

8.9 Lennox Head Community Markets

---

8.9 Lennox Head Community Markets

**Delivery Program** Strategic Planning

**Objective** To advise Council regarding changes to the management of the Lennox Head Community Markets and seek direction on future operation of the market.

---

**Background**

The Lennox Head Community Markets has been operating at its current location within Williams Reserve adjacent to the Lennox Head Community Centre since 2016.

Prior to this time, the market was located at Lake Ainsworth. The market was relocated to Williams Reserve due to flooding within the lake that was occurring at the time.

When the matter of the location of the market was last considered, in November 2016, Council resolved as follows:

1. *That Council notes the contents of this report regarding the operation and location of the Lennox Head Markets.*
2. *That the Lennox Head Community Markets be returned to Lake Ainsworth upon the completion of the works on the Lake Ainsworth precinct.*

A copy of the November 2016 report is provided as Attachment 1.

The current manager of the market, Westpac Life Saver Rescue Helicopter (WLSRH) has advised Council that the service has recently undertaken a review of the operational risk management policy and exposures with respect to their operations and activities, including their fund raising ventures such the management of markets. A copy of the letter received from WLSRH is provided as Attachment 2.

As a result of this review WLSRH has determined that the service can no longer continue the ongoing management of the Lennox Head Community Market due to unacceptable risk exposures associated with the event. Consequently, the service advises that the November 2019 market event will be the final market operating under the auspices of the WLSRH.

Further information regarding the reasons for WLSRH withdrawal and options regarding the ongoing operation of the Lennox Head Community Market is set out in the body of this report.

**Key Issues**

- Community markets
- Economic development
- Environmental impacts

**8.9 Lennox Head Community Markets**

---

**Information**

Withdrawal of Westpac Life Saver Rescue Helicopter as Market Manager

The WLSRH has advised that it will be withdrawing from the management of the Lennox Head Community Market after November 2019.

In meeting with the WLSRH representative, it is understood that the rationale for this decision relates primarily to issues with the current market site at Williams Reserve. In particular concerns associated with the strong southerly winds experienced at the site, causing market stall tents and temporary structures to be blown about thereby presenting risks to public safety and infrastructure were identified.

In addition, staff were advised that the following site limitations undermine the viability of the market as a fund raising activity:

- Issues with access to power supply and public amenities add costs to the operation of the market
- Site constraints associated with the location of the market within part of Williams Reserve such as exposure to the elements (wind and lack of shade) mean the current site does not enjoy the level of amenity enjoyed by other north coast markets.

In the 2019/20 allocation of funds under the Community Donations program Council did not provide the same level of financial support to the Lennox Head Markets as had been the case in previous years (\$1,200 was granted of the \$5,000 requested).

Notwithstanding, staff are advised that whilst this further reduced the financial viability of the market, the underlying risk issues regarding the current market site were the key reason for the discontinuation.

Mr Mike Stack who manages the market on behalf of the WLSRH has advised that he is willing to continue to run the market at Williams Reserve over the summer period. This matter is further discussed below.

Return to the Lake Ainsworth Precinct

The current market site at Williams Reserve appears to have limitations with respect to the viability of the market and public safety.

Council's resolution of November 2016 confirmed that the Lennox Head Community Market would return to Lake Ainsworth following the completion of the Lake Ainsworth precinct improvement works.

The resolution does not specify the particular location at Lake Ainsworth that is preferred although the eastern Lake foreshore is the part of the Lake Ainsworth precinct most likely to be able to accommodate a market footprint.

The precinct improvement works are due for completion in December 2019. More specifically, shared path and roundabout works are due for completion mid November and landscaping, furniture, barbecue shelters and wheelchair access ramps are due for completion in December.

**8.9 Lennox Head Community Markets**

---

Having regard for the improvement works and other projects underway in relation to Lake Ainsworth, the following matters should be considered with respect to the return of the Lennox Head Community Markets to the Lake Ainsworth precinct:

- High visitation to the precinct is expected over the summer period due to hot weather and the improved amenity and facilities available. This is likely to put significant pressure on groundcovers (turf) as they become established. Staff recommend the condition of the turf be monitored over the summer period with further consideration of the relocation of the market to the lake precinct be deferred until groundcovers are well-established and the impact of baseline foot traffic (of lake visitors) has been assessed.
- Positioning of market stalls will need to consider casual recreational users of the lake precinct.
- A market will attract additional vehicles and increase demand for parking on top of other recreational visitors to the lake precinct. Consequently, the impact of additional parking demand in the locality will need to be monitored. The parking demand will not be dissimilar to the levels of demand previous to 2016 when the Lennox Head Community Markets were held at Lake Ainsworth.

Car parking in the Lake Ainsworth area is under review in accordance with Council's 26 September 2019 resolution to receive a report on options to ensure that the overflow cars from the caravan park are not parked in the public car parking spaces or the surrounding residential streets. The outcome of this review may further inform the Council about the suitability of the market use at Lake Ainsworth.

- Parking and maneuvering of vehicles on grassed areas (by stallholders) should be avoided due to the potential for damage to the surface.
- The frequency of events will need to be monitored to ensure the grassed surface remains in an acceptable and manageable condition.
- Power supply to the precinct is sufficient only to accommodate barbecue picnic facilities. An electricity upgrade is required to accommodate additional electricity users such as refrigeration or entertainment that might be provided in association with public events (estimated \$37,400). Notwithstanding, not all market sites enjoy mains power supply and a condition of any public event on the site could simply be that all stallholders be self-sufficient with respect to power.
- The Lake Ainsworth Coastal Management Program is in preparation. As this program will ultimately provide direction on the overall management of the Lake Ainsworth area, it may be prudent to consider feedback arising from the exhibition of the draft program and the associated assessment of issues arising before proceeding with the return of the markets to Lake Ainsworth.

The Lake Ainsworth precinct is Crown Land for which Council is Crown Land Manager. The use of the land for community events such as markets would be consistent with the purpose of the Reserve (being public recreation).

**8.9 Lennox Head Community Markets**

---

As noted in the report presented to Council at its Ordinary Meeting held on 25 July 2019 regarding community events and markets on public land, a development application for a market would be required if the number of market stalls exceeds (approximately) 30 stalls (tents/marquees).

Given the matters outlined, should the market be returned to the Lake Ainsworth precinct, it is recommended that this be undertaken in a staged manner such that the number of stalls is initially limited to below that where a development application would be required.

That way, the market could be trialed under the terms of Council's markets policy as exempt development, while any site issues are monitored and where possible resolved.

Following an initial trial period, expansion could be considered further through the development assessment process, depending on assessment of the initial trial.

This would, however, mean that fewer than the current number of stalls could be accommodated during the initial trial period at the Lake Ainsworth location (30 stalls) compared with the current location at Williams Reserve (50-60 stalls). It is understood that when the markets were previously at the lake precinct, there were approximately 120 market stalls.

Other factors that should be considered include the address of Native Title, integration of any proposed market use at Lake Ainsworth into a plan of management to comply with the requirements of the Crown Land Management Act (this being different to the Coastal Management Program for Lake Ainsworth) and the process for appointment of a market operator (for example an expression of interest).

Having regard to the above, should Council in principle support the return of the Lennox Head Community Market to the Lake Ainsworth precinct, the following approach is recommended:

- That Council receive a report once the summer period has concluded and the public exhibition of the Lake Ainsworth Coastal Management Program has occurred regarding the relocation of the Lennox Head Community Market to the Lake Ainsworth Precinct, including an assessment of the condition of the Lake Ainsworth improvement works following the summer period and the outcomes of the Coastal Management Program process.

Ultimately the form of any market at Lake Ainsworth will be subject to the details provided in future reporting (if the above approach is endorsed). However, should a market proceed at Lake Ainsworth, the current suggestion is that the activity is based on the following:

- That the market be limited initially to no more than 30 stalls (or no more than 300m<sup>2</sup> of tents or marquees).
- That the market license be issued for a trial period of 12 months initially, with an option (for Council) to renew following Council's review of the trial.
- Subject to the outcomes of the trial, a development application could be prepared to allow an increased number of stalls (more than 30 stalls).

**8.9 Lennox Head Community Markets**

---

Other Market Options

It is noted that previous considerations of community markets has reflected a desire, particularly by CBD businesses, that markets be located such as to advantage general business activity in the respective localities.

Notwithstanding, ultimately the markets themselves need to be viable in order to persist in whichever location. The following site characteristics are considered desirable from the perspective of market viability:

- Area sufficient to accommodate market stalls (including stallholder parking) and pedestrian circulation.
- Surface can accommodate heavy foot traffic and vehicle movements without becoming degraded.
- Adequate visitor parking (preferably on site)
- Toilet facilities available on or within close proximity
- Quality amenity (shade, protected from strong winds)
- Power available (preferable but not essential).

It is evident that there are no such sites in proximity to the Lennox Head village centre that currently have all (or the majority) of these desirable characteristics.

Further to the above, the Lennox Village Vision project is expected to cause traffic and parking disruption during establishment phase, potentially further complicating conditions for markets within the village centre during that time. However, opportunities for markets may be able to be considered both during the main street renewal project and/or, more broadly, during the review of the Lennox Head Strategic Plan scheduled for review during FY2020-21.

As a consequence of the above, it is recommended that the consideration of longer-term options for markets within the Lennox Head village centre be deferred until the conclusion of the Lennox Head village centre works and/or during the review of the Lennox Head Strategic Plan.

Interim Arrangements

There will be a gap of several months from the withdrawal of WLSRH from the Williams Reserve market before the condition of the lake precinct post summer and the Coastal Management Program exhibition outcomes can be reviewed.

To provide for continuity of the market operation in Lennox Head, it is recommended that Council provides for the continuation of the Lennox Head Community Market at Williams Reserve during this interim period.

This could be achieved by offering a short term licence to operate the market to the WLSRH site manager Mr Mike Stack provided appropriate insurance and associated documentation can be provided.

Whilst not an ideal situation in terms of procedures for the use of public land, this approach would provide greater certainty for stallholders who rely on the

**8.9 Lennox Head Community Markets**

---

markets for income and would enable the markets to continue over the holiday period for the enjoyment of the community.

A licence for the operation of the market under the above arrangement is recommended for a period of six months to enable the recommended reporting to be undertaken. This approach is recommended.

**Sustainability Considerations**

- **Environment**  
This report addresses issues of environmental impact associated with the provision of markets.
- **Social**  
Community markets contribute to the social wellbeing of local communities.
- **Economic**  
Community markets support small local business.

**Legal / Resource / Financial Implications**

The staging outlined in the body of this report provides for the most efficient application of Council resources in addressing this matter.

**Consultation**

No specific community engagement in relation to this matter has been undertaken to date. If Council would like to obtain community feedback, an engagement program could be undertaken and the information obtained reported to Council.

In the absence of a budget allocation for such a program, an approach that invites feedback through submissions would be undertaken as this level of engagement can be met within the existing Strategic Planning budget.

**Options**

The following options are presented for Council's consideration.

1. Council could receive a report at the end of the summer period and following the exhibition of the Lake Ainsworth Coastal Management Program regarding the relocation of the Lennox Head Community Market to the Lake Ainsworth Precinct, including an assessment of the condition of the Lake Ainsworth improvement works following the summer period and the outcomes of the Coastal Management Program exhibition.

This option could also include inviting the current market site manager, Mr Mike Stack, to enter into a short term licence to continue the Lennox Head Community Market at the Williams Reserve site for a period of 6 months to enable the above reporting to be undertaken.

This option is recommended.

**8.9 Lennox Head Community Markets**

---

2. Council could resolve to return the Lennox Head Community Market to the Lake Ainsworth Precinct.

This would involve the preparation of relevant planning documentation, address of Crown Land management issues and inviting proposals for the management of a monthly market at the Lake Ainsworth precinct.

This option is not recommended due to the potential impacts (short and long term) on the condition of the Lake Ainsworth improvement works and conflicts with general community use of the area during the busy summer period. Further, this approach may result in inconsistencies with other processes that are underway but not yet concluded (e.g. Coastal Management Program and dog management around Lake Ainsworth).

3. Council could take no further action in relation to the return of the markets to Lake Ainsworth.

This option would require Council to resolve to cease further consideration of Lake Ainsworth as the location for the Lennox Head markets.

This approach is not recommended as there is further information that can be gathered and reported to Council in the near term to inform this decision before a conclusion is reached.

If this approach is favoured by Council a decision is also required in relation to the issue of a licence for the ongoing operation of the existing Lennox Head Market at Williams Reserve. If no new licence is issued this would result in the November 2019 Lennox Community Market being the last market held at Williams Reserve.

**RECOMMENDATIONS**

1. That Council receive a report once the summer period has concluded and the public exhibition of the Lake Ainsworth Coastal Management Program has occurred regarding the relocation of the Lennox Head Community Market to the Lake Ainsworth Precinct. The report is to include an assessment of the condition of the Lake Ainsworth improvement works following the summer period and the outcomes of the Coastal Management Program process.
2. That Council invite the current market site manager, Mr Mike Stack, to enter into a short term licence to continue the Lennox Head Community Market at the Williams Reserve site for a period of six months. This is to provide for continuity of the operation of the market whilst market location, planning and land management matters and market management arrangements are further considered by Council.

**Attachment(s)**

1. Council Report relating to Lennox Head Community Markets November 2016
2. Letter received from Westpac Life Saver Rescue Helicopter regarding management of Lennox Head Community Market

Attachment 2

