Attachment A

Revised markets policy

Markets Policy

Purpose

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

Scope

The Markets Policy applies to ongoing markets on City of Sydney land in the City local area, that are permitted under a Market Approval. It does not apply to one-off markets or events. One-off markets or events must go through the outdoor event application and approval process.

This policy does not apply to markets not held on City of Sydney land, including private property, or land owned or managed by other NSW Government agencies or statutory authorities.

Definitions

Term	Meaning
City of Sydney land	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. 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.
Market Approval	Formal approval granted by the City of Sydney for a market to begin operating. A market approval may be in the form of a Licence Agreement on community land or a Consent for use of road.
Market Operator	The individual or group who intend to operate the market and will enter into an agreement with the City of Sydney for the use of the land.
Market Proposal	A detailed document describing the layout, management and preliminary operational plans for a market.
Ongoing Market	A market of regularly scheduled market activities in line with the terms of an approved market Licence or Consent.

Policy Statement

The City of Sydney supports quality markets 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.

The City of Sydney can provide space for market operators within the public domain and provide support 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.

Ethics Framework

Through the Markets Policy the City of Sydney does not support or approve any activities or entities that conflict with its published Ethics Framework.

Approval of Markets

The application, assessment and approval steps for a market are detailed within the Guide to Setting up a Market on City of Sydney Land and on our website.

Market Location

The suitability of a proposed market location will be considered based on a range of relevant factors, including potential local impacts, the nature and classification of the land, the proposed frequency and intensity of use and the feasibility of the site having regard to available services and infrastructure. The City will determine permissibility for any proposed market location.

Market Approvals

A Market Operator will be required to obtain a Market Approval before a market can start. The Market Approval will contain conditions about the use of the land and the operation of the market.

Community Consultation

The City of Sydney will consult the community about proposed use of City of Sydney land for markets. Consultation provides opportunity for community needs and concerns to be addressed when a Market Proposal is assessed.

Markets Management

The Market Operator is responsible for ensuring a market operates in accordance with all relevant laws, regulations, policies and conditions set out in the Market Approval. This includes obtaining and maintaining any licences, permits, approvals or consents required for the market, and ensuring stallholders, contractors and others involved also meet any applicable requirements.

Fees and Charges

Applicable fees and charges for ongoing markets are applied in accordance with the City of Sydney's Fees and Charges Schedule.

Equal Opportunity Land Use

The City of Sydney will determine the appropriate length of any agreement or consent on a case-by-case basis, as limited by legislation.

To ensure markets retain community use and participation, a Market Operator is required to dedicate a stall space for use by community groups, social enterprises, not-for- profit organisations, the City of Sydney or new start-up businesses.

Responsibilities

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

Consultation

Internal consultation has been undertaken with relevant internal stakeholders including Procurement, Legal and Finance as well as Executive and the Projects in Focus working group.

External consultation has been held with Market Operators.

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 Guide to Setting Up a Market on City of Sydney Land
- Community Strategic Plan
- City of Sydney Plans of Management for Parks and Reserves
- City of Sydney Sustainable Events Guidelines
- City of Sydney Event Guidelines
- City of Sydney Aboriginal and Torres Strait Islander Cultural Practice Policy
- City of Sydney Performance Bonds Policy
- City of Sydney Procurement and Contract Management 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 on XX [MONTH] 20XX.

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
Reviewed	19 Sept 2022	Approved by Council	2015/326730
Commence Review Date	19 Dec 2025		
Approval Due Date	19 Sept 2026		

Ownership and approval

Responsibility	Role
Author	Head of Public Domain Activation and Screen Coordination
Owner	Manager, Venue Management
Endorser	City of Sydney Executive
Approver	City of Sydney Council