council will look favourably on a market proposal and operator who can:

- curate an innovative market that also provides a platform for cultural vitality through art, performance, and bringing the local community together***
- through a curated offering, provide a point of difference to the existing market offerings within the City of Sydney local government area***
- engage and include local businesses, stakeholders, and community groups into a market to promote cohesiveness and complement the surrounding area and existing businesses***
- demonstrate a clear commitment to zero waste to landfill, aligning with the goals of Sustainable Sydney 2030-2050, including a ban on single use plastic bags, a commitment to use biodegradable containers including, but not limited to beverage, takeaway containers, and cutlery within the market***
- commitment to reducing food waste through utilising services such as food rescue organisations for unsold food or food waste collection for recycling***

The market operator must also be able to meet the following objectives:

- operate the market as an interesting and vibrant destination***
- operate a market that sells a high quality of goods/services representing value for money***
- maintain high standards of presentation and customer success***
- ensure that the market's operation complements and adds value to the existing businesses in the area***
- ensure the market does not sell or promote any prohibited items or services on Council land, such as fur and exotic animal skin products, other than where is permitted under traditional first nation cultural practices***
- professionally organise, manage, and operate the market***
- have regular contact with Council and submit performance reports as part of the ongoing review of the market***
- ensure compliance with all requirements of the Licence as well as other applicable legislative or planning obligations***

The application, assessment and approval steps for market proposals are detailed within the markets guide.

Market Agreements/Consents

~~Before Market Approval is granted, the proposed Market Operator will be required to obtain the City's consent.~~ ***The proposed market operator will be required to obtain the City of Sydney's consent before a market can start.*** These documents will contain conditions regarding ***about*** the use of the land and the operation of the market.

Community Consultation

The City will consult the community about proposed use of Council land for markets. Consultation provides opportunity for community needs and concerns to be addressed ~~in the assessment of Market Proposals.~~ ***When market proposals are assessed.*** There are two ***2*** types of community consultation.

Statutory Public Notice

The City ***of Sydney*** is required to ~~place~~ ***give*** public notice of proposals to grant a lease or licence on community land or Crown land in ~~accordance~~ ***line*** with all relevant legislation. The City ***of Sydney*** is not required to give public notice for use of operational land, roads and footways.

Community Consultation

In addition to any public notice required by law for certain agreements for the use of community or Crown land, the City ***of Sydney*** ~~will~~ ***may consult the*** ~~undertake~~ community consultation to address any community needs and concerns as part of the ~~assessment of Market Proposals by:~~ ***market proposal assessment process. This may include:***

- ~~• sending notification letters to residents and businesses, within reasonable distance of the market, inviting them to comment on market proposals~~
- public exhibition ***consultation*** of market proposals on the City's website
- ~~• displaying a notice of any proposed market use on the site~~
- ~~• Submissions received following public exhibition will be considered in the final Market Approval.~~
- ***Feedback from the public consultation being considered in the final market approval process***
- ***Notices places at the proposed market location advertising of a market proposal being considered and how to provide feedback within the consultation period***

Markets Management

Ongoing Review

Market Operators are required to participate in regular meetings ~~communication~~ and performance reviews with the City ***of Sydney***. ~~Meetings-~~ ***Regular communication*** and reviews provide opportunities for resolution of ~~to resolve~~ issues raised by the community, the Market Operator and the City ***of Sydney***.

Health & Safety

Market Operators are responsible for ensuring all stallholders involved in the ~~preparation, sale or provision~~ **preparing, selling, or providing** of food comply with the provisions of *Food Act (NSW) 2003*.

Market Operators must also ensure stallholders hold current City Temporary Food Premises permits and comply with permit conditions **where applicable**. Further information may be found online at City of Sydney and NSW Food Authority websites.

The City **of Sydney** and other authorities may inspect markets and individual stallholders at any time to ensure public health and safety **standards are upheld**.

Site Accessibility

Market Operators ensure market site configurations encourage community participation and ease of access. Market Operators are responsible for site accessibility, safety of crowd movements and compliance with legislation; ~~including but not limited to~~. **This includes** the *Disability Discrimination Act 1992, Roads Act 1993, Work Health and Safety Act 2011* and other conditions set out in the market agreements. Market Operators are also required to minimise market **environmental** impacts. ~~on the environment~~.

Fees and Charges

The City's Fees and Charges Schedule includes fees for markets. ~~Commercial Market Operators pay a commercial fee. Not-for-profit organisations are offered a lower fee structure. (Refer [Fees and Charges](#)).~~ **For more information see Fees and Charges.**

~~Market land use fees are based on a percentage of a market's forecasted annual gross revenue. The fee is estimated at the beginning of each financial year by calculating the number of market stalls approved on a site and the fees charged by the Market Operator to stallholders. Other revenue generated by the Market Operator in relation to the use of Council land is also included in the calculation.~~

A site maintenance fee is charged by the City **of Sydney** to the Market Operator to cover maintenance costs incurred **as a result** ~~by the City as a result~~ of market use of a site. **These are determined for each market licence, dependant on the services required and space used.**

The City of Sydney reserves the right to review and vary the fees and charges of this policy where required.

Equal Opportunity Land Use

The City **of Sydney** will determine the appropriate length of any agreement or consent on a case-by-case basis. No term will be longer than five years.

To ensure markets retain community use and participation, Market Operators **market operators** are required to dedicate a stall space for use by community groups, social

enterprises, not-for-profit organisations and new start-up businesses.

Equal Opportunity Land Use

The City reserves the right to review, vary or revoke this policy.

Responsibilities

The responsibility for the implementation of this policy resides with the Venue Management Business Unit.

Consultation

Internal consultation with relevant internal stakeholders including Procurement, Legal and Finance.

External consultation held with Market Operators as well as Public Exhibition.

References

Laws and Standards

- Local Government Act 1993
- Crown Land Management Act 2016
- Roads Act 1993
- Environmental Planning and Assessment Act 1979
- Disability Discrimination Act 1992
- Food Act 2003
- Protection of Environmental Operations Act 1997
- Sydney Local Environment Plan 2012

Policies and Procedures

- City of Sydney Markets Guide to Setting Up a Markets on Council Land
- Sustainable Sydney 2030
- City of Sydney Plans of Management for Parks and Reserves
- City of Sydney Sustainable Events Management Policy
- City of Sydney Events Markets Guideline
- City of Sydney Aboriginal and Torres Strait Islander Cultural Practice Policy
- Markets Guideline
- City of Sydney Performance Bonds Policy
- City of Sydney Procurement Policy
- City of Sydney Inclusive and Accessible Public Domain Policy and Guidelines

Review period

This policy will be reviewed every 4 years.

Approval Status

Council approved this policy onXXXXXXX.

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	29 June 2015	Approved by Council	2015/326743
Reviewed	24 June 2019	Approved by Council	2015/326743
Commence Review Date	September 2021		
Approval Due Date			

Ownership and approval

Responsibility	Role
Author	Outdoor Events, Markets and Busking Coordinator
Owner	Manager, Venue Management
Endorser	City of Sydney Executive
Approver	City of Sydney Council

Attachment B

<p>Draft Guidelines for Setting Up a Market on Council Land</p>
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Guidelines for setting up a market on Council land



Contents

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Market operational requirements	15
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About these guidelines

This guide is ~~designed~~ for market operators seeking to set up markets on Council land in the City of Sydney local government area.

~~It's purpose is to~~ **The** guide **aims to assist** market operators through the market application process, identifying suitable sites, **and how to** obtain consent to use the site. ~~(including development consent) and ensure the market meets legislative requirements.~~

The City of Sydney supports markets ~~in the following ways~~ **on Council land in several ways.**

These include:

- **Dedicated** markets coordinator to help **applicants and organisers** ~~you~~ through the **application**, approval and ~~community consultation~~ **stages and then the ongoing reviews and operational support once a market is set up**
- ~~A markets panel to provide consultative advice to the market coordinator~~
- ~~Quarterly reviews and support during initial 12 months term~~
- ~~Templates and proformas provided for developing operational plans and assessments~~
- Simplified application process for markets held ~~four or less~~ **than 12 occasions a in** year to ~~test community interest or provide an opportunity for flexible themed or special one-off markets for certain occasions, such as Christmas or Easter markets, for example.~~

Markets policy

The City of Sydney Markets Policy complements this guide in providing guiding principles for supporting markets. ~~The Markets policy is on the City's website at~~
www.cityofsydney.nsw.gov.au/business/city-spaces/markets

Setting up a market

Markets can provide for the needs of the community, ranging from the provision of providing fresh food to the provision of providing goods and services. Markets can serve as an anchor for community to come together, get to know one another and celebrate everything local.

New markets can be approved on a 12 months trial with quarterly reviews. There are six steps to getting your market up and running.

Choose a market type

Identify a site

Submit a market site application

Plan your market

Community consultation

Set up a market

The following steps show the process to get a market up and running.

- **Identify a market type**
- **Identify a market site**
- **Lodge a market site application**
- **Produce a market proposal**
- **Community consultation and notification**
- **Request for proposals open**
- **Market proposal assessment and selection**
- **Set up the market**

What markets do not follow the steps outlined in this guide?

Note: The City of Sydney Markets Policy and this Guide **to Setting up Markets on Council Land** do not apply to temporary markets **on Council Land**. Temporary markets are markets that operate up to ~~four~~ **twelve (12) occasions** in their first a twelve (12) **month period** months of operation.

The City **of Sydney** Event Guidelines, intended for one-off and **apply to** temporary markets **that are intended for one-off and temporary events**. A copy of the Event Guidelines is available on the City of Sydney website or from the City of Sydney customer service centre or neighbourhood service centres.

Landowner's consent, and **including** development consent **where applicable**, must be obtained for markets that are not on Council land. The Markets Policy and this guide do not apply to those markets **held on land that is not under the City of Sydney's ownership or care and control**.

Identify a market type

Successful markets begin with identifying the goods and services best suited to a community, by taking time to understand what goods and services exist or may be lacking in the area.

The City **of Sydney** asks **requires** that you identify a market type to ensure **ensuring** your market offering remains consistent with the needs of a community and ~~as set out in your market charter~~ **does not unreasonably compete with goods or services that may already be available in the area**.

Market Types

Some market type examples include:

- **Fresh food/farmers market** – a ***mainly*** predominantly fresh food market that provides farmers and food producers opportunity to sell ~~farm-origin and associated value-added processed~~ food products directly to customers
- **Goods market** – a ***mainly*** predominantly goods-based market that provides craftspeople, goods, or service providers an opportunity to sell new or used goods and services direct to customers
- **Speciality market** – a goods or service-based market that provides one ***main*** predominantly type of goods or service direct to customers. Examples of speciality markets can include camera markets, antique or flower markets

Select a site ~~Identify a market site~~

A well-located market can provide a strong foundation for a successful long-term operation. ~~Select a site to suit your market type.~~ **A market site must be selected that suits the type of market being proposed.** Use the site suitability checklist (Appendix A) to assess potential market sites and determine how market use affects a site and its surrounds. **The site suitability checklist (see attachment A in this guide) should be used to assess potential market sites and determine how a market may affect a site and its surrounds.** This checklist provides performance criteria to help select the most suitable site.

Typically, markets are held outdoors, however the City ~~of Sydney~~ has a suite of landmark venues and community venues for hire. They include town halls, halls and auditoriums **several indoor venues and community spaces that may also be available for market hire.** You can find **Contact the Community Venues team** for more information about indoor community venues – communityvenues@cityofsydney.nsw.gov.au or via 9265 9333.

~~While the City~~ Whilst we encourage creative use of sites, some sites are better suited to erection of erect structures and for vehicular access than others. Some market formats can include:

- **Stalls and marquees** – best suited to sites with hardstand such as concrete, bitumen, brickwork and other paved surfaces **to avoid damage to turfed areas.** Overhead shelters are mandatory for food preparation and display of **displaying** unpackaged food **so need to be considered where applicable as to their positioning on a site.**
- **Trestle tables and ground displays on the ground** – best suited for indoor sites, sites with overhead cover, grassed surfaces and natural landscapes **for example due to the absence of inclement weather cover.**
- **Other formats** – ~~more recently, the City has received~~ **may include** creative market proposals such as car boot sale markets, rooftop markets and markets ~~comprised of~~ comprising portable trolley displays and tricycle stands.

~~You are encouraged to~~ **Market applicants should** speak to our Markets Coordinator to discuss the capacity of a site before proceeding to the next step.

The Markets Coordinator is able to ~~can help~~ identify whether **if a** market is permissible on a site in accordance with the Sydney Local Environment Plan 2012 (Sydney LEP). **permitted on a particular site in line with NSW Government legislation, including the Local Government Act 1993, the Sydney Local Environmental Plan 2012 and any other relevant policies and legislation before a proposal progresses to an application.**

Submit a market site application ~~Lodge a market site application~~

The market site application **form** can be **downloaded** submitted at **from the City of Sydney website.** The city's one stop shop or neighbourhood service centres or by emailing openspacebookings@cityofsydney.nsw.gov.au

Applications must be lodged by sending the completed application by email to markets@cityofsydney.nsw.gov.au, or submitted in hard copy at our customer service centre or neighbourhood service centres.

The City of Sydney will also identify any conflicting use such as proposed infrastructural works, existing uses and inconsistencies between your proposal and if applicable, the site's plan of management. **determine if a site is appropriate for market use by assessing the site against the performance criteria listed in the site suitability checklist (see attachment A), together with any other criteria relevant to a particular site. The City of Sydney will also determine any specific requirements and identify any conflicting works or existing bookings that may be scheduled for the proposed location.**

~~Plan your market~~ **Produce a market proposal**

A market proposal must be prepared that describes the layout, management, and operational plan for a market to allow the City of Sydney assess the proposal and its feasibility.

Details of what to consider in a market proposal are listed on Page 10 of this guide. Market operational requirements as detailed on Page 12 should also be reviewed to inform a market proposal. The market proposal is the key document that describes the layout, management and operational plan for your market. Details of what is required of market proposals are listed on pages 24 and 25.

To inform the details and production of the market proposal a market impact assessment (see Attachment B in this guide) should be used to identify and address likely impacts of the market on surrounding residents, businesses, and the environment.

A key factor for a market proposal is how the market can engage the community and collaborate with stakeholders, such as nearby businesses and community groups.

The City of Sydney requires all markets to prioritise collaboration with existing businesses and stakeholders surrounding a market site for any proposal. A proposed market cannot pose an undue conflict with any businesses or services being offered within a reasonable distance surrounding a market site.

The Market impact report addresses the impact of your market on surrounding residents, businesses and the environment. Irrelevant of whether you are a commercial or not for profit market operator, key to your market proposal is how you plan to engage the community and collaborate with stakeholders, such as nearby businesses and community groups in setting up a market. the Market impact assessment template is at appendix C.

The City **of Sydney** requires all markets to have a minimum 10% stallholder participation by community groups, social enterprises not for profit organisations and new start-up businesses. ***provide stallholder space for community groups, social enterprises, community consultation, not-for-profit organisations, and new start-up businesses.*** This is an addition to the requirement of a free community meeting space or entertainment area within the market grounds.

Once a market proposal is finalised it should be lodged with the City of Sydney for review. Our Markets Coordinator will then start the required community notification, consultation and request for proposal processes as detailed below.

Once the City reviews your market proposal and market impact report, you will be advised whether a development application (DA) is required. any DA will be assessed by City Planners.

Market proposals can be lodged by email to markets@cityofsydney.nsw.gov.au, or in hard copy at our customer service centre or neighbourhood service centres.

Community Consultation and Notification

Once a market proposal is lodged for review and assessment, the City of Sydney will notify and consult with the local community on the proposed market site and market type. The City may undertake consultation with the local community about your market proposal. this consultation is undertaken by the City to consider community comments.

We consult the community to consider comments and feedback. This may include:

- Letters to the residents and businesses surrounding a site about a market proposal
- Notification **signs** displayed on site the **proposed market site**

- Details of the market proposal exhibited on the City's website ***proposed market placed on the City of Sydney website***
- ***Public notices placed in local publications***

While the City of Sydney is only required to notify the community for proposed market licences on certain types of land, we recognise the importance of consultation and will notify the community for all proposed market sites on all City of Sydney owned or operated land. Community consultation is undertaken in addition to any public notices required by law.

The feedback ~~the city~~ ***we*** receive from the community about a market will be considered in the overall assessment of a market application.

We may also provide comments from the community to a market applicant to refine a market proposal and address community concerns or needs, where required. ~~The City will also provide you with comments from the community to refine your market proposal.~~

Set up market

~~the City will provide approval for your market once your market proposal is updated to reflect final comments from the City about your proposal.~~

~~Once your market is granted approval, apply for relevant permits and licences as soon as possible. Page 25 provides further information on permits and licences.~~

~~You will need to enter into an agreement with the City. This agreement (or consent or approval if the market is on land governed by the Roads Act) will have conditions that apply to the use of the land and operation of the market. At this point, if you are eligible, consider applying for appropriate support and under the City's grants and sponsorship program and put the community building initiatives into place.~~

~~Especially during the first year of holding your market, regular meetings with the City will assist in improving your operation.~~

Requests for proposals

To ensure the community receives the best offerings for City of Sydney spaces, during the public notification and consultation period for any new market proposal the City of Sydney will accept additional market applications for a proposed site through a request for proposal (RFP) process. This process will run concurrently to the public notice publication and conclude on the same date as the public consultation feedback.

The process requires any additional applicants to provide information about them as an operator and their initial proposal for a market on the site identified for initial assessment.

The details for any request for proposals and the lodgement deadlines will be included in public notices and on the City of Sydney's website, with a link to the request for proposal document that needs to be completed for any additional applications.

Any request for proposal applications must be received before the closing time and date specified in the public notice and should be lodged via email to markets@cityofsydney.nsw.gov.au, or in hard copy at customer service or neighbourhood service centres.

Note: any request for proposal documents lodged in hard copy must be time and date stamped by a City of Sydney employee when it is received.

Market proposal assessment and selection

If the notification and consultation period ends with no other qualifying proposals lodged during the request for proposals period, the City of Sydney will proceed to assess the original proposal on its own merits and in line with assessment criteria set out by the City of Sydney.

If the City of Sydney receives a request for proposal during the notification and consultation period that meets the standard requirements, the applicant will be asked to produce a formal market proposal, as detailed above and on page 10 for assessment and consideration, along with the original market proposal. All proposals will be assessed on their own merits and under the same assessment criteria set out by the City of Sydney.

The City of Sydney will initially assess applications to identify a short-list that will progress to the next stage based on the viability of the proposal and in relation to the assessment criteria.

Shortlisted applicants will be asked to prepare and deliver a presentation to City of Sydney staff on their market proposal and to be interviewed on the operational details and vision for the market. This can include assessing and discussing details of the proposal such as logistical considerations for safety, security, traffic management, and waste management. It can also include operational considerations such as the realistic number of stalls expected and estimated budgets and forecast revenues.

The City of Sydney may identify a successful proposal and operator at the conclusion of the assessments. At this time, conditional approval will be issued, pending final documents and permits, where required.

The City of Sydney will look favourably on a market proposal and operator who can:

- ***curate an innovative market that also provides a platform for cultural vitality through art, performance, and bringing the local community together***
- ***through a curated offering, provide a point of difference to the existing market offerings within the City of Sydney local government area***
- ***engage and include local businesses, stakeholders, and community groups into a market to promote cohesiveness and complement the surrounding area and existing businesses***
- ***demonstrate a clear commitment to zero waste to landfill, aligning with the goals of Sustainable Sydney 2050, including a ban on single use plastic bags, a commitment to use biodegradable containers including, but not limited to beverage, takeaway containers, and cutlery within the market***
- ***demonstrate a commitment to reducing food waste through utilising services such as food rescue organisations for unsold food or food waste collection for recycling.***

Market operators must also be able to meet the following objectives:

- ***operate the market as an interesting and vibrant destination***
- ***operate a market that sells a high quality of goods/services representing value for money***
- ***maintain high standards of presentation and customer success***
- ***ensure that the market's operation complements and adds value to the existing businesses in the area***
- ***ensure the market does not sell or promote any prohibited items on Council land, such as fur, miss-labelled fake fur, and exotic animal skin products, other than where this is permitted under traditional first nation cultural practices***
- ***professionally organise, manage, and operate the market***
- ***have regular contact with Council and submit performance reports as part of the ongoing review of the market***
- ***ensure compliance with all requirements of the licence agreement as well as other***

applicable legislative or planning obligations

Set up the market

Once a market is granted conditional approval, an operator will need to prepare and lodge final operational documents and apply for relevant ancillary permits and licences, where applicable.

Page 11 provides further information on other permits and licences that may be required before the market can start operating which will also be identified by our Markets Coordinator when conditional approval is issued.

The successful operator will need to enter into a formal agreement with the City of Sydney to operate a market. This will either be a licence agreement for a market operating on Council land classified as operational or community, (including public reserves and Crown land), or a consent granted under the Roads Act 1993 for a market operating on a roadway or footpath.

The agreement will contain conditions that apply to the use of the land and operation of the market.

Fees

The following application fees are for markets on Council land. ~~Note: Fees are subject to change~~

Note: The City of Sydney reserves the right to review and vary fees and charges outlined in this guide where required.

ITEM	FEE
Market site application form	\$0 \$200 for commercial organisations and \$100 for not for profit organisations (inc. GST)
Market proposal and impact assessment	\$0
Community notification and public consultation	As applicable. You may obtain a quote from the City of Sydney if required.
Development application, if required	As applicable. You may obtain a quote from the City of Sydney if required.

The following land use fees apply for a market site.

Site fee	Land use fee	Site maintenance fee
Council land	<p>Commercial market operator: 20% of gross annual revenue*, estimated at the beginning of each year.</p> <p>Not-for-profit market operator: 10% of gross annual revenue</p> <p>No fee charged for the initial 12-month terms of new sites set up by not-for-profit market operators.</p> <p>*The gross annual revenue is calculated by the approved average stall numbers multiplied by the amount charged by market operator to stallholders.</p>	Site maintenance fee is estimated at the beginning of the year by assessing utility use and maintenance required on a site, as a result of market use. It is charged incrementally to monthly invoices.

The City of Sydney's grants and sponsorship programs are designed to support the community to develop projects and works which directly benefit one or more of the following key areas:

- **celebrating culture and creativity**
- **supporting the economy and business**
- **ensuring environmental sustainability**
- **building community.**

Guidelines for setting up a market on Council land

View more information about our grants and sponsorship programs, or contact the grants team at communitygrants@cityofsydney.nsw.gov.au or phone 02 9265 9333.

What to include in a market proposal

The market proposal details your market plans to the City of Sydney and the community.

This section sets out what to include in a market proposal.

SECTION 1

1.1 Description of market

Include:

- Name of the market and its purpose
- A market charter which should explain why this market is good for the community and the philosophy that underpins it.
- Production schedule detailing the time, location, frequency of the market, including bump-in and bump-out times.
- List of equipment to be used on site.
- Description of stall types, numbers and market activities including entertainment, workshops, and any children's activities.

1.2 Site plans

- Provide a site plan to show the location of structures (including stallholder structures) and access ways including any toilets, stages, seating, generators, refrigeration, stallholder loading areas, entry and exit points.
- Provide at least 2 site configurations (one as a wet weather contingency) if there is grass within the market site.

1.3 Site impact report

- Prepare a site impact report using the site impact assessment proforma (see attachment B) This needs to provide information on how you will protect the site and surrounding environment, minimise impact on the community and ensure your market complements the local economy.

1.4 Market administration

Include details on:

- anticipated patron numbers
- community engagement plan and provision of community space at the market
- marketing and promotional plan
- product consistency and service quality assurance
- stallholder manual and agreement
- stallholder fees
- stallholder retention strategy

SECTION 2

2.1 Risk management plans

- Crowd management
- Emergency management plans and chain of command
- All weather protection, wet weather contingencies and market cancellation procedure
- On-site contacts, such as market manager and a staff absentee back-up plan
- Work, health and safety plan

2.2 Waste management and sustainability plans

Include plans and details regarding:

- Waste minimisation plan
- Reuse and resource recycling initiatives
- Whole market sustainability initiatives

2.3 Transport and traffic management plan (*where applicable*)

- Provide a traffic management plan and traffic redirection plan if applicable
- Provide details on active transport provisions, including safe parking for bicycles, way finding signs for accessible pathways and so on

2.4 Public Health

Include details on:

- Portaloos and accessible toilet locations and numbers
- First aid
- Security and money handling procedures
- Noise management plan, if applicable
- Weighting and securing of structures

2.5 Permits

Applications for approval of the following must be made to the City of Sydney, where applicable, for ancillary approvals prior to a market being permissible to commence:

- Temporary food vending permits
- Temporary road closures
- Traffic management on City roads

You may also require additional services at your market. Applications for the following are to be made directly with the respective service providers:

- Temporary event liquor licences (Liquor & Gaming NSW)
- User-pays police (NSW Police Force)
- Sydney buses approvals (State Transit Authority)
- Road occupancy licence (Transport for NSW)
- Clearways (Transport for NSW)
- Taxi Council approvals (NSW Taxi Council)
- St John Ambulance or other first aid provider (Ambulance NSW)

Fees and charges may apply for the above services. Each service provider will advise directly about any applicable fees for their services or approvals. ~~Fees and charges may be applicable, each service provider will advise.~~

Market operational requirements

This section provides additional market operational requirements and recommendations.

Insurance

You must obtain a public liability insurance policy for a minimum of **\$20 million** ~~\$10,000,000~~ ~~nothing City of Sydney Council as an interested party on the public liability insurance.~~ The City of Sydney requires a market operator to provide this certificate of currency before entering into a licence agreement.

The City of Sydney is not responsible for the risks incurred from operating a market in a public space. It is recommended you hold a current workers compensation insurance policy and other forms of businesses and operational protection.

Performance bond/security deposit

You may be required to provide a performance bond/security deposit **before market operation starts. This will be discussed and confirmed with the Markets Coordinator.**

Payment terms

A market operator is required to pay a minimum of one month's land-use fee in advance **to the City of Sydney before market operation starts.**

Make good and site maintenance

Where possible markets should locate market stalls and infrastructure on hardstand areas rather than on grass. Ground surface protection mats (Trakmat, Terratrack or similar) are to be used where vehicles will be operated on, or impactful infrastructure located on, grassed areas.

Site layouts should be designed to guide patrons to walk on existing pathways and hardstand where possible.

A site maintenance contribution fee may be collected for the City of Sydney to undertake works arising from market use. ~~The City will undertake the following works:~~ **These may include the following works associated with a market's operation effect on a site:**

- landscape and general property maintenance
- general cleansing of the site
- remediation of grass.

The City of Sydney will assess grass and landscape conditions periodically. Grassed areas may require closures for several weeks if returfing and remediation are required. Sites on grass may incur higher site maintenance **fees due to the increased damage to turf and landscaping.**

A site maintenance fee does not include waste collection services. ~~You are required to organise commercial waste pick up at the conclusion of each market.~~ **A market operator is required to organise commercial waste collection at the conclusion of each market with an appropriate service provider.**

Resource and waste management

The City of Sydney [sustainable event guidelines](#) is a helpful resource to inform ways to reduce market impact on the environment. ~~You can obtain a copy of this policy from the market coordinator.~~

Key principles for developing your resource and waste management plan include:

Minimise resource use:

- **Ensure compliance with local and state government requirements relating to the prohibition of plastic bags, single use plastics and many forms of pamphlets and flyers provided at markets.**
- Encourage stallholders to minimise waste through reducing use of packaging where possible.
- Consider implementing whole market sustainability initiatives, such as ~~'plastic bag free' with stallholders only offering paper bags and boxes encouraging market patrons to bring their own bags and making the market bottle water free.~~ **zero waste markets across the whole market and reduced carbon footprint initiatives for vehicular use related to the markets production.**

Recycle and reuse:

- Use biodegradable or compostable products where possible **required and feasible, in line with the City of Sydney reduction of single use items policy and relevant state government policies and initiatives.** ~~Provide adequate waste and recycling bins on the site: particularly placing additional bins adjacent to Council Bins. Council bins do not have the capacity to service market operations.~~
- **Additional bins should be placed next to City of Sydney bins to ensure waste from the markets does not conflict with the capacity of these bins on any site.**
- **City of Sydney bins do not have the capacity to service market operations in most circumstances.**

Remove all waste immediately and sustainably from the site

At the conclusion of the market operation, waste must be collected by a commercial waste service provider. Depending on waste disposal arrangements, recycling bin caps are to be used on bins.

Additional bins should be placed at the following locations as a minimum:

- key entry and exit points
- areas where food and drink are consumed
- next to City of Sydney bins
- beside designated walkways and high traffic areas
- where they can be effectively emptied and serviced, especially in peak periods.

Market operators must make sure the site is returned to its original condition at the end of each market. An operator is required to remove associated litter from the streets surrounding a market site up to 50m from the site boundary, or as specified in the licence agreement with the City of Sydney for the use of the site.

Sustainability education and initiatives

The waste management plan for a market should include how an operator plans to work with the City of Sydney's waste and education and community gardens program. For example:

- encourage stallholders to take food waste back to their farms or suppliers for onsite composting
- consider running workshop programs to educate customers on seasonal buying, composting, worm farming at home, cooking to minimise food waste, meal planning and growing food at home
- consider including organic waste collection as part of your recycling system.

Wherever possible, include educational information at a market to inform patrons where waste and recyclable items from the market will go to, the distances in which produce or products travelled to reach the market, packaging minimisation initiatives, water bottle refilling points and other initiatives you have implemented for community involvement and collaboration.

A market must involve the local community and should engage community groups, sporting clubs, schools, colleges, and community centres, for example, to participate in a market where possible. Markets must provide space for the community to meet, participate in activities, perform, and enjoy live entertainment where possible.

Local service and community groups must be given access to free or low-cost stalls at any market, as markets can help connect communities and enliven the public domain.

Stallholder and supplier selection

Stallholders must be able to operate sustainably and safely. Priority should be given to stallholders that operate or produce goods locally, to minimise the distance in which goods sold at a market have travelled to get there. ~~A good way to start is by choosing stallholders that operate sustainably and safely. Consider stallholders that operate or produce goods locally. Thereby minimising the distance in which goods sold at your market have travelled to get there.~~

Pedestrians and cyclists

~~A market with~~ Well-designed access routes and adequate space for gathering around stallholder displays are integral to safe and accessible environments for patrons.

Under the *Disability Discrimination Act* it is unlawful to discriminate against someone if they have a disability. A person with disability has a right to obtain goods and use services and facilities in the same way as people without disability. Refer to the City of Sydney's inclusive and accessible public domain policy. ~~City of Sydney access DCP 2004 and comply with Disability (access to premises – buildings) standards 2010 to provide equitable access to buildings, use of services and facilities.~~

The Building Code of Australia provides requirements for site design, such as providing accessible parking and circulation space to allow manoeuvrability of wheelchair turns and passing through doorways and accessways.

Ample room for bicycle parking should be provided to encourage patrons to ride to the market. Public transport and active transport access must be communicated clearly on any promotional material for a market.

~~It is important for you to ensure provision for this as the City has a 10% mode share target for bicycles. Always promote the use of public transport when promoting your market. Communicate public transport and active transport access provisions clearly on your promotional material.~~

Traffic and parking management

If you require a road closure or alterations to the public road, traffic or parking arrangements, approval is required from the Local Pedestrian Cycling and Traffic Calming Committee **before the operation of a market.**

A detailed traffic management plan, including road closure plans where applicable, must be prepared for lodgement with the committee, within the deadlines required by Transport for

NSW. Information on application requirements and deadlines for submission to committees can be discussed with the market's coordinator once an in-principle approval has been confirmed for a market proposal. Prepare a detailed traffic management plan, including a road closure plan, for the committee. You can obtain more information about preparing these plans by contacting the City's market coordinator or outdoor events team. Start this application as early as possible.

The City of Sydney recommends operators source off-street parking for stallholders to ensure no additional pressures are placed on local streets for parking. Markets should be ideally situated close to transport links to reduce requirements for vehicle use for the public attending a market. You may be required to obtain the services of a traffic management company to redirect traffic over the duration of your market and to provide road signs in affected streets.

Ensure pedestrian paths, cycleways and shared zones are clearly marked. If vehicles are going onto sites, ensure safety for pedestrians. For emergency vehicles to access the market site, a 4 metre wide access way is required.

The City recommends you try and arrange all day off street parking for each participating stallholder to ensure no additional pressure is placed on local street parking. Reduce the need for patron parking by ensuring your market location is easily accessible by public transport, walking and cycling.

Hours of operation

The City of Sydney will assess proposed operating hours by considering surrounding site uses. Permitted set up and pack down times are dependent on impacts to the surrounding stakeholders, uses and zoning.

Set up and pack down

Access for stallholders for their trading site must be considered to reduce conflicts with vehicle and produce movements across pathways and pedestrian areas. A route should be provided that ensures protection of grass and natural landscape. Loading zones should be allocated on a scheduled basis to avoid conflicts with access for stallholders. Pedestrian safety must be maintained as an upmost priority throughout the use of a public space for a market. Consider how your stallholders will access their trading sites. Provide them with a route that ensures protection of grass and natural landscape. Allocate loading zones and a schedule for loading for sites that are narrow or not easily accessible for vehicles. Ensure pedestrian safety during set up and pack down as public domain is used by everyone at all times.

Continual improvement

During the licence agreement term, a market operator will be required to meet with our Markets Coordinator for ongoing operational reviews, market performance and feedback from the community and the City of Sydney.

Our Markets Coordinator will ensure that any community issues notified to the City of Sydney are raised in a timely manner with the operator and will follow up any resulting actions.

The market operator will be asked to conduct a survey of customers after 6 months and 12 months of operating. The markets coordinator will be able to assist the operator in how to set up and conduct the surveys.

The market operator is responsible for the continual improvement of the market.

The City's environmental Health officers, rangers and markets coordinator are responsible for inspecting markets and providing feedback on all market matters to ensure public health and safety.

Attachments

Attachment A

Site suitability checklist

This is an initial checklist for assessing a site's physical capacity for market use. In assessing an application, the City of Sydney's Markets Coordinator will discuss this checklist with an applicant to assess the site suitability.

In considering the market impact on the environment, community, and local economy, refer to the market impact assessment (attachment B) and market operational requirements.

Capacity and conditions

Criteria	Criteria performance measure	Y/N
Location	Highly visible sites, such as high pedestrian or vehicle traffic routes, provide recognition and attract passing traffic.	
Landmark	Sites with a well-known landmark provide increased location recognition.	
Slope	Levelled sites are preferable to sites on a gradient, particularly for erection of stalls and stages. Ensure site slopes and landings meet access standards.	
Heritage	Sites with heritage listed items are not always recommended for markets. Development consent must be obtained for use of sites with heritage listed items.	
Surface	Fully grassed or landscaped sites are not recommended for markets, as infrastructure cannot be staked into the turf. Hardstand is preferred for storage of goods, erection of temporary structures, vehicle travel and pedestrian access.	
Patron and stallholder capacity	Estimate site capacity to ensure it will accommodate anticipated stallholder and patron numbers. Consider how patrons will move through the site and the stall layout.	
Seating and community space	<p>Ensure adequate seating is available. Providing seats and tables for patrons is a great way to ensure patrons stay longer at your market.</p> <p>Provide space for the community to meet and gather, in the form of sheltered space, space for information sharing or entertainment. If the site is within proximity to a community centre, find ways to link your market with</p>	

Criteria	Criteria performance measure	Y/N
	the centre by way of involving the centre or wayfinding between the centre and your market.	
Amphitheatre and entertainment space	Grassy slopes, wide steps, raised surfaces form a natural stage. These spaces encourage live music and a place for people to gather.	
Distance to existing markets	Ensure the site is located beyond reasonable walking distance of an existing market similar in product or service offering to your proposed market type.	

Utilities and infrastructure

Criteria	Criteria performance and measure	Y/N
Water and power	Access to power (preferably 3 -phase) reduces need for use of portable generators. Sites with running water assists with vendor needs and points for patrons to refill water bottles	
Toilets	The City of Sydney's public toilet strategy provides a guide on temporary public toilet facilities and accessible toilets	
Overhead cover	A degree of cover at a market site provides weather protection and reduces uncertain trading conditions.	
Storage	Sites with storerooms or cages are ideal for storage of ongoing use items such as banners, seats, tables, sunshade, traffic control equipment and ground protection mats.	
Sound amplification	Sites with an in-built announcement system increase the opportunity for live entertainment. Always consider how market noise and sound amplification may impact adjoining or neighbouring properties.	

Accessibility and transportation

Criteria	Criteria performance measure	Y/N
Parking capacity	Consider where your stallholders may access all-day off-street parking to ensure no additional traffic pressure is place on the local area	
Public transport	Regular public transport service connections to major transport interchanges reduces the need for provision of patron car parking and encourages visitation.	

Criteria	Criteria performance measure	Y/N
Active transport	Consider how the site caters for people walking or riding bikes to the market. Are there accessible routes to and throughout the site? Would you require bike parking?	
Loading zones and emergency access	Where vehicles are unable to drive onto the site, consider how the stallholders would be unable to load and unload their vehicles. Sites that are too narrow for emergency vehicle access are not ideal for operating markets.	
Equitable access	The <i>Disability Discrimination Act 1992</i> requires non-discriminatory access for all people regardless of disability. Review your site circulation space, doorway space, and navigation throughout the site such as uneven surfaces, surface material and raised footpaths.	

Long term potential

Criteria	Criteria performance measure	Y/N
Potential to expand	Consider the availability of nearby sites such as laneways, parks, car parks, vacant properties, school grounds and other Council owned sites. All sites require landowner's consent and may require development consent as well	
Minimising long term impact	Review how the market impacts existing uses in the surrounding area and how you can minimise market impact. Use the market impact assessment (attachment B) to consider social, economic, and environmental impacts.	
Proximity to other markets and retail shops	Ensure your market does not duplicate goods and services offered by businesses within the local area and nearby markets.	

Attachment B

Market impact assessment

ENVIRONMENT

Impact consideration	Anticipated impacts during operation	Level of impact – Negligible /minimum /moderate	Mitigation measures: describe actions and measures	Level of impact after mitigation implemented
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Traffic

- Impact resulting from market activities. For example, road closure, traffic redirection, loading zones and increased traffic in local streets.
- Number of all-day parking spots required for stall holders.
- Parking provisions for patrons conflicting with people who currently use parking in the area.

Waste

- Collection, storage, handling, and disposal of compostable, recyclable and general waste
- Resource and packing minimization
- Gray water and cooking oil

Water use and run off

- Liquid spillage by patrons and stall holders.

Impact consideration	Anticipated impacts during operation	Level of impact – Negligible /minimum /moderate	Mitigation measures: describe actions and measures	Level of impact after mitigation implemented
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- Use of public taps and drainage.
- Liquid spillage by patrons and stall holders.
- Use of public taps and drainage

Visual impacts

- Liquid spillage by patrons and stall holders.
- Use of public taps and drainage.
- Site surface.
- Grass, soil and landscaping, protection and protection monitoring

Heritage

- Heritage listed and conservation items onsite and surrounding site.

SOCIAL

Impact consideration	Anticipated impacts during operation	Level of impact – Negligible/ Minimum/ moderate	Mitigation measures: describe actions and measures	Level of impact after mitigation implemented
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Public access and safety

- Safety during daytime operation.

Impact consideration	Anticipated impacts during operation	Level of impact – Negligible/ Minimum/ moderate	Mitigation measures: describe actions and measures	Level of impact after mitigation implemented
40	<ul style="list-style-type: none"> Safety during evening markets (if applicable). Site configuration and structures creating unsafe conditions. Access and points of congestion around stalls or displays. 			
	Community engagement and capacity building <ul style="list-style-type: none"> Interaction with City of Sydney projects, programs, and other events in the local area. Interaction with the local community. Impact on diverse social groups (including young people, older people, Aboriginal and Torres Strait Islander peoples, people from CALD backgrounds, LGBTIQ communities and people with disability) 			
	Stallholders and suppliers <ul style="list-style-type: none"> Ensure ethical, local, and sustainable stallholders and suppliers. Ensure market meets public health and safety requirements. 			

ECONOMIC

Impact consideration	Anticipated impacts during operation	Level of impact – Negligible/ minimum/ moderate	Mitigation measures: describe actions and measures	Level of impact after mitigation implemented
Local businesses				
<ul style="list-style-type: none"> Impact on business activities surrounding the site. Ensure complementary to existing retail offering in surrounding areas. Impact on nearby markets. 				
Reputation and image				
<ul style="list-style-type: none"> Impact of market reputation and image for the local area. 				
Cost to Council				
<ul style="list-style-type: none"> Additional costs to City of Sydney in increased maintenance, waste, transport, rangers and environmental health inspectors, ground surface 				
Wider and long-term economic benefits				
<ul style="list-style-type: none"> Engagement of local businesses and main street retailers. Other economic benefits arising from the market. 				

