# Public Exhibition - Markets Policy

**File No: X084995**

## Summary

The City of Sydney (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 (the Policy) which provides a framework for the City 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. The Policy was reviewed, publicly exhibited and endorsed by Council in June 2019 and September 2022 (Attachment C and D), in line with the Policy review period. This latest review commenced by staff in late 2025.

As part of this review, the Policy and supporting Guide to Setting up a Market on Council Land (Guide) have undergone structural updates to improve clarity and useability.

The Policy has been streamlined to focus on core requirements, with operational content relocated to the Guide and supporting online resources.

The Guide has been restructured into a clearer step-by-step format to support consistent application and make the process easier for stakeholders to follow.

It is recommended that Council approve the public exhibition of the draft Markets policy (Attachment A) and the draft Guide to setting up a market on Council land (Attachment B).

## 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 Guide 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

(C) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Markets Policy and Guide.

## Attachments

**Attachment A.** Draft Markets Policy

**Attachment B.** Draft Guide to Setting up a Market on Council Land

**Attachment C.** Current Markets Policy

**Attachment D.** Current Guide to 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 on City owned and managed land. The Policy also provides an assessment framework for the City to approve ongoing markets.

2. The City supports third party market operators in the local area recognising their contribution to community life and local economies. Long-term success and the establishment of permanent market locations depend on several key factors, including strong operator capability, a well-curated stall mix, suitable site conditions and sustained community demand.

3. The Markets policy (the Policy) outlines how the City can provide space for market operators within the public domain. It enables operators to establish markets, and provides support where possible, including facilitating access to suitable sites, guidance through approval processes, coordination across relevant City teams and advice on compliance with operational, safety and regulatory requirements.

4. As set out in the Policy and Guide, the City will:

    (a) apply a consistent assessment framework to approving site applications and market proposals

    (b) require market operators to demonstrate capacity to meet community needs, contribute to social cohesion, strengthen the local economy, and complement the offerings of local businesses

    (c) consult the community about new market proposals by providing consultation opportunities.

5. As set out in the Policy and Guide, market operators are required to:

    (a) minimise any undue impact of the market on the environment, residents and nearby businesses and stakeholders

    (b) ensure market sites are well-maintained and accessible for all members of the community

    (c) prioritise community health and safety by rectifying hazards and problems where required.

6. The City seeks diversity of quality markets across the local area. Preference will be given to a market proposal that demonstrates innovation and diversity.

7. The City supports operators where possible, including by providing:

    (a) a dedicated Markets Coordinator to assist applicants through each step from proposal to approval, including site identification, in-principle proposal feedback, application and approval stages, conduit for ancillary approvals (such as temporary food permits, traffic management plan approvals) and ongoing operational reviews and support once a market is established

(b) access to suitable City-owned spaces, including outdoor sites and indoor community venues, with associated assistance in assessing site feasibility against the site suitability criteria

(c) templates and proformas to help operators develop their operational, waste and impact-management plans

(d) a simplified application process for markets operating on a limited number of occasions

(e) facilitation of community notification and consultation, including relaying community feedback to operators to help refine their proposals, where applicable

(f) ongoing engagement during the market term, including operational reviews, performance and feedback discussions, and timely escalation of community issues

(g) pathways to the City's grants and sponsorship programs, which can support community-benefit projects in areas such as culture and creativity, the local economy, sustainability and community building.

8. This support is designed to help operators establish and run a compliant, well-managed market. It does not extend to underwriting or guaranteeing a market's commercial viability.

9. The success of a market depends on the right conditions being in place. A viable market needs suitable site conditions, including adequate space, ease of access, and appropriate services and infrastructure. Community buy-in is also essential. Without consistent attendance and sustained local support, a market is unlikely to be viable over the long term.

10. Not all markets succeed, and markets cease operating for reasons unrelated to the level of support provided. For example, the previous market at Green Square Plaza received strong support from the City. However, despite a sound concept, a seasoned markets operator, extensive marketing campaigns and significant efforts taken to engage with the community, the level of community attendance was ultimately not viable to sustain ongoing market operations.

11. As part of this review, both the Policy and supporting Guide were structurally updated to improve clarity and usability.

12. The Policy was streamlined to focus on core principles and requirements, with operational content relocated to the supporting Guide and web resources.

13. Key updates to the Policy include the removal of references to temporary markets approved through existing event pathways, the inclusion of the City’s endorsed Ethics Framework, and a revised approach to market location feasibility with locations determined by the City prior to in-principle approval.

14. The Guide was revised to ensure consistency with the updated Policy and restructured into a clear, 7-step process for applicants to identify a feasible market site and type, apply for, and obtain approval to operate a market. This structural change provides clearer practical direction, supports consistent implementation, and improves ease of use for stakeholders.

15. Operational documents and checklists were removed from the Guide annexures to be incorporated into the City's markets webpages to improve accessibility and allow for more flexible updates.

16. The prior 'market site application' form is also revised to form a dedicated 'market proposal application' form to align with the new 7-step process outlined in the Guide.

## Key implications

### Strategic alignment - Sustainable Sydney 2030-2050 Continuing the Vision

17. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. 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 3 - Public places for all - markets make a notable contribution to a vibrant city centre. Markets help contribute to the human experience of visiting the city centre to shop, socialise and be entertained. By enabling markets across our local area, we increase our communities' opportunities to connect in our public spaces.

    (b) Direction 6 - An equitable and inclusive city - markets foster an equitable and inclusive city by lowering barriers for small entrepreneurs, celebrating diverse cultures, and creating accessible public spaces where people from all backgrounds can participate and belong.

    (c) Direction 8 - A thriving cultural life - markets act as vibrant social hubs where local makers, performers, and storytellers connect with the community, fuelling creativity, cultural exchange, and a lively shared sense of place.

### Organisational impact

18. There are no organisational impacts related to the updating of the Markets policy.

### Risks

19. The public exhibition of these updated documents is within the City's risk appetite which states:

    - We are committed to conducting our activities in full compliance with applicable laws, regulations and relevant industry standards.

20. Market operations may not achieve commercial success, as the financial performance and viability of a market are the responsibility of the market operator.

### Social / Cultural / Community

21. The community benefits from a market in their local area as it provides the opportunity to purchase fresh produce, goods and services including food and beverage items, handicrafts, and other items.

22. Markets promote social cohesion by providing an opportunity for the local community to meet and come together regularly.

### Environmental

23. The City requires operators to undertake a site assessment and detail how they will minimise impact on the location, including having wet weather contingencies.

24. 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

25. 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.

26. Local businesses benefit from the presence of markets, as they activate space, and create a destination which attracts the local community and visitors from other areas to the village.

## Financial implications

27. It is not anticipated that the changes to the Policy will have any financial implications on the City or market operators.

## Relevant legislation

28. 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

29. The Policy was last approved by Council in September 2022 (following a public exhibition period) and is due for approval in 2026.

## Public consultation

30. The draft Policy will go on public exhibition for 28 days pending endorsement by Council.

31. All current and past market operators will be notified when the Policy and Guide are published for exhibition.

32. External consultation was sought during the review. The stakeholders acknowledged and provided no feedback or comments.

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