

Appendix B - Draft submission to Heritage Council of Victoria – Preston Market

The submission would be sent in the form of a letter from the Mayor and include the following:

Council makes the following submission to the Heritage Council regarding the recommendation of the Executive Director in relation to the Preston Market site.

In response to Executive Director's recommendation to the Heritage Council that: '*the place not be included in the Victorian Heritage Register*':

- Council accepts the Executive Director's recommendation to the Heritage Council that, by comparison with places across the State of Victoria that are representative of post war immigration, tilt slab and space frame construction, and other markets, that the Preston Market does not have a level of heritage significance to warrant inclusion on the Victorian Heritage Register.
- Council commissioned its own research to assess heritage significance and can advise that its research has also not identified other evidence that would in Council's view change the outcome of the assessment by Heritage Victoria of the tests set out in The Victorian Heritage Register Criteria and Thresholds Guidelines (2014).

This does not in any way diminish Council's view that the Preston Market is a place of rich social history and is of importance to the Darebin community. It is Council's view that there are key attributes of the built form that imbue the site with social significance and are reflective of its role in the community as a meeting place. These include:

- The valued internal characteristics that are readily associated with the Preston Market through the built form, access to light, openness and composition of individual tenancies.
- The number of pedestrian thoroughfares, and community spaces within the market footprint
- The continuity of trade of the market and minimisation and mitigation of construction disruption
- The wide cruciform pedestrian streets that offer a stage for activities or encounters
- Crossing places that sustain social engagement
- Open edges that promote public access
- Natural light and a sense of being open to the outside ('open air market')

Council is seeking that these key attributes of the built form are incorporated in an integrated way as part of the current Review of Planning controls being undertaken by the Victorian Planning Authority and in which Council is working as a partner.

We are of the view that there are likely to be better planning controls than a Heritage Overlay (in isolation) for protection of the key attributes such as the incorporated plan, or a design and development overlay.

Therefore, in response to Executive Director's recommendation to the Heritage Council that: *the Heritage Council may wish to consider exercising its powers to refer the recommendation to the City of Darebin for inclusion of the Preston Market including internal controls in the local Heritage Overlay*, Council submits that:

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- Council is currently not the planning authority (as set out by the *Planning and Environment Act 1987*) for the Preston Market site. Therefore any requests that the Heritage Council makes which has the affect of requiring a change to the planning scheme be directed to the Victorian Planning Authority rather than the City of Darebin.
- Council holds the view that the Preston Market is a place of rich social history and is of importance to the community and that there are key attributes of the built form that imbue the site with social significance which should be protected with planning controls. Council notes that it has already requested that the VPA consider this in an integrated way in the current review of planning controls and that it continues to seek this. Council requests that the Heritage Council also support this request to the extent it can do so given its role and function under law.
- Council regards other planning controls than a Heritage Overlay (in isolation) as likely to be better tools for protection of the valued attributes of the market such as the incorporated plan, or a design and development overlay and therefore we request any referral from the Heritage Council to the planning authority to reference planning controls broadly rather than a specific tool.
- Council notes that the recommendation from Heritage Victoria to refer the matter to the City of Darebin is to allow for assessment and that this referral does not indicate that Heritage Victoria has assessed local significance and that this is not a function that Heritage Victoria plays (in line with the *Heritage Act*).

Darebin Council thanks the Executive Director and the Heritage Council for assistance in their assessment of the heritage significance of the Preston Market by comparison with other places on the Victorian Heritage Register and looks forward to any suggestion that may assist the Victorian Planning Authority in their consideration of the best planning strategies for ensuring the Market continues to thrive.