

In reply please quote reference:
Ref: A6030683

Victorian Planning Authority
Level 25, 35 Collins Street
Melbourne VIC 3000

via email

Dear

RE: PROPOSED PLANS FOR PRESTON MARKET

I am writing to provide you with Council's endorsed submission to the Victorian Planning Authority's (VPA) proposed planning controls for the Preston Market site. Council has considered these plans and holds grave concerns for the future of the Market and the quality and form of development in the surrounding precinct. We request transformative changes to the proposed plans to better protect the Market, ensure it thrives into the future, and deliver better built form outcomes on the surrounding site.

The Market has been an integral part of Darebin for the past 50 years. We have heard first-hand from residents, traders and visitors of the importance of this market in their daily lives. Is it the heart of Preston, and we must do more to protect it and ensure it continues to thrive in the future.

Part of the VPA's mission is to collaborate with local government and the community to achieve high quality, sustainable future communities. I want to acknowledge the VPA's ongoing discussion and engagement with the public and local traders, and consideration of some of Council's objectives. However, I want to express Council's disappointment with the proposed planning controls and their failure to adequately protect the Market and deliver positive outcomes on the broader site.

Better planning for the future Preston Market site

We hold a clear vision for the precinct, established in our *Heart of Preston* document. Our position is informed by multiple rounds of community engagement, expert advice and technical studies. Council has worked tirelessly to work with the VPA and the developer to create the best outcome for the site, in alignment with our vision. Unfortunately, the proposed plans fail to address fundamental aspects of our vision, as documented below:

- Effectively encouraging demolition of 80 per cent of the Market, despite its heritage value. This is an unacceptable heritage outcome that has no clear rationale and would destroy the heritage significance and identity of Preston Market.
- Proposed building heights that result in overshadowing of the existing Preston Oval to the south, are not responsive to site constraints or local context, and do not represent design excellence.
- Proposed development density that represents an overdevelopment of the site and is not commensurate with actual housing need in Darebin. The proposed dwelling density of 423 dwellings per hectare on the site is extraordinary: 100 dwellings per hectare denser than Fisherman's Bend, at an average of 323 dwellings per hectare, and Arden Macauley at 330 dwellings per hectare.
- Market redevelopment does not provide security for the location of the market and does not ensure affordability for traders. This has the potential to undermine the diversity and accessibility of the market.

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National Relay Service
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If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.



Speak your language
T 03 8470 8470

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Español

اردو

Tiếng Việt

The VPA has demonstrated through these proposed plans that they have failed to listen to what the community wants or respond to expert advice. Council has seen minimal change to the VPA's proposed plans in response to emerging evidence over the past three years, particularly in relation to the heritage value of the Market.

What does success look like?

Council and the State Government share similar objectives and we want to work together to protect the Market and deliver good outcomes for the community. Council agrees the area surrounding the market is an ideal location for new apartments and local businesses, given its proximity to public transport and the activity centre.

However, the proposed scale and form of development is not acceptable. This site is not a blank slate: it has sensitive interfaces and a significant community asset and heritage market on site that needs to be adequately protected. Our shared objectives can be achieved with the Market in the same location, as you will see in our submission.

We are excited about the opportunity for this development to become a leading example of a carbon neutral development, with an all-electric energy supply, renewable energy, battery storage and a microgrid. We see opportunity for commercial composting and urban agriculture for the Market. We want the State Government to recognise this opportunity and use this site to reflect its own commitments to achieve net zero carbon by 2050.

We need your support

As the planning authority, you have the power to improve the proposed planning framework, to better protect the Market, in alignment with best practice heritage and urban design.

We request that you make transformative changes to the proposed plans to protect the Market and create a better outcome on the surrounding site. These changes must be informed by Council's and the community's submissions and concerns. Given the substantial nature of these changes, we anticipate that further community consultation will be required before proceeding to the Standing Advisory Committee. Further, we request that you ask the Minister to update the Terms of Reference for the VPA Projects Standing Advisory Committee to require the Committee to conduct its proceedings through a Public Hearing for greater transparency.

So far, no commitment has been made from the developer to protect what is special about the market and the proposed plans do not go far enough to give Council or the community the certainty that the market will be protected. Under these rules, the things that are special about the Market will be lost, including its affordable fresh produce, support for the current multicultural traders and its unique identity.

To address this, we request that the planning scheme amendment is not approved until the developer commits to the following items:

- A contractual commitment between the landowner/developer and Council that ensures the market is an ongoing use on site and supports market traders and affordability.
- A Section 173 agreement, to Council's satisfaction, that provides for affordable housing, public easements and car parking.

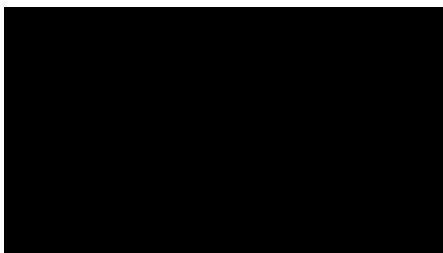
Once the proposed planning scheme amendment is approved, there will be nothing that compels the developer to protect the Market and deliver community benefit on the site. The time to secure these commitments is now.

Over 6000 community members have already signed Council's petition requesting that the Market be adequately protected, and not demolished and rebuilt in another location. We call on you to ensure the community's concerns are addressed, and that the Market can continue to thrive into the future.

Council has endorsed its submission (attached) to the VPA's consultation process. Officers will supplement the submission with further technical detail and evidence before submitting to the VPA on July 13.

Please contact [REDACTED] by telephone on [REDACTED] if you require further information regarding Council's submission.

Yours sincerely

A large black rectangular redaction box covering the signature and name of the sender.

Attachment – Council submission to VPA Preston Market Framework

Darebin City Council Submission to VPA Proposed Preston Market Precinct Framework

Council is deeply committed to the protection of Preston Market, particularly its heritage, identity and role as a gathering space and source of affordable fresh produce for our community. We have heard first-hand, from residents, traders and visitors, of the importance of this market in their daily lives. It is this commitment that has driven Council's efforts in recent years to influence the VPA's plans for the site.

Council submits that the proposed framework fundamentally fails to protect the social, economic or cultural functions of the market and poses an existential threat to Preston Market. The planning framework expresses values that are not aligned with those of market users and the broader community and shows little understanding of how the market functions or how it generates value for its community.

The proposed framework scores poorly against the criteria in Council's Heart of Preston, which was established by Council following four rounds of community engagement and technical studies. Many of these criteria are reflected in the structure plan, yet poorly implemented through the planning controls.

Already, over 5,500 community members have signed Council's petition requesting that the Market be adequately protected, and not demolished and rebuilt in another location. VPA have demonstrated through these proposed plans that they have failed to listen to the what the community wants.

The proposed development density and heights fail to achieve best practice principles of urban design and pave the way for an insensitive overdevelopment of the site that is not commensurate with actual housing need.

While there are positive aspects to the planning framework, like elevated environmentally sustainable design standards and the mandatory requirement for affordable housing, Council submits that they could go further still.

It is Council's view that the development assumptions underlying the proposed framework plan are flawed and substantial changes are required to meet good heritage and urban design practice. Council submits that the plans should be changed, and further engagement undertaken, before proceeding with the planning scheme amendment.

This document contains the key points that will form the basis of Council's submission to the VPA public consultation.

Market Heritage & Identity

Council Objective

Following redevelopment, the market retains its unique feel of covered streets, intersections, sheds, stalls and small shops that create a place of welcome, exchange and diversity; which would require the following key elements... (Heart of Preston, Objective 1)

Submission Request 1 – Strengthen the planning controls to protect market heritage and identity

- Stronger minimum market size controls including the market is at least the same size (including service areas + 1700m²) and a similar number, mix and size of stalls.
- Stronger heritage controls to allow only minimal change to the market, and change the framework plan and heritage guidelines to retain:
 - original parts of the market (including original sheds);
 - current market location and footprint;
 - the heritage space frame roof and tilt-up concrete walls;
 - the sunlit, open and airy feel; and,
 - two cruciform intersections which serve as important community focal points.
- Council's position is to retain the market where it is and preserve its heritage fabric. Where parts of market must be rebuilt, include stronger controls to protect the identity, amenity, access to daylight and airy feel of the market, specifically:
 - includes design guidelines for market within zone controls, not just within the structure plan;
 - guide the design of new market streets and public spaces that enable the same social function as current cruciform intersections;
 - prohibit vehicular access along market streets;
 - prohibit tall buildings over the market. The market cannot be replaced with a generic urban typology that has few streets, private walkways, large blocks, large podium buildings, large titles, and a single owner;
 - require public walkways to be at least 12m wide, covered with clear canopies, no narrow aisles within a building. Ensure that market streets and open space remain as public spaces; and
 - avoid shopping centre or mall style of market design.
- Demolishing the market by 80% is an unacceptable heritage outcome that has no clear rationale and would decimate the heritage significance of Preston Market. It would also harm the social and cultural roles of the market, along with its continuity and commercial viability.
- Ensure that the amount of market car parking is maintained and appropriately located:
 - Incorporate Structure Plan Action 26 'Maintain at least the same number of car parking spaces as currently provided for the existing market' into the zone as a mandatory requirement.
 - Change from a discretionary to a mandatory requirement in the zone that car parking must be located underground, where possible. Where this is not technically possible parking must be located above ground level and sleeved with active uses.

Market Traders & Operation

Council Objective

The vibrant mix of traders, particularly those from diverse backgrounds, are supported before, during and after redevelopment to keep the market accessible, affordable and multicultural; which would require the following key elements (Heart of Preston, Objective 2)

Submission Request 2 – Reinstate the Charter of Community Expectations to protect current traders and to keep the market accessible, affordable and multicultural.

- Reinstate a Charter of Community Expectations with the landowner/developer to ensure they commit to:
 - security and affordability for existing traders;
 - rental adjustments for traders where trading is disrupted by development;
 - retaining a diversity of independent businesses;
 - no franchises/chains; and
 - meaningfully involve migrant communities in precinct design and creation of new open spaces.
- Require the developer enter into a s173 agreement with Council, committing to the market diversity and affordability requirements in the Charter of Community Expectations. This must be entered into before a planning scheme amendment is gazetted.
- Strengthen the Market Continuity and Transition Plan application requirement to demonstrate how the market will be managed effectively during and after redevelopment. This includes measures to minimise disruption to trading, and to provide a clean, safe and pleasant environment for traders and shoppers.

Sustainability, Housing & Design

Council Objective

Surrounding precinct is developed as a model of a sustainable, liveable neighbourhood with world class architecture, open spaces, streetscapes, public areas and urban design that tell the stories of the migrant communities that have made this place what it is; which would require the following key elements (Heart of Preston, Objective 3)

Submission Request 3 – The site is developed as a leading example of environmentally sustainable development, housing provision, and exemplary design.

- Provide appropriate building design and height controls so density responds to best practice urban design principles, local context and minimises adverse amenity impacts of overshadowing and visual bulk, while still allowing for housing growth, as follows.

- Development to occur only around (not over) the market.

Change to maximum mandatory overall building heights of:

- 14 storeys to the north of the precinct along Murray Road;
- 10 storeys to the centre of the site and to south-west corner; and
- 4-8 storeys to the south of the site, reducing in height towards Cramer Street with setbacks to meet Council's preferred overshadowing control.

- Reassess the proposed dwelling density and heights so that development first responds to a high standard of urban design and local context, specifically:
 - substantially reduced proposed dwelling density to enable site responsive urban design and to accurately reflect local housing demand;
 - include minimum 3-bedroom typology requirements to provide housing for families; and
 - add internal amenity standards for new buildings with controls for minimum residential daylight and outlook requirements.
- Create a pedestrian friendly neighbourhood that prioritises cycling and walking, by strengthening controls to:
 - improve pedestrian permeability with additional laneways, helping to break the precinct into smaller blocks to help create a village of buildings;
 - ensure that vehicle movement is not permitted on primary pedestrian connections;
 - require a continuous north-south pedestrian-only connection from Cramer Street to Murray Road, through the market;
 - ensure that changes to transport and movement in the precinct support Cramer Street as a 'people street'; and
 - identify active frontages and uses on key pedestrian connections, including the connection through to 421 High Street.
- Bolster Environmentally Sustainable Development controls to support the State Government commitment to zero carbon by 2050, and require (as a 'must'):
 - certified Green Star 'Communities' and 'Design & As Built' Assessment that identifies the development will achieve a 6-star rating, and a certified average 7-Star NatHERS accreditation;
 - ensure the controls are drafted to allow higher 'current' best practice standards as they improve over time;
 - require an 'all electric site' and no new gas connections on the site. Ensure the precinct becomes a 'renewable energy power hub that maximises onsite solutions such as solar panels, battery storage and microgrid;
 - separate collection glass recycling, hard waste, e-waste, organic and green waste;
 - provide for residential and commercial composting and/or anaerobic digestion and encourage urban agriculture facilities within the precinct, where amenity can be protected;
 - best practice water sensitive urban design and reduction of impervious services;
 - planting of canopy trees and vegetation to reduce the urban heat island effect, as part of the landscape plan requirement; and
 - require minimum electric vehicle charging and bike parking requirements.
- Improve the provision and design of open space through the following measures:
 - provide at least 10% public open space on site, at multiple key intersections including along the main east-west market street;
 - provide an additional financial contribution of up to 8.2% to enhance existing open space within the central Preston area;
 - a stronger overshadowing control to meet best practice standards to prevent overshadowing of the southern footpath of Cramer Street and Preston Oval Park

(including informal open space between the Oval and Cramer Street) as measured at the winter solstice; and

- provide design guidelines for open spaces to ensure that they are green, attractive and useable by a wide variety of people, including generous public seating.

Community benefit, facilities and affordable housing

Council Objective

Value that is created through the redevelopment is shared with the wider community through a range of state-of-the-art new community spaces, affordable housing, social programs and facilities and employment opportunities; which would require the following key elements (Heart of Preston, Objective 4).

Submission Request 4 – Secure community benefit from the development for a broad cross section of the community

- Support the proposed intention that fully funded contributions are provided by the developer for new community facilities that are required as a result of this development. Request that VPA, enable this contribution to be put towards a consolidated facility that is delivered on the Preston Civic Precinct site. There are significant benefits to the economic development of the wider Preston Central Precinct of having community services on the Preston Civic Precinct, and an integrated ‘services’ hub will be a more effective way of delivering community services to new residents on the Preston Market.
- Incorporate best practice community hub location and design criteria into structure plan and planning controls.
- Provide objectives to encourage creative industries and commercial cultural facilities (such as cinemas and art galleries).
- With regard to affordable housing:
 - strongly support the proposed mandatory nature of affordable housing requirement;
 - request an increase in the amount of affordable housing delivered at the site to 20%, with both the State Government and the developer providing funding to achieve this;
 - prioritise allocation of affordable housing towards newly arrived migrants; and
 - remove delivery option 4 (non-descript delivery arrangement) which does not provide enough certainty for the delivery of affordable housing.
- Protect the economic sustainability of the market and broader High Street activity centre with controls that ensure the amount and type of commercial and office floor space targets do not diminish their economic vitality.

Protection of Preston Market use on the site

Council Objective

That any development is contingent on a contractual commitment to retain the market use at the Preston Market site (Heart of Preston, Objective 5).

Submission Request 5 – Secure the market use on site

- Strengthen the market use condition in the zone to prohibit any other use from locating within the market footprint on the framework plan.
- Require the developer enter into a s173 agreement with Council, committing to the ongoing market use on the site. This must be entered into before a planning scheme amendment is gazetted, and reflected in the Charter of Community Expectations. The agreement should protect the market's diversity and affordability.

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