

Mr Graham Pathuis
Director
City of Victor Harbor
PO Box 21
Victor Harbor SA 5211

9 August 2010

Dear Mr Pathuis,

RE: Victor Harbor Farmers Market Review

Following our meeting at the Victor Harbor Council Offices on Tuesday 6 July, 2010, the Victor Harbor Farmers' Market Committee would like to provide the following response to your report to Council and the ensuing decision made by Council on 21 June, 2010.

There are several elements of Council's resolution that have serious implications for the long term viability of the Victor Harbor Farmers' Market and we would therefore request that Council reconsider its decision, in particular in relation to the issues detailed below.

Recommendation 1

- **That Council support the continued use of the Grosvenor Gardens as the site for the Farmers' Market subject to renewal of a formal hire agreement that covers the standard hire arrangement conditions and provisions that apply to Council property**
- **The hire agreement will expire on 30 June 2011. Extension may be granted subject to further application and review.**

A formal hire agreement has never been offered to the Victor Harbor Farmer's Market. It was our understanding that we were leasing Grosvenor Gardens on a weekly basis; initially at the reserve hire rate specified in your Fees and Charges document of \$60.00 per market, then \$90 per market when the rate was increased in November, 2009.

This has placed the Market in a difficult position, with no security of tenure and arbitrary increases in fees (two increases in the past 6 months) through Council reviews.

Needless to say, the Market would prefer some security in terms of its tenure and lease fees. Stall holders and the Market Committee make decisions on purchase of assets, continuing employment etc based upon the viability and security of the Market's operations. A one year hire agreement does not engender faith in the longevity of the market nor gives the required security to encourage growth.

We request that Council consider offering the Market a three year hire agreement. This will not only give the market committee and vendors security but give the City of Victor Harbor and its community the assurance that the Market will continue to operate at Grosvenor Gardens.

Recommendation 2

- **Development approval is required to be sought and obtained under the Development Act 1993 for any increase in stall numbers above 20 for any one market day, and any increase in stall size beyond 3m x 3m, or for any other reason outside of the conditions of development approval 453/634/08.**
- **No more than thirty stalls of 3m x 3m dimensions (or part thereof) are permitted on any one market day.**

The development application lodged with Council in December 2008 was completed by Council's Economic Development Office on behalf of the Farmers' Market. The contents of the application were not only unknown to the Committee but unfortunately contrary to its requirements.

Furthermore, the Committee was never in receipt of the approval and it is only through the recent review process that the Committee became aware that the Market's operations are not in compliance with the development approval that places a condition of a maximum of 20 stalls per market.

The original site-plans (see Attachment 1), developed by the Committee, in consultation with the Economic Development Officer, indicated that the site had the capacity to host at least 28 of 3m x 3m. This number of sites were necessary to meet the Market's business plan that projected we would require a minimum of 25 stalls per week to be deemed an ongoing concern. (See Attachment 2)

We have not been compliant since the commencement of the Market, within weeks attracting more than 20 stalls holders. On occasion we have had up to 28 vendors occupying 31 sites. We have therefore demonstrated that that Grosvenor Gardens does have the capacity to comfortably host in excess of 30 sites.

The Market Committee's decision to locate on Grosvenor Gardens was influenced by the reserve's capacity to host the number of vendors required not only to deliver sufficient returns but also provide our customers with a diverse product mix.

The VHFMM now has 36 stallholders on its books. On average there are about 25 stallholders per market in winter and 28 to 30 in the summer months, we will therefore apply for 35 stalls of 3m x 3m – a number we believe is the capacity of the site and that will ensure adequate capacity for special occasion markets such as our proposed Twilight Markets or similar special event markets and provides room for growth. (Application attached)

Recommendation 3

The payment of a hire fee of \$250 for each date of operation effective from 1 July 2010.

The Victor Harbor Farmers' Market provides service to the local community. Generally around 25 businesses sell their fresh, local product on Grosvenor Gardens *rain, hail, gale force winds or shine!*

We have an admirable mission statement that articulates our endeavors to:

- *Help preserve the region's local farm land;*
- *Support local business;*
- *Provide locals and visitors access to farm fresh products;*
- *Educate consumers about the benefits of local food and healthy eating;*
- *Extol the benefits to the environment of reducing food miles;*
- *Encourage sustainable agricultural practices; and*
- *Become a source of local pride.*

The Victor Harbor Farmers' Market is duty bound by its Charter to utilise, promote and showcase **local** produce.

In 20 months the Victor Harbor Farmers' Market has become an established and popular entity in the township, giving locals, as well as visitors to the town, a regular opportunity to buy fresh, healthy, seasonal produce. Grosvenor Gardens is developing as an informal community meeting place and the social heart of Victor Harbor.

The Market has provided new employment opportunities within the agricultural and food sector and the diversity of products grown in the region is increasing as a direct result of market demand.

At current levels, it is estimated that the market will generate about \$1m per annum; this represents spending on food that remains in the region. Furthermore, many of our vendors spend locally and support local businesses. For example:

- Fisherman Neil Hosking spends \$6,000 (locally) on every fishing trip he undertakes
- Lamb producer Charlotte Morley pays the region's meat works \$160 per animal to have it butchered
- Value-adding producers are required to either grow or source their primary ingredients from within the region.

Twenty of our stallholders are now selling their produce through shops, restaurants and hotels within the region. The Market has helped them and the hospitality industry to establish a local food network.

In essence the Farmers Market is assisting Council deliver many of its strategic objectives – as was Council's intentions when it supported the Market's development.

We can demonstrate that the Market has proved a real benefit for both the community and the market vendors. However, the ongoing financial viability of the Market will continue to be critical and dependent on it being able to minimize its overheads. We need to ensure that we have the resources to employ a Market Manager to coordinate and promote the Market operations, engage new vendors, and maintain our community membership.

The Market Manager's contributions are paramount in ensuring that we can maintain a viable market, especially outside our 'peak period'. For 8 months of the year we generally rely on local patronage and during this time we are often affected by severe weather. Extreme weather events have had considerable effect upon the number of vendors that attend and the number of patrons that come to the market.

Victor Harbor Farmers' Market Inc and its vendors need to work hard to ensure that the Market remains viable during this difficult period and that we consistently deliver an appealing market **every** week. Unlike other local markets, we trade every week of the year and need to attract a good product mix every week. Monthly markets do not require such a significant commitment from its vendors nor require the same financial and human resources to maintain their operation.

As a consequence, we ask that Council give us some special consideration when fixing our hire arrangements. We understand that Council needs to take into consideration the commercial nature of our operations; however these should not be judged in isolation to the community and economic benefits brought to Victor Harbor by the Market.

We bring to your attention the Pt Elliot (Lakala) Market. It is charged \$50 per market by the Alexandrina Council. Like us the Pt Elliot Market has independent stallholders but Alexandrina Council recognises that the market is an incorporated body that returns community benefits and should be supported with a nominal charge.

A significant rent increase will directly affect our bottom line and erode the competitive advantage our fees have over the Willunga and Adelaide Hills Farmers' Markets. As a result we may lose and not be able to replace vendors. This will ultimately create downwards spiral as we will lose customers due to the lack of product mix and then we will lose more vendors, and so on.

We would like to suggest that it would be fair and reasonable to link the hire fee with the seasonality of the location. We consider \$200 per week to be a realistic fee from December until February inclusive.

For the off season, \$150 per week would be sustainable and reflect the number of stalls we have during this period. We would also like you to consider giving us further security by extending the formal hire agreement to three years, with a two year option to allow proper management and planning for the future.

Recommendation 4

A one-off contribution to a maximum of \$3000 is required to be paid for the upgrade of power supply. The upgrade will provide for 8 circuits in total (4x 15amp and 4x 10amp).

Please note that power has been a long term issue for the Market. In October, 2008 (only a short time prior to the advertised opening of the market), the Market Committee was first notified that the existing power supply was not adequate to meet the Market's requirement. This advice was contrary to the original advice provided the Committee; the advice that was taken into consideration by the Committee when deciding that Grosvenor Gardens was a suitable location for a market.

As stated in an email from the Council's Economic Development Officer to the City Manager, Director Environment and Infrastructure and Manager Works on 27 November, 2008 discussing the progress of the Market

"The only real problem unresolved - is power".

"I will hire a generator to run the expected five fridges. This will suffice for the two December events but I do not wish to carry it too far into the new year".

Initially this problem was resolved by Council hiring a generator and then by the installation of a temporary power source.

We believe that this demonstrates that, at this time, Council recognised that it had responsibility to ensure that the site offered the appropriate infrastructure to allow the market to operate.

From the very first market we had at least 7 vendors requiring power.

Yet the power source installed on the 17th of January had only 4 outlets and was described (and reiterated by yourself in our meeting on July 6 meeting), as a stop gap measure to get us through.

We are still using the same power board. It is inadequate, unsafe and an insecure piece of equipment. This has been confirmed by the electrician who installed the temporary power board, who has stated that if he knew that the board was still being used 18 months later he would not have signed off on the job.

We now have 11 stallholders requiring power, admittedly some of the appliances are low wattage and the use of a compliant 'splitter' addresses their needs, but we suffer many power failures and the unreliability of the source causes great anxiety.

We believe that it is unfair to now incur the costs of upgrading the power to the Market when the oversight was made by Council officers and when the site was selected in good faith by the Committee, based upon the initial advice provided by Council that it had appropriate utilities such as water, electricity and car parking.

Recommendation 5

The provision of waste receptacles additional to those provided in Grosvenor Gardens and the removal of all market related waste from the site at the conclusion of market days is the responsibility of the Farmers Market.

It is disappointing that the Council is not able to provide additional bins for the sole purpose of recycling waste. These bins would be used by both patrons of the market and stallholders. Stallholders currently remove all waste from the area however bins for recycled waste would encourage all user of Grosvenor Gardens to consider the environment when disposing of their waste.

Recommendation 6

No dogs are permitted in the markets area on market days. The Farmers Market is responsible for the provision and erection of temporary signs to this effect at pedestrian access points to the site, and the removal of those signs at the conclusion of each market day.

Dogs are a part of the Victor Harbor Farmers' Market culture. Dogs are an attraction for the children, support and companionship for the elderly and bring joy to the majority patrons. The area is not crowded and dogs do not pose any more of a threat to persons or food than they do on any street in the Victor Harbor shopping precinct.

We think it is drawing a long bow to describe the entire area of Grosvenor Gardens as a food service area as defined in the Environmental Health Act and then require the market to sign and enforce this regulation.

We agree that individual stall holders should ensure that dogs are not permitted into their allocated area but it would be impossible for the Market Management to enforce a ban of dogs on the whole reserve. The perimeter of the site is completely open and gives access from any point. We would be unable to stop people with a dog entering the site and the very nature of the reserve renders signs ineffective.

Should the VH Council chose to impose the condition of banning dogs as part of the development approval the VHFM committee will consider appealing the decision on behalf of our members and stall holders.

Finally, we wish to express concern about the moving of the bus stop from Stuart Street to Torrens Street. This will result in stall holders losing direct access to stalls, reduce the number of car parking spaces by nine and take some of our space in Grosvenor Gardens for a bus shelter. Relocating the bus stop to a busier road and main thoroughfare would be hazardous to both pedestrians and road traffic. The VHFM Committee requests that we are consulted on changes to the bus stop.

To further assist you with your decision we have attached a petition signed by over 560 patrons and supporters of the market. These signatures were collected over a period of 3 weeks and reflect the concern of the local community.

The obstacles placed in our way are indeed concerning. Many of these issues should have been acknowledged and addressed prior to the Grosvenor Gardens being offered as a suitable location for a farmers' market.

In conclusion, we argue that the Market provides a considerable service to the community in terms of economic and social benefits and we provide a compelling argument to justify the full support of the Council.

Thank you for your consideration.

Yours sincerely,

Rachel McMillan
Chair Victor Harbor Farmers' Market

cc. Mayor Mary-Lou Corcoran