



SOUTH MELBOURNE MARKET COMMITTEE

AGENDA

16 DECEMBER 2021



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SOUTH MELBOURNE MARKET COMMITTEE

16 DECEMBER 2021



SOUTH MELBOURNE MARKET COMMITTEE

COMMITTEE MEETING

To Committee Members

Notice is hereby given that an Ordinary Meeting of South Melbourne Market Committee will be held at South Melbourne Market on Thursday, 16 December 2021 at 6:00pm.

ATTENDING MEMBERS

Joanne Plummer (Chairperson), Andrew Danson (Independent Member), Simon Talbot (Deputy Chair), Mayor Marcus Pearl, Cr Heather Cunsolo

ATTENDING OFFICERS

Kylie Bennetts, General Manager, City Growth & Organisational Capability; Danielle Bleazby, South Melbourne Market Executive Director; Sophie McCarthy, Manager Brand and Strategy; Ross Williamson, Head of Retail and Business Development; Paul Ryan, Head of Asset Development and Operations; Meagan Scott, Marketing Coordinator

AGENDA

1 APOLOGIES

2 MINUTES OF PREVIOUS MEETINGS

Minutes of the South Melbourne Market Committee of the Port Phillip City Council held on 7 October 2021.

3 DECLARATIONS OF CONFLICTS OF INTEREST

4 ACTION ITEMS

Nil

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6	PUBLIC QUESTION TIME	
	<i>Nil</i>	
7	CONFIDENTIAL MATTERS	
7.1	Food Incubator Proposal	
7.2	SMM Brand Strategy	
7.3	SMM Marketing and Events Update	
7.4	Risk review	
7.5	Business Continuity Plan	
7.6	Compliance Plan Update	
7.7	Annual Contractors Update	
7.8	Deli Aisle review update	
7.9	Debtors Report	
7.10	SMM Direct Update	
7.11	SMM NEXT Project Update	
7.12	Confidential Executive Director's Update	
7.13	Draft 2022/23 Budget	
7.14	Committee calendar: 3-month forward look	

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- 1. APOLOGIES**
- 2. MINUTES OF PREVIOUS MEETINGS**
- 3. DECLARATIONS OF CONFLICTS OF INTEREST**

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4. ACTION ITEMS

Nil



6. SOUTH MELBOURNE MARKET REPORTS

5.1 EXECUTIVE DIRECTOR REPORT

PREPARED BY: DANIELLE BLEAZBY, EXECUTIVE DIRECTOR SOUTH MELBOURNE MARKET

TO NOTE

1. PURPOSE

- 1.1 To update the Committee with current, relevant information from the Market.

2. RECOMMENDATION

That the Committee:

- 2.1 Note the Executive Director report.

3. KEY POINT/ISSUES

3.1 Q SOCIAL IMPACT

Victoria has been in contact with Sustainability Victoria and they have connected us with Q Social Impact.

Q Social Impact is a sustainability and social impact advisory firm based in Melbourne. They provide sustainability services, strategic advice and operational support to organisations seeking to develop or enhance their commitment to ESG impacts and sustainability.

South Melbourne Market (SMM) would like to enhance sustainability amongst its traders, thereby strengthening alignment with the Market's overarching sustainability strategy.

During Summer 21/22, Q Social Impact is offering a Melbourne-based organisation a pro bono opportunity to undertake a sustainability / ESG materiality assessment, as part of our commitment to educating local businesses about social impact and environmental sustainability. This type of assessment normally includes a competitor and industry review, interviews with key stakeholders, and recommended sustainability actions.



Opportunity

Q Social Impact is proposing to undertake a probono materiality assessment that focuses on SMM traders in the apparel, accessories and textile categories. This opportunity would provide SMM with an insight into the many competing priorities faced by traders in this category and an understanding of where 'low-hanging fruit' exists, vs longer-term priorities and actions that traders can take on board.

We anticipate that a 'materiality assessment' - where our Q Social Impact explores the sustainability issues faced by the apparel, textiles and accessories industry - will increase both traders' awareness of sustainability issues, and their likelihood to act on identified issues.

It also has the potential to attract like-minded traders who may be more aligned with SMM's sustainability philosophy.

As part of this assessment, Q Social Impact will also provide high-level sustainability recommendations that traders can act on immediately, over the medium term or longer term, which can form part of our overall sustainability strategy and will bolster the Markets sustainability credentials.

Timeline

The proposed project is ready to commence from second week December, and will be completed by mid-February 2022.

Next Steps

- 45min phone/online interviews with key management at SMM (max 4 managers) - to better understand the philosophy / vision of SMM and your sustainability challenges / opportunities.
- 30min interviews (voxpath surveys ok) with traders on site / via phone (max 15 traders). Note: engaging with traders will be vital to the success of such a project.
- Q Social Impact will work on a part time basis over the Dec-Feb period to complete the materiality assessment and accompanying report for SMM.

3.2 Measures of Success

- 3.2.1 How we are tracking to key performance measures are attached.
- 3.2.2 Finance is off-track. Refer to finance report for detail.
- 3.2.3 Visitation is off-track. Refer to Market Visitation report for details.

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3.2.4 All other measures are on target.

4. OFFICER DIRECT OR INDIRECT INTEREST

4.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO:

ATTACHMENTS

1. Measures of Success Dec 2021

Measures of Success 2021-22



* YTD (to end November 2021). Attendance is off track due to impact of COVID-19 restrictions.

* YTD (to end November 2021)

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5.2

MARKET ATTENDANCE REPORT

PREPARED BY: SOPHIE MCCARTHY, MANAGER BRAND AND STRATEGY

TO NOTE

1. PURPOSE

- 1.1 To provide the Committee with analysis of attendance at South Melbourne Market.

2. BACKGROUND

- 2.1 The visitor numbers are monitored by a people counting program to determine the total foot traffic and average foot traffic by trading day.

3. ACTION

That the Committee:

- 3.1 Note the attendance report.

4. KEY POINT/ISSUES

4.1 Monthly Update – September to November 2021

- 4.1.1 September: Lockdown 6.0 commenced on 6 August and continued through to October. The first half of September was in full lockdown with 5km travel restrictions, which increased to 10km on 17 September, and then 15km on 29 September. Visitation was 22% up on Sep 2020 and 40% down on Sep 2019 visitor numbers.
- 4.1.2 October: Melbourne started to creep out of lockdown in October, with restrictions lifting on 21 October to allow hospitality and beauty services to reopen, followed by retail on 30 October. Customer experience was impacted with Georgie's Harvest, South Melbourne Seafoods and Ralph's Meats closing due to COVID exposure in the workplace. Visitation was 11% up on Oct 2020 and 17% down on Oct 2019 visitor numbers.
- 4.1.3 November: The whole Market was open again with a gradual increase in visitation. Customer experience was impacted by Aptus being closed for 4 market days (Nov 10 – 14) following a COVID exposure in the workplace. Nearly all remaining restrictions were lifted from 18 November including no capacity, density or gathering limits. Visitation was 25% down on Nov 2020 and 36% under Nov 2019 visitation. Note:

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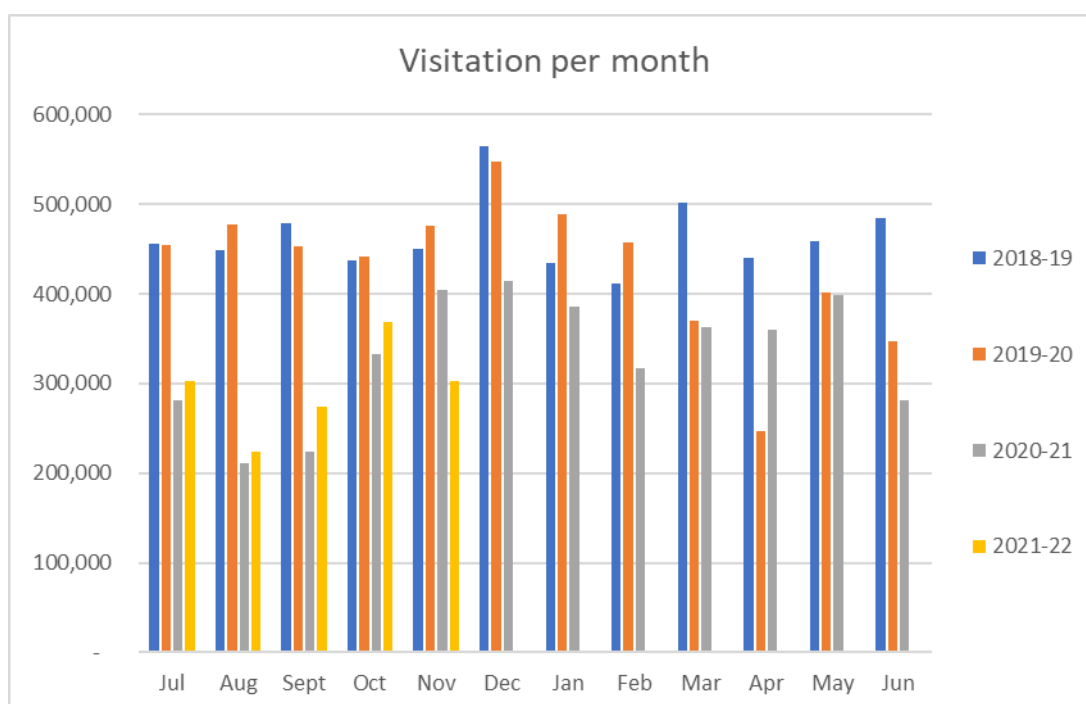


November 2021 only had 16 trading days –the average is 17.4 trading days a month.

4.1.4 Remaining restrictions: As at 30 November masks are still required to be worn indoors in retail settings, including markets, by traders and customers. Non-essential retail settings also need to check customer vaccination status at the point of entry to ensure only those fully vaccinated or with a valid exemption.

4.1.5 The table and graph below show the visitation by month by year:

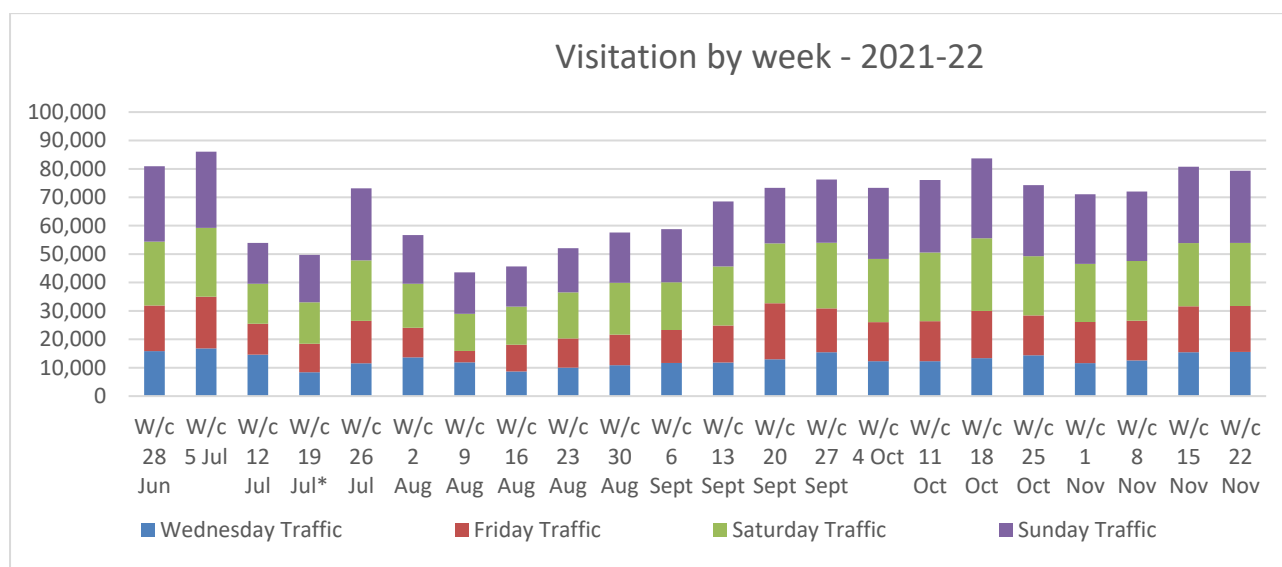
Visitation	2019	2020	Diff	2021	Diff to 20	Diff to 19
July	454,481	281,044	-38%	302,602	+8%	-33%
August	477,865	210,496	-56%	223,395	+6%	-53%
September	453,238	223,701	-51%	273,659	+22%	-40%
October	442,192	332,954	-25%	368,179	+11%	-17%
November	475,825	404,257	-15%	303,183	-25%	-36%
YTD	2,303,602	1,452,452	-37%	1,471,018	+1%	-36%



4.1.6 Visitation by day has been recorded through the COVID pandemic. The graph below is a summary of the visitation from 1 July 2021 which continues to reflect the impacts of COVID restrictions.

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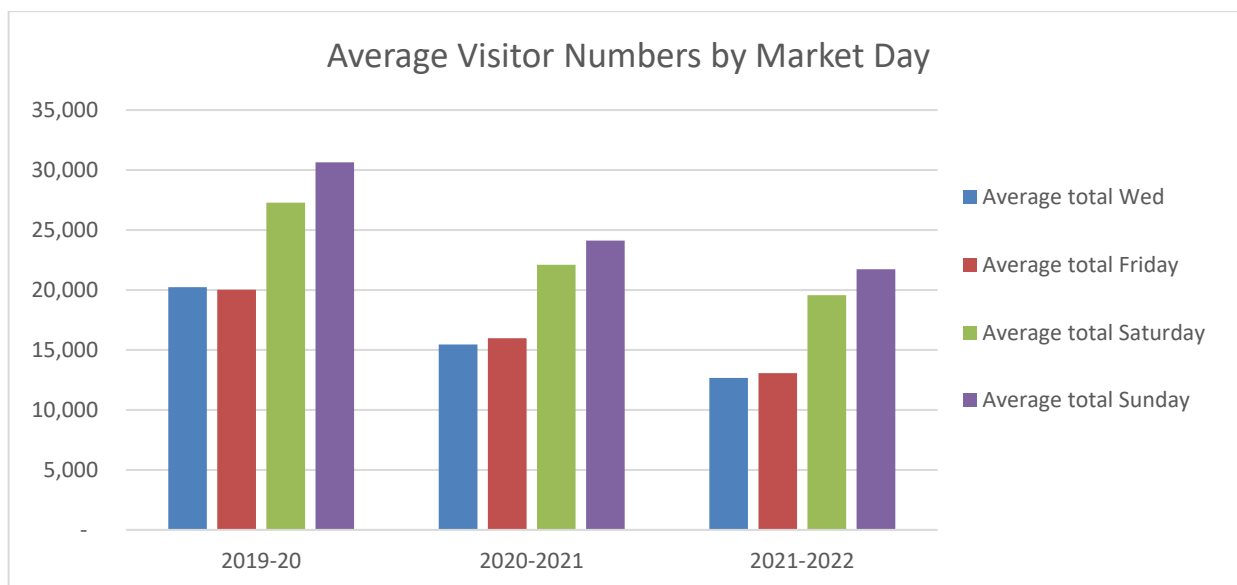
4.2 Average Visitor Numbers by Trading Day:

4.2.1 The average visitation by trading day is difficult to compare with nearly 2 years of COVID impacted visitation affecting trends.

4.2.2 The table below shows average visitation by Market day over three years for September, October and November.

Days	Sep-19	Diff to '18	Sep-20	Diff to '19	Sep-21	Diff to '20	Diff to '19
Wed	20,470	-1.03%	10,997	-46.28%	12,552	14.10%	-38.68%
Fri	21,864	-1.49%	11,403	-47.85%	13,786	20.90%	-36.95%
Sat	28,590	1.70%	15,178	-46.91%	19,238	26.70%	-32.71%
Sun	33,908	1.86%	15,598	-54.00%	19,701	26.30%	-41.90%
	Oct-19	Diff to '18	Oct-20	Diff to '19	Oct-21	Diff to '20	Diff to '19
Wed	20,951	2.59%	13,433	-35.88%	13,079	-2.60%	-37.57%
Fri	21,090	-3.88%	17,336	-17.80%	14,797	-14.60%	-29.84%
Sat	29,818	0.71%	21,710	-27.19%	23,197	6.80%	-22.20%
Sun	33,452	3.16%	20,999	-37.23%	25,178	19.90%	-24.73%
	Nov-19	Diff to '18	Nov-20	Diff to '19	Nov-21	Diff to '20	Diff to '19
Wed	21,397	0.45%	17,726	-17.16%	13,789	-22.20%	-35.56%
Fri	21,274	-2.67%	19,504	-8.32%	15,202	-22.10%	-28.54%
Sat	27,939	-5.44%	27,062	-3.14%	21,498	-20.60%	-23.05%
Sun	34,691	0.47%	29,419	-15.20%	25,307	-14.00%	-27.05%

4.2.3 The graph below shows average visitation by Market day over three years as a total average (2021-22 is YTD).



4.3 Marketing & Events:

- 4.3.1 Intensive marketing is underway to drive visitation.
- 4.3.2 The 2021 festive season is an important time to harness potential visitation to the Market and boost sales for our Market traders. A marketing campaign has been developed to maximise reach and is currently in market across: radio, digital channels, outdoor media, onsite promotion, organic digital comms and publicity.
- 4.3.3 To build excitement, create festive cheer and generate a happy and memorable experience for visitors, a program of activities has been curated with something happening on every Market day during December; our biggest ever festive program.

5. OFFICER DIRECT OR INDIRECT INTEREST

- 5.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO:
ATTACHMENTS

Nil

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5.3

FINANCE REPORT

PREPARED BY:

DANIELLE BLEAZBY, EXECUTIVE DIRECTOR SOUTH MELBOURNE MARKET

TO NOTE

1. PURPOSE

- 1.1 To update the Committee on the November month end financial results of the Market.

2. RECOMMENDATION

That the Committee:

- 2.1 Note the November month end financial results.

3. KEY POINT/ISSUES

- 3.1 Car Park revenue has been down due to lockdowns, but the month of November saw a bounce back to revenue of \$40k for the month. The budget is based on \$50k per month and we hope to return to these levels in the coming months, but it still won't make up the entire shortfall of previous months. We will work through where potential savings can be made to cover the lost revenue.
- 3.2 Employee costs are up, due in most part to a build-up of leave. Most staff are taking significant time off across the summer period, so we are hoping to rectify some of this cost.
- 3.3 We are still exploring the opportunity of a rebate on the congestion levy which we hope may save us approximately \$60k.
- 3.4 Everything else is tracking as expected.

4. OFFICER DIRECT OR INDIRECT INTEREST

- 4.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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1. 21/22 End of Month SMM Financials - November 2021

South Melbourne Market Income Statement 2021/22 November



	Year to date		YTD Variance		Full Year		Full Year Variance		Comments
	Actual (\$'000)	Forecast (\$'000)	Actual to Forecast (\$'000)	%	Forecast (\$'000)	Budget (\$'000)	Forecast to Budget (\$'000)	%	
Licence Fees / Stallholders Rent	2,563	2,565	(2)	(0%)	6,276	6,276	0	0%	
Less: COVID Rent Relief	(845)	(880)	35	4%	(1,100)	0	(1,100)	0%	Rent waivers
Council Funding for COVID Rent Relief	845	880	(35)	(4%)	1,100	0	1,100	0%	Council agreed to fund rent relief in accordance with government directives
Parking Fees	88	135	(47)	(35%)	502	602	(100)	(17%)	\$100K reduction in parking revenue due to COVID Lockdowns
Other Income	319	278	41	15%	992	1,000	(8)	(1%)	\$8K reduction in merchandise sales (offset by reduced purchasing)
TOTAL INCOME	2,970	2,978	(8)	(0%)	7,769	7,877	(108)	(1%)	
Employee Costs	753	686	(66)	(10%)	1,655	1,655	0	0%	Leave entitlements not being taken is affecting this figure. Most staff are taking leave over the summer
Materials & Services	927	828	(99)	(12%)	2,352	2,360	8	0%	\$8K reduction in merchandise purchasing (offset by reduced income)
Contract Services	89	185	96	52%	625	657	32	5%	\$20K Savings to offset loss of parking revenue
Utilities & Insurance	170	165	(4)	(3%)	370	370	0	0%	\$12K Moved to Other Expenses
Financing Costs	1	0	(0)	(53%)	1	1	0	0%	
Depreciation	115	115	0	0%	305	305	0	0%	
Congestion Levy	141	142	1	1%	284	284	0	0%	
Fire Services Levy	0	0	0	0%	15	15	0	0%	
Land Tax	130	133	2	2%	265	265	0	0%	
Bad and Doubtful Debts	39	23	(16)	(68%)	56	56	0	0%	
Professional Services	31	64	33	52%	190	190	0	0%	
Marketing and Advertising	69	105	36	34%	408	408	(0)	(0%)	
Other Expenses	54	34	(20)	(57%)	113	100	(13)	(13%)	
Internal Head Office Overhead Costs	59	59	0	0%	143	143	0	0%	
Operating Projects	0	0	0	0%	64	64	0	0%	SMM Strategic Business Case
TOTAL EXPENSES	2,577	2,541	(36)	(1%)	6,845	6,872	27	0%	
OPERATING SURPLUS/(DEFICIT)	393	437	(45)	(10%)	924	1,005	(81)	(8%)	

* Note - Report prepared to reflect the Council decision on rent relief provided to SMM stallholders

Capital Projects

	Year to date		YTD Variance		Full Year		Full Year Variance		Comments
	Actual (\$'000)	Forecast (\$'000)	Actual to Forecast (\$'000)	%	Forecast (\$'000)	Budget (\$'000)	Forecast to Budget (\$'000)	%	
SMM External Food Hall Upgrade	35	15	(20)	(139%)	432	420	(12)	(3%)	Funded through Commonwealth Capital Grant
South Melb Market Renewal Program	0	5	5	100%	200	200	0	0%	
South Melb Market Stall Changeover Refits	82	53	(29)	(55%)	125	125	0	0%	
South Melb Market Cecil St Essential Services Connect	5	51	46	90%	285	285	0	0%	
South Melb Market Fire Stairs to L1	6	6	0	8%	335	335	0	0%	
South Melb Market Compliance Works Year 1	30	34	4	10%	120	120	0	0%	
South Melb Market Central Stairs	0	0	(0)	0%	40	40	0	0%	
South Melbourne Market Smoke Extraction	2	8	5	69%	500	500	0	0%	
South Melbourne Market Public Safety Improvements	8	140	133	94%	828	657	(172)	(26%)	Change request for additional funding required under revised cost plan
TOTAL CAPITAL SPEND	169	311	143	46%	2,865	2,682	(183)	(7%)	

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5.4

PROJECTS UPDATE

PREPARED BY: PAUL RYAN, HEAD OF ASSET DEVELOPMENT AND OPERATIONS

TO NOTE

1. PURPOSE

1.1 To inform the Committee of projects in progress at the Market.

2. RECOMMENDATION

That the Committee:

2.1 Note the Projects Update and proposed schedules.

3. KEY POINT/ISSUES

3.1 Attached is the copy of projects in progress including budget allocation and summary of the scope of works

4. OFFICER DIRECT OR INDIRECT INTEREST

4.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

**TRIM FILE NO:
ATTACHMENTS**

1. Projects Update



Projects Update

16 December 2021

southmelbournemarket.com.au







Project Status

Key

● On Track
 ● Off Track / Delayed
 ● Stopped

Project	Overall Status	Budget	Summary
Carpark Stair	●	\$335K	<p>This project includes the construction of an external stairwell from Level 1. carpark to the York Street ground level carpark.</p> <ul style="list-style-type: none"> Minor amendments to final plans currently in progress as a result of Fire Safety Audit findings. Construction works to commence May 2022.
Smoke & Comfort Fans	●	\$500K	<p>This project includes the installation of smoke extraction and comfort fans in Aisle B. The smoke extraction fans will assist with the extraction of smoke from the building in case of a fire.</p> <p>The comfort fans will aid the extraction of excessive heat from the market resulting from extreme weather conditions, providing a more comfortable experience for all users of the market.</p> <ul style="list-style-type: none"> Construction works to commence May 2022 Installation of 4 smoke extraction fans in aisle B. Installation of 4 comfort fans in aisle B.
Central Stair Upgrade	●	\$40K	<p>This project includes minor works to refurbish the stair nosing and the landing at the base of the stair leading from Level 1 carpark to centre aisle.</p> <ul style="list-style-type: none"> Construction commencing March/April 2022



Project	Overall Status	Budget	Summary
Toilets Upgrade		\$343K	<p>This project includes a upgrade to bathrooms to meet DDA compliance standards and provision of staff only bathrooms.</p> <ul style="list-style-type: none"> • Approach to market for design January/March 2022 • Design and Construct Tender April – December • Construction proposed Q1. 22/23
Food Hall - Courtyard		\$450K Gov funded	<p>This project includes the construction of outdoor dining space for the Food Hall Courtyard increasing seating capacity from 50 to 175 pax.</p> <ul style="list-style-type: none"> • Tender process complete including best and final offer received from preferred contractor • Scope of works review currently under review including separating the project into 2 phases to meet budget. • Construction must be completed June 2022.
Public Safety Improvements & HVM		\$960K	<p>This project includes the installation of hostile vehicle mitigation infrastructure in high-risk areas and installation of signage and line marking improving pedestrian safety on Coventry Street.</p> <ul style="list-style-type: none"> • Construction works commence February 2022 <ul style="list-style-type: none"> - York Street February - March - Coventry Street March – April
Cecil Street Services Upgrade		\$355K	<p>This project includes upgrades to services including gas and water supply and installation of exhaust infrastructure for outdoor kitchens.</p> <ul style="list-style-type: none"> • Final designs in progress • Construction expected to commence April 2022

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5.5 TRADER UPDATE

PREPARED BY: ROSS WILLIAMSON, HEAD OF RETAIL AND BUSINESS DEVELOPMENT

TO NOTE

1. PURPOSE

- 1.1 To provide an update on trader activity.

2. RECOMMENDATION

That the Committee:

- 3.1 Note the Trader Update

3. KEY POINT/ISSUES

3.1 New Stalls

- Commenced trading when lockdown finished:
 - Stall 87 - Dyad – one year Licence.
 - Stall 165 (beside Babe's Eggs) - Urban Woof – one year Licence
 - Stall 79 (aisle B) - Freckly Ollie – one year Licence
 - Stall 229 (East Aisle, SO:ME precinct) – ex Dyad - Akana Footwear – one year Licence
- Stall 226 (Corner East Aisle and Aisle G, SO:ME precinct) – ex-Freckly Ollie Osara Australia – one year Licence.
- Stall 225 (Corner East Aisle and Aisle G, SO:ME precinct) – ex-Freckly Ollie
- Annilla Jewellery – one year Licence.
- Ex-community space (Corner East Aisle and Aisle G, SO:ME precinct)
- Tomi Art – one year Licence.

Other:

Stall 121 (Aisle G) – half of Tatts/Party Provedore - Rita's Nuts commenced trading on 10 Nov until January as a Xmas pop-up.

Stall 156 (Aisle G) – ex-Chimbu Ambai - Bali Bags, operating as a pop-up, replaced Chimbu Ambai (who did not return after the lockdown). Bali Bags will move into Stall 121 in January on a one year Licence, replacing Rita's Nuts.

3.2 EOI's

- Stall 53
Preferred tenant has not yet completed negotiations with current licensee.

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- Stall 30 (Deli Aisle)
Sale agreement is complete with handover in first week of January 2022. K-Sein, fromagerie, will replace Vincent's Meats
- Stall 42 (Coventry St)
St Georges Bakery has vacated, and Cobb Lane will operate as a pop-up from 12 December until they fully renovate, early in the new year.
- Stall 14/15 – Steve's Deli
Following interviews negotiations are progressing with interested parties.
- Stall 38 (Coventry St deli aisle entrance) – Asian Grocer
Interest has dropped off.
- Stall 33 (SO:ME precinct) – ex Spin
EOI has been posted. Stall is being used as a pop-up through to end January at least or until a suitable new tenant is found.
- Stall 156 (SO:ME precinct) – ex Chimbu Ambai
EOI has been posted. Stall is being used as a pop-up (Bali Bags) through to end January at least or until a suitable new tenant is found.
This stall has been earmarked as a stall to promote new indigenous businesses. Work is ongoing with different indigenous organisations.

3.3 Craft Victoria collaboration



- 1.1 As the start of an ongoing opportunity to use the re-designed SO:ME space to feature partnerships with the South Melbourne Market, the Market recently presented Craft Victoria makers into our space from 1st to 5th December. Featuring six local creators showcasing their wares just in time for Christmas, products ranged from ceramics, textiles, jewellery to furniture and woodwork, these makers will be in the space.
- 1.2 The individuals were selected by Craft Victoria in collaboration with Clarissa Madden, to pop-up at the Market based on their unique talents and dedication to their craft.

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- 1.3 **Craft Victoria** is dedicated to supporting the production and presentation of craft and design. They champion makers from around Victoria, Australia and beyond. Their mission is driven by a strong sense of history: the practice of crafting, as old as human nature itself, endlessly reimagined in the hands and minds of makers.

1.4 Makers

		<p>Alicia Aulsebrook of Earth Colour</p> <p>Focus on sustainability, each piece is naturally dyed and sewn by hand in Melbourne. Hemp and organic cotton is combined with fabric dyeing techniques used traditionally by cultures around the world. Products include table runners, tea towels, placemats, tote bags, apron and coasters.</p>
		<p>Selby Ginn of SelbyxSelby</p> <p>Ginn has been exploring leather and its abilities since 2002.</p>
		<p>Angelo Ooi of Ange Ceramics</p> <p>Angelo Ooi is a self-taught potter and artist working from his studio based in Melbourne. He primarily makes functional ware on the potter's wheel in addition to the occasional slip cast and hand-built piece.</p>
		<p>Clancy Moore of Quailwood Designs</p> <p>Clancy is a self-taught woodworker, handcrafting fine wooden homewares, functional art and large custom furniture pieces.</p>

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		<p>Zipei Summer Huang of ZIPEI</p> <p>Zipei Summer Huang is a jewellery designer, silversmith and contemporary artist based in Melbourne.</p>
		<p>Froni Binns of Froni Binns</p> <p>Froni produces porcelain jewellery in her home studio in central Victoria. using the Nerikomi technique of layering and building solid blocks of coloured porcelain.</p>

4. OFFICER DIRECT OR INDIRECT INTEREST

- 4.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO:

ATTACHMENTS

Nil



5.6 STALLHOLDER CODE OF CONDUCT

PREPARED BY: ROSS WILLIAMSON, HEAD OF RETAIL AND BUSINESS DEVELOPMENT

TO SUPPORT

1. PURPOSE

- 1.1 To seek support for changes to the Licence and Rules that will strengthen them and give more clarity.

2. BACKGROUND

- 2.1 Clause 4.14 of the Licence (below) is currently the only reference to stallholder conduct and expectations of behaviour.

Bring Market into disrepute

Do, or cause another to do, anything which in the reasonable opinion of the Licensor and/or the Market Manager brings the Market into disrepute. Without limiting the generality of the matters that the Licensor and/or the Market Manager may decide to bring the Market into disrepute, a breach of Rule 45 of the Market Rules or an act of violence, verbal abuse, aggressive or rude behaviour may bring the Market into disrepute.

Note – Rule 45 refers to food products sold

- 2.2 We propose to make a small change to clause 4.14 and add two specific rules about Code of Conduct and Stallholder Engagement.
- 2.3 These will strengthen and give clarity to the existing clause which is generic.
- 2.4 We see value in highlighting particular behaviours and being clear in our expectations without diluting the generality of clause 4.14
- 2.5 Clause 4.14 – add harassment and bullying

Bring Market into disrepute

Do, or cause another to do, anything which in the reasonable opinion of the Licensor and/or the Market Manager brings the Market into disrepute. Without limiting the generality of the matters that the Licensor and/or the Market Manager may decide to bring the Market into disrepute, a breach of Rule 45 of the Market Rules or an act of violence, **harassment, bullying**, verbal abuse aggressive or rude behaviour may bring the Market into disrepute.



2.5.1 Rule 50 - Code of Conduct and Stallholder's Behaviour

The Stallholder must not:

- do anything that is or may be dangerous, annoying, offensive, directly impact another person's physical or mental wellbeing or that may interfere with other Stalls, fixtures or stock, Market visitors or persons working at or for the Market.
- do anything which might affect any insurance policy relating to the Market or CoPP by causing it to become void or voidable or having any claim on it being rejected or by causing any premium payable by SMM and CoPP to be increased.
- remove any SMM property from the Market site.
- interfere with any SMM security, first aid, CCTV, or safety equipment.
- trade outside of an unsigned SMM licence agreement and must have an understanding and abide by individual business, and company policies, laws, rules, and regulations.
- break any Victorian and Government laws or conduct any illegal activity on Market property.
- break any Market rules
- use inappropriate, offensive, harassing, abusive, demeaning, culturally inappropriate or discriminatory language when speaking with, or in the presence of, a child or young person

OR do anything which either does, or may, bring SMM or the Market generally into disrepute.

In addition the Stallholder must:

- treat all SMM staff and contractors with respect and common decency.
- respect confidentiality with contracts, individual trading discussions and legal documentation.

2.6 Rule 51 - Stallholder engagement with Market

The Stallholder must (positive obligation):

- attend a minimum of 50% of stallholder meetings in person or on-line



- respect and uphold the Market values as expressed in the Strategic Plan (and as adapted from time to time)
- use its best endeavours to respond to reasonable requests to participate in marketing initiatives – for example requests to participate in Christmas brochures
- use its best endeavours to respond to reasonable requests to participate in Market feedback – for example trader survey, information gathering, proposals for new initiatives or strategies
- use its best endeavours to respond to reasonable requests to participate in promotional or educational activities – for example school tours or customer discovery trails
- use its best endeavours to respond to reasonable requests to participate in Market events – for example requests to participate in the Mussel Festival

3. RECOMMENDATION

That the Committee:

- 3.1 support the proposed changes to Clause 4.14 and the addition of Rules 50 and 51 which will form part of the Licence

4. OFFICER DIRECT OR INDIRECT INTEREST

- 4.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

TRIM FILE NO:

ATTACHMENTS Nil



7. CONFIDENTIAL MATTERS

- 7.1 *Food Incubator Proposal*
- 7.2 *SMM Brand Strategy*
- 7.3 *SMM Marketing and Events Update*
- 7.4 *Risk review*
- 7.5 *Business Continuity Plan*
- 7.6 *Compliance Plan Update*
- 7.7 *Annual Contractors Update*
- 7.8 *Deli Aisle review update*
- 7.9 *Debtors Report*
- 7.10 *SMM Direct Update*
- 7.11 *SMM NEXT Project Update*
- 7.12 *Confidential Executive Director's Update*
- 7.13 *Draft 2022/23 Budget*
- 7.14 *Committee calendar: 3-month forward look*

RECOMMENDATION

That in accordance with the Local Government Act 2020, the meeting be closed to members of the public in order to deal with the following matters, that are considered to be confidential in accordance with Section 3 of the Act, for the reasons indicated:

7.1 Food Incubator Proposal

89(2)(g(i)). private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets.

7.2 SMM Brand Strategy

89(2)(a). Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

7.3 SMM Marketing and Events Update

89(2)(a). Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

7.4 Risk review

89(2)(b). security information, being information that if released is likely to endanger the security of Council property or the safety of any person.

7.5 Business Continuity Plan

89(2)(b). security information, being information that if released is likely to endanger the security of Council property or the safety of any person.



7.6 Compliance Plan Update

89(2)(b). security information, being information that if released is likely to endanger the security of Council property or the safety of any person.

7.7 Annual Contractors Update

89(2)(g(ii)). private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

7.8 Deli Aisle review update

89(2)(g(ii)). private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

7.9 Debtors Report

89(2)(g(ii)). private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

7.10 SMM Direct Update

89(2)(a). Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

7.11 SMM NEXT Project Update

89(2)(a). Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

7.12 Confidential Executive Director's Update

89(2)(g(ii)). private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

7.13 Draft 2022/23 Budget

89(2)(a). Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

7.14 Committee calendar: 3-month forward look

89(2)(h). confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).