

# 2021

## DADA Response to the Draft Preston Market Precinct Structure Plan, May 2021



Darebin Appropriate Development Association Inc.



Darebin Appropriate Development Association

email:



phone:



12/7/2021

The Preston Market in its current fabric and form is of key significance to residents of Darebin, the State of Victoria and beyond. With some foresight and willingness it could be developed into a civic hub of world class architecture that benefits the whole community and provides for those of greatest need.

It is profoundly disappointing and disheartening that the Victorian Planning Authority (VPA) when asked to make recommendations to the planning minister for the future of Preston Market can think no further than ways of packing the site with high density housing at the expense of the protection of the market and its long term viability.

It is phenomenally disappointing that after such a long wait for the release of the VPA draft structure plan and after a lengthy 'consultation' with the community we have a set of recommendations which at the heart vary very little from the developer proposed master plan of 2014. We do not see adequate provision for what the community most wants, for the market to stay where it is and operate as it has for the last 50 years. At least three petitions and thousands of signatures are very clear in support of protection of the whole market fabric and operation on the current footprint.

The Preston Market Draft Structure Plan of May 2021 looks more like a plan to promote developer greed with a key focus on providing housing as an investment commodity rather than housing for long-term residential living. The recommendations for the market, below left, do not move very far from the owner/ developer's preferred position in the Preston Market Masterplan of 2014. Market Operation and Indicative Staging in the masterplan, shown below right, also includes demolishing most of the current market and moving it to the South East of the site, the main aim being to allow for higher density infill on the rest of the site rather than to guarantee the protection and continuation of the market.

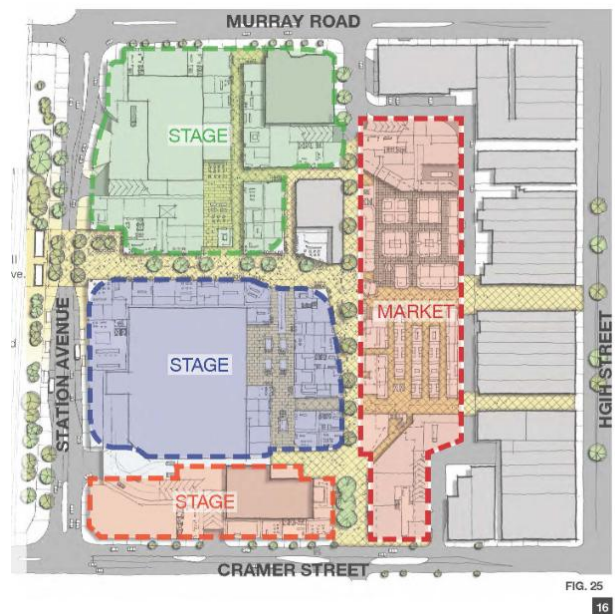
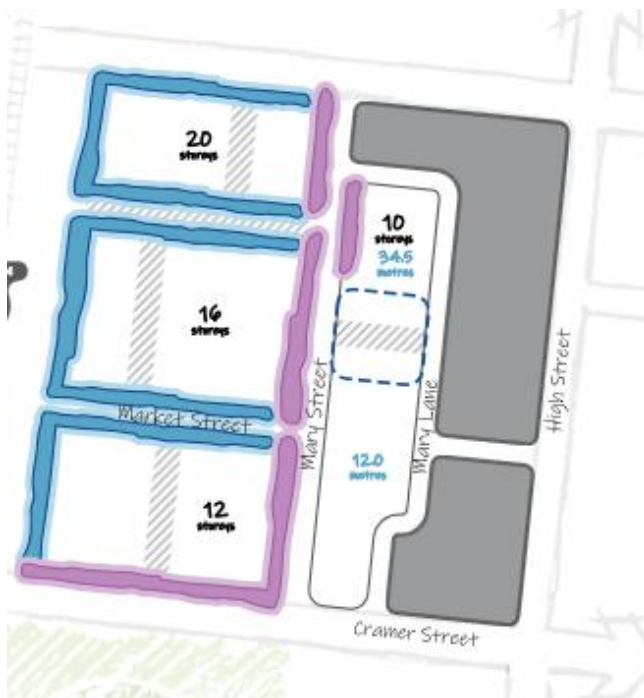


FIG. 25  
16

## Heritage

It is not good enough that the VPA recommends, on the one hand, a heritage overlay and on the other the demolition of three quarters of the current market fabric.

Whatever mechanism is used the community expects the market to be fully protected with significant heritage features intact; that its future use as a fresh food market be ensured and that any future development on the site will enhance and protect the market fabric, form and use.

The structure plan includes no provision for full protection of the significant heritage fabric such as the unique space frame technology and the tilt up concrete walls even though these are listed as significant in at least two heritage studies of the market. It does not value the heritage of the technical or aesthetic fabric of the market and does not provide in any form a way of preserving these attributes.

The Preston Market Heritage Interpretation Strategy of August 2020 is the heritage you have when you do not actually protect significant heritage. It is pastiche and is, frankly, offensive to think that it is either world class or suitable. While it may reflect the past heritage of the market it does not protect the significant heritage attributes of key importance to the community. It certainly does not and cannot ensure the future market operation.

We are very clear that the heritage of the market and its future operation as a market is tied in the fabric of the market on its current footprint. Any deviation from this will not guarantee full protection of the significant heritage attributes or the continued operation of a market anywhere on the site.

It is offensive that the VPA suggests heritage is protected by building 'new replacement' in the 'style of' as is suggested in regards to the space frame technology the tilt up concrete walls and the Brutalist technologies developed and incorporated in the original building design and that remain intact today.

This view is supported directly and indirectly in a number of heritage studies and the ruling by the Heritage Council of Victoria.

We note that the conclusion of the Heritage Design Guidelines: Preston Market prepared by GJM Heritage<sup>1</sup> for the VPA identifies the current lack of heritage policy in the Darebin Planning Scheme to inform future development. The recommendation of preparation of site-specific Heritage Design Guidelines is supported along with the further recommendation that the Heritage Design Guidelines should be included in the Schedule to the Heritage Overlay of the Darebin Planning Scheme for proposed HO315 through Amendment C182dare.

At the very least it is essential that the Darebin Planning Scheme is definitive in the protection and enhancement of significant heritage attributes recognized in the fabric and function of Preston Market on its current footprint.

---

<sup>1</sup> 8.0 page 16 Heritage Design Guidelines: Preston Market prepared by GJM Heritage, 2020

## Density

Preston Market is not an infill site, it is a civic site. It is overreach and short term thinking by the state government to place this significant site on the fast track list for development. The fast track status is seen, by the community, as a way of silencing objections to future development applications for the site and bodes very poor outcomes made worse by a structure plan that is not fully enforced in the planning scheme.

Over two thousand dwellings on the site cannot be justified given the decrease in population in Melbourne and the over capacity for infill development elsewhere in Darebin.

Darebin has very low Neighbourhood Residential Zoning (NRZ), at just below 12%, compared to most metropolitan councils. Darebin has carried the bulk of infill development since 2016 and will into the future unless there is a change in zoning to better protect our low rise suburban communities.

The Covid 19 pandemic has resulted in a sharp decrease in the population of Melbourne with at least thirty thousand residents moving to the country in the last year plus arrested immigration due to border closures. There is no reason to expect an about-face on population increase at any time in the future and so projected dwelling need for a population increase needs reconfiguration. Any attempt by the government to talk up population increase in the light of this will be seen as a ploy to increase development for investment rather than true housing needs. The community does not want to see a white elephant development of windswept, high density empty apartments on the Preston Market site. That is not a recipe for a vibrant community focused space, more like a slum project that will certainly spell the demise of the market itself.

The Covid 19 pandemic has also highlighted that high density living makes control of the spread of virus outbreaks very difficult. This in itself should be enough for the state government to rethink any further high density development in Melbourne. Epidemiology specialists predict that there will be future pandemics. The cost of locking down a high density site like that proposed for Preston Market will be potentially fatal to the future operation of the market. Therefore the development proposed in the structure plan is more likely to ensure the demise of the market rather than insure its continuation.

Social cohesion is an anathema to high density infill development due to the high level of transience of the population brought about by the high percentage of rented accommodation. Many of the community comments on petitions and on social media platforms indicate a high level of appreciation of the vibrant and diverse community of both stall holders and patrons represented in the market. The community of the Preston Market was very steady for a very long time with stall holders in place for tens of years. This has been severely degraded in the last few years with older stallholders forced out by rising rentals, a decrease in the variety of market traders to an emphasis on precooked foods and a reduction the broad range of fresh produce for the wider multicultural community, all in a bid to ruin the market by stealth. The community is in no doubt that, despite Salter Properties assurances that the market will remain; it will in fact continue to be degraded to the point of no return, a common tactic used by developers.

High density apartment living with a constantly transient population does not support the development of a community where people know and care for each other. High density living promotes negative attributes like violence, poverty and disease. This will ensure the demise of any market on the site and drive patrons from it. It will inevitably mean state government and local council spending more tax payer dollars on the prevention of crime and the provision of health services for the residents and in the long-run is a very poor outcome for such a significant site.

It is not possible to justify the high density dwelling proposal on the Preston market site of over two thousand apartments with the necessary demolishing of the market to achieve this number while the state government continues to allow short term accommodation in apartment dwellings in our city. Many other cities around the world have banned short term rentals, such as available through Airbnb, in order to ensure long term residents have precedence for stable living opportunities.

It is impossible to justify the high density dwelling proposal on the Preston Market site of over two thousand apartments while state and federal governments continue to allow apartments to stand empty due to investment buying and negative gearing.

Until government intervention successfully deals with the glut of empty apartments and short term rental accommodation in Melbourne they cannot sustain an argument for the need of high levels of infill development proposed for Preston Market.

### **Open Space**

Open space is not a dirty word yet successive governments seem to view open space purely as an opportunity for infill development to the detriment of both the future residents of the development and the surrounding residents who loose sky, sunlight and general wellbeing.

On one hand the draft structure plan recommendations for the future of Preston Market recognize the importance the community places and the open space feeling of the market on the other hand it allows, in the development proposal, for the possible buyout of responsibility to provide replacement open space.

Regular visitors to the market are appreciative of the open space and access to the sky that entering the site provides, even if that open space is only car park. Regular visitors will not access the open space of the oval across the road, which is only a part solution to the open space capacity for residents of the tower blocks proposed. To further compound the loss of open space to visitors to the market once the car park area is built on the structure plan suggests that some of the necessary open space can be bought out with a cash contribution. This is a very poor solution to the provision of open space for visitors and residents alike.

The Darebin Open Space Strategy, 2020<sup>2</sup> shows that the provision of quality open space per capita is under supplied in Darebin<sup>3</sup>. Future infill development projects like that proposed by the VPA if not

---

<sup>2</sup> Breathing Space, The Darebin Open Space Strategy, 2020.

<sup>3</sup> Table 4, page 24, Breathing Space, The Darebin Open Space Strategy, 2020.

sensitive to this will further deprive Darebin residents of access to quality open space. The Preston Market site is central and adjacent to two precincts of Darebin in most need of quality open space, Preston West and Preston Central. It can therefore be argued that more than the required 18.2% of quality open space should be provided in the development of the Preston Market site and that it is not appropriate to allow the provision of quality open space to be bought by the developer with a cash contribution.

The Darebin Open Space Strategy, 2020 also outlines the opportunity for the acquisition of open space<sup>4</sup>. It is feasible and preferable that the Preston Market site be identified in the Strategic Land Acquisition Plan as it does meet a number of factors for consideration of the site.

It is noted that not one of the acclaimed urban renewal projects from around the world cited in the Heritage Design Guidelines: Preston Market prepared by GJM Heritage<sup>5</sup> for the VPA include green open space.

At the very least it is essential that the Darebin Planning Scheme is definitive in the protection of open space provision on the Preston Market site.

### **Sustainability**

If the future development on the Preston Market site is to be world class it should be of a higher standard of sustainability than those recommended by the VPA in the draft structure plan.

We believe the recommendations need to include plans for zero net carbon by 2050. The structure plan and the planning scheme needs to include amendments that require any new development on the market site to meet zero net carbon, in both the building and in further use. This should include phasing out of the use of fossil fuels on the site and an ability to generate all power needed through renewable means.

The VPA recommendation of higher apartment development on the northern side of the site is a poor outcome in terms of overshadowing, passive solar use and cross ventilation on the rest of the site. We would rather see lower density and lower height limits on the northern side site to improve the availability of passive solar and cross ventilation for heating and cooling. We would also like to see more thoughtful orientation of buildings on the site to allow the greatest possible use of passive solar heating and cross ventilation cooling without resulting in wind tunnel effects between buildings and though open spaces, including the market itself.

As pointed out by Dr. Jane Stanley, President of the Australian Chapter of the Eastern Regional Organization for Planning and Human Settlements (EAROPH) in a briefing to Darebin Council<sup>6</sup> 'The most

---

<sup>4</sup> 6.4, page 37, Breathing Space, The Darebin Open Space Strategy, 2020.

<sup>5</sup> 5.0 pages 9-11 Heritage Design Guidelines: Preston Market prepared by GJM Heritage, 2020

<sup>6</sup> Preston Market Presentation to Darebin Council, May 2020, Dr Jane Stanley

<https://www.darebinada.org/category/campaigns/page/3>



sustainable use of the market is to continue to use it as a market'. She also reminds us that 'the greenest buildings are the ones already built'

The planet is warming and all over the world people are dying as a result of extreme heat caused by climate change. Darebin is one of the hottest council areas in Melbourne and in recent years has needed to develop and implement a heat wave strategy to mitigate the effects of climate change and extreme heat days. The Draft Preston Market Structure Plan does not appear to directly address the increasing need for the ability to cool spaces to save lives. While it seems expected that the oval across Cramer Street will provide residents with equivalent open space, it will not have enough shade to provide respite on extreme heat days, leaving residents of the tower blocks proposed for the site to run air-conditioners. What size solar bank would be needed to run over two thousand air conditioners in the apartments proposed for the site? Some residents will not be able to afford the increasing cost associated with running air-conditioners and with the poor planning on cross ventilation will no doubt suffer the worst outcomes of extreme heat weather.

How does the structure plan suggest extreme weather conditions are mitigated in the market itself? If the market is not enclosed, and nowhere is that suggested because we want to keep the open air feel of the market, then the obvious solution is to ensure good cross ventilation and plenty of green coverage of the site and shade for the market.

The VPA does not suggest planning scheme amendments or regulations around protection of residents in a heat wave.

### **Consultation**

The Draft Preston Market Precinct Structure Plan May 2021 states 'Whilst the market's specific location in the precinct was not a key concern for the majority of people ...'<sup>7</sup>

That fact that at least two petitions of over seven thousand signatures indicates exactly the opposite and highlights how flawed and faked the consultation process was and how little can be read into any recommendation from that forum.

DADA had three member representatives in the Community Reference Group consultation led by Capire. They reported that the process was clearly structured to elicit a particular outcome, to demolish and move the market as was preferred in the developer designed structure plan of 2014. They reported that there was representation from people who had never even visited the market; that the numbers were small compared to the thousands who have signed petitions and joined social media platforms to support the retention of the current market and that the group was presented with only one option of six that proposed keeping the market on its current footprint.

Further, The Heart of Preston document quoted has since been changed to better represent community desire to protect the heritage features of the market and the fabric of the market on the current footprint, making the VPA recommendation outdated.

---

<sup>7</sup> Page 7, Draft Preston Market Precinct Structure Plan May 2021

DADA, Save the Preston Market and Darebin Progress Association representing key community stakeholders requested a meeting in writing in May 2021 with [REDACTED] of the VPA. The failure of [REDACTED] to meet with us undermines VPA credibility in the community and reinforces community views that the consultation process was aimed to reinforce the outcome most desired by the developer.

### **Transparency**

One of the key reasons the community has very little confidence in the recommendations of the VPA and the experts they enlisted to produce reports on the possible future of Preston Market is that no terms of reference have been released.

Suspicion of terms of reference is justified when recommendations preference infill housing development over recognition and protection of heritage values and the long term continuation of the market on its current footprint.

There has been no transparency of the terms of reference to the VPA, to Capire for the consultation process, to LookEar Pty Ltd for the Preston Market Heritage Interpretation Strategy or to GJM Heritage for the Heritage Design Guidelines: Preston Market.

Terms of reference have not been released on any of the documents or reports alluded to in the reports commissioned by the VPA, resulting in the expedient expansion of the views that support infill development over market preservation and long term viability.

Further the reports and data commissioned by the VPA and the draft recommendations do not appear to have been peer review so that some veracity could be established of a high level of accuracy or believability.

### **Public Acquisition and Future Use**

It is noted that in the research and deliberations for the development of the VPA recommendations to the minister for planning there is no consultation with or recommendations from a planning specialist with expertise in markets and market operations. This is evidence that the VPA does not see the future of the market as the focus of the site nor central to the community.

DADA sought the expertise of [REDACTED] President of the Australian Chapter of the Eastern Regional Organization for Planning and Human Settlements (EAROPH). [REDACTED] produced a comprehensive expert witness statement to VCAT in 2017 and a briefing to Darebin Council in 2020.



'A starting point for planning should be the market. It is a market precinct after all, and the landowner knew that from the start.'<sup>8</sup>

It is appallingly telling that [REDACTED] is consistently ignored by government authorities as a world expert on markets, market operations and government obligations to signed treaties for the protection of markets.

It is incomprehensible that the VPA recommendations do not consider the market the central focus, the key asset of the site. The VPA recommendations do not seek to enhance the operations of the market nor ensure the future of the market anywhere on the site in the Darebin Planning Scheme.

[REDACTED] points out 'Remember that investing in the market is likely to yield a better return on investment than any other use.'<sup>9</sup>

She is very clear in her recommendations; 'Don't treat the precinct as a greenfield site. Don't move the market out of the way of other uses.'<sup>10</sup>

The community is in full agreement with [REDACTED] and believes that the best and perhaps only way to achieve assured continuation and future viability of the market is for government/s to acquire the site and for a community reference group to oversee its ongoing operations.

Our preferred position is for a joint government acquisition and development of the site with the market at its centre. Federal, State and Local government could acquire the site and make so much more of it than proposed by the VPA and desired by the developer.

Preston Market deserves true world class status as a market, cultural and civic site, not as a housing development.

None of the international precedents listed in the Heritage Design Guidelines<sup>11</sup> include a market example, all are urban infill examples reinforcing community concerns that the focus for the future of the site is not the continuation of the market.

A Preston Market Square could and should be a cultural hub that gathers together community facilities that potentially draw many more people to it. It should have a focus on public housing, not social, and affordable housing. It should include ethnic and indigenous resources, migrant and refugee resources, health and wellbeing resources, arts resources and open space resources. Moving these resources onto one site will enhance the most valued attributes of the market and free up other sites around Darebin for more moderate and appropriate infill housing developments; the best of both worlds.

---

<sup>8</sup> Preston Market Presentation to Darebin Council, May 2020, Dr Jane Stanley

<https://www.darebinada.org/category/campaigns/page/3>

<sup>9</sup> Ibid

<sup>10</sup> Ibid

<sup>11</sup> pages 9-11 Heritage Design Guidelines: Preston Market prepared by GJM Heritage, 2020

As Dr Stanley points out, the market is and has the potential to be the largest local business in Darebin and if its continuation is assured, strengthen and enhanced then it would also offer more ongoing jobs than on a building site.

### **Conclusion**

Preston Market is a unique asset. It is of critical importance to the Darebin community and beyond. It has recognized significant heritage technical, aesthetic, cultural and social attributes worth preserving in the fabric and operation of the market. The site should be viewed predominantly as a civic site not predominantly as an infill site.

It seems that the Victorian Planning Authority is only capable of making recommendations in relation to planning opportunities and not in relation to the many other issues that are not strictly planning but are still of importance to the community in relation to the Preston Market site. This silo thinking has led to many of the poor outcomes from unfilled development we have seen in our city and state in recent years and we think the Preston Market site deserves world class thinking connecting all significant aspects of importance to the community.

It is ironic and does not instill confidence in the VPA that the image used on the bottom right hand corner of page 9 of the proposed structure plan is of one of a market building already demolished on the site.

We ask the Minister for Planning, Richard Wynne, to remove the Preston Market site from the Fast Track planning process.

We ask Richard Wynne to release the terms of reference for the recommendations from the VPA and the reports commissioned in that process.

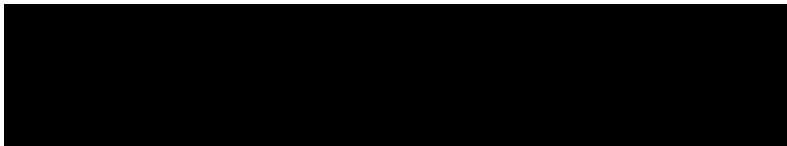
We request the Minister for Planning, Richard Wynne, move immediately to apply a Public Acquisition Overlay to the Preston Market site with the view to acquire the site for civic purposes in the future.

We request the Minister for Planning commission a report from an expert on markets to provide advice on the best way to preserve and enhance the operation of Preston Market on its current foot- print.

We request that a community reference group be established to oversee the public acquisition of the market site and its future preservation and development.

We request an urgent meeting of community group representatives with the Minister for Planning, Richard Wynne long before a final decision is reached on the future of the Preston Market.

Our community deserves better representation in the process and expects to see outcomes that better reflects our desires for the site than those proposed by the VPA.



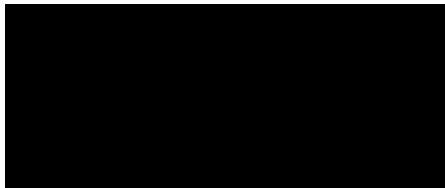
**From:** [REDACTED]  
**To:** [amendments](#)  
**Subject:** DADA response to VPA recs. on Preston Market  
**Date:** Monday, 12 July 2021 12:05:04 PM  
**Attachments:** [DADA response to Preston Market Structure Plan recommendations final.pdf](#)

---

Please see attached the DADA response to the Draft Structure Plan; Preston Market, 2021

I would appreciate notice that the submission has been received.

Thank you,



Click [here](#) to report this email as spam.