



SUBMISSION TO PLANNING SCHEME AMENDMENT C182dare

(Preston Market Precinct Structure Plan)

DAREBIN PLANNING SCHEME

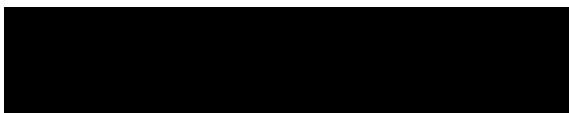
Prepared for Athina's Deli - 28 The Centreway, Preston (Preston Market)

1.0 INTRODUCTION

Terrain Consulting Group has been engaged by Athina's Deli, the occupant of 28 The Centreway Preston Market, to prepare a submission on their behalf in relation to Amendment C182dare to the Darebin Planning Scheme.

Our Clients do not support the exhibited Preston Market Precinct Structure Plan and C182dare as it applies to 28 The Centreway, Preston.

Our Clients' primary concern is the implications the proposed Preston Market precinct Structure Plan and subsequent rezoning would have on the few remaining individually owned premises that are not intending to redevelop and would be swallowed up by any future redevelopment of the market.



2.0 BACKGROUND INFORMATION

2.1 Existing Conditions

2.1.1 Site details

Athina's Deli is located within the north west portion of the market and is the third shop in from the western entry to the Centreway (closest to Preston train station). It is a single storey building that sits just outside the identified historic fabric of the market.

The Delicatessen is a long standing business that has existed at this location since the market opened in 1970. The business was purchased by the current owners in 2011 and they have an ongoing (3 x 5 year) lease.

The Delicatessen offers a wide variety of European and Local products, including many cheese varieties from Europe and Australia and a variety of fresh small goods (ham, sausages salamis etc).

The Delicatessen has recently expanded its operations by teaming up with 4 other vendors (*Mario's Meats*, *MNM Fruit*, *Nicks Proud Chicks* and *O Psaras Fish*) at Preston Market to offer free home delivery of a great selection of food. (Refer <http://marketfreshfoods.com.au>)

This shop is approximately 6.5m wide and is one of a handful of individually owned premises within the market and has existed at this location since the market was originally developed.

(Refer Figures 1 & 2, & Appendix A - Photographs).

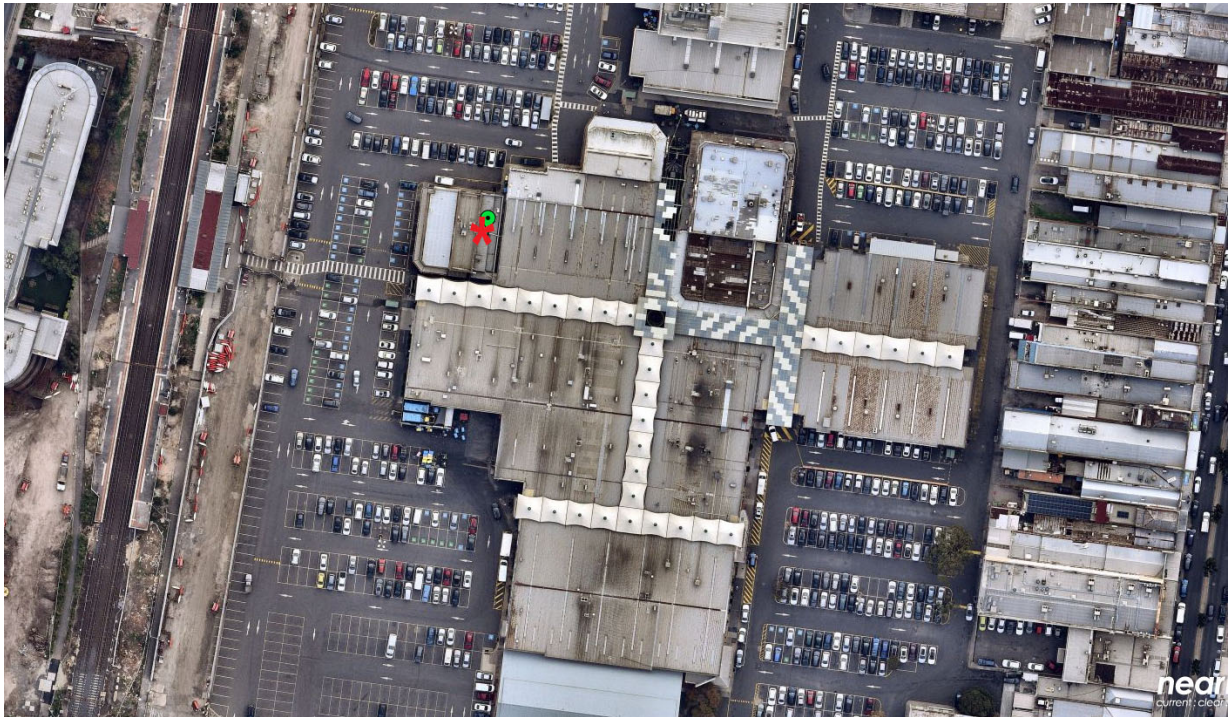


Figure 1 – Aerial Photo, (Nearmap, March 2021)



Figure 2 – Aerial photo (zoom) – (Nearmap, March 2021)

2.2 Darebin Planning Scheme – Existing Zone and Overlay Controls

2.2.1 Priority Development Zone (PDZ1)

The site is located within a *Priority Development Zone (Schedule 1)*

(Refer Figure 3).

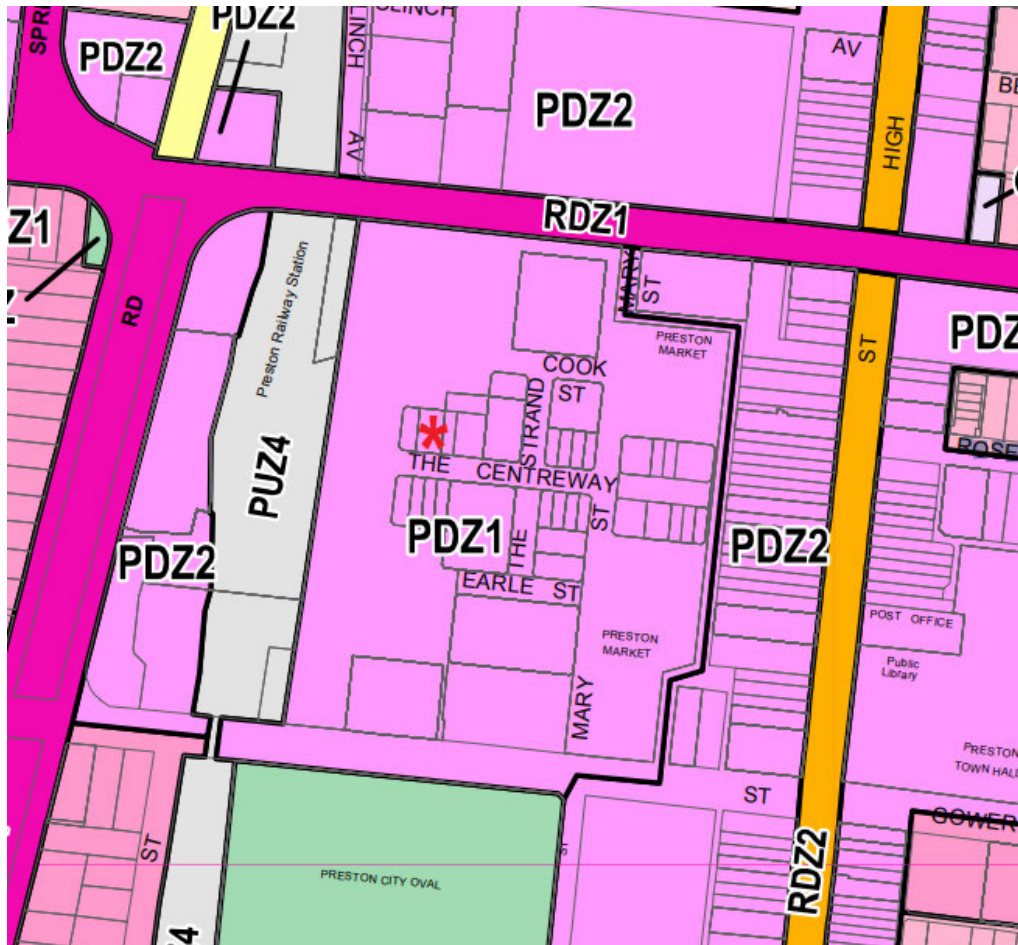


Figure 3 – Existing Zoning Map

Schedule 1 to Clause 37.06 Priority Development Zone refers to the Preston Market.

The objectives of this schedule are:

- *To implement the use and development objectives and design principles of the Preston Market Incorporated Plan (2007).*
- *To encourage intensive development and use of the land for retail, residential, office, entertainment, community and civic activity.*

- *To encourage high quality urban design that is responsive to the site's environs, improves local accessibility and permeability through the site, and provides active edges throughout the site.*
- *To provide opportunities for sustainable travel and increased use of public transport.*

A Market and a Shop (other than Adult sex product shop) are both Section 1, permitted uses within this zone.

Other provisions of this schedule include:

- *A permit is required for a ground floor use (not including entrances to upper level uses) that is not generally in accordance with the Preston Market Incorporated Plan 2007*
- *A planning permit is required to construct a building or to construct or carry out works (with some exceptions).*
- *A permit may be granted to construct a building or to construct or carry out works which exceed the preferred building heights identified within the incorporated plan. The height requirements in the incorporated plan do not apply to land as shown on Map 2 to this schedule.*
- *Any new buildings or works must not exceed a maximum height of 9 metres (measured from ground level) for the existing market footprint area of the site, as shown on Map 2 to this schedule. This maximum height can not be varied with a permit. This requirement ceases to have effect on 30 December 2021.*

Map 2 to this schedule identifies the site as being included within an area where a 9 metre maximum mandatory height limit applies (refer Figure 4)

It is noted that the Preston Market Incorporated Plan, 2007, Urbis JHD, incorporated under this schedule, identifies the site as being within:

- Precinct 6A (Existing retail) on the framework plan that forms part of this document and
- An area with a preferred Building height of up to 10 storeys.

Given the above provisions of Schedule 1 to Clause 37.06 Priority Development Zone, the effective maximum development height is **9 metres**.

Amendment C182dare presents as a marked shift from the height limits and built form scale envisaged by the current provisions that were introduced via Am C067 on 7 June 2007. This proposed shift in approach, represents a fundamental concern for the longstanding traders with both the cultural essence and renowned Preston Market character irretrievably changed.

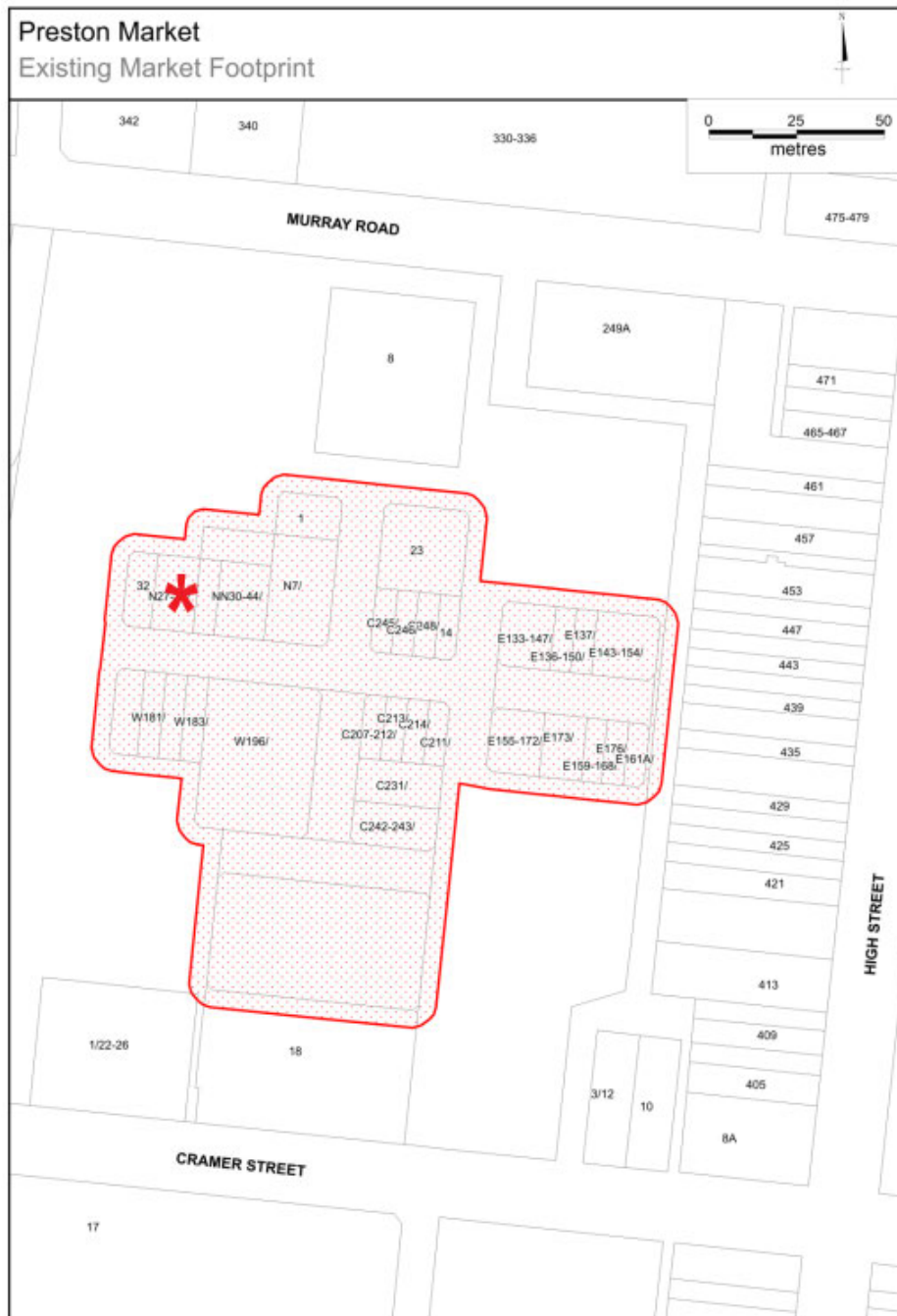


Figure 4 - Map 2 to Schedule 1 to Clause 37.06—Indicative area of 9 metre maximum mandatory height limit

2.2.2 Planning Overlays

The site is also subject to a Development Contributions Overlay (DCPO1) and Environmental Audit Overlay (EAO) which also apply to the broader market precinct. (Refer Figures 5 & 6).



Figure 5 – DCPO1 Map



Figure 6 – Environmental Audit Overlay Map

3.0 AMENDMENT C182dare

3.1 Proposed Zone and Overlay Controls

Amendment C182dare proposes to:

- Rezone 28 The Centreway (along with the balance of the existing market) from Priority Development Zone Schedule 1 (PDZ1) to Activity Centre Zone Schedule 1 (ACZ1) ;
- Include the site within Development Contributions Plan Overlay from Schedule 2 (DCPO2) in place of the current Schedule 1 (DCPO1); and
- Include the site within a Heritage Overlay (HO315)

3.1.1 Activity Centre Zone Schedule 1 (ACZ1)

The subject site and surrounding land is proposed to be rezoned to Activity Centre Zone – Schedule 1. (Refer Figure 7).

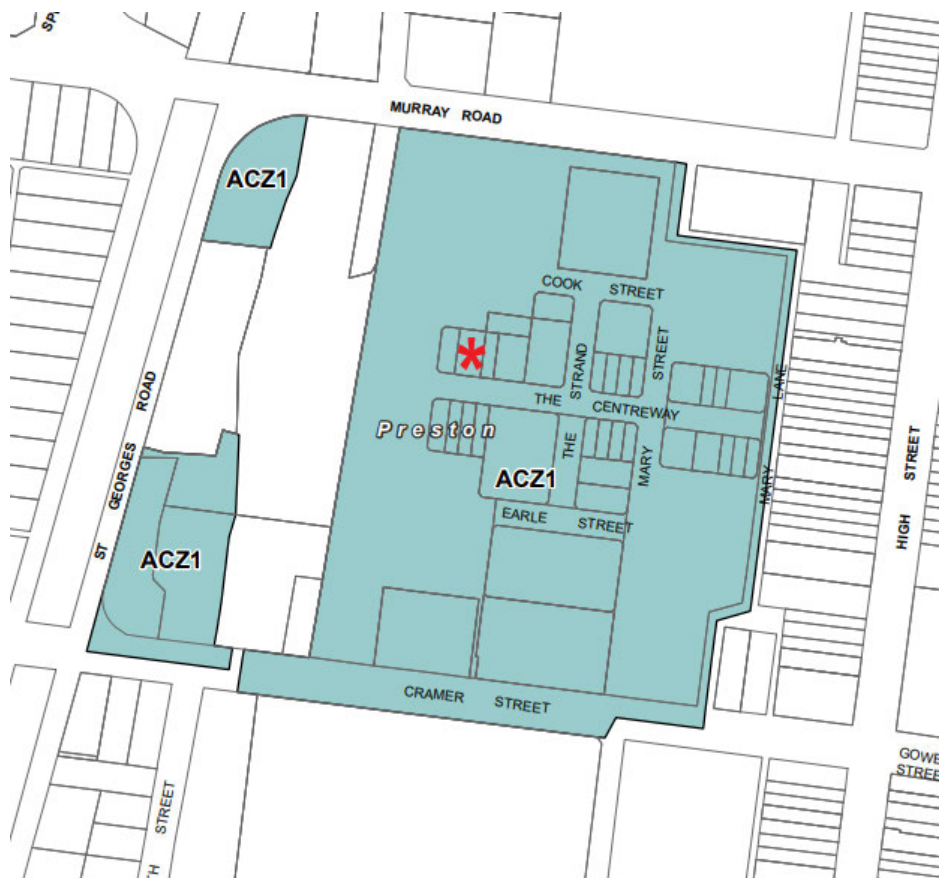


Figure 7 - Proposed Activity Centre Zone map

Schedule 1 to the Activity Centre zone refers to the- *Preston Market Precinct*.

A market is a section 1 use provided it is located generally in accordance with the Framework Plan in Clause 1.0 of this schedule and the gross floor area does not exceed 12,700s q.m.

A retail premises (other than an adult sex product shop or Market) is also a Section 1 use provided it is not located on the ground floor on land shown as Market on the Framework Plan in Cluse 1.0 of this schedule and does not exceed 19,550 sq.m in total.

The Preston Market Framework Plan at Clause 1.0 of this schedule identifies the site as being located within an area set aside for 'mixed use development'. (Refer Figure 8).



Figure 8 – Preston Market Framework Plan

Plan 1 forming part of Schedule 1 to the Activity Centre zone - *Preferred maximum building heights* proposes a transition from higher built form (20 storeys / 68 metres) adjoining Murray Road to the north, to 12 storeys / 42 metres adjoining Cramer Street to the south, with lower built forms of 10 and 12 storeys east of Mary street and west of the railway line.

The preferred maximum building height that applies to the shop occupied by Athina's Deli is **16 storeys / 55 metres**. (Refer Figure 9).



Figure 9 – Plan 1, Preferred Maximum Building Heights

Pursuant to the provisions of Clause 7.0 of this schedule, a development that satisfies the preferred building heights, requirements and guidelines of this schedule is exempt from the notice requirements of Section 52(1)(a), (b), and (d), the decision guidelines of Section 64 (1), (2), and (3), and the review rights of Section 82(1) of the Act.

It is noted that the objectives and strategies of the Preston Market Precinct Structure Plan, May 2021 must be considered.

The proposed (exhibited) Preston Market Precinct Structure Plan – May 2021 forms the basis of Schedule 1 to the Activity Centre Zone.

As per proposed Schedule 1 to the Activity Centre Zone, the site is located within a mixed – use development area on the Framework Plan and within an area with a preferred maximum development height of 16 storeys / 55 metres.

The Preston Market Precinct structure Plan includes strategies relating to land use, building form and design and access, movement & parking, all of which rely on a co-ordinated and integrated approach in the development of the precinct.

3.1.2 Heritage Overlay (HO315)

It is proposed to include most of the market, including the subject site, within a Heritage Overlay – HO315. (Refer Figure 10)

As explained in the explanatory report to am C182dare:

To protect the significant heritage fabric of the existing market a Heritage Overlay (HO) will be introduced over the portion of the existing market building that is identified as having heritage significance, as outlined in the citation.

Heritage Overlay Schedule 315 (HO315) will be applied and will incorporate heritage design guidelines, to guide the extent of existing fabric retention and appropriate redevelopment of the market.

It is noted that the 3 shops at the northwest end of The Centreway, including Athina's Deli, are identified as 'Not Significant fabric' in the heritage citation by RBA Consultants (as amended by GJM Heritage), dated May 2021.

However, Athina's Deli is included within the extent of the proposed HO315 overlay which includes a 10m curtilage around the heritage fabric.

Whilst a planning permit would be required for internal alterations under the proposed HO315, a number of planning permit exemptions are outlined in the proposed Incorporated Plan – Preston Market, The Centreway, Preston 3072, dated April 2021.

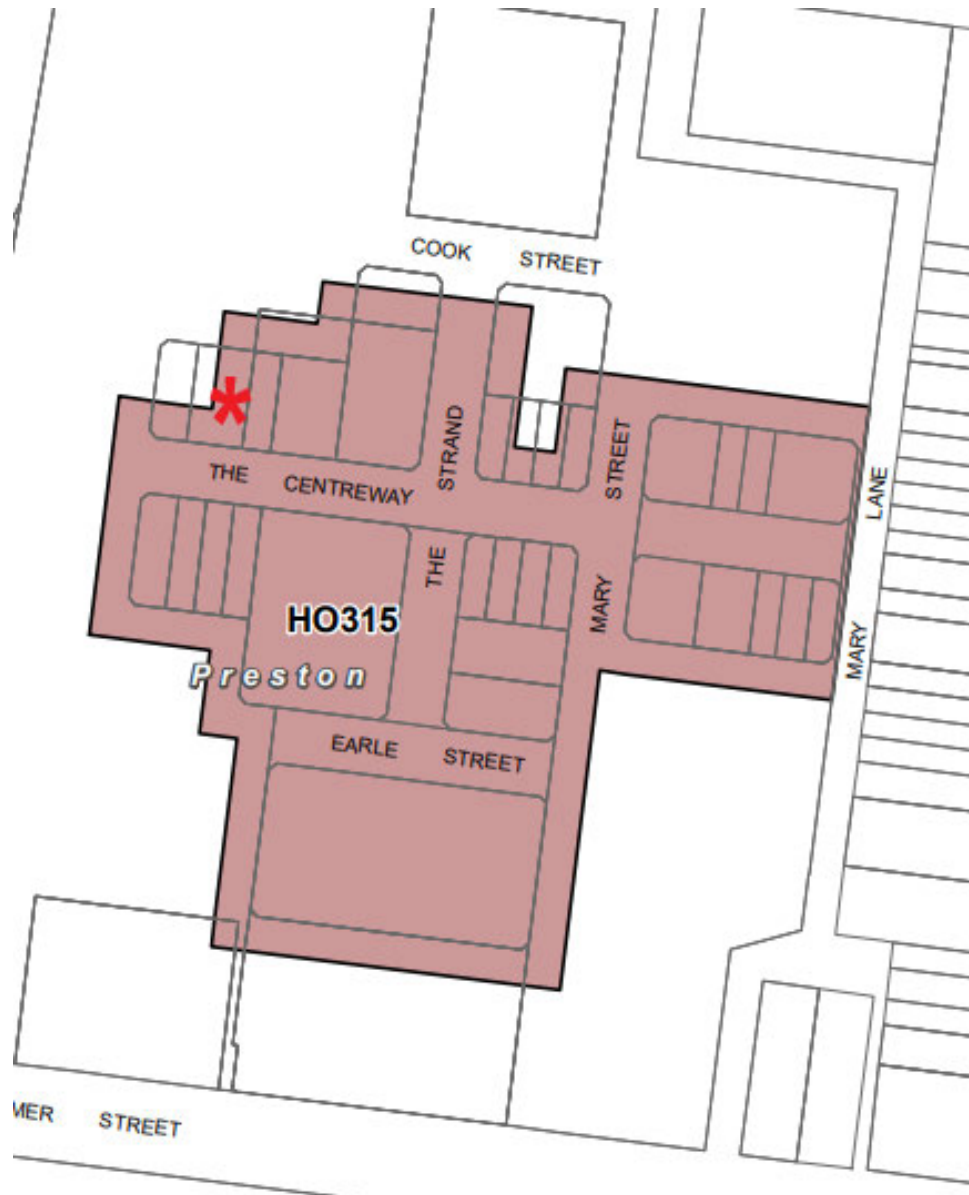


Figure 10 -- proposed HO315 map

3.1.3 Development Contributions Overlay (DCPO2)

As explained in the explanatory report to C182dare:

To facilitate the collection of funds for provision of necessary infrastructure and services that the existing and future population will require, a Development Contributions Plan will be incorporated via the Development Contributions Plan Overlay Schedule 2 (DCPO2).

The Schedule to Clause 53.01 will require the Preston Market precinct to contribute 10% in land and/or cash contribution towards public open space provision that is required to provide suitable amenity for the existing and future users of the site and surrounding areas.

Significant public open space will be provided as part of the removal of the level crossings on Cramer Street and Murray Road and the elevation of the railway corridor which offsets the need for a further contribution from development on railway land. Thus the requirements of 53.01 will not apply to the two sites within the precinct west of the railway corridor currently owned by VicTrack (the government railway land corporation).

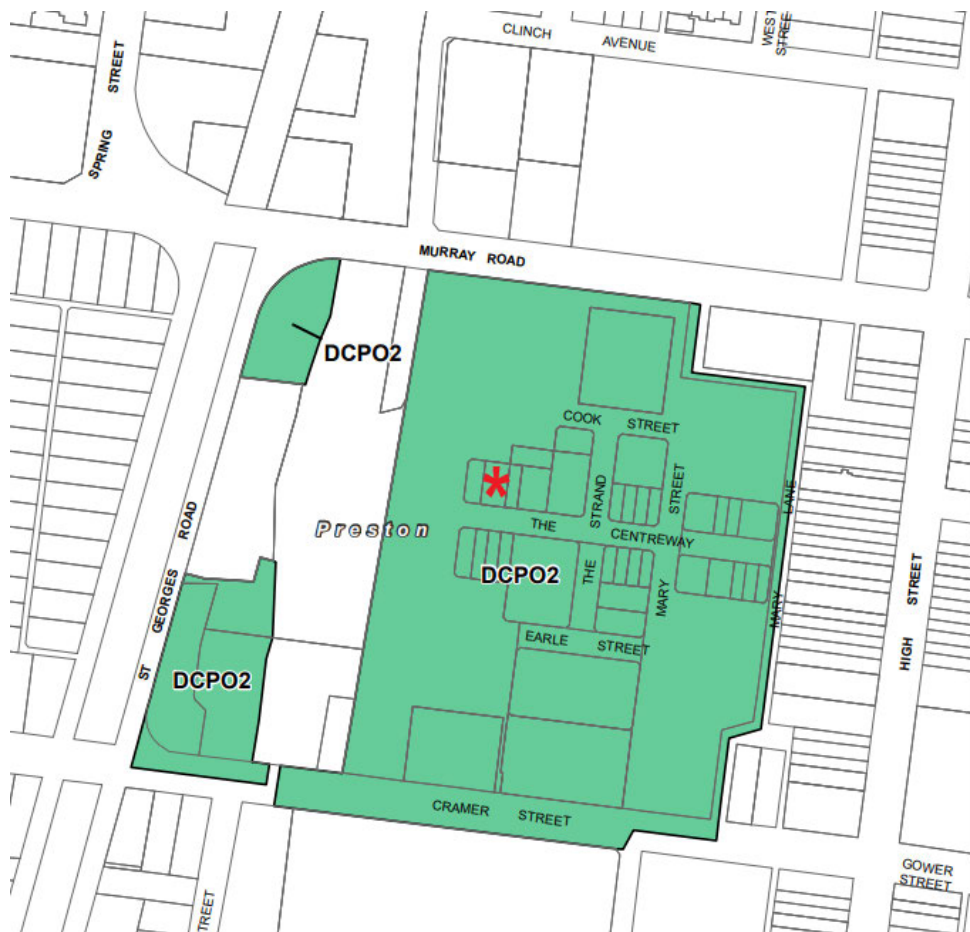


Figure 11 -- Proposed Development Contributions Overlay map

4.0 SUBMISSION

4.1 Amendment C182dare - Preston Market Precinct Structure Plan threatens the ongoing viability of Athina's Deli and other remaining individually owned stores.

Our client's primary concern is that if the Preston Market Precinct Structure Plan and C182dare is approved in its exhibited format , where does it leave the current tenants and owners that are not part of the larger land holding?

Our client is concerned that the smaller individual store owners and tenants have been forgotten in this process, and that the spirit, history and integrity of the market and this Delicatessen will be lost.

Athina's Deli is a family owned business. The current owners have placed all their life's savings into this Delicatessen in 2011. With the assurance of a long lease and historically a great place to be, they felt comfortable in this investment, until now.

They request that, in the evaluation of development and planning of this site, the VPA and City of Darebin not forget or ignore the hard work and savings that have gone into maintaining what is a great brand name business for the area, and not to ignore a number of shops that are independently owned like Athina's Deli.

Furthermore, they are of the opinion that it would be a great shame for a conglomerate like Salta Group to set aside and destroy small family businesses in the name of progress. If done correctly both can be done well with best of outcomes for all concerned.

4.2 Amendment C182dare - Preston Market Precinct Structure Plan results in a disproportionate impact on an individually owned store

Athina's Deli, at 28 The Centreway, Preston is one of only few remaining individually owned premises within the Preston Market.

As Amendment C182dare and the proposed Preston Market Precinct Structure Plan does not acknowledge these individually owned properties, the true impact of the Preston Market Precinct Structure Plan on the longevity of these businesses is not identified or realised.

4.3 The vision for the market cannot be fully realised

Without consolidating individually owned properties with the balance of the market land, the 16 storey development and built form envisaged by the Preston Market Precinct Structure Plan will not be realised.

No. 28 the Centreway is one of a few remaining individually owned stores. Due to its narrow 6.5 metre wide frontage, it cannot be developed as envisaged by the proposed Preston Market Precinct Structure Plan and , if left undeveloped, will result in a built form 'void' that compromises the potential to develop the land around it.

The pressure to sell, negotiate a new lease , re-establish a long standing business whilst retaining a loyal client base, will be overwhelming.

The proposed Preston Market Precinct Structure Plan is therefore ambitious and unrealistic in its expectations for the remaining individually owned stores.

5.0 CONCLUSION

In summary, the exhibited Preston Market Precinct Structure Plan and Amendment C182dare has had insufficient regard to the implications for the ongoing viability of the few remaining individually owned stores such as Athina's Deli at 28 the Centreway, Preston.

As a result, there is a disproportionate level of concern and uncertainty over the future of the business, their primary source of income, and plans for the business to be handed over to future generations.

Via the Victorian Planning Authority and on behalf of our client, we welcome further discussion with the proponent - Salta Group, to ensure the ongoing future of Athina's Deli.

Gabrielle Sesta
Major Projects Planner
Terrain Consulting Group

13 July 2021

ATTACHMENT A - SITE PHOTOS



Image 1 - Front of Athina's Deli - 28 The Centreway, Preston Market



Image 2 – View from western entrance to The Centreway, towards Athina's Deli



Images 3 & 4 – Views across The Centreway, towards Athina's Deli





Image 5 – East view along The Centreway , from Athina’s Deli



Image 6 – Rear of Athina’s Deli



Images 7 & 8 – Inside Athina's Deli





Image 9 – South view towards rear of Athina's Deli from adjoining carpark (google street view)



Image10 – North east view towards western entrance to The Centreway from adjoining carpark (google street view)

From: [REDACTED]
Cc: [REDACTED] [amendments](#)
[Preston Market](#)
Subject: Amendment C182dare- Preston Market Precinct Structure Plan
Date: Tuesday, 13 July 2021 9:53:00 AM
Attachments: [image001.png](#)
[21397S01-C182dare VPA submission for Athinas Deli 28 The centreway Preston Market.pdf](#)

Good morning,

We have been engaged by the owners of Athina's Deli at 28 The Centreway, Preston Market to prepare a submission on their behalf in relation to C182dare – Preston Market Precinct Structure Plan.

Attached find our submission on this matter

Kind regards,

[REDACTED]

[REDACTED]

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

Message protected by MailGuard: e-mail anti-virus, anti-spam and content filtering.
<http://www.mailguard.com.au/mg>