

Public Exhibition - Markets Policy

File No: S121629.056

Summary

In June 2015, Council adopted the Markets Policy, which outlines the City's approach to the approval of markets and sets out the requirements of market operators to achieve quality market operations.

The Policy is designed to create well managed markets that contribute to and support local communities and local businesses. Markets can improve access to quality food and produce, improve social interaction, and provide opportunities for innovative ideas and businesses to develop.

The Policy was reviewed in June 2019 and minor amendments were made to update and enhance ease of use. Following public exhibition, the revised policy was adopted by Council on 28 October 2019.

On 9 March 2020, Council endorsed a Lord Mayoral Minute which requested that the Chief Executive Officer investigate amending the City's Markets Policy to prohibit the sale of all fur products, mislabelled fake fur products and exotic animal skins at markets and stalls on council owned land. Amendments are recommended to the Policy to address this request from Council.

This report recommends that Council endorse the draft Markets Policy for public exhibition for a period of 28 days. Following the exhibition period, all public comments will be considered and the Policy presented to Council, with any required changes, for adoption.

Recommendation

It is resolved that Council endorse the public exhibition of the draft Markets Policy as shown at Attachment A to the subject report for a period of 28 days.

Attachments

Attachment A. Draft Markets Policy (additions in *bold italics*)

Background

1. In June 2015, Council adopted the Markets Policy, which outlines the City's approach to the approval of markets and sets out the requirements of market operators to achieve quality market operations.
2. The Markets Policy was developed to set an assessment framework, respond to the relevant key directions in Sustainable Sydney 2030, encapsulate legislative requirements and incorporate non-statutory community consultation into the market application process.
3. The Policy was reviewed in June 2019 and minor amendments were made to update the Policy and enhance its ease of use. The revised policy was adopted by Council on 28 October 2019.
4. The Policy provides the City with:
 - (a) guiding principles and decision-making criteria for assessing market proposals;
 - (b) strategies to minimise or eliminate any adverse impact of markets on the local community and to maximise overall community benefit;
 - (c) a step-by-step guide for setting up a market; and
 - (d) processes for consulting the community about market proposals.
5. On 9 March 2020, Council endorsed a Lord Mayoral Minute - Banning the Sale of Fur and Exotic Animal Skin on Council Land.
6. Council resolved that the Chief Executive Officer be requested to investigate amending the City's Markets Policy to prohibit the sale of all fur products, mislabelled fake fur products and exotic animal skins at markets and stalls on council owned land.
7. Exhibiting the amendments to the Markets Policy is the first step in giving effect to the Council resolution.
8. The following additions to the Policy have been made:
 - (a) Under Definitions -
 - (i) Prohibited Product: Any item, product, article or good(s) for sale that Council has prohibited to be sold on Council land.
 - (b) Under Market Management -
 - (i) Prohibited Products: Market Operators are required to take reasonable steps to ensure that stallholders are not selling any item, product, article or good(s) for sale that Council has prohibited to be sold on Council land.

Council has prohibited the sale of all fur products, mislabelled fake fur products and exotic animal skins at markets and stalls on Council land.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

9. 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 6 - Vibrant Local Communities and Economies - Strategic direction 6.1 refers to a 'city of villages' - for communities to live, meet, shop, study, create, play, discover, learn and work. Strategic direction 6.3 indicates that local economies meet the needs of their community and provide opportunities for people to realise their potential. The Market Policy addresses both these directions.

Social / Cultural / Community

10. The amendment to the Policy delivers on the City's commitment to honest and ethical behaviour. Adopting the amendment is a simple means by which the City can lead by example in sustainability and governance.

Environmental

11. There are no environmental implications for the City per se, however this amendment will enable the City to contribute to world-wide efforts to protect biodiversity and end animal cruelty, by reducing the market for fur and exotic animal skin products.

Economic

12. Most markets currently operating on City controlled land sell fresh, hot or pre-prepared food, so the economic impacts will be minimal, if any.
13. The organisers of the Surry Hills Market have already implemented a practice of not permitting the sale of fur, mislabelled fur, fake fur or exotic animal skin products.

Financial Implications

14. Implementation of the amendments to the Policy will have no significant budget implications.
15. 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.

Relevant Legislation

16. Crown Land Management Act 2016.
17. Disability Inclusion Act 2014.
18. Environmental Planning and Assessment Act 1979.
19. Food Act 2003.
20. Local Government Act 1993.

21. Protection of the Environment Operations Act 1997.
22. Roads Act 1993.
23. Sydney Local Environment Plan 2012.

Critical Dates / Time Frames

24. It is recommended that the Policy be placed on public exhibition for 28 days.

Public Consultation

25. Following Council endorsement, the revised Policy will be placed on public exhibition for 28 days.
26. Public exhibition will be undertaken through the Sydney Your Say web page and via the City's communication channels.

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