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PRESTON MARKET PRECINCT

City of Darebin Submission on Amendment C182

13 July 2021

Executive Summary

Council is seeking substantial changes to the proposed framework for the site as outlined in this report. Council holds grave concerns for the future of the Market and the surrounding precinct, should the proposed framework proceed in the current or similar form.

While we believe Council and the State Government share similar objectives and we want to work together to protect the Market, the proposed scale and form of development is not acceptable and won't deliver those objectives. Our shared objectives **can** be achieved with the Market in the same location, as you will see in our submission, along with good housing and development outcomes. However, for this to be achieved, the proposed framework needs substantial change.

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. We have assessed the proposed plans against this vision and unfortunately, the proposed plans fail to address fundamental aspects of the vision. Key concerns are that the proposed plans:

- Effectively encourage 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.
- The proposed development density represents an overdevelopment of the site and is unnecessary considering the actual housing need in Darebin. The proposed density would compromise liveability for future residents. 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.
- Proposed building heights would 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.

There has been no commitment to ensure that the Market is an ongoing use on the site, and that the diversity, affordability and identity of the market is protected. For this to occur, there must be a contractual agreement between the developer/landowner and Council. No such agreement has been made.

While some of the aspects of Council's vision are reflected in the structure plan many are not followed through to implementation through the planning controls, which means they are not 'required' and would be at risk during the future planning and design stages. The planning framework also expresses values that are not aligned with those of market users and the broader community. It misses the opportunity to build from the foundation the market brings to the local community and economy, as well as risking the market by misunderstanding what it is that makes it effective.

We are excited about the potential for development at this site to become a leading example of a carbon neutral and circular economy development. We also want the State Government to recognise this opportunity and use this site to reflect its own commitments to achieve net zero carbon by 2050.

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1. Part A - Council's Submission

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 how important Preston Market is in their daily lives.

Council submits that the proposed framework fundamentally fails to protect the social, economic and cultural functions of the market and poses an existential threat to Preston Market – effectively encouraging demolition of 80 per cent of the Market, despite its heritage value. This is an unacceptable outcome that has no clear rationale and would destroy the heritage significance and identity of Preston Market.

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

Already, over 6,000 community members have signed Council's petition requesting that the Market be adequately protected and not demolished and rebuilt in another location. The VPA has 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.

There are positive aspects to the planning framework, like elevated environmentally sustainable design standards and the mandatory requirement for affordable housing. However, Council submits that they do not go far enough.

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, and to demonstrate proper planning for housing, environmentally sustainable development, and transport and movement.

Council submits that the plans should be changed, and further engagement undertaken, before proceeding with the planning scheme amendment.

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)

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

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- 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)

Council 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)

Council 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;

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- 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).

Council 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).

Council 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.

Council's Heart of Preston document (contained in **Attachment 1**), details the key objectives and elements that must be achieved in order for the Preston Market Precinct to thrive into the future.

2. Part B – Technical Comments

Darebin Council has sought technical expert review of the VPA's plans on market identity and heritage, urban design, transport and economics. The key findings of these technical reviews, along with Council's detailed comments are outlined in this section by theme to support Council's submission in Part A. This includes detailed changes sought to the VPA's proposed Planning Scheme Amendment C182 and supporting information.

2.1. Heritage

1. It is not uncommon for heritage experts to disagree, and we understand that Council, the VPA and Salta may have different views on how the current Preston Market building(s) meets the heritage criteria. This is something that can normally be resolved at Planning Panel with an independent expert view. For this reason, it is also critical that the Advisory Committee includes a heritage expert member.
2. Notwithstanding that, VPA's proposal agrees with RBA that the market is of historical significance (Criterion A) social significance (Criterion G) and technical significance (Criterion F) with the space frame roof being a significant element that covers most of the market. And yet the plans still propose to retain only 20% of the heritage place as a 'representative sample'.
3. Retaining the location of the fruit and vegetable stalls as the most significant part, in comparison to the significance of the rest of the market, has no clear rationale from a heritage perspective. It appears convenient that this section overlaps with the location where the VPA/developer wants to shift the market. The retention of such a small section of the space frame section is considered by Council as only tokenistic and would undoubtedly produce a poor heritage outcome.

Previous studies

4. Several reports assessing the heritage values or significance of the Preston Market, or reviews of other reports, have been prepared as outlined below:
 - Context, Preston Market Heritage Study Volume 1 and Volume 2: Significance, 2017
 - GJM, Preston Market – Peer Review of Heritage Study Documentation, 2018
 - Executive Director of Heritage Victoria, Recommendation of the Executive Director and Assessment of Cultural Heritage Significance, 2019
 - Heritage Council Registrations and Reviews Committee, Determination of the Heritage Council: Preston Market, 2019
 - Barry Pearce and David Rayson, Submission to the Heritage Council of Victoria, 2018

Two reports were provided to Darebin City Council by RBA Architects and Conservation Consultants, with a request to use this Citation for the Preston Market planning framework:

- 'Preston Market Citation', dated 28 April 2020
- 'Preston Market Heritage Review', dated 30 March 2020

GJM v. RBA heritage assessment

5. As part of the VPA's Amendment package, GJM Heritage reviewed the RBA citation (28 April 2020) and made a number of changes to the heritage citation and Statement of Significance (SoS).
6. The principal changes to the RBA SoS, recommended by GJM are:
 - Removal of Criterion E relating to aesthetic significance. It only recognises Preston Market's historical, technical and social heritage significance.
 - Reduction of the extent of the proposed HO to exclude the areas identified as being of contributory significance.
7. The section relating to the independent shops was also reworded as they were defined by GJM as 'not contributory'. On the contrary, the original independent shops also contribute to the heritage significance of the Preston Market, whilst not to the same degree as the spaceframe sections. They should be included in the extent of the heritage overlay.
8. GJM's work also departs from RBA's assessment of integrity. Under the heading 'Integrity' in the citation, RBA assessed the Preston Market as being 'Largely intact'. GJM Heritage however added the following: 'The fruit and vegetable section at the Mary Street end of the central walkway demonstrates the highest level of integrity to the original form of the spaceframe structure.' There is no justification provided for this.

Exclusion of Aesthetic Significance

9. Whilst the space frame has been appropriately recognised as being of technical significance in the amended citation by GJM Heritage, they have removed Criterion E (aesthetic significance). Council's expert heritage advice details exactly why it meets this criterion.
10. The exclusion of Criterion E by GJM Heritage appears to have significant consequences for the way heritage has been interpreted in the proposed guidelines. The Heritage Design Guidelines for Preston Market and the Incorporated Plan note that substantial demolition of significant sections could be undertaken as long as a heritage interpretation strategy is implemented.
11. The space frame itself is only part of the story. The Preston Market was designed by the Structural Consortium, a group of three then recent university graduates, in a way which reflects a Modernist approach by creating well-planned, free flowing, uncluttered and functional spaces.
12. The aesthetic significance of the Preston Market should be due to it being an early example of the Structuralist style and an unusually large-scale use of space framing, as there is no comparison in Victoria of such an extensive use of it.
13. The extensive use of the space framing highlights its advantages – the ability to create enclosures that 'floated' with limited support and provide highly flexible spaces by comparison with traditional shopping complexes. The limited supports are the relatively widely spaced metal members with struts that are typically incorporated into the walls between the stalls, in conjunction with the external tilt slab concrete walls.

Potential for change (development)

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14. The basis for the approach to 'acceptable change', as inferred in the various Amendment documents, is in part erroneously predicated on the notion that the Preston Market does not have any aesthetic significance.
15. It is crucial to largely retain the following significant elements and key aspects of the design and planning of the Market as set out in the following table.

<i>Element</i>	<i>Discussion</i>	<i>Level of significance</i>
<i>Space frame</i>	<i>Generally retain.</i>	<i>Significant</i>
<i>Layout – wide walkways</i>	<i>Retain sense of open air walkways</i>	<i>Significant</i>
<i>Concrete walls (outer)</i>	<i>Generally retain</i>	<i>Significant</i>
<i>Independent shops at the north end</i>	<i>Potential to remove the independent shop buildings but replacement sections should be integrated in a similar manner with the space frame sections (for instance, employing some of the same material palette as is the currently case)</i>	<i>Contributory</i>

16. In terms of the potential for change (development), the following preliminary advice was provided by RBA to the Darebin Council in the RBA citation (which noted that further assessment would be required for any future proposal):
 - There might be scope to reduce the extent of the Preston Market. As a preliminary cautionary estimate, removing up to about 25% of the significant section (with space frame roof) might not dramatically affect the significance of the place. This is vastly different to VPA's proposed demolition of 80% of significant heritage fabric.
 - GJM has nominated that the fruit and vegetable section of the spaceframe is most significant. On the contrary, RBA identify that all parts of the space frame are significant even those sections that have not been visible from the outset as they have had a suspended ceiling concealing them, that is the air-conditioned food halls (meat and delicatessen).
 - It might be possible to relocate the market buildings on the broader site whilst (largely) retaining its significance. In order to achieve this outcome, it would be necessary to retain as much of the original fabric as possible. However, this would need to be further assessed to know if this is possible. Council's preferred position is to keep the market in situ to protect as much significant heritage fabric and layout as possible.

17. GJM's proposed heritage design guidelines ('Heritage Design Guidelines: Preston Market', dated 12 June 2020) are in stark contrast to RBA's assessment, and are at odds with its own stated objectives and key values:
 - 'To encourage and guide the **retention of the identified heritage values** of Preston Market.
 - To ensure future development respects the heritage fabric of Preston Market.
 - To encourage the provision of opportunities for the identified social values of Preston Market to be retained on-site
 - To encourage development that celebrates the unique spaceframe technology.' (emphasis added).
18. However, under GJM's proposed guidelines only the eastern section of the extant market (currently the fruit and vegetable area) might be retained. This is because GJM have nominated it as the most intact section and that it would be sufficiently representative if it were the only part of the original market to be retained. According to GJM's objectives, (partial) retention is only to be 'encouraged' and not even a given.
19. In general, the language employed in the 'Heritage Design Guidelines' is very open, non-obligatory, employing terminology such as 'should' (conditional tense) and 'promote' with no explicit requirement to conform to these guidelines.
20. This (fruit and vegetable) section has an area of approximately 2400m² whilst the total space frame area is approximately 1.2ha (or 12,000 m²). Thus, the section that is being proposed to be retained equates to only 20% or one-fifth of the current extent.
21. It is not justified how retention of only about 20% of the spaceframe, let alone the other contributory parts - importantly the middle section of the Centreway on the north (between The Strand and Mary Street) where the detailing is the most integrated with the adjacent spaceframe section by way of the same fascia, etc. – might 'celebrate' the spaceframe technology and result in an outcome 'that respects the heritage fabric of the Preston Market'.
22. The Amendment as it stands – to introduce a heritage overlay but allow for the potential (or likely) demolition of all but about 20% of these sections would undoubtedly be a poor heritage outcome, and the retention of such a small section of the space frame section only tokenistic.

Loss of Space Frame

23. Focus on the eastern section seems to have arisen, or be justified, from the additional text added to the GJM Heritage amended version of the RBA citation for the Preston Market under 'Integrity' (p27), where the following text was introduced.

*The fruit and vegetable section at the Mary Street end of the central walkway demonstrates the highest level of integrity to the original form of the spaceframe structure.*⁹
24. There is no explanation or rationale provided for how retaining only about 20% of the space frame section might be an acceptable outcome.
25. The integrity of the spaceframe remains consistently intact across the complex. The only sections that have been removed are the narrow linking areas which initially

extended across the otherwise open walkways (the walkways were later roofed over during the late 1980s).

26. Whilst the integrity of the spaceframe remains generally consistent across the Preston Market, its visibility does however vary across the different parts.
27. Overall there is no basis for the statement that integrity of the spaceframe in the fruit and vegetable area is any greater than other parts of the Preston Market, whilst the visibility of the spaceframe in this section is amongst the highest. As such, part of the rationale for the Heritage Design Guidelines is flawed.

Loss of Walkways and General Planning

28. In any context, retention of only 20% of the significant fabric would be a poor outcome, and in this case fail to capture the variation of elements across the site and the integration of elements and the overall complexity.
29. Retention of only the eastern (fruit and vegetable) section would result in the loss of most of the planning as it would allow for only part of one open walkway section to be retained. The 'general planning including wide walkways' is a key element that contributes to the significance of the site. The open walkways were what distinguished the Preston Market from contemporary shopping centres such as Northland (fully enclosed, climate controlled) and was integral to the vision of the owners and architects/designers. Although the walkways have been covered over in two phases (initially tensile structures, subsequently some with Perspex roof cladding), they remain integral to the design and character or ambiance of the place.
30. The walkways and planning has been recognised as a 'key element' as assessed by RBA and included in the proposed 'Heritage Design Guidelines for Preston Market' as a 'key value' however it could be largely expunged if the draft version of the Framework Plan is followed whilst only 'encouraging' future development proposals to replicate the existing pattern of thoroughfares in a narrow alignment.
31. Retaining only a short section of one of the main thoroughfares – the east section of the main spine of the Centreway – would simply decimate the heritage significance of the place. Furthermore, the other main walkway – the Strand which intersects with Centreway (at the heart of the complex) would be completely removed. In any redevelopment, the majority of these two main thoroughfares should be retained.
32. The central parts of these two thoroughfares are the main socialising areas of the Preston Market in particular:
 - the Centreway – between Mary Street and the Strand,
 - the Strand – between the Centreway and Earle Street.

By contrast, the fruit and vegetable section is not a principal congregating area as the stall holders partly utilise that section of the Centreway.

Loss of Complexity

33. The Preston Market is composed of many elements of which the spaceframe is but one part, albeit the most distinctive.
34. The two enclosed food halls are a key element, recognised in GJM Heritage amended citation and partly referenced 'Heritage Design Guidelines for Preston Market'. The

proposal as outlined in the Structure Plan would result in the complete removal of both these areas.

35. The design of the food halls, parts of which are extensively glazed, allows for the better appreciation of the steel posts and associated struts on which the spaceframe is supported as compared to the walls between the various separate outlets.

Loss of Social Significance

36. The social significance of the Preston Market has been recognised by all heritage consultants who have assessed the heritage values of the place (Context, GJM Heritage, RBA). The dynamics of the walkways allow for a range of social interactions as indicated in the following image.

Image 1 – Preston Market, The Strand (looking South)



37. Whilst social significance by its nature is intangible, it is also related to building fabric and the ambiance created by it. The potential removal of up to 80% of the fabric of the spaceframe section, let alone the other contributory parts of the market (the Independent Shops), would inevitably have a negative effect on social significance. To suggest otherwise, would be disingenuous.
38. Whilst policies might be devised to encourage spatial arrangements similar to the existing (as in the Heritage Design Guidelines) as a means of facilitating social interactions and experiences which currently take place in the Preston Market, there can be no guarantee that this will occur or that they can be recreated. Social significance cannot be easily transferred or replicated as it typically evolves over time, as it has at the Preston Market.
39. If much of the fabric of the Preston Market was demolished, at the very least, the continuum of experience would be broken for some time, possibly irrevocably.

Incorporated Plan + loss of independent shops

40. Several permit exemptions are proposed to be included in the Incorporated Plan – Preston Market, The Centreway, Preston 3072 - April 2021 under clause 43.01-3, in regard to external and internal works.
41. In regard to internal works, it is unclear what might be permitted with the proposed exemption 'Remove or demolish stalls'. The stalls are integrated into the spaceframe with the glazed highlights (now overpainted). Further clarification should be provided to ensure the original consistent components of the stalls are not removed.
42. There is a lack of recognition of the contributory significance of the independent shops at the north end of the Preston Market, which were built in the few years prior to the spaceframe sections. These shops have been integrated into the complex by the detailing to their canopies and are of a sympathetic scale to the spaceframe sections. Whilst full retention of the Independent Shops would not be necessary, a Heritage Overlay should apply so that development would ensure optimal parts would be retained in particular the section along the north side of the Centreway (between Mary Street and the Strand), where they are integrated with the detailing of the space frame shops opposite.
43. The permit exemption - 'Demolish early (non-space frame) perimeter buildings' – would allow for their complete removal. Whilst change and some demolition to these sections would be possible without an undue negative impact to the heritage values of the Preston Market if undertaken in a considered manner, their complete removal would have a negative impact, especially along the north side The Centreway.

Heritage

Further to its Part A submission, Council seeks the following changes to the amendment documentation:

- Heritage Overlay: Change to apply to whole market + independent shops + 10m curtilage
- Citation and Statement of Significance: Change to be consistent with RBA's citation and reinstate that the market meets Criterion E (aesthetic significance)
- Design Guidelines: Change to be consistent with Council's resolution to retain the market footprint in situ. Note that (consistent with RBA advice) at least 75% would need to be retained at a minimum to protect heritage significance.
- Structure Plan and ACZ: Framework plan be amended to show heritage market where it is. Add application requirement for Conservation Management Plan for the market to demonstrate how any proposed change to the market is possible without destroying heritage fabric.

2.2. Identity of Preston Market

44. Council commissioned the Preston Market Quarter Identity Study, which was carried out by urban strategists Hello City in 2019. This piece of work won a commendation at the Place Leaders Asia Pacific Awards in 2019 for going beyond built form in its

innovative approach to codifying the tangible and intangible aspects of Preston Market's unique identity, and social and cultural heritage, and how these may be impacted through the planning process.

45. Council's endorsed Preston Market Quarter Identity Study (Hello City, 2019) is the most holistic of the technical reports commissioned to date on Preston Market – it considers aspects of social and cultural heritage, urban design, retail typologies, and the social and economic role and function of the market.
46. It finds that the Market's unique built and spatial qualities that are important to retain include:
 - The same number, types and sizes of stalls in a network of neighbourhood blocks with 12m wide streets, and two cruciform intersections.
 - The same sunlit, open and airy feel.
 - Active market streets that are open 24/7 that connect to the broader precinct, including along High Street to the station.
47. In terms of affordability and diversity, it is important that:
 - The vibrant mix of traders from diverse backgrounds are supported before, during and after redevelopment.
 - The diversity of independent businesses is retained, with no franchises or chains.
 - Security and affordability are provided for traders.
 - Appropriate access and trade conditions are maintained, including during redevelopment.
48. A review of the VPA's proposed plans by Hello City consultants has been undertaken and its findings are outlined in this submission. Overall, Hello City finds:
 - The provisions of the Structure Plan provide an existential threat to the continued existence of The Preston Market and are likely to result in poor development outcomes.
 - Without changes, the Framework Plan will function as a barrier rather than a lever to good development and achieving the stated objective.
49. Hello City have identified the following three fundamental issues in the Structure Plan which make poor outcomes likely:
 - In some areas of the precinct, extreme and inappropriate alterations are proposed to the existing subdivision plan (and its associated restrictions).
 - The rate and scope of demolition of existing built form in parts of the existing Market precinct are inappropriate.
 - The findings of Hello City's Preston Market Quarter Identity Study (2019) have not been appropriately implemented in the Structure Plan. In some areas the structure planning process itself is not able to provide sufficiently detailed guidance or protections.

Alterations to the layout and original subdivision of the market

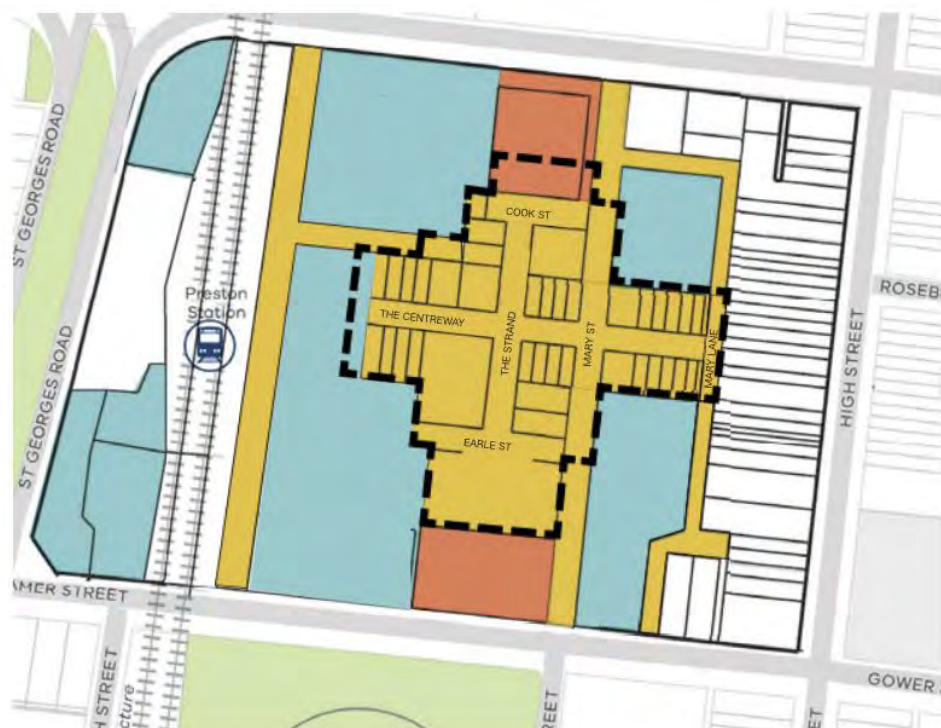
50. The Preston Market is a neighbourhood of covered market streets, regular streets, market sheds and shops. This neighbourhood provides the community with the

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functions and services of a wet and dry market as well as a regular retail precinct. These functions are reflected in the form and typology of the existing precinct.

51. When it comes time to upgrade buildings or develop underused land, the precinct should be treated like any other existing neighbourhood in Australia:
 - new buildings should be built within existing building titles;
 - the streetscape should be treated as public realm and remain largely untouched by private development; and
 - new development should reflect the existing neighbourhood as seamlessly as possible in terms of built-form fabric, access and land use.
52. The best way forward is to preserve the existing streets, easements, title boundaries and land use within the market quarter and take all possible steps to preserve key buildings and uses, as per Figure 1 below.

Figure 1 – Locations where minor, major or extreme adjustments to the subdivision plan are appropriate



LEGEND

-  Existing market boundary
-  Area A: Land where major or possibly extreme adjustments can be made to subdivision or associated restrictions
-  Area B: Land where minor adjustments can be made to subdivision or associated restrictions
-  Area C: Land where no adjustments should be made to subdivision or associated restrictions

53. All possible steps should be taken to mitigate the extent, risks and impact of alterations to the subdivision plan in the following ways:
- a) Redefine new easements and title boundaries in complete detail and in exact alignment immediately (if land lots or streets are erased, make clear exactly what will replace them).
 - b) Minimise the number of allotments affected.
 - c) Minimise the number of streets and access ways affected.
 - d) Minimise the area affected in terms of absolute size and in terms of what proportion of a particular area or zone is affected.
 - e) Make targeted changes. For example, if a change of location is required for a specific element such as a street, then change the location of the street but do not alter the configuration, cardinal orientation, grain size, length, width, name or the size, number or configuration of the adjacent lots.
 - f) Avoid changes which consolidate land or increase grain size (i.e. enlarge the size of lots, streets and accessways). Privilege changes which keep grain size the same or result in finer grain size.
 - g) Find ways to compensate key stakeholders for any loss of protections or amenity with contributions of land or other appropriate mechanisms.
54. A number of steps which could mitigate the risk and impact of the alterations to the subdivision and associated restrictions have not been taken, including defining the new easements and land lots that will replace the streets and land holdings that have been erased.
55. If alterations to the existing subdivision and associated restrictions are made in inappropriate areas in the precinct then the impacts should be minimised. The high level of uncertainty this approach creates disenfranchises key stakeholders, creates unnecessary risk and is highly likely to lead to poor development outcomes which impact the identity and function of the market quarter.
56. The precinct is not a vacant brownfield site. The pace and scope of change needs to be carefully managed to avoid unnecessary impacts to the core identity and characteristics that define the jobs of the Preston Market, as described in Hello City's original report (2019).
57. The market area includes existing neighbourhoods and streets with land titles. In the market precinct these land parcels have been held for generations and contain well established built-form and represent a significant and meaningful cultural and economic asset. As the impact of rapid change in this area is significant it needs to be sensitively managed. New development should fit within existing lot boundaries and have minimal impact on surrounding properties and the street.

Redesign and rebuilding of existing Preston Market Quarter

58. Some areas of the site are simple and can be effectively managed by standard structure planning processes and methodologies. Other areas of the site require more detailed testing, design and evaluation before the impact of decisions and changes can be understood. The risks of using the structure planning tool by itself to make key

changes in Preston Market is significant and is likely to lead to poor outcomes in terms of the character and function of the precinct.

59. A number of strategic and design decisions have been made in the draft Structure Plan which are not consistent with the findings of the Preston Market Quarter Identity Study and which will have significant negative impacts on the identity, characteristics, meaning and functions that Preston Market currently performs. The following actions were specifically identified in the findings as posing a significant risk to the identity and function of the market quarter:
- a) Grain size of built-form; enlarging lot size, increasing the size of building footprints and making alterations to the existing network of streets and accessways in order to accommodate large podium buildings.
 - b) Grain size of economic participation; this is directly related to grain size of buildings, streets and land holdings and affects the size, wealth and complexity of individuals and entities that participate in the economy. The impact of grain size is evident in land ownership, business tenancies and their structure that shapes both the economy and identity of the market.
 - c) Changes to the orientation, number and width of the covered market streets. This includes risks associated with lack of clarity about the character, ownership, function and built-form of the new market streets (including the reconfiguration of Mary Street).
 - d) In the proposed configuration The Strand would naturally form the western boundary of the market. However, this street has been removed resulting in the creation of a significant new boundary condition which affects the entire western length of the market and part of the northern edge. This new interface will allow possible incompatible development located in adjacent areas to merge into the market with significant changes to character, function and identity. Removing this street affects grain size and removes a key element of the neighbourhood grid, which changes the overall circulation and typology of the market quarter.
 - e) The massive increase of pedestrian area and change to location, size, and relationship of built-form represents a complete change of character, identity and function of the precinct. Large pedestrian areas are difficult to activate and keep safe outside a shopping centre environment.
60. The significant risks associated with demolition, and the loss that entails to the community in terms of function, logistics, economic access, cultural continuity, experience of place, local character and history, have not been sufficiently assessed or valued in the Structure Plan. An adequate rationale has not been articulated, or strategy articulated to mitigate these risks or compensate for the expected losses.

Public Accessway Easements

61. The public easements on title have long been protected through a S173 agreement that should not be erased in totality by this amendment. These easements preserve the original public access and movement arrangements provided by the former roads historically vested in Council being Mary Street, The Strand, Cook Street, The Centreway and Earle Street.

62. Easements are validly created rights of way for use by Council, the individual owners and the public for the following reasons:
- Upon registration of the easements, they were validly created as easements in gross favour of Council for carriageway and passageway purposes.
 - Council's intention for requiring the creation of the easements was to maintain public rights of way through the market following the discontinuance of the roads, and to ensure the enforceability of the Individual Owners and public's rights to use the easements.
63. The proposed planning scheme amendment should not create a framework plan that requires substantial removal of these public easements. Substantial reduction or extinguishment of these historical public rights of free movement through a large central business district could be considered a denial of natural justice or procedural fairness in favour of the majority owner without due consideration and notification. They also service the individual shop owners within the site.

Identity

Council seeks the following changes to the amendment documentation:

- Structure Plan - fundamentally change the framework plan to retain the key subdivision and spatial layout of the market, including
 - Retain current cruciform intersections.
- Activity Centre Zone
 - As above, fundamentally change the framework plan to retain the key subdivision and spatial layout of the market
 - Add market design guidelines relating to identity from the structure plan.
 - Add specific control: 'Retain the existing market's pedestrian and spatial qualities, including a similar number and mix of stalls, and similar sized aisle widths and floor to ceiling heights' (as per Strategy B32 Structure Plan).
 - Remove tall buildings over the market, these are not compatible with the market use and will compromise its function and cause overshadowing.
 - Add design objective to avoid shopping centre or mall style of design of the market.
 - Include design guidance for any new cruciform intersections/key market public spaces, that enable the same function as current cruciform intersections.
 - Land use objectives to encourage commercial cultural facilities and creative industries.
- Do not create a planning scheme amendment that would necessitate substantial reduction or extinguishment of existing public easements established through existing S173 agreement on the Preston Market site title. These can be modified if necessary to allow development of the broader site but must be retained for the market.
- As an application requirement, require the location of current and proposed easements for public access to be shown.

2.3. Housing

64. The Amendment (via the Structure Plan and ACZ) seeks to facilitate high rise development with a target residential yield of 2,200 new dwellings. This substantially overrepresents the amount of residential development needed for the market site and is not justified in terms of local housing capacity, nor best practice urban design.

Sufficient capacity

65. In terms of housing provision, Darebin's current housing policies are working well with regard to overall supply and are successfully facilitating housing development of a variety of types and sizes, increasing housing diversity in line with modelled demand and meeting policy objectives for housing diversity and choice (*Darebin Housing Demand and Supply Analysis, SGS 2020*).
66. In terms of the ability of current planning controls to facilitate housing delivery for forecast demand, modelling (of housing demand based on population projections and current housing capacity) has shown there is already a substantial amount of housing capacity in the LGA, with only a small proportion needing to be developed in each area to meet forecast demand (*Darebin Housing Demand and Supply Analysis, SGS 2020*).
67. In terms of Preston, there is no need to substantially increase the housing capacity of the Preston Market site further than the current controls allow.

VPA background study

68. The density recommendations of *The Preston Market Planning Review: Planning Benchmarks and Tools study* (TQ Urban Planning, July 2019 and addendum dated October 2019) have been used to set the proposed dwelling yield for the site. The recommendations of the study have been based on 'unmet' housing demand for the Principal Activity Centre which (in brief) has been calculated by subtracting the amount of development approved/to be built (in the pipeline) in Preston, as well as the dwelling capacity of other strategic sites, from the forecast 2041 demand. The study recommends that the Preston Market site should provide the housing to meet the residual (unmet) demand, and it aligns the precinct with 'comparable' urban renewal precincts to justify the proposed density range. A subsequent urban design report for the VPA supports the mid-range density level recommended by the TQ Urban Planning report (July 2019, addendum Oct 2019).
69. While the Preston Market Precinct is a significant strategic site that plays an important role in delivering housing, the methodology used to arrive at the target dwelling yield lacks consideration of important details as well as urban design testing rigour. This results in a lack of justification for the target dwelling yield /density. This is discussed further in Urban Design section.

Underestimated capacity elsewhere in the centre

70. The calculation of projected 'unmet' demand for dwellings in the Preston Activity Centre to 2041 does not adequately account for development opportunity elsewhere in the activity centre, that is, the many infill development opportunities on sites of *less than* 1,000 square metres throughout the centre. And therefore, it's likely that the quantum of 'unmet demand' is in actual fact lower than estimated in the TQ Urban Planning report (July 2019, addendum Oct 2019).

Benchmark sites are not comparable

71. The sites selected for density benchmarking are not comparable, they do not reflect the unique characteristics of the market site. The market, with its important social and cultural functions, has significant implications for appropriate density. Density for the site should be informed using benchmark sites with similar social and cultural infrastructure that create similar yield constraints.
72. The TQ Urban Planning report (July 2019 and addendum dated October 2019) recognises that:

The Preston Market Site has a unique set of attributes that make identifying direct comparisons difficult. There are very few sites of such substantial size within an activity centre context, and/or with immediate proximity to a rail station, that exist in Metropolitan Melbourne. In addition, there are very few sites that play host to an existing fresh food market. p.36
73. Yet the benchmark sites used in the study do not contain large, complex yield constraints such as the market. This undermines the comparison exercise and contributes to unrealistic benchmarking used to guide dwelling densities.
74. The benchmarking exercise also does not appropriately consider the area of market which is proposed to be retained and not built over (under the VPA's proposal). The Gross Developable Area (GDA) for the site should not include the market area. The result is benchmarking and application of density not suitable for the site, and a build-up of density around the market location in the form of excessively tall buildings.
75. The methodology used to derive the recommended density also assumes a lack of sensitive interfaces. Although the Preston Market site does not have immediately adjoining residential interfaces, the Preston Oval, Cramer Street (a 'people street') and High Street are sensitive public interfaces that require protection from adverse amenity impacts such as overshadowing and visual bulk. If these interfaces were given due consideration (and with a commensurate urban design response) the density recommendation would be lower.
76. This flawed approach is accentuated when comparing the proposed density (423dw/ha) to major inner-city renewal precincts such as Fisherman's Bend (323dw/ha) and Arden McCauley (330dw/ha). As shown in Table 1, the proposed density per hectare for the market site exceeds them both even though they are much more strategically suited to high densities.

Table 1 – Density Comparison of Major Urban Renewal Sites

Densities sourced from The Preston Market Planning Review: Planning Benchmarks and Tools study (TQ Urban Planning, July 2019 and addendum dated October 2019).

Urban Renewal Precincts, Gross Developable Area (GDA)	Location	Dwellings/ ha	Dwellings
Preston Market Precinct (5.2ha)	Middle ring north	Proposed 423	2200
Arden McCauley (50ha)	CBD adjacent	330	1518
Fisherman's Bend (250ha)	CBD adjacent	323	1472

Urban design testing

77. The TQ Urban Planning Report (July 2019, addendum Oct 2019) strongly recommends that further work is needed:

... to undertake urban design testing of the potential floorspace/FAR generated by the suggested dwelling densities to test potential amenity impacts of the scale of development required to deliver the potential dwelling densities. p.2

78. However, the Preston Market Urban Design Report by Architectus (May 2021) for the VPA, does not demonstrate rigour in density and urban design testing. It appears that the report implements (rather than tests) the mid-range density recommendation of the TQ Urban Planning Report (July 2019 and addendum October 2019), albeit with a slight refinement to recommended density (423 dw/ha). The report is clear in its objective:

*to provide a **rationale for the recommended density levels**, building heights, the arrangement of land uses, connectivity and public open space across the site. p.8 (emphasis added)*

79. The Architectus report (May 2021) only presents findings of one tested option that is consistent with the mid-range recommended by TQ Urban Planning Report. The option is based on the VPA's proposed framework plan, including realignment and redevelopment of the market along Mary Street (a design option presented in the Preston Market Development Principles and Options Review (Final Report) 2020 prepared by MGS Architects on behalf of the City of Darebin Council). The density presented in the urban design option fails to provide sensitive responses to the southern and eastern interfaces in particular. There is an absence of any alternative options tested.

Dwelling diversity

80. The number of families living in Darebin is expected to increase and thus there is a need to ensure that high density dwellings have sufficient space and appropriate design to cater to families (*Darebin Housing Demand and Supply Analysis, SGS 2020*).
81. A housing demand and supply analysis commissioned for Darebin (*SGS, 2020*) observed the potential for under delivery of three-bedroom dwellings if there is a continuation of trends observed between 2011 and 2016 of only a small increase in the number of three-bedroom dwellings (based on modelled demand and recent development trends). Delivery of three-bedroom dwellings in medium and high-density developments would help to ameliorate this trend (*Darebin Housing Demand and Supply Analysis 2020, SGS*).
82. The Draft Structure Plan includes land use strategy L4, to: 'Provide approximately 2,200 higher density dwellings that include: a diversity of dwellings including apartments and townhouses with 1, 2 and 3+ bedrooms.' However, there has been no housing diversity report provided in the VPA's suite of background studies on public consultation and there is no dwelling diversity target implemented in the proposed ACZ.

Housing conclusion

83. Council accepts that the Preston Market site is a strategic location for high density housing, however it is seeking a reasonable level of density (and corresponding building heights) that is responsive to the local context and best practice urban design. A target dwelling density of 330 dwellings per hectare (1,200 dwellings) or less would allow for more appropriate urban design outcomes, and the density would still be on par with major urban renewal sites, such as Arden McCauley.

84. More broadly, as stated above, there is no lack of capacity to meet housing demand within Darebin and thus no need to substantially increase the housing capacity/target yield of the Preston Market site.
85. In terms of housing mix, a housing diversity report is required to outline the breakdown of dwellings, both in terms of size, accessibility and affordability. To ensure adequate housing for families, the ACZ schedule should include a minimum requirement of 30 per cent three-bedroom dwellings for each residential building, consistent with Darebin's Housing Strategy 2013 (revised 2015).

Housing

Council seeks the following changes to the amendment documentation:

- Reassess the dwelling density targets and need for the site based on information provided about housing need by Council, and to address the flow on effects of poor urban design, amenity and overshadowing outcomes that will be created as a result of the VPA's proposed density.
- Structure Plan and ACZ:
 - Add mandatory maximum dwelling density control to a maximum of 330 dwellings per hectare (1,200 dwellings) (or equivalent mandatory maximum Floor Area Ratio control – see urban design section).
 - Add dwelling diversity requirement of minimum 30% 3+ bedroom apartments designed or families.

2.4. Environmental Sustainability

86. The master planning for the Preston Market site presents an important opportunity to provide for exemplary environmentally sustainable development (ESD) and to set an improved sustainability standard for urban renewal.
87. The VPA's inclusion of some ESD standards in ACZ controls is encouraged. However, the objectives, strategies and controls for the precinct need to go much further to ensure that the site is a leader in ESD, and to support the State Government's commitment to zero carbon by 2050 and circular economy objectives.

Council's commitment to ESD

88. Darebin City Council, the first government in the world to declare a Climate Emergency, recognises the urgent need to address climate change and it strives for climate action and best practice ESD as expressed through the following plans and strategies:
- Climate Emergency Plan 2017-2022;
 - Council Plan 2021 – 2025;
 - Environmentally Sustainable Design (ESD) Building Policy 2018;
 - Urban Forest Strategy 2013;
 - Urban Food Production Strategy;
 - Watershed: Towards A Water Sensitive Darebin Whole Of Water Cycle Management Strategy 2015-2025; and,

- Darebin Waste and Recycling Strategy 2020.
89. The Darebin community has high expectations for ESD, and developers in general have been willing participants of this change. Darebin has been requesting ESD initiatives in all developments of five or more dwellings since 2009 in conjunction with Moreland and Port Phillip councils.
90. In 2017 the Darebin ESD policy (Clause 22.12) was gazetted following the approval of the ESD policy for six councils in 2015. The policy covers all development of three or more dwellings and non-residential development of over 100 square metres. The objectives of the policy include improving energy performance and indoor environment quality through well considered natural light and ventilation, reducing water use and improving stormwater quality, ensuring car use is minimised, making recycling convenient, and encouraging vegetation. Council is now working with the Council Alliance for a Sustainable Built Environment (CASBE) to develop a new and improved version of the policy.

ESD Planning for the Preston Market site

91. Although the inclusion of green star certified standards (6 Star Green Star Communities rating, a 6 Green Star Design & As Built rating and an average 7 Star Nationwide House Energy Rating Scheme accreditation) is encouraged, the VPA's proposed suite of planning controls does not address ESD in an integrated way, and lacks the necessary planning controls for delivery.
92. For instance, Structure Plan strategies (B41 to B47) address matters such as: renewable energy use and on-site generation; design of buildings to reduce energy consumption, including solar access and construction materials; organic waste collection; and vegetation selection for climate resilience. However, none of these strategies are carried over for direct implementation via the ACZ schedule.
93. An integrated approach to precinct design and ESD is needed for a site of this scale. For example, the location and heights of built form will have implications for the capacity of the site to accommodate solar PV (due to overshadowing). Early precinct planning needs to take into account the amount and location of solar PV required for the site, particularly given the need to balance space needed for roof terraces and infrastructure.
94. Council's expert in ESD has established objectives, strategies and controls for implementation in the Structure Plan and ACZ Schedule, around the following set of sustainability themes:
- zero carbon and energy efficiency;
 - integrated water management and biodiversity;
 - zero waste and circular economy.
95. The following table sets out the proposed changes to the Structure Plan and ACZ Schedule to guide the development of the Preston Market precinct. The ACZ Schedule should contain a separate section for ESD specific objectives and controls to ensure that ESD planning is integrated with master planning, rather than as an afterthought. The utilisation of rating tools like Green Star and NatHers (as they evolve and improve over time) will ensure both consistency of approach and maintenance of sustainable outcomes in the long-term.

Table 2 – Proposed ESD updates to Structure Plan and ACZ Schedule

ESD requirement	Structure Plan change	ACZ Schedule change
Objective 1 – To reduce the energy requirements of the precinct, contribute to a carbon positive society, use renewable energy and eliminate the use of fossil fuels		
Ensure the precinct becomes a renewable energy power hub that maximises onsite solutions such as solar panels, battery storage and microgrid;	Add as Strategy	Add as Objective
Require an 'all electric site' and no new gas connections on the site.	Add as Strategy	Add as Mandatory control
Deliver an embedded energy network for the whole site, including opportunities to connect to a future precinct-wide or locally distributed zero carbon energy supply	Add as Strategy	Add as Objective
Encourage the retrofitting of existing buildings to meet best practice energy efficiency.	Add as Strategy	Add as Objective
Design new buildings to avoid the need for heating and cooling by using passive design principles through orientation, natural ventilation, thermal mass, glazing and shading.	Add as Strategy	Add as Objective
Require current best-practice Green Star certification for precinct development (currently, this is a minimum of 6 Star Green Star - Communities rating)	Add as Strategy	Add Mandatory control for "current best practice certification". Remove the wording "as appropriate" from this set of application requirements.
Require buildings to be certified for current best-practice Green Star (currently this is 6 Star Green Star certified As Built).	Add as Strategy	Add Mandatory control for "current best practice certification". Remove the wording "as appropriate" from this set of application requirements.
Require apartment buildings to be certified for current best practice star rating (currently, a minimum 7 Star NatHERS average rating)	Add as Strategy	Add Mandatory control for "current best practice certification". Remove the wording "as appropriate" from this set of application requirements.
Encourage appliances in buildings to be within one star of the best available.	Add as Strategy	N/A
Ensure lighting, including street lighting, is LED and solar.	Add as Strategy	Add Mandatory control
Minimise the urban heat island effect through maximising vegetation, reduction of impervious surfaces, and using light coloured construction materials.	Add as Strategy	Add as Objective
Require minimum electric car charging for residents, traders and visitors.	Add as Strategy	Add Mandatory control – for residential and commercial buildings: 20% EV ready and 75% with EV infrastructure in place for purchasers to have the option to add EV charging. For market car parking – minimum 20% EV ready.

Provide spaces for car share schemes.	Add as Strategy	Add as Objective
Provide secure, undercover, easy to access bike parking for all residents, due to the high active transport accessibility. Require minimum electric bike charging for residents and traders	Add as Strategy	Add as Objective Mandatory control for at least 25% of bike parking spaces have charging points
Provide after trip facilities for employees to a greater rate than currently specified in the planning scheme, due to the high active transport accessibility.	Add as Strategy	Add as Objective
Require buildings to be adaptable for the evolving needs of residents, traders and a changing climate.	Add as Strategy	Add as Objective
Objective 2 – Reduce potable water use, minimise and reuse stormwater, reduce pollution to the stormwater system and local waterways, and maximise landscaping and permeable areas.		
Ensure best practice Water Sensitive Urban Design The Urban Stormwater Best Practice requirements are improved by a minimum of 10% for the whole site and all buildings.	Add as Strategy	Add as Objective Add Mandatory control
Encourage all water fixtures and fittings to be within one star of the best rating available.	Add as Strategy	N/A
Ensure all toilets are connected to a water tank and/or recycled water.	Amend B45 Strategy: to state that Water Sensitive Urban Design principles <u>must</u> (not “should”) and rainwater collected for use in passive irrigation <u>and</u> (not “or”) building services such as toilet flushing to reduce the demand on potable water supply.	Add Mandatory control
Provide third pipe (recycled water) to all buildings.	Add as Strategy	Add Mandatory control
Require canopy trees on all streets and laneways within the Preston Market precinct.	Add as Strategy	Add as Objective Add as application requirement for landscape plan.
Ensure landscaping on both private and public spaces provide gardens, planter boxes, rooftop terraces, vertical gardens and community gardens that are resilient to global warming.	Add as Strategy	Add as Objective
Objective 3 – To work towards zero waste through waste reduction, reuse and recycling and develop a circular economy in construction and operation		
Develop a waste strategy for the whole site including the market to work towards zero waste.	Add as Strategy	Add as Objective
Encourage the use of materials collected from demolished buildings and products that have a recycled content or are sustainably sourced.	Add as Strategy	Add as Objective

Minimise waste and maximise reuse of materials in the redevelopment of, and future operation of, the precinct.	Add as Strategy	Add as Objective
Provide education to contractors, traders and residents on waste management.	Add as Strategy	N/A
Separate residential and commercial waste collection for general waste, glass recycling, hard waste, e-waste, organic and green waste. Public spaces to have separated waste collection for glass recycling, hard waste, and organic waste.	Add as Strategy	Add Mandatory controls. Also, Remove wording "as appropriate" from waste management plan requirement.
Provide for residential and commercial composting and/or anaerobic digestion, where amenity can be protected.	Add as Strategy	Add Mandatory control
Provide space for excess organic waste to be collected for composting off-site.	Add as Strategy	Add Mandatory control
Encourage urban agriculture facilities within the precinct, where amenity can be protected.	Add as Strategy	Add as Objective
Ensure recycling bins or chutes are easily accessible and provide recycling for items not collected by Council such as E-waste and textiles.	Add as Strategy	Add as Objective
Provide opportunities to grow, prepare, share and compost food in the precinct.	Add as Strategy	Add as Objective
Provide adequate space, storage, cleaning facilities, refrigeration, waste and recycling services to all businesses and market traders.	Add as Strategy	Add as Objective

Environmental Sustainability

Council seeks the following changes to the amendment documentation:

- Structure Plan - Add strategies as stated in Table 2
- ACZ - Add objectives and mandatory controls as stated in Table 2

2.5. Urban Design

96. The Amendment does not support the delivery of high-quality urban design outcomes, primarily because the residential target of 2,200 dwellings is far too high. In pursuing yield beyond the reasonable capacity of the site, the proposed planning controls produce a number of major negative impacts:

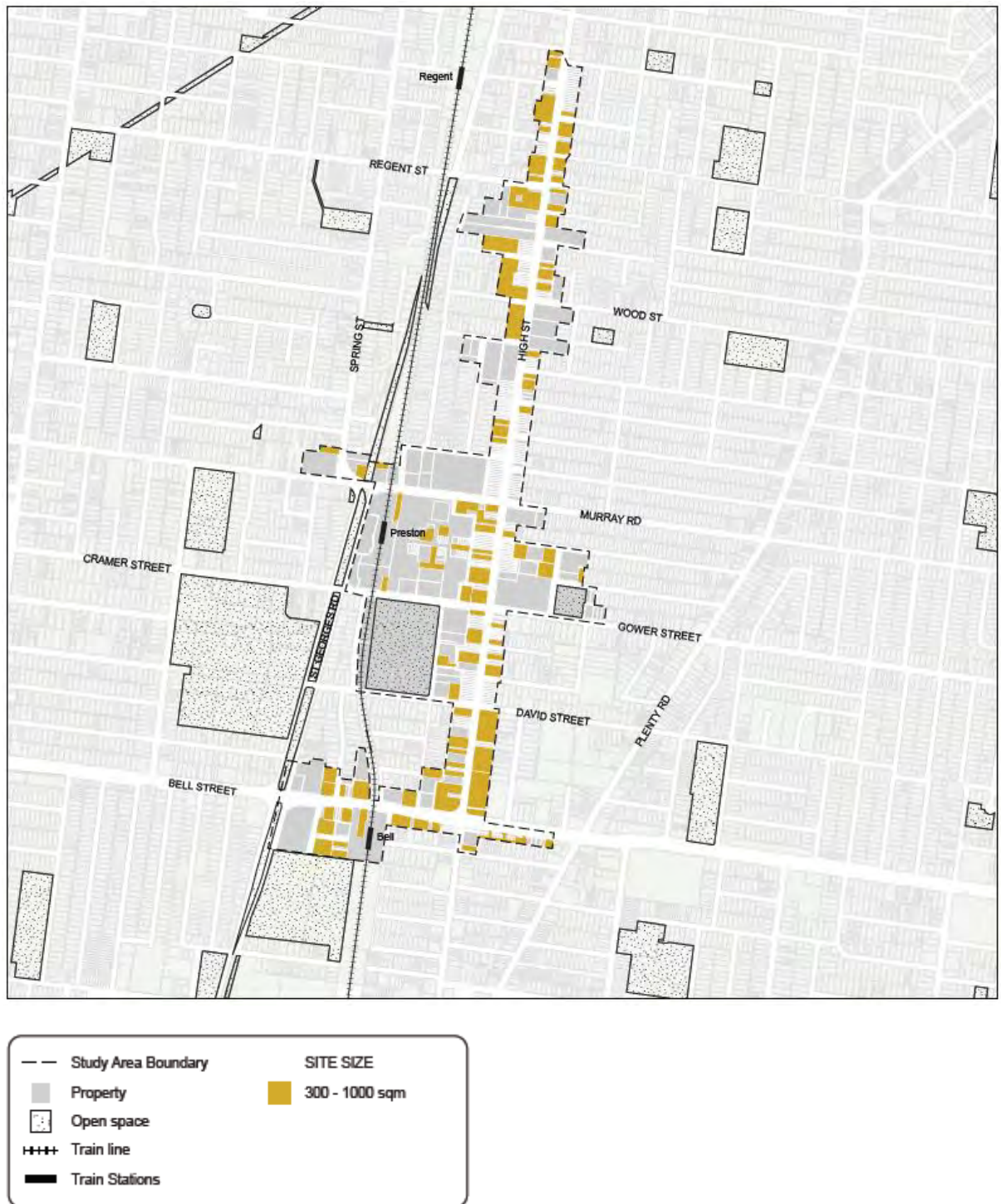
- a) The need to demolish (and rebuild) the Preston Market into a compromised location and design, leading to significant social and heritage impacts and diminishing the value of the site to the community.

- b) Unreasonable compromises to the quality of the public realm and the experience of the market.
 - c) Development that is significantly out of character within the Preston Activity Centre, requiring multiple podium and tower buildings that are significantly taller than the 20 storey heights shown on the Framework Plan (Preston Market Expert Opinion Urban Design, Hodyl & Co July 2021).
97. Significant reconsideration of the draft Structure Plan and ACZ Schedule is required, primarily owing to this critical planning issue and subsequent design flaw.

Activity centre housing capacity

98. The methodology used to arrive at the 2,200 dwelling target (Preston Market Planning Review: Planning Benchmarks and Tools Benchmarks and Tools, TQ Urban Planning July 2019 and addendum Oct 2019) is a demand-driven target, not an assessment of what can be accommodated on the site.
99. It also does not properly take into account the capacity of sites less than 1,000sqm (and greater than 300sqm) to deliver housing in the broader Preston Activity Centre. The total land area of these sites (shown in Figure 2) is approximately 105,00sqm, with the capacity to deliver approximately 2,000 dwellings (assuming densities of 191 dwellings per hectare, aligned with the densities delivered in the Preston Activity Centre between 2006 – 2016) (Hodyl & Co, July 2021).
100. Redevelopment of sites between 300 and 1,000sqm is highly likely considering that local and state planning policies support redevelopment in the centre. It is reasonable to assume that some of these sites will be developed by 2041. If 40% of these sites were delivered, this would equate to approximately 800 dwellings (Hodyl & Co, July 2021).
101. This calls into question the accuracy of the 'housing gap' (or 'unmet demand') that the Amendment seeks for the Preston Market site to meet. The 'unmet demand' could instead be in the order of 700 - 1,360 dwellings rather than 1,500 - 2,160 dwellings as cited in the TQ Planning Benchmarks and Tools Report (2019) (Hodyl & Co, July 2021).

Figure 2 – Sites between 300 and 100sqm in the Preston Central Structure Plan (2006) Area.



Density site constraints

102. The background reports utilised to inform the Amendment (TQ Urban Planning 2019 and Architectus 2021) have applied the density benchmark to the whole area of the site. This is a flawed approach due to the following specific attributes of the Market site:
- The market footprint is substantial (in the order of 1.4 hectares) and under the draft Framework Plan a similar site area is maintained on the site that is not subject to housing development above.

- The extent of new laneway and street connections required within the site to support a high degree of connectivity adjacent to the station and High Street.
 - The sensitive use and interface to the south (public open space) which requires protection from overshadowing and therefore a reduction in heights along this southern edge below the heights of the benchmarked case studies (Hodyl & Co, July 2021).
103. These specific attributes reduce the developable area of the site for housing and mean that it isn't reasonable to apply the density benchmarks to the whole market site.
104. The result of applying the density benchmark to the whole site, is overestimation of density, and (with a similar market area included in the Amendment) density is squeezed into the site around the market, and subsequently building heights are 'pushed up'.

Density testing

105. As recognised by the TQ Planning Benchmarks and Tools report (2019), residential densities need to be tested to ensure that a high-quality urban design outcome is achievable. However, the Urban Design Report (Architectus, May 2021) does not include alternative testing propositions for the site. Rather, it includes a Concept Plan which 'translates the land use aspirations for the site into a potential development scenario to determine building height and layout' (p59).
106. There are also serious concerns with the assumptions underpinning design testing in the Preston Market Urban Design Report by Architectus, May 2021 (for the VPA).
107. Between the two background reports (by TQ Planning 2019 and by Architectus 2021), there is a significant difference in the amount of Gross Floor Area (GFA) that is adopted to deliver the housing targets. The key reason for this difference is the adoption of significantly different dwelling diversity scenarios (as defined by number of bedrooms) (Hodyl & Co, July 2021).
108. The TQ Planning report (2019) bases its dwelling diversity scenarios on demographic census data or recent market trends - that 70-85% of all dwellings will be two- and three-bedroom. Whereas, the Architectus Concept Plan assumes that only 40% of dwellings will be two- and three-bedroom, and it is unclear where this assumption has been drawn from (Hodyl & Co, July 2021).
109. This results in a low average dwelling size of 67sqm being adopted for the Architectus built form testing. By contrast, the TQ Planning report (2019) identified a median apartment size of 82sqm from recent and current sales data in the Preston Activity Centre (Hodyl & Co, July 2021).
110. In other words, the dwelling yield in the urban design modelling by Architectus (May 2021) is not realistic because it does not reflect projected demographic housing need and market patterns in terms of housing size and mix (number of bedrooms) and therefore the GFA is understated. As a result of this, the Concept Plan and modelling does not accurately demonstrate the scale of buildings required to deliver 2,200 dwellings on the site (Hodyl & Co, July 2021).
111. To demonstrate this, if you were to apply the average dwelling size of 82sqm (based on recent sales data as per the TQ Planning report 2019), the residential GFA required to deliver 2,200 dwellings would be approximately 240,000sqm. This means that the

Concept Plan in the Architectus Urban Design Report would be 44,000sqm short of the total GFA required. It is estimated that this would be the equivalent of adding approximately 15-20 storeys to three of the towers at the northern end of the site to reach the dwelling target of 2,200. The impact of this additional yield on the site has not been tested (Hodyl & Co, July 2021).

Maximum density control

112. The adoption of a dwelling target, rather than a maximum yield control, also means that the amount of development on the site could be even greater still if larger apartment sizes were adopted. The target is not a maximum, but also reads as a minimum number of dwellings sought for the site. There is the likelihood that a developer will seek to maximise their yield (and return) on the site by seeking to increase both average apartment sizes and the number apartments (Hodyl & Co, July 2021).
113. To counter this issue, many renewal sites adopt a maximum density control. This is in the form of a maximum number of dwellings per site (measured in dwellings per hectare), or a maximum amount of floor area per site (measured as a Floor Area Ratio control (Hodyl & Co, July 2021).
114. A density control has significant benefits which are all applicable to this site, for example:
 - It provides certainty on the overall amount of yield on the site for developers, government and the community.
 - When set at an appropriate level, it aligns the amount of yield that can be accommodated with other design outcomes sought, e.g. new pedestrian links, open spaces and overshadowing requirements.
 - It supports well-designed buildings that are sustainable and have high internal amenity as developers aren't incentivised to squeeze excess yield on their site that results in deeper residential floorplates.
 - It supports a flexible design approach, supporting design excellence and innovation.
 - Different bedroom mix scenarios can be explored from a design and feasibility perspective without it having detrimental impacts on the overall design quality of the site.
 - When set as a cap on residential development, it can be used to incentivise other non-residential, employment uses on the site.(Hodyl & Co, July 2021).
115. Further urban design testing is needed to confirm the potential development capacity on the site. Taking into account the above considerations (of dwelling mix, dwelling size, capacity of sites less than 1000sqm, and Market site characteristics) this is likely to be in the order of 1,000 dwellings which would translate as a density of approximately 263 dwellings / hectare (if the whole market site of 1.4 hectares was retained). 1,000 dwellings would require approximately 110,000sqm of residential GFA.
116. Once the testing is complete, the dwelling target should be converted to a Residential Floor Area Ratio (FAR). This is likely to be in the order of 3.4:1 (if applied to the 3.2 hectares of land excluding the market footprint). This FAR should be included in the ACZ Schedule as a mandatory maximum.

Public realm & open space

117. Living at higher densities means that the quality and experience of the public realm is even more important than at low to medium densities. The 2,200 dwelling yield will result in very poor public realm outcomes for the site and surrounding area.
118. Rigour in further urban design testing will enable a high-quality public realm through reduction in overall massing of buildings located at the north of the site (causing detrimental overshadowing impacts) and will improve daylight and sunlight access to public spaces and the market (Hodyl & Co, July 2021).
119. There is a limited amount of open space provided for by the Amendment. Considering the scale of development proposed and the importance of the Preston Market site as a community focal point, a new large open space should be provided on site (Hodyl & Co, July 2021).
120. The performance measures for the public open space do not meet best practice. All open space (not just the playing oval) to the south of the site should be protected from winter overshadowing, including the space between the oval boundary and Cramer Street, which provides important opportunities for recreation (Hodyl & Co, July 2021).
121. The Amendment (Clause 53.01) requires a minimum of 10% open space contribution, and the Structure Plan states that 6% should be delivered on site (rather than cash contribution) with at least 25% provided as single consolidated land parcel. This would result in an open space with a minimum size of 690m² (25% x 6% x 4.6 hectares) which is inadequate considering the number of residents and visitors who are intended to use the site (Hodyl & Co, July 2021).
122. Public open space (with the exception of key market open spaces and intersections) should be provided as a single consolidated space of minimum 1,500sqm with a minimum dimension of 30 metres.
123. The overshadowing protection currently proposed in the ACZ is insufficient and should require that a minimum of 50% of the new area is protected from overshadowing at the winter solstice between the hours of 10am and 3pm.

Movement and access

124. Whilst a high level of pedestrianisation is supported, insufficient consideration has been given to the location and configuration of residential buildings and addresses. This gives rise to safety concerns associated with long lengths of isolated pedestrian alleys surrounded by tall buildings. Access and safety is discussed further in Transport and movement section.

The Concept Plan

125. The Concept Plan in the Architectus Report (May 2021), and associated overshadowing diagrams, is the only demonstration of the Framework Plan being spatially tested on the site. It itself illustrates the significant urban design flaws that result from a dwelling density target that is too high. These include:
 - a) Visually bulky buildings that will be overly dominant within the site and as viewed from the surrounding area.
 - b) Very large podium floorplates that do not support sustainable, high quality residential development nor commercial development (all uses are 'sleeved').

- c) Larger than necessary areas of interior parking that will not be easily adaptable to other uses, creating underutilised floor space in an important strategic location.
- d) Long east-west oriented buildings at the northern boundary of the site that diminish sunlight access (increase overshadowing impacts) and result in significant number of southern facing apartments.
- e) Insufficient separation of buildings that are not able to meet the designated 20 metre residential building separation.
- f) Minimum laneway widths that will result in a lack of street tree planting.

(Hodyl & Co, July 2021).

126. The overshadowing diagrams from the Architectus Report (May 2021) demonstrate that the large floorplates, 20 storey building heights and east-west building orientation result in significant overshadowing on almost all private and public open space within the main market site. This is a highly unacceptable outcome:
- a) Buildings overshadow roof spaces, diminishing the potential for these spaces to be used for recreation, and/or for solar PV.
 - b) Significant overshadowing of all proposed key open spaces, and all public spaces, including streets and laneways, and a lack of sunlight reaching the market.
 - c) It does not meet the minimum requirement set out in the draft Structure Plan for 25% for key open spaces to be in sunlight between 11am-2pm. At 11am and 2pm these spaces are almost completely in shadow.
 - d) There is no 'additional public open space' shown on the Concept Plan (as required by the Framework Plan) and no opportunity to locate this that will meet the overshadowing requirements as specified by the Amendment.

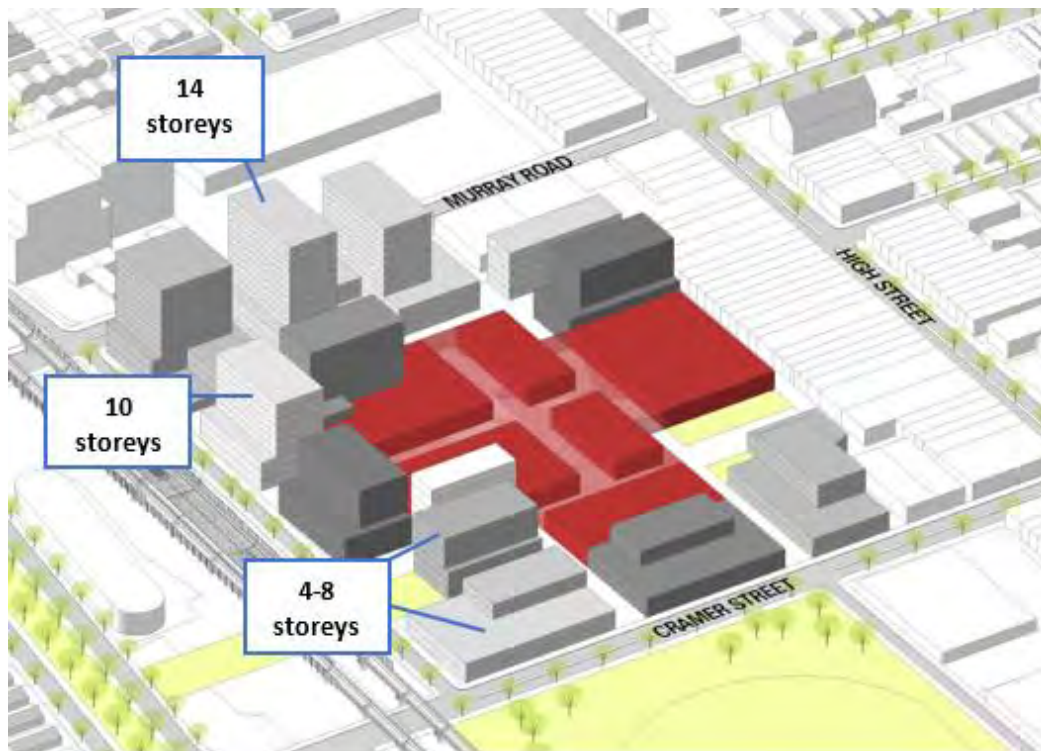
(Hodyl & Co, July 2021).

Heights and Character

127. The assessment of dwelling targets in the TQ Urban Planning benchmarks report (2019) does not pay any regard to the existing urban character. While it is accepted that the character of the market precinct is subject to substantial change, that does not mean that the existing context should be simply ignored. The proposed development on the market should enhance the existing character and create a high-quality exemplar development for the precinct (Hodyl & Co, July 2021).
128. The potential character impact (positive or negative) has not been assessed. There are no views within the Urban Design Report (Architectus 2021) that demonstrate what multiple 20 storey towers will look like in the context of the Preston Activity Centre. The majority of views are taken from above (aerial perspectives) or are presented through sketches where the view is directed away from the 20 storey tower elements.
129. Apart from the requirement to meet a dwelling target, there is no discussion as to why a podium and tower development typology is the most suitable in this context where there are limited example of podium and tower buildings. The majority of views are taken from above (aerial perspectives) or are presented through sketches where the view is directed away from the 20 storey tower elements (Hodyl & Co, July 2021).

130. The Incorporated Plan (2007) nominates preferred heights of 8-10 storeys across most of the site. Approvals that have been issued for areas located within Stage 1B and Stage 1C of the Incorporated Plan support buildings of 14 storeys and 10 storeys in scale along Cramer Street. These heights have in effect been tested through this approvals process. However, buildings taller than 14 storeys along Murray Road have not been adequately tested by the background studies supporting the Amendment (Hodyl & Co, July 2021).
131. The recent Activity Centres Pilot Program Key Findings Report (DELWP 2018) notes that 'preferred heights' in planning controls are more commonly exceeded on large sites. It is likely that the preferred maximum of 20 storeys will be exceeded. A density control (as discussed above) will be the most productive way to manage this impact (Hodyl & Co, July 2021).
132. Considering the insufficient residential GFA modelled in the Urban Design Report (as discussed above) it can be assumed that buildings significantly taller than 20 storeys would be required to deliver the 2,200 dwelling target. This would result in a development scale that is significantly out of character in the Preston Activity Centre (Hodyl & Co, July 2021).
133. Council has undertaken modelling analysis and considers the following to be a more appropriate overall building heights, as shown in Figure 3 below – with a 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. This also demonstrates appropriate housing and commercial development can occur on the site while retaining the market in its current location.

Figure 3 – Proposed changes to maximum overall building heights



Diverse typologies

134. While the draft Structure Plan includes a strategy to 'Deliver a variety of building heights...', the high dwelling target will mean that only podium and tower building will be possible on the site. The proposed controls have also been developed to support podium and tower buildings. The draft Structure Plan notes that 'building in excess of 10 storeys (31.5m) adopt a tower and podium form' however the maximum street wall height of 4 storeys will result in generally a podium and tower format (Hodyl & Co, July 2021).
135. Alternative mid-rise typologies with higher street walls are potentially suitable and would create a sense of variety in the street wall height, potentially allowing greater levels of sunlight into streets and public spaces. This has not been tested nor is it supported by the dwelling target (Hodyl & Co, July 2021).

Sense of place

136. The Framework Plan does not respect nor reflect the important place identity of the Preston Market. Place attachment takes time to develop and should be highly valued as the human connection with space. It cannot be transplanted with redevelopment of the market as supported by the Amendment.
137. The Framework Plan also does not support key outcomes sought by the GJM Heritage design guidelines which would help to retain and integrate long established and effective movement and place connections, such as:
- Exploring the retention of existing road and thoroughfare alignments into new designs; and
 - Incorporating where possible existing large format murals into designs.
138. The reduction in the overall dwelling targets (as discussed above) will remove the pressure to demolish significant parts of the Market. This will enable more of the heritage fabric and associated place identity to be retained, rather than abandoned (Hodyl & Co, July 2021).

Urban Design

Council seeks the following changes to the amendment documentation:

Density testing

- Undertake further urban design testing to confirm a more appropriate development capacity on the site, using Council's peer review as a basis. Convert the dwelling target to a Residential Floor Area Ratio (FAR). Include this in the ACZ Schedule as a mandatory maximum.

Open space and overshadowing

- Include a requirement for the southern footpath of Cramer Street and all of the Preston Oval open space (including open space between Oval and Cramer Street) to be protected from winter overshadowing (measured on 21 June) between the hours of 10am - 3pm.

- Include a requirement that a minimum of 6% of open space on site (out of 10% to be delivered on site) is provided in a single consolidated space of 1,500sqm with a minimum dimension of 30 metres.
- Improve winter solstice protection for the new consolidated open space. Require that a minimum of 50% of this new area is protected from overshadowing at the winter solstice between the hours of 10am and 3pm (increased from the currently proposed 25%)
- Undertake further urban design work to consider how the additional open spaces can be delivered and achieve the preferred minimum protection from overshadowing.
- Locate the “Key public space” (as identified in the Framework Plan, shown in front of the market) elsewhere within the site not in front of the market.

Movement and address

- Undertake further urban design work to confirm that the site layout can deliver a functional, safe and attractive place, ensuring:
 - Safety within the site at all times of the day is prioritised.
 - Easily identifiable addresses to residential buildings are possible.
 - That servicing of all buildings can occur in a safe and functional manner.
- Ensure there is a visible market entrance from the main roads in a high amenity location – e.g. opposite the Preston Oval (with the market remaining in situ).
- Add Structure Plan Strategy on additional pedestrian connections as a design guideline into the Zone and nominate on the framework plan

Building design requirements

- 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.
- Include a range of housing typologies to support diverse housing needs, including 3-4 storey apartment buildings as well as apartment towers.
- Include a design requirement for taller buildings to be oriented north-south and to have maximum floorplates in the order of 750sqm to ensure fast-moving shadows over the market rooftops.
- Require the delivery of sustainable and adaptable buildings (maximum floorplate depths)
- Require that all car parking is located below ground.
- Retain as much of the market as possible in its current location to optimise the heritage response and encourage a continued sense of community and place attachment to the site.
- Identify ways to improve servicing and loading access to the market within the precinct while retaining the current market location.
- Mitigate building heights and massing to prevent undue wind impacts from the outset (not just via application requirement).
- Add Structure Plan Strategy B4 as a design guideline to the zone to break the precinct into smaller blocks with new streets and public accessways that help create a ‘village of buildings’ set in a fine grained, liveable neighbourhood that is inviting and interesting from the ground floor up.

2.6. Employment Floor Space

139. There are conflicts within the employment floor space policies of the ACZ Schedule, born out of the fact that the Amendment (Framework Plan) supports majority redevelopment of the market.
140. The Amendment (ACZ Schedule objective) seeks: 'To provide a diversity of employment opportunities and an integration of mixed uses and activities including approximately 27,500sqm of retail, entertainment, and other commercial floor space and 5,000sqm of office floor space.'
141. In addition to setting approximate floor space targets, the draft ACZ schedule includes an application requirement ('as appropriate') for: 'A retail risk analysis identifying how any new retail will complement and integrate with the existing retail of High Street and the Preston Market, and not compete and/or detract from them'.
142. Although commercial floor space (in the order of 20,000sqm) has been shown (in the various economic and employment background studies) as needed to match demand commensurate with population projections in the Preston Market catchment area, this retail target (as per the Amendment's housing target) has been set by determining that unmet retail demand should be met by the market site, rather than simply within the catchment area. It is not necessarily the case that the Preston Market site alone needs to accommodate 27,500sqm of new commercial floor space.
143. A retail analysis by SGS (July 2021) commissioned by Council has found that there is a risk that new food and grocery floorspace (established as 'separate' to the market) will compete deleteriously with the Preston Market, undermining its role and function. It is recognised that whilst Preston Market retailers nominally offer the same retail goods as more traditional retailers, the Market experience is sufficiently different from the 'typical' retail experience it only partially competes. Given its uniqueness, the Market has a much larger customer catchment than a typical retail centre. This implies that customers are often willing to bypass more conveniently located retail centres in order to access what they regard as a unique Market experience.
144. Advice from SGS notes, 'that any loss of the market's unique retail, social and cultural values would mean a corresponding loss in its appeal, a reduction in its capacity to draw customers from a wide region, and a shrinking of its customer catchment. In other words, loss of its unique values would result in a less differentiated retail offer at the Market, meaning that it would compete more closely with other retailers' (SGS, July 2021).
145. Provided the Market retains its uniqueness, new retail floorspace adjacent to the Market will not divert expenditure away from its stallholders and retailers. However, according to Urban Identity experts, the market will lose the qualities and conditions that create this uniqueness under redevelopment supported by the proposed Amendment. The implication is that the market's appeal and point of difference will diminish, which puts it in a position of increased competition with new retail on the site, and even existing retail (such as supermarkets) in the centre. In other words, a gentrified market is likely to compete with additional retail floor space and reduce its overall viability.
146. The Preston Market Fresh Food Market Review by SGS in 2019 (prepared for Council) considered what makes a suburban fresh food market and a

historic market 'successful'. It recognises that retaining intangible but important aspects of the market experience which differentiate it from a mainstream shopping centre (as outlined in the Identity Study) is important to safeguard the market's character and thereby its appeal. Engagement with the local community (undertaken in July 2019 by RPS on behalf of City of Darebin and VPA) highlighted the importance of maintaining Preston Market's distinctive 'market character' and how it presents an attractive alternative to major supermarkets and more generic forms of retail (i.e. franchises) due to the following success factors:

- Market offer (food oriented, independent, varied, 'local')
 - Affordability
 - Accessibility and inclusivity
 - Cultural diversity
 - Sense of authenticity
 - Long-standing trader businesses
 - Local business eco-system that can support the long-term development of small independent business and provide an ideal low-cost point of entry for new traders.
147. These nuanced set of factors are unable to be manufactured or simply transferred with redevelopment of the market as supported by the Amendment.
148. For these reasons, the application requirement for a retail risk analysis (that shows how new retail won't detract from the market) is undermined by the proposed planning controls which:
- a) support majority redevelopment of the market (loss of 'market character and identity') and
 - b) set a commercial (including retail) floor space target which may compete with a redeveloped market.
149. In terms of proposed office floor space, the target is considered achievable and realistic, with likely demand for local office functions, flexible workspaces, and strategic commercial office uses (which service beyond the local employment catchment) seeking to take advantage of larger floor space templates and locational attributes of the market site.
150. The proposed vertical zoning is supported and considered necessary to realise the desired land use mix for the precinct. It will also provide appropriate distribution of land uses on upper floors and to support active frontages at the ground floor.

Employment Floor Space

Council seeks the following changes to the amendment documentation:

- Activity Centre Zone Schedule (and reflected in Structure Plan)
 - Reassess commercial/retail floor space targets along with dwelling targets and market floor print.
 - Make the application requirement for retail risk analysis a 'must' not 'as appropriate'.
 - Minimum market area as a mandatory control, to be at least the same size (with additional servicing areas at least 1700sqm) and a similar number, mix and size of stalls.
- Land use objectives could be strengthened to include commercial cultural facilities and encouragement of creative industries.

2.7. Transport and movement

151. Transport and movement experts, Movement and Place Consulting, have been engaged by Council to assist in reviewing the Amendment documentation (including the background study, Preston Market Traffic and Transport Assessment by Cardno, June 2021). Their review (Assessing the Transport Impacts of VPA's Draft Preston Market PSP, Movement and Place Consulting 2021) has found flawed assumptions, incomplete assessment considerations, and inconsistencies within the Amendment ordinance. This undermines the integrity of transport planning for the Preston Market site.
152. The Amendment and supporting documentation fail to demonstrate how positive transport and movement outcomes can be achieved with the development outcomes supported by the Amendment.

Local Transport Planning

153. Council has established strategic transport and movement objectives for the Preston activity centre and the municipality as a whole.
154. Going Places: Darebin Transport Strategy 2007-2027 sets out Council's long-term transport vision. The Strategy prioritises active and public transport modes to limit the social and environmental impacts associated with private vehicle use. To implement Going Places and its corollary strategies (Darebin Cycling Strategy 2013-2018, Walking Strategy 2018-2028 and Safe Travel Strategy 2018-2028), Council has a Road Space Management Framework which identifies roads which prioritise vehicle and freight movement, and those which prioritise active transport. Supporting this, it has also mapped out a Principal Pedestrian Network (PPN) and an investment prioritisation framework for future bicycle infrastructure.
155. Council has also developed more detailed plans for managing 'people-oriented' streets through its Streets for People program, including Cramer Street, to the south side of the Market Precinct. Parts of the Preston Activity Link west of Cramer Street have been completed, and it is imperative that the program is completed to attain the full benefits of an active transport corridor. Cramer Street has also been designated strategic cycling corridor by the State Government.
156. The Structure Plan shows a lack of due regard for Council's integrated transport and movement vision and objectives, additionally, the Cardno (2021) traffic analysis report does not reflect the reality of likely transport demands and corresponding impacts on the capacity of surrounding networks. It is therefore likely that the transport impacts of the Amendment will not align with local transport planning. As an example, the VPA's Preston Market Framework Plan proposes at least three driveway crossovers at Cramer Street (including a signalised intersection); this does not recognise the importance of Cramer Street as a people street. It is also noted that Council's Preston Activity Link strategy and plans also dictate that Cramer Street will have a significantly reduced role for traffic in future (Movement and Place Consulting, July 2021).
157. It is important that the Amendment for a single site in Preston is consistent with Council's broader and higher order transport and movement vision for the Preston Activity Centre. In particular, there is a need to improve the ease of walking and bike

riding to get to and move around the Market Precinct and Activity Centre. This should be explicit in the Draft Structure Plan and Amendment.

Parking

158. A robust and considered analysis of car parking, as well as the demand for other transport modes, needs to be undertaken before a position can be drawn on whether reduced parking rates for new commercial and residential development on the site are appropriate. The amount of car parking needs to match demand and be thoroughly tested, and then incorporated into the controls if a change is needed to current planning scheme rates.
159. The approach to parking is demonstrative of the incomplete approach to transport planning for the Amendment, in so far as there is a complete lack of relationship between the car parking assessment (Cardno, June 2021)) and the Amendment ordinance. Fundamentally, the report halves the car parking provision rate for areas within the Principle Public Transport Network (PPTN) without any demonstrated basis. This rate underpins all subsequent traffic analyses for the precinct, and yet the Amendment does not include a corresponding Parking Overlay that would be required to give effect to a reduced parking rate. Thus, there would be no way for such rates to be enforced by the Responsible Authority or the Victorian Civil and Administrative Tribunal (VCAT). This creates a paradox which suggests that the traffic analysis report submitted with the Amendment documents actually refers to some other amendment or proposal (Movement and Place Consulting, July 2021).
160. It is worth noting that Council's operational plan for realising its transport goals in Preston Central – Preston Transport Implementation Strategy (2020) – cautions against reducing parking without making commensurate improvements to pedestrian and bicycle infrastructure and public transport services, where current gaps in provision are deterring locals from walking, riding a bicycle and taking the bus to Preston Market.
161. Robust and considered analysis is needed of the effects on demand for other transport modes and the measures needed to accommodate and encourage the required modal shifts (Movement and Place Consulting, July 2021).

Market parking

162. To support at least the continued level of patronage and to ensure the Market's economic viability, there needs to be complete assurance that the same amount of Market parking will be provided. There is a key inconsistency in the draft Structure Plan which states that the same amount of market car parking will be provided for the Market, however, there is no corresponding planning control to ensure this. In the absence of a control, the application of standard car parking rates will not be sufficient to safeguard Market parking.
163. There is a Section 173 Agreement on the market title that requires 518 car parking spaces for the market plus 245 for general use. However, the amount of car parking for the market needs to be protected in planning controls as well.

Electric Vehicles

164. The Amendment fails to recognise the fundamental mobility transition to electric vehicles (EV) that is underway. For instance, the state government is rolling out a network of EV charging facilities across Victoria.

165. EVs are likely to become the norm within the lifespan of the buildings contemplated for the precinct. However, the Amendment does not address future-proofing car parking in the Precinct to allow future residents to charge EVs; there is no consideration of the space and energy requirements for a scenario where more people drive EVs than not. From a transport perspective, the Amendment will not stand the test of time if it does not consider and adequately address this step-change in vehicle propulsion technology that is underway and will only accelerate.
166. An opportunity exists to revisit the amount, location and use of all parking on the site, so that the efficiency, productivity and capacity of parking can be maximised.

Bicycle facilities

167. The Amendment is lacking in its consideration for bicycle facilities. Given the very high intensity of development proposed by the Amendment, there will be a need for a significant increase in the provision of bicycle facilities and this is recognised in the traffic analysis report (Cardno 2021) which notes that the Precinct will rely on bicycle riding as a key transport mode. However, the draft ordinance does not address this need.
168. Current research suggests that at least 1 bicycle space per dwelling is required, particularly in areas with high levels of bicycle commuting. Thus, there is likely to be a need for over 2,200 bicycle parking spaces in the new development (not to mention additional bicycle parking needed for visitors to the market and other parts of the precinct). Existing VPP provisions (Clause 52.34) apply a standard rate across the State that will fall well short of this need. The implication is a significant storage issue which could obstruct pedestrian, vehicle and bicycle rider access throughout the site (Movement and Place Consulting, July 2021). A lack of well-designed bicycle parking also reduces incentive for mode shift and reinforces reliance on private vehicle use.
169. Clause 52.34 is inadequate for informing bicycle parking for medium or high-density developments in major activity centres. The Amendment is lacking the planning controls required to meet its own vision for the site. It should include mechanisms for statutorily enforcing a higher rate of bicycle facility provision within the Precinct. This is necessary to reflect both the strategic positioning of Preston Market Precinct in the Structure Plan and Council's own transport strategies (Movement and Place Consulting, July 2021).
170. The Amendment also does not recognise the uptake of electric bikes, and a percentage of bike parking must provide charging points.

Traffic generation

171. The Cardno (2021) traffic analysis report for the VPA includes unrealistic assumptions about future traffic generation rates from the site, being much lower than can be expected. For instance, it assumes that residents' vehicle use will be only 10% of the normal rate in the Saturday peak. The result of artificially low parking supply rates and traffic generation rates is that overall traffic volumes have been significantly underestimated (Movement and Place Consulting, July 2021).
172. The Cardno report (2021) predicts that in a typical weekend peak-hour, the entire redeveloped site will produce 25% less vehicle movements than the existing market does at present. While this could be possible, it is unjustified by the evidence presented in the traffic analysis report. To be achieved, the Amendment ordinance would need to

include a Parking Overlay and many more robust controls related to movement network layout and design, bicycle facilities and parking management.

Public transport

173. The traffic generation rates imply that an extremely large shift to using public transport, and pedestrian and bicycle networks will occur. However, the Cardno report (2021) has not assessed the existing level of public transport service in terms of whether it is adequate to support and encourage mode shift away from private vehicle use to the extent of the assumptions in the report.
174. There is no specific analysis in the Cardno report (2021) of the likely demand for other transport modes, or the capacity of those networks to support the trips that will be generated by the development. Likewise, there are no recommendations or proposed improvements for public transport services or active transport infrastructure that would be required to meet the demands generated by limiting car use to the levels implied by the Cardno (2021) report for the VPA (Movement and Place Consulting, July 2021).

Level Crossing Removal

175. The Amendment does not fully take into account the rail and station elevation work now under way by the Level Crossing Removal Project (LXRP) that bisects the site and will materially change pedestrian, bicycle rider and vehicle access arrangements in the area. The Cardno (2021) traffic analysis report does not consider key features of the LXRP currently underway (including elevated tracks and new station entrance locations). In particular it does not align or integrate with the State's vision for vehicle, pedestrian and bicycle rider access arrangements (Movement and Place Consulting, July 2021).
176. The Market Precinct needs to better integrate with this State infrastructure project in order to meet the vision for the area and maximise benefits to the community.

Crossings and Signalised Intersections

177. Three signalised intersections and three pedestrian crossings have been nominated in the proposed Framework Plan and are proposed under the DCP. Based on the information provided with the Amendment, these traffic treatments are not supported because there are a number of issues unresolved or not properly attended to by the traffic analysis that underpin their need and location. Including in relation to (but not limited to) the underestimated amount of vehicle traffic generation from future development, proper consideration of service delivery vehicle access, appropriate location of access and egress, as well as locational issues such as the proximity of the proposed signalised intersection to the bus service on Murray Road, and the proposed signalised intersection on Cramer Street, the 'people street'.

Movement and access

178. Preferences for movement and access are contingent on (perceived and real) safety, amenity and convenience. The proposed layout for vehicle, bicycle and pedestrian movements in and around the Precinct does not recognise or seek to build upon the existing layout of pedestrian access of the Market, which is intrinsically oriented to the economic performance of adjoining High Street (Movement and Place Consulting, July 2021).

179. The market's cruciform intersections connect the different market functions and play a significant wayfinding role on the site by providing a sense of place. The Centreway is sited on an established east-west axes which connects Preston Station and facilitates movement to High Street. These connections are not easily moved to the primary east-west pedestrian thoroughfare that the VPA's framework plan proposes (Movement and Place Consulting, July 2021).
180. The need to retain The Centreway as a key east-west pedestrian linkage is compounded by the Preston Station LXP response to Preston Market's existing design, which (as shown in Figure 3 below) includes a main pedestrian crossing that aligns with the Centreway.

Figure 3 – Artist Impression of the New Preston Train Station



Source: Level Crossing Removal Project [New Preston Station fact sheet](#)

181. The Framework Plan does not support beneficial outcomes for pedestrian movement and access on the site. It supports removal of the existing Market expanse which contains well-functioning aspects of the existing pedestrian movement network and instead proposes relocated east-west pedestrian connections. The Framework Plan supports long laneways (which are made longer because they do not traverse the market) that are subject to a canyon effect with high rise buildings to either side. This is likely to produce negative outcomes for pedestrian amenity (overshadowing most of the day) and safety (real and perceived).
182. Exacerbating this, the Amendment lacks statutory enforcement of active frontages along proposed laneways in the ACZ. As an example, the Port Phillip Planning Scheme implements built form controls for active frontages via Schedule 30 to the Design and Development Overlay for the Fishermans Bend – Montague Precinct, which includes controls such as transparent glazing in areas requiring active frontages. Interfaces for long pedestrian accessways should also be housed by active uses, which could be controlled through the ACZ Schedule.
183. The movement network and intersections of the market should be retained and connected to the broader Precinct. In particular, The Centreway should be retained as a high-amenity east-west pedestrian linkage running from the new Preston Station

through the Preston Market Precinct and facilitating movement to High Street (Movement and Place Consulting, July 2021).

184. The 'additional pedestrian connections' shown on the Framework Plan, do not align with pedestrian access to the market and patterns of movement through and around the precinct. The economic vitality of the Market and High Street could be weakened, if connections between High Street and Preston Station are diverted or made confusing (Movement and Place Consulting, July 2021).
185. There are insufficient details regarding the layout, access arrangements (in terms of deliveries), and entry points for the market in order to assess the movement of pedestrians, bicycle riders, and delivery vehicles. Without this detail, the traffic modelling is a 'stab in the dark', because these aspects will have a direct impact on customer decisions about which transport mode to use and which access and egress route to take (Movement and Place Consulting, July 2021).
186. The proposed access and egress points on Murray Road and Cramer Street need to be integrated with the current and future aspirations for those streets. For instance, key pedestrian entries and exits do seem to not have corresponding road crossing priority, and service vehicles are directed onto Cramer Street, compromising its 'people focussed' role.
187. It is unclear whether the 'designated streets' in the VPA's Preston Market Framework Plan will continue as easements on the market title, which is important both from a Road Safety Act perspective and an emergency management perspective. Without gazettal as (pedestrian) roads, the streets will not be covered by the Road Safety Act 1986 and as such, maintenance and safety standards prescribed by the Act will not apply. This has implications for preserving pedestrian amenity in the Precinct, safety of Victorians and ability to achieve the Draft Structure Plan vision for the site.

Market Servicing

188. The Cardno (2021) traffic analysis report did not analyse delivery and service vehicle flows for the Market. It is unclear why these were not considered fully, given the importance of ensuring easy and safe access to such an important part of the site. Without safe and easy access the Preston Market cannot function.
189. Service and delivery vehicle access arrangements are unclear and could conflict with walking and bicycle riding in the Preston Market Precinct. The proposed service lane (Mary Lane) might cause conflict with pedestrians and bicycle riders on Cramer Street. The Amendment does not seem to consider the specific nature of delivery arrangements for a market. Compared to a supermarket, deliveries will be more varied, might come in smaller vehicles, and might arrive more frequently, not to mention deliveries for shops on High Street. With a crossover on Cramer Street, one might fairly assume that delivery vehicles will enter and exit frequently onto Cramer Street, threatening its viability as a street for people.
190. To ensure that the Amendment actually enables the prioritisation of pedestrians and bicycle riders, it is necessary to understand how delivery arrangements currently function and how they can be adapted to minimise conflict with other street users.
191. The Amendment (and the ordinance in particular) will need significant improvement to achieve effective, efficient and economically productive movement and access outcomes for the site. Analysis of the Amendment shows significant concern about the

traffic modelling, its foundations and the lack of draft ordinance required to give effect to those foundations.

Transport and Movement

Council seeks the following changes to the amendment documentation:

- Undertake comprehensive transport and movement planning for the Precinct and update planning controls accordingly. Including:
 - Develop explicit parking provision settings and controls in the Structure Plan and ordinance based clearly on:
 - a thorough assessment of the parking need and capacity of the surrounding street network to accommodate changes in traffic levels;
 - design, ownership and management of parking facilities that ensures full public access to all parking 24 hours per day, seven days a week; and
 - flexible use of parking in the precinct to respond to varying needs at different times of day, week and year.
 - Require the same amount of marking parking as current, as a mandatory control in the ACZ.
 - Incorporate improvements to public and active transport provisions, designed to:
 - accommodate and encourage use of these modes to the extent required to keep vehicle traffic levels within acceptable limits related to the parking controls;
 - integrate seamlessly with changes associated with adjacent level crossing removal project works;
 - recognise and enhance pedestrian permeability, safety and wayfinding features of the site; and
 - provide sufficient and well-located bicycle parking and end-of-trip facilities, as well as clear and well-marked links to adjacent bicycle routes, to actively encourage bicycle riding to and from the precinct.
 - Future proof the Precinct to enable the transition to electric vehicles
 - Ensure that delivery and service vehicle access is to and from Murray Road only, and that its design is based clearly on:
 - the location of all delivery and access points; and
 - the type, size and number of vehicles accessing the site at different times of day consistent with the site uses, especially the market components.
 - Clarify the administrative arrangements (through the use of easements or gazettal, as appropriate) for all designated streets and accessways in the precinct to ensure that they are built, maintained, enforced and continually improved to meet required standards for public use.
 - Consider setting the location of active uses to improve pedestrian safety and amenity.
 - Retain The Centreway as a high-amenity pedestrian linkage running from the new Preston Station through the Preston Market Precinct and facilitating movement to High Street.
 - Add design requirements to provide active frontage controls along key interfaces and access ways.
 - Planning controls to state that vehicle movement is not to occur on primary pedestrian connections (or restricted vehicular access for loading purposes only), not just shown on plan.

2.8. Affordable Housing

State policy support for affordable housing

192. At a State level, the provision of affordable housing is an objective of planning in Victoria (Section 4 of the *Planning and Environment Act 1987*). Affordable housing is also defined under the Act as “housing, including social housing, that is appropriate for the housing needs of...very low, low- and moderate-income households”. These changes recognise the role of the planning system in responding to affordable housing need.
193. To support this definition, a Governor in Council order was gazetted. This order establishes income limits for very low, low- and moderate-income earners, as follows.

Table 1 – Greater Capital City Statistical Area of Melbourne

	Very low income range (annual)	Low income range (annual)	Moderate income range (annual)
Single adult	Up to \$ 26,090	\$26,091 to \$41,750	\$41,751 to \$62,610
Couple, no dependant	Up to \$ 39,130	\$39,131 to \$62,620	\$62,621 to \$93,920
Family (with one or two parents) and dependent children	Up to \$ 54,780	\$54,781 to \$87,670	\$87,671 to \$131,500

194. A Ministerial notice was also issued that establishes the matters that must be considered in determining whether housing is ‘appropriate’ to the needs of very low, low- and moderate-income earners. These include:
- Allocation (how the dwellings are allocated to very low, low- and moderate-income earners)
 - Affordability (in terms of the capacity for very low income, low income and moderate-income households that it is intended for)
 - Longevity (in terms of the public benefit of the provision)
 - Tenure
 - Type of housing, in terms of form and quality
 - Location, in terms of site location and proximity to amenities, employment and transport
 - Integration, in terms of the physical build and local community
 - The following official estimates of housing need:
 - Australian Bureau of Statistics Community Profiles
 - Census profiles for Victoria
 - Department of Health and Human Services Rental Report
 - Metropolitan regional housing plans to guide housing growth
 - Public housing waiting list (Victorian Housing Register list)
 - Victoria in Future data tables.
195. In this legislative context, at a minimum, proponents and permit applicants must demonstrate how they are responding to the objective of planning in Victoria to facilitate the supply of affordable housing. This position is further supported by a recent VCAT decision (VCAT P1882/2019), which described affordable housing provision as ‘necessary’ under the provisions of the *Planning and Environment Act 1987*.

Local policy support for affordable housing

196. There is strong local policy support for affordable housing provision at this site, particularly given the scale and intensity of development proposed. This is evident in both the MSS and the Preston Market Incorporated Plan.
197. Clause 21.03-3 of the scheme (Objective 4 – Affordable and Social Housing) seeks to encourage the provision of affordable housing development in identified Substantial Housing Change Areas, being the most suitable locations to provide quality affordable housing. The Preston Market site is within a substantial change area.
198. The existing *Preston Market Incorporated Plan 2007* states, as an objective:
- To facilitate high density residential development, including affordable housing opportunities, above ground floor level. [emphasis added]*

Housing need in Darebin

199. There is a substantial undersupply of affordable housing in Darebin and across Melbourne. The planning system has a role in responding to this demand.
200. Council has undertaken analysis of need for affordable housing in the municipality. This accords with the guidance established in the Ministerial Notice.
201. As at 2016, the undersupply of social housing was 3789 dwellings (6 per cent of all dwellings). In order to address this undersupply and respond to future need, an additional 480 social housing dwellings per year are needed (between 2018 – 2036). This equates to 29 per cent of new housing supply.
202. In the current funding and legislative framework, this target will not be achieved. The private sector has a role in responding to this need. It is not expected to supply all social housing dwellings, but should make a contribution to supply. This is now enshrined within the Planning and Environment Act 1987 as an objective of planning in Victoria.
203. The following table provides an indication of affordable rent and purchase points in Melbourne, as at 2018. This is based upon the income limits established in the Governor in Council order.

Table 3 – Very low, low and moderate incomes table

Greater Melbourne	Very low (50% median)			Low (80% median)			Moderate (120% median)		
Household type	Income Limit	Affordable Rent	Affordable Purchase	Income Limit	Affordable Rent	Affordable Purchase	Income Limit	Affordable Rent	Affordable Purchase
Single	\$25,220	\$146	\$102,363	\$40,340	\$233	\$163,732	\$60,510	\$349	\$245,597
Couple	\$37,820	\$218	\$153,503	\$60,520	\$349	\$245,638	\$90,770	\$524	\$368,417
Family	\$52,940	\$305	\$214,872	\$84,720	\$489	\$343,861	\$127,080	\$733	\$515,791

204. The next table shows the 'affordability gap' in Darebin, based on median rental and house prices. This is based on the median rent and purchase of apartments (1-2 bedrooms) and houses (3+ bedrooms) in Darebin in 2017.

Table 4 - Very low, low and moderate incomes table and affordability gap

PRESTON MARKET PRECINCT - City of Darebin Submission Amendment C182

Greater Melbourne	Very low (50% median)			Low (80% median)			Moderate (120% median)		
Household type	Income Limit	Affordable Rent	Affordable Purchase	Income Limit	Affordable Rent	Affordable Purchase	Income Limit	Affordable Rent	Affordable Purchase
Single	\$25,220	-\$230	-\$402,637	\$40,340	-\$142	-\$341,268	\$60,510	-\$26	-\$259,403
Couple	\$37,820	-\$157	-\$351,497	\$60,520	-\$26	-\$259,362	\$90,770	\$149	-\$136,583
Family	\$52,940	-\$187	-\$775,128	\$84,720	-\$4	-\$646,139	\$127,080	\$241	-\$474,209

205. These tables demonstrate that affordable rent and purchase options in Darebin are not being delivered. There is a substantial gap, for most income and household groups, between what is 'appropriate' for their needs (having regard to the ministerial notice) and what is being delivered by the market.

Analysis of the proposed affordable housing controls

206. The proposed controls are informed by the *Preston Market Affordable Housing Strategy*, which was jointly commissioned by Council and the VPA. This document was developed prior to Council establishing its position via the *Heart of Preston* and the recommended contribution (maximum of 10 per cent) no longer represents Council's position (being 20 per cent).
207. Notwithstanding, the *Preston Market Affordable Housing Strategy* provides a solid foundation for the implementation of affordable housing objectives on the site. Council understands that this document has been shared with the landowner.
208. Council strongly supports the mandatory requirement for the landowner to enter into a Section 173 Agreement with Council to secure the delivery of affordable housing. Council views this requirement as the appropriate implementation of the state and local policy objectives. This requirement is also in alignment with the *Preston Market Affordable Housing Strategy*.
209. While Council is supportive of this mandatory requirement, Council is concerned that this requirement will face scrutiny through the Standing Advisory Committee process. Council notes that any affordable housing contribution should have been agreed to by the landowner prior to exhibition of the Amendment C182. Council did not have control over this, given it is no longer the Planning Authority for the site.
210. Council therefore submits that agreement in relation to an affordable housing contribution must be reached prior to Amendment C182 being approved. This contribution must be in the form of a Section 173 agreement. The agreement that is reached should then be reflected in the planning controls for the precinct.
211. With regard to the contribution options proposed in the ACZ schedule, Council submits that this should also be resolved prior to the approval of Amendment C182 and only the selected option should be included in the planning controls. The current drafting of the schedule does not provide certainty as to the amount of affordable housing being delivered on the site. Council is particularly concerned by the fourth option, which allows for an undefined, alternative method.
212. For these matters to be resolved, the VPA must meaningfully engage with the landowner. As a party to the Section 173 agreement, Council must be involved in these discussions. These discussions must, at a minimum, be commenced prior to any Standing Advisory Committee process.

213. As per Council's position in the *Heart of Preston*, the agreement with the landowner should result in the provision of 20 per cent affordable housing on the site, with a percentage weighted toward newly-arrived migrants.

Affordable Housing

Council seeks the following changes to the amendment documentation:

- ACZ affordable housing requirement increased to minimum 20% delivered on-site, with both the State Government and the developer providing funding to achieve this.
- ACZ updated to reflect the agreement struck between Council and the landowner regarding an affordable housing contribution.
- Ensure that this agreement reflects Council's position of 20 per cent affordable housing provision on the site, with a percentage weighted toward newly-arrived migrants.

2.9. Public Open Space

Quantum

214. The Amendment proposes 10% open space contribution as a combination of land and cash with a minimum of 6% provided as land on the site. However, Council is seeking (in accordance with *Breathing Space: The Darebin Open Space Strategy (2019)*) at least 10% public open space on site and an additional financial contribution of up to 8.2% to enhance existing open space within the central Preston area.
215. *Breathing Space: The Darebin Open Space Strategy (2019)* was adopted by Council on 2 September 2019. One of the key recommendations is to undertake a planning scheme amendment to increase the open space contribution rate or open space levy through the Darebin Planning Scheme. Darebin Planning Scheme Amendment C186 seeks to implement the recommendations of the Open Space Contributions Review report (SGS Economics & Planning 2019) which provides the methodology and strategic justification for the increased levy.
216. The Open Space Contributions Review report (SGS Economics & Planning 2019) undertook an analysis for the consideration of open space contributions in the City of Darebin based on expected growth rates and demand for future open spaces.
217. It recommends a 10% open space levy for all developments in the municipality and up to 18.2% as a combination of cash and land on strategic redevelopment sites such as the Preston Market.
218. SGS have calculated an open space contribution rate required to provide the future population with a reasonable access to public open space as shown in Table 5 (below). Using this method, there is justification for an 18.2% open space contributions rate across land uses in Darebin in order to deliver optimum standards of open space. However, while a higher rate is justifiable, an 18.2% rate across the city could hamper development. A 10% contribution rate in an established area like Darebin is unprecedented and reflects a proactive commitment to open space provision across

the municipality. This approach also acknowledges that Council will seek alternate funding sources to make up for the 8.2% gap.

Table 5 - Open space contribution rate required to provide the future population with a reasonable access to public open space (SGS economics)

Step	Metric	Value
1	Planned population* (effective build out)	195,736 people
2	Total net developable urban area (total area of all developable lots in study area).	3,220 hectares
3	Open space required (open space standard (@30m ² /capita) multiplied by planned population)	587.2 hectares
4	Open space requirement from all developable land (value at step 3 divided by value at step 2)	18.2 per cent

Strategic Sites

219. It is also recognised that there are some strategic urban renewal sites which are unique in their scale and have the capacity to be charged a higher open space levy rate to meet the need of 18.2%. The Open Space Contributions Review identifies the Preston Market Precinct as one of these sites.
220. Further work undertaken by Council for the Breathing Space Implementation Plan and Enhancement Plan examines the gaps in open space provision in the municipality and further highlights that the Preston Central precinct has high levels of population growth, a marked shortfall of open provision per capita, as well as gaps in the open space network.
221. As a key strategic site with substantial new population proposed, and visitation from a broader catchment than the Preston area, providing additional public open space on the Preston Market site is appropriate to help address the gap in the locality as well as the per capita provision shortfall.

Quality

222. Improved performance requirements as per Section 3.5 Urban Design, particularly regarding overshadowing, are needed to ensure open space amenity.
223. More broadly, it is important that open space satisfies reasonable requirements and is rendered 'fit-for purpose' prior to transfer to Council. This includes that open space is designed and developed to provide appropriate landscaping, planting, infrastructure, accessibility, and also that any required remediation is undertaken to ensure the land is suitable for the proposed use, and that Council does not inherit onerous ongoing land management issues.

Public Open Space

Council seeks the following changes to the amendment documentation:

- Structure Plan

- State that minimum 10% of open space is to be provided on the site, including a single consolidated space of minimum 1,500sqm with a minimum dimension of 30 metres (as per Urban Design recommendations)
- ACZ, or other controls as appropriate
 - Include a requirement for 18.2% open space contribution, comprising:
 - 10% to be delivered on site, including a single consolidated space of minimum 1,500sqm with a minimum dimension of 30 metres; and
 - an 8.2% cash contribution
 - Provide open space design/performance requirements (in accordance with Section 3.5 Urban Design recommendations)
 - Provide guidelines and requirements to ensure that the provision of open space is to a standard that satisfies the requirements of the responsible authority, including that:
 - open space is designed and developed to the satisfaction of Council, including with appropriate park furniture and other elements, trees and landscaping, and universal design consideration to meet the needs of all users
 - service infrastructure is in place
 - an environmental audit statement is issued, in accordance with section 210 of the *Environment Protection Act 2017*, that states that the land is suitable for the proposed use or that provides recommendations which, if complied with, will render the land suitable for the proposed use, if those recommendations do not result in undue burden on Council, to the satisfaction of Council
- Clause 53.01
 - Increase 'amount of contribution for public open space' for 'Preston Market Precinct (excluding 30A Cramer Street Preston, and 102 St Georges Road Preston)' to 18.2%.

2.10. Community Facilities

224. The Amendment proposes an 1,800 sqm multipurpose community centre to be located on the Preston Market site and funded through the Preston Market Development Contributions Plan (DCP). Section 2.11 of this submission addresses Council's preference that the community centre should be delivered in the Preston Civic Precinct, rather than within the Preston Market Precinct. This is to consider delivery of community hub on the Civic Precinct as part of an integrated community services hub to provide more efficient and integrated service and infrastructure provision and reinforce the Civic Precinct as the primary community destination within the activity centre. However, should the location remain within the Preston Market site the following must be considered in relation to the community centre.

Size of facility

225. The ASR social infrastructure assessment (background report to the Amendment) recommends that 1800 sqm is the minimum size multipurpose community centre that would be adequate to meet community needs. However, it is important to note that this ASR floor space estimation did not include car parking, general open space/garden area and bin storage. With these elements included, the total space allocation for the multipurpose community centre indicated by the ASR report was 2,311sqm. Council submits that the size of the facility should be amended to say at least 2,300sqm inclusive of car parking and outdoor areas.

226. It is also noted that this size is the minimum that would be required to meet the demand for services generated by the Market Precinct development. A larger centre which would allow for a 3rd kindergarten room would be preferable to respond to the significant population growth expected in the broader area.

Location and design

227. In the absence of a precise location for the community facility within the Preston Market Precinct, the planning controls should include guidelines and requirements to ensure it is situated and designed to be inviting, well integrated, inclusive and well-used by the community.
228. The project description in the DCP should be more specific, by setting the number of kindergarten and maternal and child health rooms to be provided, and providing a description of the multipurpose community and office spaces that is consistent with the scope and need set out in the Preston Market Precinct Social Infrastructure Assessment Final Report, ASR Research, November 2019, notwithstanding that Council does not agree that 2200 dwellings is an appropriate yield for the site.
229. Accessibility, safety and the quality of the learning environments for children are key considerations for the location of a community centre that will be an important hub for families with young children. The facility should be centrally located, as close as possible to public transport, as well as being accessible by car. It needs to be highly accessible for families with prams and people with disabilities.
230. A visible, welcoming and attractive street frontage would be helpful to ensure the facility is accessible and welcoming, and it would be preferable for the facility to be located away from the busiest traffic streets.
231. Location close to affordable housing would be highly preferable, as would being in close proximity to any other community facilities on the site and to public open spaces.
232. It is important for the centre to be located and designed in way that facilitates ease of movement between the indoor and outdoor spaces. It is particularly important to facilitate flow between the indoor and outdoor kindergarten play spaces. It is also important to consider the need for visibility so that children can be seen by staff at all times. The outdoor play spaces should be open, airy and light, with natural features, preferably not 'boxed in' by surrounding tall buildings.
233. Location of the community centre alongside or close to spaces that encourage and support creative industries would be a positive recognition of the importance of the arts and creative culture for children's education and development.

Community Facilities

Council seeks the following changes to the amendment documentation:

- Development Contributions Plan
 - The size of the facility should be amended to at least 2,300sqm inclusive of car parking, bin storage and outdoor areas.
- Structure Plan and ACZ

Should Council's request to allow the community centre to be delivered within the Civic Precinct not be considered acceptable, include guidelines and requirements within the Structure Plan and ACZ that ensure the community facilities are well-located and designed within the Preston Market Precinct, including that they:

- Have an active, visible, high profile location, preferably away from the busiest traffic streets
- Have convenient access, including good access to public transport and cycle, walking paths
- Are integrated with other compatible uses (for example, other services, creative industries, shopping, open space, recreation opportunities)
- Apply universal design and access principles
- Have access to natural light and winter sunlight for outdoor play spaces

2.11. Development Contributions

234. The Preston Market Precinct Development Contributions Plan (DCP) includes 7 infrastructure projects, comprising 6 transport projects and 1 community facility with a total cost of \$13.4M. 100 per cent of project costs are apportioned to development within the Preston Market DCP area. Council is supportive of a contributions mechanism to ensure that the infrastructure required to serve the precinct and the needs of the future population is appropriately funded by the new development. However, there are a number of areas where the DCP is deficient or where Council feels that better outcomes could be achieved through adjustments to the mechanism.

Transport projects

235. It is accepted that the scale of development proposed under the Amendment, and the location of the site, necessitate transport interventions to ensure appropriate access and movement arrangements and to minimise and manage impacts on the existing network. However, there is insufficient analysis and modelling in background reports (refer to Transport and Movement section) to support the proposed signalised intersections and pedestrian crossings, particularly the signalised intersection on Cramer Street.
236. Council should not be imposed with the responsibility to construct transport treatments/infrastructure for which there is inadequate justification and evidence base. These projects should not be included in the DCP until the projects are demonstrated to be fully resolved, including that they must be consistent with Council's transport plans for the area.

Community centre

237. The community centre (maternal and child health and a kindergarten) proposed to be delivered through the Preston Market Development Contributions Plan (DCP) is generally accepted as needed as a result of population increases. Council supports that 100 per cent of the new community facilities are funded by the developer.
238. However, Council's strong preference is that the community centre should be delivered in the Preston Civic Precinct, rather than within the Preston Market Precinct as proposed in the DCP. The Civic Precinct is proximal to the Preston Market Precinct and the location of the facility here as part of an integrated community services hub

would allow more efficient and integrated service and infrastructure provision and reinforce the Civic Precinct as the primary community destination within the activity centre. Council requests that this outcome be facilitated either through changes to the proposed DCP, or through an alternative mechanism such as a s173 agreement is required through the ACZ schedule.

239. Council has other significant concerns with the DCP as proposed, particularly in respect of the cost attributed to the community centre and a lack of measures to ensure that the centre is suitably located and designed. The issue of costing is relevant whether the facilities are delivered on site, or in the Civic Precinct as preferred by Council, while location and design issues are particularly relevant if the community facilities are to be delivered in the Preston Market Precinct as currently proposed.

Community centre costing

240. In the proposed DCP, the costing estimate adopted for the community centre is for fit-out and floorspace only. There is no explanation in the DCP as to why building construction costs are excluded and therefore that the project costings do not reflect the full cost of delivering the facility. If the expectation is that the developer will construct the building 'shell' then the DCP should set this out as a clear obligation. Even if this obligation is clearly established and agreed to there is still a requirement to set out the full cost of delivering the project, including building, land and fit-out components.
241. Further, the project description provided in Table 3 of the proposed DCP includes, among other things, provision of car parking, landscaping and removal of contaminated soil, yet none of these elements are included in the adopted costing.
242. Council requests that the community centre costing be amended to show the full cost of delivering the facility.

Community centre location and design

243. The community centre is identified in the DCP as having an undetermined location within the Preston Market Precinct. While Council accepts that a degree of flexibility for the exact location is appropriate, it submits that criteria guiding location and design decisions need to be included in the controls to ensure that the facilities are inviting, well integrated, inclusive and well-used by the community. Criteria in accordance with the preferred outcomes in Section 2.10 Community Facilities should be included in the Preston Market Precinct Structure Plan and given effect within the ACZ.
244. At section 4.5 'Adjustment to the scope of DCP Projects' the wording should be adjusted to make it clearer that where a developer proposes material changes to the use and development contemplated in the ACZ, then the developer bears the cost of any additional infrastructure required as a result of those changes.
245. At section '4.8 Implementation mechanism', where it reads 'The PIP needs to show the location, type, staging and timing of infrastructure on the land as identified in the Preston Market Precinct ACZ or reasonably required ...', the word 'ACZ' should be replaced with 'DCP'.

Development Contributions Plan

Council seeks the following changes:

- Review the contributions mechanism to allow the community centre to be delivered off-site and within the Preston Civic Precinct.
- Review the need and location for transport intersections as there is currently insufficient evidence of their rationale and workability
- Edits to Sections 4.5 and 4.8 of the DCP as outlined above.

Should the above requested change be denied:

- Review the Development Contributions Plan to:
 - reflect the full cost of delivering the community centre, including building, land and fit-out components
 - provide transparency about works expected to be delivered in-kind by the developer, if any
- Amend the Structure Plan and ACZ as set out in in Community Facilities section, to include guidelines and requirements that ensure the community facilities are well-located and designed within the Preston Market Precinct.

3. APPENDICES

Attachment 1 – Heart of Preston Document

The Heart of Preston

Updated April 2021¹

Ensuring a thriving Preston Market into the future. And creating a vibrant, diverse and connected community.



¹ This document was originally created from Council's decision on 19 August 2019. It was subsequently updated from Council's decision on 18 May 2020. The current version (April 2021) comes from Council decision on 22 March 2021.



Message from the Mayor

For half a century, Preston Market has been the beating heart of the local community. Welcoming, humble, affordable, diverse; our market is a place where people from all walks of life come to do their weekly shop, meet with friends, or pick up an unexpected knick knack.

We all love Preston Market and want it to keep thriving for the next 50 years ... and beyond. We also know that the surrounding site has the makings of a diverse and connected neighbourhood, close to public transport, services, educational facilities, jobs and open spaces. The landowners have been clear in their intention to develop the site, and Council, while not the decision maker, is advocating strongly to ensure the best possible outcome for the community.

To work out what matters most to protect through any redevelopment, we've turned to the people who know this cherished place best: the market traders, shoppers and other community members who love its vibrant atmosphere and affordable, delicious food.

Extensive community consultation has shown that people want any future development to value the unique character of the market, ensure it is able to continue as a diverse place of welcome to gather and connect, create new green open spaces, feature strong sustainability principles, focus on pedestrian and cycling access, and improve community safety.

Now, we have gathered up the community views and used them to create a document which seeks to express local residents' and traders' shared expectations around the future of the Preston Market Precinct, and set out the things that need to happen for change to result in good outcomes for our community.

We want the market to stay where it is, economic and viable, providing a secure future for the existing traders, so that the community can continue to get fresh, affordable and diverse food in a heritage protected building. We will do whatever we can to get the developers to commit to this.

I encourage you to find out more about the future of Preston Market at <https://www.yoursaydarebin.com.au/prestonmarket>



Cr Lina Messina
Darebin City Council Mayor.



The Preston Market is unique.

It's privately owned and operated, yet is considered by locals to be one of the area's most cherished public spaces. It's less than 50 years old, but feels like a cornerstone of Preston's post-settlement history.

Importantly, the precinct bordering Preston Station, Murray Road, Mary Street and Cramer Street is both the site of the market and an unparalleled opportunity to address the area's housing crisis by creating an inclusive community close to transport, shops, and education and health services.

The private landowners have been clear in their intention to develop the site, and Council is working to ensure the voices of the community are heard and that any development results in significant community benefit.

In four rounds of extensive community engagement working with the Victorian Planning Authority (VPA), Darebin City Council asked a diverse group of local stakeholders what was important to them about the market, and what kind of development they might want to see in and around the market. Separately, Darebin also engaged an independent expert to study the market's unique character and identity as part of a first-of-its-kind report.

Technical studies on heritage and urban design have also been undertaken by Council so that we can be in the best possible position to advocate for appropriate development outcomes during the State Government's planning process. Council is now in a good position to advocate for the strongest possible set of protections to safeguard what is special about the market, including a Local Heritage Overlay.

Local views have directly informed this document, which seeks to set out the key things that need to happen for a future Preston Market Precinct to be a place for everyone, where the market's status as a special place for locals is maintained and enhanced. Decision makers need to:

Value heritage and its unique characteristics of covered streets and walkways that act as public spaces, its sheds, stalls and small shops as part of any redevelopment.

Support traders before, during and after any redevelopment.

Create new usable green open space to feature strong sustainability principles, showcase excellence in design and improve the look, feel and safety of the area.

Deliver social equity to the precinct via new community spaces, affordable housing, social programs, facilities and employment opportunities.

Underpinning all of these objectives is a baseline requirement that, before any development proceeds, the owners give a contractual commitment to retain the market use at the current site.

Community engagement: a snapshot...



1,138
conversations

34

traders
were
consulted

93

people took part
in 8 migrant and
culturally diverse
kitchen table
discussions

485

people visited
on-site pop-ups

75,046

online
social media
impressions

526

surveys completed

Between January 2018 and May 2019, alongside the Victorian Planning Authority (VPA) Darebin Council participated in an unprecedented program of community engagement around the future of the Preston Market Precinct. What we learned has directly informed this community-led vision for the future of the market and the surrounding site.

Value and protect the market's unique identity and heritage

The community told us it values the identity of the market, irrespective of how it evolves into the future in any precinct redevelopment. This character is underpinned by unique features such as the covered market streets, sheds, stalls and small shops.

Heritage experts have also told us the market is of local heritage significance and should be protected by a Heritage Overlay. While this may not prevent the market from undergoing some change, it will mean important heritage elements must be considered in any redevelopment proposed by the landowners.

We are therefore asking for the strongest possible heritage protection over the existing market footprint that ensures the social, cultural, aesthetic, technical and historical features/fabric of Preston Market are robustly protected.

“It feels more like a town square where people come together, not just buy things,” said one participant in Darebin’s study into the identity of the market.





To achieve this, Council has resolved to advocate for:

a) Objective one: Following redevelopment, the market retains its heritage significance and 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:

Identity

- i)** At least the same number, types and sizes of stalls.
- ii)** The same sunlit, open and airy feel and characteristics of the original heritage market and not a shopping centre or mall.
- iii)** Retains its cruciform intersections, which act as a key focal point, and connect to the broader precinct.
- iv)** Support the continuation of Preston Market's existing expanse and extent to ensure its current footprint location, fabric and use are retained.

Urban Design & Feasibility

- v)** Retains a network of neighbourhood blocks and covered market streets with main public walkways at least 12 metres wide.
- vi)** Has active market streets in the evening and out of hours.
- vii)** Provides a wide and inviting street frontage and sense of presence along Cramer Street, in a high amenity position opposite upgraded green space next to the oval.
- viii)** Integrates with existing public open space, including the Preston Oval opposite and new and upgraded open spaces as part of the level crossing removals and Council open space works.
- ix)** Incorporates a safe and active connection from the station through to High street that has a high level of market activity.
- x)** Has strong public space functionality with generous public seating, and market streets that remain open to the public 24/7 and are protected via easements.
- xi)** The market is not completely surrounded by taller buildings, hidden from view.

Architectural heritage significance

- xii)** The market undergoes minimal change to protect as many significant heritage elements as possible.
- xiii)** The market retains the same spaceframe roof as a significant heritage element.
- xiv)** The market retains the same outer concrete walls.
- xv)** The market retains the same layout and wide, light and airy walkways.
- xvi)** The market's existing footprint is protected with strong heritage controls to ensure the social, cultural, aesthetic, technical and historical features and fabric are robustly protected.

Valuing Preston Market's identity as a friendly, welcoming place, featuring a diverse range of traders selling affordable goods, requires a commitment to:

Safe and active connection from High Street to the Station.

Celebrate the humble, informal & industrial feel.

Vibrant mix of fresh food, delis, variety stores and cafés.

Sunlit, open and airy.

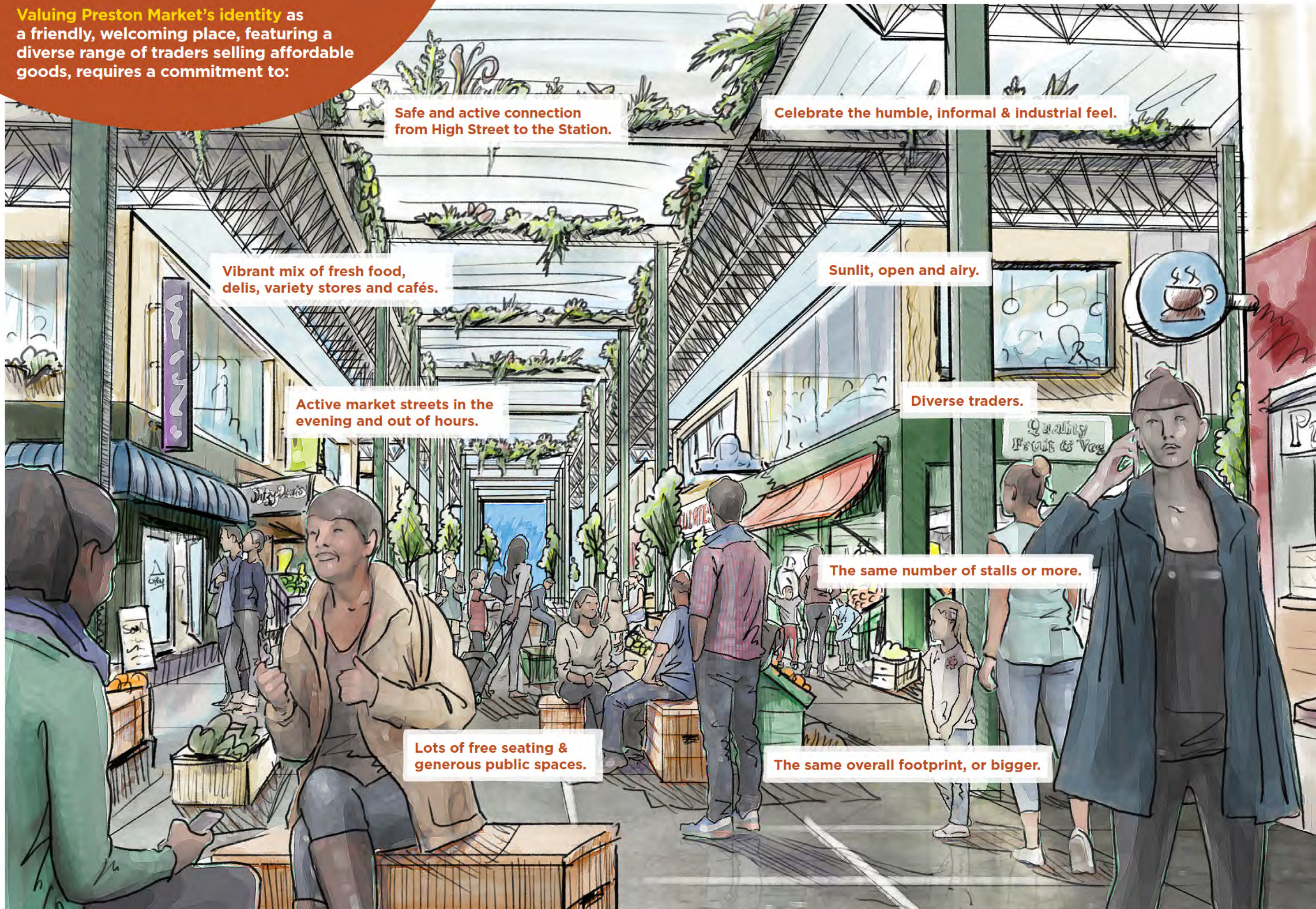
Active market streets in the evening and out of hours.

Diverse traders.

The same number of stalls or more.

Lots of free seating & generous public spaces.

The same overall footprint, or bigger.





Support Traders

Traders are at the heart of the market. Supporting them through the transition, to ensure a diverse mix of traders is vital if the market's identity is to be protected through any redevelopment of the site.

“People come to the market to support family businesses and contribute to something that is different from mainstream shopping centres,” one stallholder told the identity study authors.

Through any redevelopment of the site, it is essential that the conditions that support such a multicultural, diverse and colourful group of traders are not lost.

The market is a place for business owners who might not be able to afford to operate a larger or more formal operation, gives low income households access to cheap fresh food and other goods, and acts as an affordable, convenient supplier to small local businesses across the community.

Looking after traders means supporting them before, during and after any redevelopment of the market precinct.

This is why we want decision makers to:

- Develop a formal agreement between the site's owners, Council and the State Government that ensures continuous operation of the market before, during and after any redevelopment.
- Ensure good access and trading conditions.
- Prioritise existing tenants by offering a range of lease options.
- Set the same price in rent adjusted for inflation.
- Ensure the same number of market carparks.
- Ensure there is a diverse mix of independent businesses, with no franchises or chains.
- Manage the market effectively to provide a clean, safe and pleasant environment for traders and shoppers.

To achieve this, Council has resolved to advocate for:

b) Objective two: 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:

- i) Ensure continuous operation of the market before, during and after development by:
 - (1) entering into a formal agreement(s), which will include a Market Continuity Plan and Transition Plan.
 - (2) maintaining appropriate access and trade conditions
 - (3) maintaining appropriate trader car parking and large vehicle loading / unloading conditions
 - (4) providing leases with the provision for rental adjustments where trading is adversely impacted by construction requirements.
- ii) Ensure security and affordability for traders by:
 - (1) prioritising existing tenants
 - (2) setting the same price in rent, adjusted for inflation
 - (3) offering a variety of flexible lease options.
- iii) Provide the same amount of Market car parking before, during and after redevelopment.
- iv) Retain the diversity of independent businesses, with no franchises or chains.
- v) Manage the market effectively during and after redevelopment to provide a clean, safe and pleasant environment for traders and shoppers.



Create a Sustainable and Vibrant Neighbourhood

The precinct surrounding the market sits right at the heart of Preston. The way this site is reimaged will set the tone for the future of the area, and define what kind of place Preston will be for decades to come.

It has the potential to become an exemplar of environmental and sustainable design in its development and operation: featuring new green open spaces, inviting streetscapes with the highest sustainability standards and principles, to showcase excellence in design and improve the look, feel and safety of the area.

“You’re lucky if you get to live near Preston Market,”
Emma Gustafsson, a long term Preston resident,
told the authors of the Identity Study.



New green open spaces.

Canopy trees on all streets and laneways.

World class architecture and urban design with the highest sustainability rating.

Pedestrian and cycling friendly streets.

No overshadowing of public open spaces, on and off site.

Opportunities to grow, prepare, share and compost food on site.

No car parking at ground level, and undergrounding car parking.

To achieve this, Council has resolved to advocate for:

c) Objective three: the 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:

- i) Meaningfully involve migrant communities in precinct design and creation of new open spaces.
- ii) Create a fine-grain and liveable neighbourhood that is inviting and interesting from the ground floor up.
- iii) Provide a variety of building heights and generous setbacks, with world class architecture and urban design.
- iv) Strict, mandatory height limits of 12 storeys (including podium) for any new development across the precinct with an understanding that every new building on site will be within that height limit.
- v) Provide a permeable street network that connects to the broader neighbourhood and prioritises pedestrians and cyclists.
- vi) Wind impact is minimised through precinct and building design for pedestrian amenity and comfort, particularly at key open spaces
- vii) Provide opportunities to grow, prepare, share and compost food in the precinct.
- viii) Provide at least 10% public open space on site, at multiple key intersections including along the main east-west market street.
- ix) Provide an additional financial contribution of up to 8.2% to enhance existing open space within the central Preston area.
- x) Provide canopy trees on all streets and laneways.
- xi) There is minimal overshadowing of open spaces on the site and to Preston Oval and its surrounds, as the premier open space destination within Central Preston.
- xii) No car parking on the ground level and underground car parking wherever possible.
- xiii) Minimise vehicle movement within the precinct..
- xiv) A minimum of 6 - star green star communities (or current best-practice Green Star).
- xv) Minimise waste and maximise reuse of materials in the redevelopment of, and future operation of the precinct.
- xvi) Provide a safe, active connection to 421 High Street.
- xvii) A minimum 6 Green Star accreditation for all buildings as built (or current best-practice).
- xviii) A minimum 7 Star Nationwide House Energy Rating Scheme (NatHERS) rating (or current best-practice).





Deliver New Community Benefits

For this new neighbourhood to be vibrant and cohesive, it needs places and services that bring people together from different ethnicities and age groups, foster a sense of community and helps to address the housing affordability crisis.

There's a chance to build further social equity around a place that's already seen as a focal point for community connections.

“It is the centre of the community,” said one Identity Study participant. “One of the few places everyone gets mixed.”

The market precinct is an important community asset and additional benefits will be built into any redevelopment. There has also been significant investment from State Government and Council to the surrounding area. It reasonable that community benefits will be contributed by the developer in the form of affordable housing and new community facilities.

These could include:

- Affordable housing,
- New green open spaces,
- An early years centre,
- Library,
- Lifelong learning centre, or
- Neighbourhood house.

To help address the housing affordability crisis, 20 per cent of apartments built in the precinct should be designated as affordable housing to prevent people from being forced out of the area by rising rents.

It could also mean attracting commercial cultural facilities like a cinema and art galleries.



To achieve this, Council has resolved to advocate for:

d) Objective four: 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:

- i) Provide a range of commercial cultural facilities like a cinema or galleries, and also office spaces for local jobs.
- ii) Contribute towards new community facilities such as lifelong learning facilities, and/or a bigger, better neighbourhood house.
- iii) Provide new maternal and child health, and kindergarten facilities.
- iv) Ensure new green open spaces that are usable to a broad range of people.
- v) Provide affordable (20%) and diverse housing, with a proportion of tenancies weighted towards newly arrived migrants.
- vi) New intercultural programs around food, language and art.



Keeping your market on-site

To keep your market on-site, Council has resolved to advocate for:

e) Objective five: That any development is contingent on a contractual commitment to retain the market use at the Preston Market site.

- i) The majority Landowner/developer to enter into a contractual commitment with the State Government and Council that would survive the sale of land, before a planning scheme amendment is gazetted, to retain a fresh food and variety market within the Preston Market Precinct and to protect the ongoing operation of the market, the existing traders and its diversity and affordability.
- ii) The market is an ongoing use within the precinct.

**PROTECT
PRESTON
MARKET**



How you can show your love for Preston Market

Council is calling on the State Government to ensure the market thrives into the future by incorporating measures to protect Council's Heart of Preston through the planning controls.

There are several steps to go before any new planning controls will be decided by the Minister for Planning, and Council will advocate for the best outcome at every stage of this process.

Council will also consider the State Government's draft plans when these are released later in the year. Later in 2021, Council expects to advocate for what's important to the community in any formal planning processes including exhibition and review by an independent planning panel or standing advisory committee.

To find out more or register for updates...

Head to
yoursaydarebin.com.au/PrestonMarket

Call us

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Drop in to

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at Darebin Customer Service Centre next to Town Hall

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Subject: Darebin Council Submission on Preston Market Proposed Amendment C182
Date: Tuesday, 13 July 2021 9:23:52 PM
Attachments: [Darebin Council Submission on Preston Market Proposed Amendment C182.pdf](#)
[Appendix A -Heart of Preston April 2021.pdf](#)

Thank you for providing us with the opportunity to make a submission on VPA's draft controls for the Preston Market Precinct. Please refer to the attached detailed Council submission on draft Amendment C182 to the Darebin Planning Scheme.

This submission incorporates Council's adopted high level submission (already sent to you by the Mayor) into our final submission with detailed technical comments and requested changes (also endorsed by Council via delegation). We hope that you will seriously consider our submission, along with community views, and amend the draft framework accordingly. Officers are very happy to meet with you to discuss the submission in more detail in the following weeks.

We look forward to working with you further.

Kind regards



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T 03 8470 8888 | darebin.vic.gov.au
Contact Council darebin.vic.gov.au/contactus

Darebin City Council acknowledges the Wurundjeri Woi wurrung people as the Traditional Owners and custodians of this land and pays respect to their Elders past and present.



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