Item 3.

Post Exhibition - Markets Policy

File No: X126829

Summary

The City of Sydney (the City) allows third parties to operate markets on City owned and managed land throughout the local government area. Governing the City's approach to third-party markets is the Markets policy (the Policy) which provides a framework for the City to assess and approve markets on land owned or managed by the City.

Following a staff review of the Policy and prior to public exhibition, the Policy and supporting Guide to setting up a market on Council land (Guide) underwent structural updates to improve clarity and useability. The Policy was streamlined to focus on core requirements, with operational content relocated to the Guide and supporting online resources. The Guide was also restructured into a clearer step-by-step format to support consistent application and make the process easier for stakeholders to follow.

Council endorsed the public exhibition of the draft Policy and supporting Guide on 24 August 2026. The draft Policy and Guide were publicly exhibited between 2 September 2026 and 30 September 2026.

One submission was received via the online survey during the public exhibition period, confirming support for the changes. The feedback stated that 'simplifying the current process could make it easier for more market operators to participate and encourage a wider range of markets'.

It is recommended that Council adopt the revised Markets Policy (Attachment A) and the revised Guide to setting up a market on Council land (Attachment B), with no further changes following the public exhibition period other than minor editorial edits.

Recommendation

It is resolved that:

(A) Council note the submission received from the community on the draft Markets Policy and Guide, as detailed in the subject report

(B) Council adopt the revised Markets Policy, as shown at Attachment A to the subject report

(C) Council note the revised Guide to setting up a market on Council land, as shown at Attachment B to the subject report

(D) authority be delegated to the Chief Executive Officer to make minor amendments to the Markets Policy and Guideline to correct any drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

Attachment A. Revised Markets policy

Attachment B. Revised Guide to setting up a market on Council land

Background

1. The City allows 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.

2. 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.

3. 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.

4. 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.

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

Public Exhibition - Markets Policy

6. Council endorsed the public exhibition of the draft Policy and supporting Guide on 24 August 2026. Prior to exhibition, a review included structural revisions to both the Policy and supporting Guide to improve clarity and usability. The Policy was streamlined to focus on core principles and requirements, with operational content relocated to the supporting Guide and web resources. Further information and detail can be found in the August 2026 Committee report.

7. The draft Policy and Guide were publicly exhibited between 2 September 2026 and 30 September 2026. All known current market operators were informed of the exhibition period.

8. During the public exhibition period, the webpage was visited 168 times, and the consultation documents were downloaded 26 times. The public exhibition of the draft Policy and supporting Guide was included in the September 2026 Sydney Your Say enews sent to 3,598 subscribers.

9. One submission was received via online survey during the public exhibition period, confirming support for the changes. The feedback stated that 'simplifying the current process could make it easier for more market operators to participate and encourage a wider range of markets'.

10. It is recommended that Council adopt the revised Markets Policy (Attachment A) and the revised Guide to setting up a market on Council land (Attachment B), with no further changes following the public exhibition period other than minor editorial edits.

Key implications

Strategic alignment - Sustainable Sydney 2030-2050 Continuing the Vision

11. 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

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

Risks

13. The endorsement and adoption 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.

14. 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

15. 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.

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

Environmental

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

18. 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

19. 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.

20. 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

21. It is not anticipated that the adoption of the revised Policy will have any financial implications on the City or market operators.

Relevant legislation

22. 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

23. The Policy was last approved by Council in September 2022 following a public exhibition period and is due for approval and adoption in October 2026.

Public consultation

24. The draft Policy was publicly exhibition for 28 days between 2 September and 30 September 2026.

25. All current and past market operators were notified when the Policy and Guide were published for exhibition.

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