

## 5.4 PRESTON MARKET PRECINCT UPDATE

**Author:** Coordinator Strategic Planning

**Reviewed By:** General Manager City Sustainability and Strategy

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### PURPOSE

To report to Council:

- The findings from the recent community engagement process (**Appendix A**); and
- The findings of the Preston Market Quarter Identity Study (**Appendix B**)

To recommend the endorsement of five objectives and key elements that articulate what is necessary to deliver on the community's vision for the Preston Market precinct, and to seek support from State Government, the community and the developer to incorporate these objectives and key elements into their preparation of detailed plans, designs, solutions, discussions and decisions.

### EXECUTIVE SUMMARY

The Preston Market Precinct is a key strategic development site in Darebin. It is important because its redevelopment will set the tone for the future growth of the suburb to accommodate a new population, whilst also aiming to ensure Preston Market can thrive and evolve into the future.

The site is privately owned and planning controls are being prepared by the Victorian Planning Authority (VPA). Council officers have worked alongside the VPA throughout the planning controls review process, to ensure community voices, including those within the local business sector, are heard.

Extensive work has been undertaken over many months by both VPA and Council (together and separately) and the following critical pieces of work are now complete:

- Council commissioned an in-depth Identity Study to identify the specific and tangible elements of the Preston Market that make up its unique character, identify risks to identity that redevelopment will pose, and if redeveloped, how these can be mitigated. The findings of the Identity Study have been summarised in the discussion section of this report and the report is attached in full.
- VPA with Council have carried out significant further community engagement that enabled the local community a voice in the design phase of the project, inviting feedback on a number of scenarios and exploring planning elements such as open space, community infrastructure, sustainability as well as access and movement.
- A range of technical work has been done by the VPA and Council to identify local needs in relation to open space, affordable housing and community infrastructure.

This report details the findings of the Identity Study and latest round of community engagement, and makes a recommendation to endorse objectives and key elements informed by them.

The Identity Study investigated the characteristics of the market that make it unique. The findings indicate that the identity is dependent on:

- The urban form of the market as a neighbourhood of covered streets, intersections, wide walkways that act as public space, stalls, shed and small shops that allow traders' individual personalities to shine.
- The operating conditions of the market that enable a diverse mix of traders, particularly those from migrant communities, selling a broad range of affordable food and goods.

The latest round of community engagement was conducted over four weeks in May and June this year, and underscored findings from previous consultation such as the importance of safeguarding the market's unique, welcoming, affordable and multicultural character, provision of green, open spaces and strong sustainability principles.

Now that the findings of the Identity Study, community engagement report and other technical reports are complete, It is recommended that Council form a view on the objectives and key elements to ensure the redevelopment achieves the Council's vision for the site, by creating a vibrant and successful new heart to Preston and enabling Preston Market to continue as the much loved social and cultural jewel of our city.

Traditional planning controls will not be sufficient to realise the community's vision for this extraordinary site. The VPA has acknowledged that planning controls alone will not guarantee the future of the market and the continuation of its important community values and has expressed its commitment to working with Council to explore with the developer how the vision can be achieved with measures that sit outside the scope of planning controls.

This report recommends that Council endorse five objectives and key elements for the Precinct, and based on these, invite the State Government, developer and community to help achieve them.

Objectives recommended in this report are:

- 1) 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.
- 2) 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.
- 3) 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.
- 4) The 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.
- 5) That any development is contingent on a contractual commitment to retain the market use at the Preston Market site.

Key elements to achieve the objectives are detailed in the discussion section of this report and include:

- A market quarter layout around a covered street network with wide walkways that allow people to gather.
- The internal built form character of the market with the same number, type and mix of stalls, sheds and halls.

- Transition arrangements for current traders, and
- Market management arrangements that will continue to enable a diverse group of multicultural traders to operate and to offer a diverse range of affordable goods.

A key question that is not yet resolved is the optimal configuration of the site, including the location of the market. Officers are waiting for key pieces of technical information before making a firm recommendation on this issue but early indications are that:

- The condition of the market buildings is poor and retention is unlikely to be able to be achieved and therefore will likely need rebuilding.
- There are a range of views in the community about whether the market should or shouldn't move. The majority of respondents in the most recent phase of engagement did not have strong views about market location and saw the benefits of a variety of scenarios. The importance of retaining market identity and character was one of the most important issues expressed by the community.
- Rebuilding in situ would significantly disrupt traders and could put their businesses at risk.
- Relocating the market could enable other improvements such as making the area feel safer and more active and giving it greater visibility, a street address and 'front door'.
- Traditional planning settings are not adequate along to provide meaningful protection of the market identity if it is rebuilt or relocated and therefore additional (non-planning) commitments would be needed from the developer and/or State Government in order to protect the market identity.

The outcomes of the upcoming Heritage Council decision, further urban design analysis and construction and feasibility advice are also needed to finalise a recommendation on the ideal configuration of the market on the site. This information is needed to understand the extent of the benefits, drawbacks and constraints in order to form a view.

The VPA has advised that it is intending to release a draft Framework Plan that proposes a site layout and key directions for the project, and have indicated they plan to do this in early September.

Council endorsed objectives and key elements will be communicated to the community and stakeholders using a range of channels, throughout the next stages of the project. Council's endorsed objectives and key elements would be formally sent to VPA and to the developer, seeking their support and requesting that they are integrated into the planning, design, management and construction processes, including the Framework Plan. The objectives and key elements would also provide a basis for Council to respond to the VPA's proposal when it is released.

### Recommendation

#### That Council

- 1) Reconfirms its endorsement of the community vision for the Preston Market site that *"The market is a vibrant and diverse place for the community to gather around food and celebrate culture."*
- 2) Endorse five objectives and supporting key elements, as follows, and seeks support from the State Government and developer to realise these:

- a) Objective one: 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:
- i) At least the same number, types and sizes of stalls.
  - ii) The market footprint is the same size or larger.
  - iii) Is made up of a network of neighbourhood blocks and covered market streets with main public walkways at least 12 metres wide.
  - iv) Has at least two cruciform intersections, which act as a key focal point, and connect to the broader precinct.
  - v) Has the same sunlit, open and airy feel.
  - vi) Incorporates design characteristics of space frame technology.
  - vii) Has active market streets in the evening and out of hours, with the potential for a second story under the canopy to enhance the Market experience.
  - viii) Has active edges, with high permeability and no blank walls
  - ix) Provides a significant street frontage and sense of address.
  - x) Integrates with existing public open space.
  - xi) Incorporates a safe and active connection from High Street to the Station precinct.
  - xii) Has market streets that remain open to the public 24/7 and are protected via easements.
- 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
  - 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
- c) Objective three: 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.

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- 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) Provide a permeable street network that connects to the broader neighbourhood and prioritises pedestrians and cyclists.
  - v) Provide opportunities to grow, prepare, share and compost food in the precinct.
  - vi) Provide at least 10% of the precinct as high quality, usable, green open spaces.
  - vii) Provide an additional financial contribution of up to 8.2% to enhance existing open space within the central Preston area.
  - viii) Provide canopy trees on all streets and laneways.
  - ix) No overshadowing of public open spaces, on and off the site.
  - x) No car parking on the ground level.
  - xi) Minimise vehicle movement within the precinct.
  - xii) Achieve a minimum of 6 star green star communities (or current best-practice Green Star).
  - xiii) Minimise waste and maximise reuse of materials in the redevelopment of, and future operation of the precinct
  - xiv) Provide a safe, active connection to 421 High Street
  - xv) A minimum 5-6 Green Star accreditation for all buildings as built (or current best-practice)
  - xvi) A minimum 7 Star Nationwide House Energy Rating Scheme (NatHERS) rating (or current best-practice)
- 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, but 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 (15%) and diverse housing, with a proportion of tenancies weighted towards newly arrived migrants.
  - vi) New intercultural programs around food, language and art.
- 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, before a planning scheme amendment is gazetted, to retain a fresh food and variety market within the Preston Market Precinct.
- 3) Calls on the State Government and the owner and developer to commit to achieving the objectives and implementing the key elements into the Framework Plan, Structure Plan, planning controls, management plans, design and construction.
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- 4) Notes the Preston Market Precinct Engagement Report, and Preston Market Quarter Identity Study.
  - 5) Thanks all participants who have contributed to the most recent and previous community engagement phases.
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## BACKGROUND / KEY INFORMATION

In August 2017, following advocacy from Council and community, the Minister for Planning directed the Victorian Planning Authority (VPA) with reviewing the current planning controls for the Preston Market site, designating it as a strategic development site of state significance. The Minister outlined that the review needed to be undertaken with Council, the owners of Preston Market, the traders and the broader community.

In August 2017, the Minister also introduced interim height controls which apply a maximum mandatory height control of 9 metres to the existing footprint of the Preston Market site on an interim basis until 30 June 2019. These interim controls were put in place while the VPA reviewed the broader controls, to *ensure that the open-air character of the Preston Market is protected and remains viable for future generations*. In June 2019, the State Government extended these interim height controls until 30 December 2020 while the review of planning controls is in progress.

In October 2018, the VPA finalised a Preston Market Planning review report that established a vision for the site:

*“The Preston Market site is a thriving place with a fresh food market at its core, complemented by housing; office and retail jobs; community services; and vibrant and accessible public spaces. Continuing its role as the gateway to Preston, the site welcomes a diverse community from the local area and across Melbourne.”*

The VPA’s vision for the Preston Market site was informed by both a vision produced by the community reference group and relevant state and local planning policy. The community’s vision statement, developed by the community reference group, is referred to in section 3.3, Community Engagement.

### Wider Preston precinct

The Preston Market Precinct is a unique, strategically-located site close to public transport, services, jobs and educational facilities. Its centrepiece is the Preston Market, a much-loved community asset with strong migrant and working class roots.

Proximity to Preston Station, as well as the upcoming removal of nearby level crossings and the resulting creation of new open space means the site is ideally placed to welcome new residents to the area as part of a well-designed, diverse and connected community. Accommodating new growth at this strategic site also takes development pressure off surrounding lower-density neighbourhood streets.

### Level crossing removals at Murray and Cramer and relationship to Preston Market Precinct

The State Government announced the removal of the level crossings at Bell Street, Oakover Road, Murray Road, and Cramer Street. With the Preston station and railway line so close to the Preston Market strategic site, the context, pressures and opportunities are generally the same as for the Preston Market strategic site. Council requested that the VPA consider the

established principles for the review of Planning Controls at the Preston Market strategic site be applied to the wider area.

Council is currently reviewing the structure plan for Central Preston

Council is currently reviewing the Structure Plan for Central Preston. This work will review planning controls in the wider Preston precinct outside the Preston Market strategic site including the areas discussed in this report and shown in the site plan.

To inform this Council has been consulting with the community and undertaking research to inform urban design and planning work for the whole precinct.

### **Council's Role**

Although Council is not the decision maker in regards to the current review of planning controls, Council has long advocated for the best outcomes for the existing and future local community, including businesses, residents, visitors and workers. Council has a role in advocating for planning controls that align with Council priorities and strategies to ensure the ongoing success and vitality of the Preston Market and create an exceptional place for the heart of Preston.

Council has for a long time noted “the rich social heritage and importance of the market to the community and reiterate[d] Council’s commitment to working to preserve the long-term viability of the market.” including in resolutions at public meetings on 3 September 2018 and 17 December 2018.

At its meeting held on 3 September 2018, Council also adopted the community vision that was developed as part of phase two of community engagement, reaffirmed its endorsement of principles adopted by Council on 21 May 2018 and developed detailed guiding principles. This vision and these principles have informed the development of this report.

The community vision for the site that was adopted was “*The market is a vibrant and diverse place for the community to gather around food and celebrate culture.*”

The principles Council reaffirmed that were established on 21 May, 2018 included:

- Council loves the market and is committed to seeing the market thrive into the future.
- It’s important to Council that the community engagement process undertaken is extensive, inclusive and open to ideas.
- The market needs to remain accessible to all traders and the community during and post construction and the new development.
- The built form of the site needs to continue to support and encourage the market as a desirable community meeting place.
- The site will consistently provide a hub of vibrant activity, with varied uses for residents, businesses and visitors.

The guiding principles Council established on 3 September 2018 celebrate the fresh food market and seek to ensure that the market retains its important role as a valued community meeting space in the heart of Preston. Furthermore, these principles seek to ensure that any future redevelopment of the site contributes positively to the surrounding area and integrates successfully into the wider neighbourhood. These are included in full in this report (see the section on previous Council resolutions).

Over the last 18 months officers have worked to influence the processes used by the VPA, in particular to strengthen the depth and reach of community engagement and to develop a detailed understanding of technical issues and evidence about the needs, opportunities and constraints. A range of technical reports and advice have been undertaken by both the VPA

and Council on transport, affordable housing, heritage, urban design, construction management and infrastructure planning, identity analysis and economic analysis.

Council will continue to input into the VPA's review of planning controls and the VPA will seek Council's feedback when it proposes a plan and planning controls at future stages.

### **The VPA's role**

The Minister of Planning designated the VPA as Planning Authority for the site in August 2017. The VPA was tasked with reviewing and updating the existing planning controls. Review of the controls was complete in October 2018, and the VPA are now preparing a Structure Plan and new planning controls for the site in the form of a Planning Scheme Amendment (PSA) package, to be submitted to the Minister for Planning.

### **History of Preston Market**

The Preston Market Precinct is approximately 4.6 hectares, bounded by Murray Road in the north, Cramer Street to the south, the rear of the High Street buildings to the east and the Preston Station car park to the west. Preston Market is located at the heart of precinct and is a loved destination for locals and people to buy their groceries or meet socially.

The Preston Market first opened in 1970 on the former Broadhurst Tannery. The market originally housed approximately 250 stalls representing a variety of traders including green grocers, delicatessens, fresh fish and poultry, butchers and non-grocery goods.



### **Ownership and Easements of the Preston Market site**

In 2004 the property was purchased by Salta Properties, from the previous owners Centro MCS. The site was then rezoned from the Business 1 Zone to a Priority Development Zone Schedule 1 (PDZ1) in June 2007 as part of the Preston Central Structure Plan implementation.

Land within the site is predominantly owned by Salta Properties and Medich Corporation, however there is another smaller landholder that owns several small parcels within the site (see map below – Ownership and Easements of the Preston Market site).

The private ownership of the Preston Market is highly unusual– in fact it is the only privately owned similar market in Victoria and many mistakenly think that it is government owned. Other similar markets including Queen Victoria Market, Dandenong Market and the South Melbourne Market are owned by government.





*Note that easements are shown within the red dashed lines.*

## Heritage

### Council assessment of heritage and importance of built form to the success of the Market

Council commissioned extensive research and advice on heritage at this site which was summarised in a report to Council on 21 May 2018. The research articulated very valuable analysis of the social value of the site and the attributes of the market built form that contributes to this (such as the layout and open air feel). The research came in three documents:

- Heritage Study Research Report.
- Heritage Study Technical Report
- Preston Market Heritage Study Peer Review

The 21 May 2018 report noted that *“on balance, officers conclude that seeking a heritage overlay or interim protection at this point would not be likely to succeed, nor would it provide meaningful protection”*.

It also noted that there are elements of the market that contribute to the market’s success such as the wide pedestrian streets, access to natural light and individualised tenancies. These are not necessarily of heritage value (using the definitions of heritage as it applies under the *Heritage Act* and the *Planning and Environment Act*), but are defining elements of the market’s design, sense of identity and place. These urban design elements are highly desirable and important and can also be readily translated into a design based planning control such as an incorporated plan, or a design and development overlay.

At the 21 May 2018 meeting Council resolved not to seek approval from the Planning Minister to apply heritage controls (whether interim or permanent) to the market site at this time.

The conclusion at the time was that both state and local heritage significance was difficult to justify in the context of considering planning controls because the intangible element of social history and cultural significance, while unquestionably significant, could not be meaningfully protected through a heritage overlay. Instead, it requested that heritage be considered in an integrated way as part of the current review of planning controls being led by the Victorian Planning Authority (VPA).

The CEO wrote to the VPA and subsequently received a response on 8 June 2018, confirming that the VPA review of the planning controls and future opportunities will:

- *“take into consideration the material Council have provided regarding social and cultural heritage.”*

- *“commission a review of the local heritage significance of the site and the options available to protect the local heritage values of the site as part of the overall review of planning controls.”*
- *“not consider assessing the site for state significance as the VPA remit only covers the review of the current local planning controls for the site.”*
- *“consider the independent heritage advice along with other technical information, including community engagement, traffic, drainage and urban design reports to allow for a holistic review of the planning controls.”*

Given that heritage tools in the planning scheme are not able to meaningfully protect many of the things that give rise to the markets social function and cultural significance, Council also commissioned the Identity Study to investigate and understand in detail its unique characteristics. The Identity Study report is attached in full and is discussed in the discussion section of this report.

The Identity Study seeks to understand the social and cultural heritage of Preston Market in a more nuanced and detailed way than a traditional heritage study would, in order to identify the tangible and intangible elements that contribute to its identity, and how these can be protected through the redevelopment. It does not focus solely on the significance of buildings, but rather on the relationship between the complex built form, open space, management and ritualised use of the market.

#### Heritage Council assessment process

The Heritage Council of Victoria is an independent statutory authority responsible for reviewing recommendations made by the Executive Director of Heritage Victoria and for adding places and objects to - and removing them from - the Victorian Heritage Register. The process for having the Heritage Council consider a nomination is that applications are made to Heritage Victoria and the Executive Director then provides a recommendation to the Heritage Council, which calls for submissions and makes a decision.

Two applications were received on 20 July 2018 and 12 October 2018 by Heritage Victoria requesting that the Preston Market be added to the Victorian Heritage Register and be afforded a level of protection through heritage control.

The applications have been reviewed by the Executive Director of Heritage Victoria. On Monday 26 November, the Executive Director made a recommendation to the Heritage Council of Victoria not to include Preston Market on the Heritage Register nor to seek further analysis.

People with an interest in the Preston Market and the recommendation were given the opportunity to provide a submission to the Heritage Council of Victoria and a Hearing of Submissions was held over two days 15 and 17 July 2019.

A determination on whether or not to include the place or object in the Register must be made within 90 days of the last day of the hearing and therefore a decision is expected before or on 17 October 2019.



### Community Engagement phases 1 to 3

Four phases of community engagement have been conducted since January 2018 with over 1900 people providing valuable feedback in regards to the Preston Market Precinct. This report discusses and refers to the findings from the latest phase of engagement, phase four. The three earlier phases are summarised below.

#### Phase One – Feb-April 2018

The overarching key themes from the process with shoppers, residents, property owners and traders in response to the following questions were:

“What do you love about Preston Market?”

- Community: Food, vibe, community meeting place, shopper/ trader relationships, small businesses, cultural diversity, accessibility, open layout, variety of shops.
- Traders: trader/ shopper relationships, variety of stalls, small businesses, competitive pricing, multicultural and diverse.
- Submitters: Variety of stalls, European flavour, vibrancy of market operations, shopper/ trader relationships, educational, open-air trading, less packaging, sense of place.

“What makes Preston Market unique?”

- Community: Market experience, community feel, history of the market, market character, and location for the community.
- Traders: Only market in Northern suburbs, authenticity, face to face service, small businesses, variety and competition, long tradition of operating at Market.
- Submissions: Built form or a traditional fresh food marketplace, open space in central location, openness to the public.

“What could be changed or improved?”

- Community: Support uniqueness; increase diversity of offerings and different price points; trading hours; improve accessibility (active and public transport); upgrades to stalls, communal spaces, weather protection and bathrooms.
- Traders: Multi-level car parking; improve PT access; improve waste management; better weather protection; improve cleanliness, amenities and safety of site.

- Submitters: Celebration of traditional land owners and structure; Retention of current building, open space aspect and car parking; provision of green spaces, loading, street furniture and wayfinding.



#### Phase Two – May- August 2018

The purpose of the Phase Two engagement was to develop, with a Community Reference Group (CRG), a vision and draft recommendations for the site and to test these with the broader community.

The Community Reference Group (CRG) that was established included individual community members and future residents, members of interest groups, and Preston Market and High Street business representatives. An important outcome from the Phase Two process has been the development of a community vision for the site which was created by the Community Reference Group. The community vision is:

*"The market is a vibrant and diverse place for community to gather around food and celebrate culture."*

Feedback from the broader community in this phase of engagement supported the CRG draft recommendations for the Preston Market site. The messages from the community engagement participants were:

- The Preston Market is highly valued by the community and that it should be retained.
- The community would like to retain the essence of the market, particularly the market community, the fresh food, diversity of stalls and small traders.
- The market should retain its open and airy feel, with potential to incorporate more open spaces and meeting spaces on the site.
- The Preston Market site to retain at its core the fresh food market with opportunity for more market events and activities as well as the arts, such as live music performances.
- The participants value the market as an inclusive and welcoming place where they can connect to their community.

A representative of the major landowner / developer, Salta participated in the CRG including providing a written response to the CRG about the recommendations. Part of their response in relation to the Market Built form stated:

*"The Market building will remain as the centrepiece in an architectural and use sense. The site has historically been known as the home of the market, and the future development*

*recognises this going forward. It will be designed to ensure the existing qualities of openness, scale and grit are maintained."*

#### Phase Three - October – December 2018 (Council led)

To ensure that members across a broad range of culturally and linguistically diverse communities were given the opportunity to participate in the future planning for Preston, officers continued to reach out to community groups and stakeholders about Preston Market and further socialise the CRG principles. This included discussions with Darebin's Youth Citizen Jury, representatives from various Advisory Groups, local business operators, mothers' groups, Conversation Café classes (English classes) and local library user groups

#### **Previous Council Resolution**

At its meeting held on **18 March 2019**, Council resolved:

**That Council:**

1. *Writes to the Premier, Local Members of the Victorian Legislative Assembly and Legislative Council, and the Ministers for Planning and Transport Infrastructure to:*
  - a) *Call on the State Government to confirm that it will proceed with the four level crossing removals in Preston within its term of Government*
  - b) *Indicate Council's continued strong support and advocacy for the level crossing removals in Preston, Council's commitment to an integrated place based approach, and its willingness to work in partnership with State Government agencies (including LXP, VPA and victrack) in planning the future of this precinct*
  - c) *Seek a formal confirmation from the State Government that Council will be retained as the Planning Authority and the Responsible Authority for the development of planning controls and facilitation of any potential development sites for surplus railway land, and therefore consideration of this would go through an open, transparent and consultative planning process*
  - d) *Note that the VPA is currently tasked with reviewing planning controls for the Preston Market site and to request that the Minister for Planning write to the VPA to adjust their scope of work to:*
    - a. *Incorporate integration with any station and urban design outcomes for any integrated rail project and provide advice to Council on future planning for land surrounding the Preston station, through to St George's Road*
    - b. *Broaden the next phase of community engagement planned for the Review of Planning controls at Preston Market to also understand community views on the land surrounding the Preston station, through to St George's Road*
  - e) *Seek formal confirmation from the State Government to ensure an integrated approach to the planning and design for any of the core rail infrastructure works which includes engagement with the community to inform design on critical urban design elements such as new station buildings, proposed public spaces*
  - f) *Seek a commitment from the State Government that any planning approval exemptions, planning scheme amendments or associated documents it may consider to facilitate the level crossing removal works should:*
    - a. *Require that the Urban Design of the Preston Station Precinct integrates with the Preston Market site and the broader Preston Precinct and is referred to the Responsible Authority (Council) and the Victorian Planning Authority.*
    - b. *Facilitate core rail infrastructure works only*

- c. *Support the continuous operation of the Preston Market during and throughout construction by ensuring the footprint of the land required for the works at Preston Station is minimised and especially that there is no net loss of car parking currently used by Preston Market customers, business operators and workers.*
- d. *Not allow for development decisions to be locked in that are not related to core rail infrastructure such as sale of public land or development adjacent or in the airspace above*

At its meeting held on **17 December 2018**, Council resolved:

**That Council:**

- (1) *Notes the rich social heritage and importance of the market to the community, and reiterates Council's commitment to working to preserve the long term viability of the market*
- (2) *Endorses the submission to the Heritage Council regarding the nomination of Preston Market as presented in Appendix B and requests that officers submit to the Heritage Council for consideration before 24 January 2019.*
- (3) *Reiterates its commitment to working in partnership with the VPA to review the planning controls and future opportunities for the site and to engagement with the community, key stakeholders and the owners of the Preston Market as an important part of this review.*

At its meeting held on **3 September 2018**, Council resolved:

*That Council:*

- (1) *Notes the rich social heritage and importance of the market to the community and reiterates Council's commitment to working to preserve the long-term viability of the market.*
- (2) *Reiterates its commitment to working in partnership with the VPA to review the planning controls and future opportunities for the site and to engagement with the community, key stakeholders and the owners of the Preston Market as an important part of this review.*
- (3) *Thanks community members for their feedback and participation in Phase Two community engagement.*
- (4) *Endorses community engagement proposed in Option One of this report and works with the VPA to progress this.*
- (5) *Endorses the community vision as a guide for the future of the market at the site.*
- (6) *Reaffirms Council's endorsement of the following principles adopted by Council on 21 May, 2018 to guide Council's participation in the current the Review:*
  - *Council loves the market and is committed to seeing the market thrive into the future.*
  - *It's important to Council that the community engagement process undertaken is extensive, inclusive and open to ideas.*
  - *The market needs to remain accessible to all traders and the community during and post construction and the new development.*
  - *The built form of the site needs to continue to support and encourage the market as a desirable community meeting place.*
  - *The site will consistently provide a hub of vibrant activity, with varied uses for residents, businesses and visitors.*



- *Any future development of the site should incorporate environmental sustainability design and include affordable housing.*
  - *The location of the site is a good location for meeting Darebin's growing population's needs, as it is strategically located near transport, services and jobs.*
  - *Any future development must integrate well with the wider neighbourhood and contribute to connectivity and accessibility for pedestrians and active transport users with Central Preston as a whole.*
  - *Parking needs must be sufficiently addressed.*
- (7) *Endorses the following further guiding principles to support and inform Council's participation in the next stage of the Review noting that Council may refine or update these in future when it considers further technical advice and future community engagement.*

**Guiding principles**

*Recognising that the site is a designated strategic development site of state significance being well located close to transport, services and jobs, that any development of the site:*

*Design Outcomes*

- a. *Gives priority to pedestrians and high pedestrian amenity to Cramer Street, Mary Street and Station Avenue.*
- b. *Delivers strong levels of activation through the site.*
- c. *Delivers a sustainable, liveable future neighbourhood both for the site itself but in its contribution to the wider Precinct.*
- d. *Prioritises community safety including 24/7 safety by design on all pedestrian links.*
- e. *Incorporates improved and safe walking links connecting High Street, Preston Railway Station, Preston Library, Preston High School and Melbourne Polytechnic (to and from the Market).*
- f. *Ensures access to daylight and sunlight of open space.*
- g. *Achieves best practice environmentally sustainable design as standard.*
- h. *Aspires to have a net zero energy requirement from the grid*
- i. *Has a complementary and positive economic and place based impact on High Street.*
- j. *Includes well-located, high quality, attractive public and community spaces.*
- k. *Recognises and plans for the future significance of the public realm interface and linkages between a redeveloped Market site and Preston railway station.*
- l. *Ensure spaces are accessible for all ages and abilities.*
- m. *Provides good solar access and wind protection throughout the year*
- n. *Ensures sunlight reaches the open space to the south of Cramer Street including at the winter solstice.*
- o. *Provides for the inclusion of floor space for creative studios.*
- p. *Provides for the inclusion or provision of high quality, public art integrated into the design of public spaces and buildings.*
- q. *Adopts a planned/curated approach to cultural infrastructure across the site.*
- r. *Incorporates additional dedicated commercial buildings to deliver non-retail employment outcomes.*

- s. *Incorporates exemplary design and architectural quality and include the use of quality durable materials.*
- t. *Incorporates a diverse range of housing options on site, including the provision of affordable housing.*
- u. *Ensures developers contribute to community and recreation infrastructure to meet needs of future community.*
- v. *Ensures that intensity and height of any future development is such that the guiding principles in this list are achieved.*

*Vehicles and Parking*

- w. *The impact of heavy vehicles is minimised and encouraged via Murray Road.*
- x. *Parking and loading areas are located at basement level.*
- y. *Ensures there is no net loss of car parking attributable to the market use in any future development and parking numbers are maintained during construction activities .*
- z. *Ensures parking requirements do not impinge on good/safe design outcomes for redevelopment on High Street.*

*Preston Market*

- aa. *Ensures Preston Market thrives into the future as the heart of this site and of Preston.*
  - bb. *Ensures that Preston Market complies with regulatory requirements including safety standards.*
  - cc. *Ensures that Preston Market is not detrimentally affected by overshadowing.*
  - dd. *Ensures social heritage considerations are assessed as part of the VPA review process.*
  - ee. *Ensures relevant social and cultural considerations are captured and used to identify and inform recommendations in regards to the overall site and the built form.*
  - ff. *Incorporates 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.*
  - gg. *Ensures the market footprint has a number of pedestrian thoroughfares.*
  - hh. *Ensures that street and pedestrian edges are activated with uses.*
  - ii. *Plans to minimise and mitigate against the risk of construction disruption to continuous trade of the market.*
- (8) *Notes that there is a currently an application with Heritage Victoria relating to the Preston market site and requests that a further report come to Council during any future submission period to consider a submission from Council.*
- (9) *Requests that Council officers engage with stakeholders to advocate for Council's principles and to explore options for achieving these to inform future Council decisions including engaging with market traders, community, site owners, developers and the VPA.*



At its meeting held on **21 May 2018**, Council resolved:

*That Council:*

- (1) Council reiterates Council's commitment to working in partnership with the VPA to review the planning controls and future opportunities and to engage with the community, key stakeholders and the owners of the Preston Market as an important part of this review.*
- (2) Council notes the community feedback received to date received through the Community Engagement Findings Report – Phase One. (Appendix A).*
- (3) Council notes the community engagement planned in Phase Two of the review of planning controls and future opportunities.*
- (4) Council notes the rich social heritage and importance of the market to the community, and reiterates Council's commitment to working to preserve the long term viability of the market.*
- (5) Council resolves not to seek approval from the Minister of Planning to apply heritage controls (whether interim or permanent) to the market site at this time.*
- (6) Council request that the CEO write to the VPA to request that the Heritage Study and associated technical reports be considered in an integrated way as part of the current review of planning controls.*
- (7) Council release heritage reports in full including the research report (Heritage Study Volume 1: history and community connections, Appendix B), and the technical reports (Heritage Study Volume 2: significance Appendix C) and the Peer Review (Appendix D) to the community on 22 May 2018.*
- (8) Council request that Council Officers meet with site owner's representatives to discuss the heritage reports and highlight Council's view of the importance of the market to the municipality and Melbourne more generally.*
- (9) Council resolves that this Council report becomes public and that it releases all Appendix A, B, C and D*
- (10) Council immediately releases the Council resolution; and*
- (11) The timing of the release of Appendix A to be done in consultation with the VPA.'*

The resolution has been actioned and the CEO wrote to the VPA and subsequently received a response on 8 June 2018, confirming that the VPA review of the planning controls and future opportunities will:

- (1) "take into consideration the material Council have provided regarding social and cultural heritage."*
- (2) "commission a review of the local heritage significance of the site and the options available to protect the local heritage values of the site as part of the overall review of planning controls."*
- (3) "not consider assessing the site for state significance as the VPA remit only covers the review of the current local planning controls for the site."*
- (4) "consider the independent heritage advice along with other technical information, including community engagement, traffic, drainage and urban design reports to allow for a holistic review of the planning controls."*

At its meeting held on **13 August 2018**, Council resolved:

*That Council:*

1. *Notes that the Planning Minister has designated the VPA as the Planning Authority for the Preston market site and charged them with the responsibility for preparing a planning scheme amendment that would alter the planning controls that apply to the site.*
2. *Notes that phase 2 of community engagement for the Review of Planning Controls is nearing completion and that a summary of the engagement findings will be reported formally to Council for consideration on 3 September 2018.*
3. *Receives a report outlining options on how to best continue to engage the community, traders, the land owners and the VPA on the development of planning controls for the Preston Market Site on 3 September 2018 with the view of ultimately forming a Council position on the future of the Preston Market (at a time informed by the process).'*

And

*That Council:*

1. *Notes that while the Planning Minister has introduced interim height controls over the footprint of the market, there are NO demolition controls over the existing market building structures which reputed heritage experts have identified that certain structures could have having grounds for future heritage protection.*
2. *Notes that there is currently in course a community sponsored heritage listing application being considered by Heritage Victoria.*
3. *Accordingly, notes that under the above circumstances Preston Market potentially remains exposed to demolition by the owner/developers before Heritage Victoria makes its final determination.*
4. *Write to the Minister for Planning requesting a demolition control be added by amending the Priority Development Zone.'*

In line with the resolution, the Mayor has written to the Minister for Planning.

## COMMUNICATIONS AND ENGAGEMENT

Four phases community engagement have been conducted since January 2018 with over 2,000 people providing valuable feedback to in regards to the Preston Market. The findings of the latest phase, phase four are being reported to council for the first time, in this report.

The engagement report is attached in full (**Appendix A**) and the approach and findings summarised below.

### Consultation May-June 2019 – purpose and approach

The most current program of community engagement was carried out by the consultant RPS on behalf of both Council and the VPA. The engagement was designed to achieve in-depth consultation in line with Council's resolution, and Council co-funded the engagement effort. This stage was designed to:

- Create genuine opportunities for the local community to participate and provide informed and constructive feedback that can meaningfully influence the Structure Plan
- Hear from people who may not usually attend engagement events
- Provide engagement opportunities for all stakeholders to participate, including site landowners, market operators and stallholders, local (non-market) business owners and operators, market visitors, and the Level Crossing Removal Project

- Gather input from culturally and linguistically diverse community members
- Test a variety of precinct scenarios to help inform the draft Structure Plan
- Facilitate a deliberative engagement process that allows a representative group of community members to deeply consider the key elements of the Structure Plan and provide their views.

RPS delivered a range of engagement activities. The four-week engagement program included:

- An online survey (accessible via the Darebin and VPA website)
- Stakeholder and representative meetings with landowners, community groups, individual market stallholders and business owners, local business owners along High Street and the Level Crossings Removal Project representatives
- 2 (day) x pop up sessions held at the Preston Market
- 1 (evening) x community 'display and discuss' session at the Preston Town Hall
- Council led kitchen table discussions with 93 members of the CALD community
- Three deliberative workshops held with randomly selected, broadly represented cross-section of community members

#### Engagement findings July 2019

The findings showed that there was strong agreement across the diverse participants on several matters, which were also identified as some of the most important matters to participants when considering the future of the Preston Market Precinct. Key conclusions in regards to areas of agreement were:

- **Market character** – feedback showed that maintaining the intangible essence of the market was an important consideration for participants. For the vast majority of participants, these intangibles are where the value of the market lies – this includes: the range and diversity of offerings, affordability, providing a welcoming and inclusive space that everyone can enjoy, having a range of stallholders, its cultural diversity and its authentic 'grunge' aesthetic. For this majority the specific location of the market was not a particular concern – rather maintaining the intangible essence was important.
- **Green, open spaces** – feedback most consistently identified the provision of green, open space in the precinct is the most important consideration for participants. Providing a range of attractive and welcoming, multi-use communal spaces in which people can gather, relax and participate in community activities is also important and trees, gardens and water are key components of those spaces.
- **Pedestrian-centred** – participant feedback also indicated that having a pedestrian-centred space was strongly preferred and providing the safe separation of pedestrians from other traffic and accessible access across and through the site should be another key consideration in the precinct. Supporting walking throughout the precinct was favoured, as was supporting other forms of sustainable, active transport, in particular bike riding.
- **Sustainable** – sustainability was consistently raised in response to a variety of feedback questions, suggesting that participants also see it as a key consideration in the future of the precinct. The concept of sustainability was articulated in a number of ways: in terms of green building materials, solar access, energy efficiency, and solar power, and in having green-star buildings and a recycling hub in the precinct.

Being smoke and plastic-free, and planning for ride-share and a driverless cars future were also mentioned. The desire for lots of green spaces, including trees that provide shade, was another way sustainability was addressed by participants' comments.

The outcomes of the engagement program also demonstrated that there are a number of matters participants expressed a range of different views. These were:

- **Community benefit** – participants identified a number of facilities and community assets the development of the precinct could provide. These ranged from childcare centres and Council service centres, through entertainment options such as art/culture, cinemas and youth-friendly spaces, to providing diverse housing options and community gardens.
- **Car parking** – feedback suggests that participants do not share consistent views regarding car parking. For some the planning of the precinct is an opportunity to prepare for a future which is less car dependent and will require less car parking than is currently provided. For others, providing the current level of car parking, or increasing it to ensure the car parking needs of future residents are met, is important.
- **Building heights** – participants also hold quite diverse views about building heights, some comfortable with high-rise buildings, others not at all. The most consistent concern raised about building heights were related to overshadowing.

The full report is included in **Appendix A**.

#### *CALD Communities and interpreters*

At the Preston Market pop-ups on 22 May 2019 and 1 June 2019 and the Community drop-in session on 3 June 2019, interpreters that spoke Arabic, Italian, Greek, Mandarin and Vietnamese were on site to help us communicate with the community regarding this important phase of the project. Not only was this promoted in person, it was also promoted on Council's corporate Facebook page to build awareness and translated in each language.



Council arranged name badges for each of the interpreters with “*We speak your language*” translated in Arabic, Italian, Greek, Mandarin and Vietnamese.

This further extended the reach, as representatives from DECC had informed Council that even with interpreters on site at events, people from CALD communities may still be hesitant to engage in conversation so by having interpreters on site, removed the language barrier and allowed further engagement with community members.

To further engage and based on the feedback received, interpreters were partnered up with a project team member and tasked with walking through the market to 'intercept' members of the CALD communities and invite them to the pop-up stall and have their say. Additional signage was displayed in all of the above languages, next to the engagement materials at the stall and welcome desk.

#### Variety of communications styles to reach diverse audience

To communicate genuinely with a wide audience, all engagement material had to have an ability to communicate and engage in a genuine way with a wide audience. These included:

##### *Visual communicators:*

Having visual guides, scenario boards, maps, interpreters, plans and project team members available to talk to engagement materials was an effective way of obtaining feedback.

##### *Auditory communicators:*

Project team members listened to community feedback and provided opportunity for opinions, views and ideas to be expressed freely and without judgement.

##### *Kinaesthetic communicators:*

By communicating face to face, this allowed representatives and participants a platform to explore, write, and express how they felt towards scenarios and the Preston Market project.

##### *Cognitive communicators:*

Through open and honest conversations, Council could explain the reason behind why we were engaging with the community and discuss this phase of the project in further detail and provide an analysis of the logic behind scenarios, pros and cons and the method being used.

#### Engagement with CALD communities

This consultation process included several targeted approaches to CALD and hard to reach communities including:

- **Deliberative Workshops:** Of 24 participants in our deliberative workshops, 9 are from the CALD community - 37.5% of the total. These participants were randomly selected to demographically represent the community.
- **Kitchen Table Discussions (93 total participants):** Using trusted and established Council networks to reach out to groups.
- **Interpreters in Darebin's top 5 languages on site at public events:** At our market pop ups on 22 May and 1 June as well as the community drop in session on 3 June, interpreters of Arabic, Italian, Greek, Mandarin, and Vietnamese were centre of our engagement activities.

## ANALYSIS

### Alignment to Council Plan / Council policy

Goal 3 - A liveable city

### Environmental Sustainability Considerations

This report recommends high standards be sought for environmentally sustainable design from any future development at the site.

### Equity, Inclusion and Wellbeing Considerations

Council recognises the cultural significance of the Preston Market to Darebin. Any future development of the Preston Market Precinct must integrate well with the neighbourhood and contribute to connectivity and accessibility for pedestrians and active transport users with Central Preston.

### Cultural Considerations

Council recognises the cultural significance of the Preston Market to Darebin. Any future development of the Preston Market precinct must respect the cultural significance, identity and value of the site to various users with Central Preston.

### Economic Development Considerations

This area is a strategic location for economic development in Darebin. The Market plays an important role in this, and this area is a strategic priority for stimulating future economic development and employment opportunities. The Preston Market is an anchor and key economic generator in the Preston Central Principal Activity Centre and more broadly in Darebin. The market brings considerable economic benefit to Darebin in terms of employment and its flow on benefits to Preston Central through things such as multi-purpose trips.

This report recommends that the Market and commercial opportunities be sought as preferred outcomes from any future development at this site.

### Financial and Resource Implications

The communications and planning work outlined in this report is currently expected to be accommodated within the operating budget. There is some uncertainty about the extent of further work required at the later stages of the project.

### Legal and Risk Implications

It is considered that no legal or risk implications arise from the consultation process being carried out by RPS on behalf of the VPA and Council. Council remains committed to maintaining high standards to the probity and ethics in all aspects of purchasing as set out in the Procurement Policy and *Local Government Act 1989*.

## DISCUSSION

In order to understand how the shared community visions for Preston Market Precinct could be realised, extensive work has been undertaken over the last 6 months:

- Council commissioned an in-depth Identity Study to identify the specific and tangible elements of the Preston Market that make up its unique character, identify the risks to identity that redevelopment will pose, and if redeveloped how these can be mitigated.
- VPA with Council have carried out further community engagement that enabled the local community a voice in the design phase of the project, inviting feedback on a number of scenarios and exploring planning elements such as open space, community infrastructure, sustainability and access and movement.
- A range of technical work has been done by VPA and Council to identify local needs in relation to open space, affordable housing and community infrastructure.

#### The Identity Study has identified unique characteristics of the market

In order to investigate and understand what key characteristics of the Market make it unique, Council engaged a consultant to prepare an Identity Study. The study has identified a number of key elements which are to be incorporated in order to retain and enhance the market identity into the future. These include:

- Key operational and management conditions such as stall leasing arrangements, tenancy mix, range of stall sizes, individualised stall designs, affordability.
- Built form elements including its light and airy feel.
- The layout as neighbourhood blocks, set along two main cruciform intersections, as a network of covered streets and wide walkways.
- The market as an open, welcoming and indiscriminate public gathering space, despite being privately owned.

Some of these elements relate to the built form and its possible for them to be incorporated into planning controls, however, a number of these elements are about how the market is managed, and relate to the diversity of the tenants, and the affordable nature of the market.

The Identity Study has also allowed Council to understand what must be protected and to identify what mechanisms could best achieve meaningful protection of these elements, which together enable the social function of the market and reflect its cultural heritage.

This is important because Council's earlier work to understand if there was value in a heritage overlay within the Planning Scheme concluded that an overlay is a limited tool that won't protect what's important in this case – because so much of what's important is intangible.

#### Market location

A question that is not yet resolved is the optimal configuration of the site, including the location of the market. This will be better informed by work that is currently being undertaken such as assessment of the building conditions, design implications of different building layouts and the outcome of the Heritage Council decision. A further report to Council will be provided with recommendations on this issue at a future meeting. The information and analysis we have collected to date suggests two courses of action to consider.

#### **1. Keep the market where it is**

Points in favour of this approach include:

- Some members of the community strongly feel that the cultural or architectural heritage of the market is contained within its buildings and that they therefore shouldn't be substantively rebuilt or relocated.

- The Identity Study highlights that there are significant risks in moving or rebuilding the market.
- Traditional planning settings are not strong enough to protect the identity of the market if it is moved.
- The outcome of the Heritage Council Victoria hearing is unknown and may place heritage value on the market.

## 2. Relocate the market on the site

Points in favour of this approach include:

- The buildings of the market are in poor condition and are likely to need complete rebuilding
- Rebuilding in situ is likely to cause significant disruption to traders and negatively impact their ability to trade throughout the construction phase
- The Identity Study highlights that although there are major risks to the unique identity of the market in rebuilding or relocating it, **that this is possible as long as additional commitments around urban form and market management are made**
- The identity can be safeguarded through a redevelopment if a number of planning and operational matters are committed to, and these matters have been identified in Council's objectives and key elements set out in this report
- A majority of community members expressed that location is not a consideration, as long as the identity is retained
- Relocation could allow other enhancements to the market to be considered and realised

Given all of the above, the balance of probabilities is that the best option for the long term viability of the market, and in particular the continuity of existing traders could be to move the market at least in part and possibly entirely, to another location on the site as long as firm commitments are also made to maintain the essential elements that make up the identity. Many of these matters would not be captured in a traditional planning process, so the State Government and/or the developer would need to commit to these alongside the precinct Structure Plan documents through an alternate mechanism.

This approach would aim to enable traders to move to a new trading space with minimal interruption to trade and also allow for other enhancements to the market such as street frontage to maximise visibility and give the market a 'front door', passive surveillance to make the market feel safer when it's closed and better relationship to local assets such as the oval and the station.

### Objectives and key elements

Officers have translated the greater understanding of what is needed to realise the opportunities of the site, meet local need and protect the market's unique character into five objectives and a number of key elements needed to achieve them.

These five objectives and key elements represent what would be needed to ensure the redevelopment achieves the community's vision for the site, and creates a vibrant and successful new heart to Preston and enable Preston Market to continue as the much loved social and cultural jewel of our city.

The site is a unique one in Australia: it is not a blank canvas but contains a much loved and valued local asset that underpins Preston's local economy, social history and community connection.



Research into the identity of the market suggests that redevelopment does not need to mean its unique character is lost, but it will take an extraordinary effort to achieve this, that goes beyond traditional planning practices. The key elements identified below outline what is required to achieve the objectives for this site.

Council, the State Government, the community, existing traders and the developer will all need to play a role in ensuring that this redevelopment does not result in the loss of the identity of this community and social asset, but instead allows it to evolve and take its place at the heart of a new, enhanced and connected piece of our city's fabric.

Objectives	Why This is Important	Key elements to achieve objective
<p>1 - 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.</p>	<p>The Identity Study highlights that the Preston Market is unique in Australia for the way that its stalls and sheds are laid out around a neighbourhood of covered streets.</p> <p>Its wide intersecting walkways act like the town square of Preston - the place where everyone comes together to connect with friends, people watch, share food, perform, protest or engage in civic life.</p> <p>This important use is supported by the number, variety and clustering of stalls and how they relate to the generous open spaces, seating and open feel.</p>	<ul style="list-style-type: none"> <li>• At least the same number, types and sizes of stalls.</li> <li>• The market footprint is the same size or larger.</li> <li>• Is made up of a network of neighbourhood blocks and covered market streets with main public walkways at least 12 metres wide.</li> <li>• Has at least two cruciform intersections, which act as a key focal point, and connect to the broader precinct.</li> <li>• Has the same sunlit, open and airy feel.</li> <li>• Incorporates design characteristics of space frame technology.</li> <li>• Has active market streets in the evening and out of hours, with the potential for a second story under the canopy to enhance the Market experience.</li> <li>• Has active edges, with high permeability and no blank walls</li> <li>• Provides a significant street frontage and sense of address.</li> <li>• Integrates with existing public open space.</li> <li>• Incorporates a safe and active connection from High Street to the Station precinct.</li> <li>• Has market streets that remain open to the public 24/7 and are protected via easements</li> </ul>
<p>2 - The vibrant mix of traders, particularly those from diverse</p>	<p>The mix and character of local traders are the lifeblood of the market. Without them, this could be just any market. In</p>	<ul style="list-style-type: none"> <li>• Ensure continuous operation of the market before, during and after development by: <ul style="list-style-type: none"> <li>○ entering into a formal</li> </ul> </li> </ul>

<p>backgrounds, are supported before, during and after redevelopment to keep the market accessible, affordable and multicultural.</p>	<p>order to protect the unique identity of the market through this redevelopment, it is essential that the conditions that support such a multicultural, diverse and colourful group of traders, are not lost.</p> <p>Preston Market is a place that has welcomed waves of newly arrived migrants, independent operators and local characters of all kinds. It supports those who might not be able to afford to operate a larger or more formal business, gives low income households access to affordable fresh food and other goods, and acts as an affordable supplier to a myriad of small local businesses.</p> <p>Big rent increases, inflexible leasing arrangements or other major changes in trading conditions that would attract a different cohort of traders, and must be avoided.</p> <p>Redevelopments of other markets such as the Queen Victoria markets have embedded stable trading conditions to ensure their character is protected.</p> <p>If we get this right, Preston Market will be welcoming future waves of diverse local operators long into the future.</p>	<p>agreement(s), which will include a Market Continuity Plan and Transition Plan.</p> <ul style="list-style-type: none"> <li>○ maintaining appropriate access and trade conditions</li> <li>○ maintaining appropriate trader car parking and large vehicle loading / unloading conditions</li> </ul> <ul style="list-style-type: none"> <li>• Ensure security and affordability for traders by: <ul style="list-style-type: none"> <li>○ prioritising existing tenants</li> <li>○ setting the same price in rent, adjusted for inflation</li> <li>○ offering a variety of flexible lease options</li> </ul> </li> <li>• Provide the same amount of Market car parking before, during and after redevelopment.</li> <li>• Retain the diversity of independent businesses, with no franchises or chains.</li> <li>• Manage the market effectively during and after redevelopment to provide a clean, safe and pleasant environment for traders and shoppers.</li> </ul>
<p>3 - 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</p>	<p>The precinct surrounding Preston Market is the heart of the suburb. The way it is developed will set the tone for the future of the area, and define what kind of place Preston will be long into the future.</p> <p>The mix of new homes bringing new residents, new offices bringing new jobs, new shops, new community facilities and</p>	<ul style="list-style-type: none"> <li>• Meaningfully involve migrant communities in precinct design and creation of new open spaces.</li> <li>• Create a fine-grain and liveable neighbourhood that is inviting and interesting from the ground floor up.</li> <li>• Provide a variety of building heights and generous setbacks, with world class architecture and urban design.</li> </ul>

<p>have made this place what it is.</p>	<p>new open spaces, should be driven by quality, sustainability, liveability and inclusion as well as reflecting the stories of the area's rich cultural past.</p> <p>New green spaces should provide opportunities for connecting with nature, play, dog-walking, gathering and performance.</p> <p>The opportunity to demonstrate excellence in sustainability and liveability encompasses many elements of the development, for example the market redevelopment and its ongoing management should act as an exemplar of sustainable practice.</p>	<ul style="list-style-type: none"> <li>• Provide a permeable street network that connects to the broader neighbourhood and prioritises pedestrians and cyclists.</li> <li>• Provide opportunities to grow, prepare, share and compost food in the precinct.</li> <li>• Provide at least 10% of the precinct as high quality, usable, green open spaces.</li> <li>• Provide an additional financial contribution of up to 8.2% to enhance existing open space within the central Preston area.</li> <li>• Provide canopy trees on all streets and laneways.</li> <li>• No overshadowing of public open spaces, on and off the site.</li> <li>• No car parking on the ground level.</li> <li>• Minimise vehicle movement within the precinct.</li> <li>• Achieve a minimum of 6 star green star communities (or current best-practice Green Star).</li> <li>• Minimise waste and maximise reuse of materials in the redevelopment of, and future operation of the precinct</li> <li>• Provide a safe, active connection to 421 High Street</li> <li>• A minimum 5-6 Green Star accreditation for all buildings as built (or current best-practice)</li> <li>• A minimum 7 Star Nationwide House Energy Rating Scheme (NatHERS) rating (or current best-practice).</li> </ul>
<p>4 - The 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.</p>	<p>This site has enormous value. Land values have risen exponentially in central Preston and improvements made by Council and the State Government, including the removal of level crossings and planned investments in streetscapes and open spaces, have created further value.</p> <p>This value should be shared with the local community by addressing identified needs.</p>	<ul style="list-style-type: none"> <li>• Provide a range of commercial cultural facilities like a cinema or galleries, but also office spaces for local jobs.</li> <li>• Contribute towards new community facilities such as lifelong learning facilities, and/or a bigger, better neighbourhood house.</li> <li>• Provide new maternal and child health, and kindergarten facilities</li> </ul>

	<p>Council's research highlights that areas such as Preston will suffer a degradation in liveability if key needs are not addressed such as new affordable housing that can support local residents who would otherwise be forced out of the area, community facilities that enable childcare, lifelong learning or cultural activities, or green open spaces to connect with nature, socialise, recreate and protect local species under threat.</p>	<ul style="list-style-type: none"> <li>• Ensure new green open spaces that are usable to a broad range of people</li> <li>• Provide affordable (15%) and diverse housing, with a proportion of tenancies weighted towards newly arrived migrants.</li> <li>• New intercultural programs around food, language and art.</li> </ul>
<p>5 - That any development is contingent on a contractual commitment to retain the market use at the Preston Market site.</p>	<p>Preston Market is deeply valued by the local community.</p> <p>The market is located on private land and planning controls cannot require that a market use is retained.</p> <p>An additional mechanism will be needed to capture the developer's commitment to maintain a m</p>	<ul style="list-style-type: none"> <li>• That any development is contingent on a contractual commitment to retain the market use at the Preston Market site.</li> </ul>

Many of the key elements will be easily recognisable as characteristics of the current market.

Safety (including the perception of safety) and the liveliness of streets were identified both within community engagement and Identity Study as areas that could be improved upon. One key element identified is the potential for introducing a second storey above the ground floor street market, within the canopy, along with introducing evening and out of hour's active uses into the ground floor.

There are many great examples of how activation has been done in similar markets, for example through running events in the streets, or by introducing complementary uses (for example galleries, fitness or yoga studios could be examples of this).

A second storey of complementary uses would provide for passive surveillance of the ground floor streets, improving safety, while at the same time protecting and enhancing the identity of the market at ground floor.

It is important that the uses are carefully selected to be complementary rather than to compete with the ground floor market, and this is an important part of the vision. Similarly, selection of tenants within the market to ensure that some businesses are open into the evenings could enhance the market experience.

#### Seeking support from government, developer and community

Because this is unique as a privately owned market, incorporating the objectives and key elements into planning, design, management and construction will require commitment from the owner and developer as well as the State Government.

Council would share its views and information with community and seek their support.

Council would seek:

- Support from the State Government to enshrine the objectives and key elements in the planning controls and these would include many of the built form elements as well as community benefit elements and open space.
- Support from the developer to commit to manage the transition and operation of the market to ensure it protects and enhances the unique identity and supports the traders.
- These objectives and key elements to be directly reflected in the Framework Plan to be released by the VPA in September.

By confirming these commitments in formal agreements community and Council would have confidence of the serious commitment of the developer, even on matters that are beyond planning, but essential in this unique case.

There are some things that are not yet known, which could affect what is possible on the site including details about construction feasibility and the outcome of the Heritage Council decision. When these are known there will need to be a further assessment of what's possible at the Precinct.

### **Achieving key outcomes with measures that sit outside the scope of planning controls**

The VPA acknowledges that planning controls alone will not guarantee the future of the market and the continuation of its important community values, and is working with Council in discussions with the developer aimed at achieving objectives using additional measures that sit outside the scope of planning controls. These would include:

- Measures to support and retain existing tenants including supportive lease terms and conditions.
- Ensuring continuous operation of the market before, during and after development.
- Retaining the diversity of independent businesses and a focus on fresh food, with a minimum area/number of fresh food stalls and a diversity of fresh foods on sale, and with no franchises or chains in the market.
- Ensuring the market retail trading footprint is the same size or larger and is all on one level.
- Ensuring the market has at least the same number, types and sizes of stalls as current.
- Coordinated marketing and programming of public space.

Council is seeking for the VPA to require the developer to enter into an agreement with Council, and to address matters which are beyond the scope of traditional planning controls such as those detailed above (this may be in the form of a Section 173 Agreement if planning-related, Deed, Memorandum of Understanding, or other similar mechanism).

### **Council long term steward of the site**

As a strategic site at the heart of Preston and of Darebin, Council is long term steward for this site. At a practical level, after the State Government has reviewed the planning controls, the responsibility for assessing any future planning permits sits with Council. This means is that council would have to assess any future planning application for redevelopment as to whether they will meet the requirements of the controls.

## OPTIONS FOR CONSIDERATION

1. Endorse the objectives and key elements as recommended and note background reports (recommended).
2. Endorse the objectives and key elements with any amendments, and note background reports.
  - Depending on the amendments proposed there could be various pros and cons associated with them.
  - Note that some key information is not fully understood, including on construction feasibility. Officers have not recommended forming a view on elements that would be affected by this information.
3. Wait for further information before adopting objectives and key elements.
  - The main drawback of waiting for full information is that Council would not be in a position to be clear about the objectives and elements that are important for achieving the vision at this site and to seek support for these.

## IMPLEMENTATION STRATEGY

### Details

Should council decide to endorse objectives and key elements, public communications would be developed to share Council's views and seek support from the community, State Government and developer.

Communications would start the week after Council's decision and continue until and beyond when the State Government shares its plans for the site.

At the point that the State Government shares the Draft Framework Plan, Council would then form a view on the plan and consider the degree to which the State Government's plan achieves the objectives and incorporates key elements.

### Communication

To communicate clearly the objectives and key elements, a two-three page summary that illustrates and explains what Council is seeking support for would be produced.

A communications plan has been developed and would share information about Council's views through a range of channels including social media, print media and in public spaces near the market.

Communications would seek to build support from community and stakeholders with messaging of "we love Preston Market"

Officers will contact community and government stakeholders as well as the developer regularly.

### Timeline

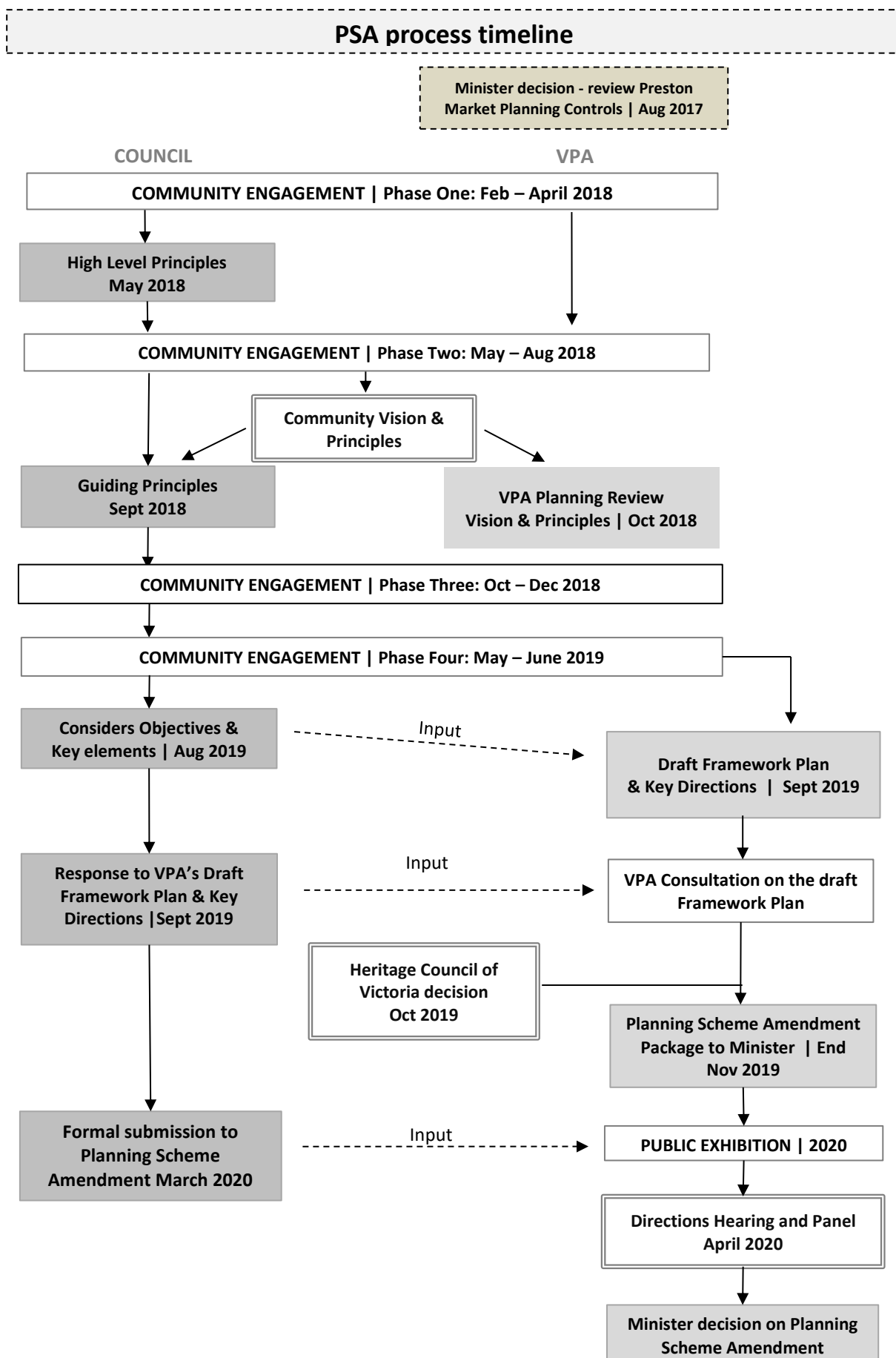
An indicative timeframe is included below.

1. **Week beginning 12 August 2019** - Release of community engagement findings by the VPA

2. **19 August 2019** - Planning Committee meeting: Community engagement report and identity study reported to Council. Council considered adopting objectives and key elements.
3. **20 August 2019** – Council communications program shares objectives and key elements.
4. **Early to mid-September 2019** – VPA has indicated it plans to share a draft framework plan with the community for a 2 week check-in engagement process
5. **Mid-late September 2019** – Council would consider its view on the VPA draft framework plan, make a submission in relation to this plan.
6. **August-October 2019** - VPA finalise Draft Structure Plan and Planning Scheme controls having regard to stakeholder feedback (including any from Council), which forms part of the Planning Scheme Amendment (PSA) package.
7. **17 October 2019** - Heritage Council decision due, but could be earlier.
8. **End November 2019** - PSA package submitted for noting to the Minister for Planning by the VPA.
9. **Early 2020** - Public Exhibition of PSA package (including Draft Structure Plan and Planning controls), following Ministerial sign off. It is noted that Council has highlighted to the VPA the importance of not exhibiting the Planning Scheme Amendment package wholly within the December to January period.
10. **February 2020** - Council can make a formal submission in relation to the PSA (including Draft Structure Plan and Planning Controls) during the public exhibition stage.
11. **March/April 2020.** Directions Hearing and Panel Hearings by Planning Panels Victoria. Panel will consider strategic basis for the PSA (including the Draft Structure Plan and Planning Scheme controls) and any and a submissions, (i.e. Council's, landowners' and community etc.).

During the Panel hearings, Council officers would make representations to the Panel, and engage technical experts to prosecute its formally endorsed position.

The following table outlines the Planning Scheme Amendment (PSA) process timeline, indicating the key avenues for Council's input into the VPA process.



**Note:** Once a Planning Scheme Amendment is approved by the Minister for Planning, the responsibility for assessing any future planning permits sits with Council – in response to submission of any development application.



**RELATED DOCUMENTS**

- Attachments Preston Market Precinct Engagement Report (**Appendix A**)
- Preston Market Quarter Identity Study (**Appendix B**)

**DISCLOSURE OF INTEREST**

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.