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# **PRESTON MARKET PRECINCT**

## **City of Darebin Revised Position on Amendment C182**

**22 August 2022**

Council is seeking important changes to the proposed framework for the Preston Market Precinct. Council holds grave concerns for the future of the Preston Market, should the proposed framework proceed in the VPA's revised plans 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 layout of the framework plan 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.

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. The VPA's revised plans effectively encourage demolition of 84 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.

Council has prepared an alternate plan that retains the market in situ, while allowing for appropriate development of the precinct, with the same development yield as the VPA's revised plans. This plan considers improved serviceability of the market, construction staging while retaining an operating central market, car parking and best practice urban design principles. Retaining the market in situ is both a practical and superior design outcome that reinforces the success of the current market layout and street network.

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 some 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.

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 84 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 some 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 13,500 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.

There are positive aspects to the revised VPA planning framework, like a significantly reduced density and mandatory height provisions compared to earlier versions of the plans, 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 layout of the framework plan are flawed and substantial changes are required to demonstrate proper planning for heritage and culturally significant buildings.

## 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:**

- None of the updates to the Amendment through the VPA revised plans address Council's concerns that the heritage significance of the market will be lost under the controls proposed by the Amendment. The updates to the Amendment mainly address the way heritage is interpreted after demolition of the market, and are therefore considered to be inconsequential.
- Adopt Council's alternate plan which retains the current market building footprints and layout and apply a mandatory single storey height limit over the significant heritage parts of the market.
- Stronger minimum market size controls including the market is at least the same size (including service areas + 1700m<sup>2</sup>) 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 significant parts of 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 84% 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.

## 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, Transport & 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)*

<b>Council Submission Request 3 – The site is developed as a leading example of environmentally sustainable development, housing provision, and exemplary design:</b>
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- Adopt Council's alternate plan which retains the current market building footprints and layout including:
  - creating a pedestrian friendly neighbourhood that prioritises cycling and walking;
  - ensuring that changes to transport and movement in the precinct support Cramer Street as a 'people street'; and
  - ensuring that vehicle movement is not permitted within the market streets and discouraged on primary pedestrian connections;
  - providing for appropriate servicing of Preston market and minimising conflict with pedestrians providing for underground car parks to the north and south of the market to re-provision the same number of market carparks, and accommodate sustainable car parking rates for new uses.
- The VPA's new proposed Parking Overlay that requires more sustainable car parking rates for new residential and commercial uses is supported in principle, provided it:
  - Requires the landowner to enter into a S173 agreement with Council to provide the same number of car parking spaces as currently provided for the existing market.
  - Changes from a discretionary to a mandatory requirement in the zone that car parking must be located underground (other than a car park use).
- The reduced dwelling target of 1,200 dwellings and mandatory height provisions are supported; however a mandatory Floor Area Ratio is considered a better control to improve design outcomes.
- 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 significant parts of the market.
  - Change to maximum mandatory Floor Area Ratio (FAR) and discretionary building heights in accordance with Council's alternate plan.

If mandatory FAR is not implemented, then the mandatory heights in VPA's revised plans must be retained to ensure appropriate height and density of development for the site.
- Provide a range of housing typologies including 3-4 storey apartment buildings, rather than just a dominant podium and tower building typology, to support housing diversity.
- Include minimum 3-bedroom typology requirements to provide housing for families.
- Support the additional environmental objectives incorporated into the revised controls as a result of Council's last submissions. Reiterate the following:

- Bolster Environmentally Sustainable Development controls to support the State Government commitment to zero carbon by 2050, and require (as a 'must'):
  - Make mandatory the 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;
  - Add in Parking Overlay - All car parking to provide for electric vehicle charging.
  - 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 adjoining the main east-west market street; and
  - 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.

## 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).*

<b>Council Submission Request 4 – Secure community benefit from the development for a broad cross section of the community:</b>
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- The shift in location of the proposed community facility from the Precinct to Council land is supported and reflects the request made in Council's submission to the originally exhibited Amendment.
- Revise the costings and apportionment for the community centre to reflect the demand for the centre and actual costs to Council in building the facility. Consider a more flexible mechanism to reduce financial risks for Council.
- 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 15.6% (4.7% gifted), with both the State Government and the developer providing funding to achieve this;
  - prioritise allocation of affordable housing towards newly arrived migrants; and
- Protect the economic sustainability of the market and broader High Street activity centre with controls that ensure the amount and type of commercial 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 and add a mandatory height of one storey 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, details the key objectives and elements that must be achieved in order for the Preston Market Precinct to thrive into the future.