

Appendix – Previous Council Resolutions



Darebin City Council
ABN 75 815 980 522

At its meeting held on **19 August 2019**, Council resolved

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 and characteristics of genuine market and not a shopping centre or mall*
 - 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) *Strong public space functionality with generous public seating, and 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*
 - (4) *providing leases with the provision for rental adjustments where trading is adversely impacted by construction requirements*
- ii) *Ensure security and affordability for traders by:*
- (1) *prioritising existing tenants*
 - (2) *setting the same price in rent, adjusted for inflation*
 - (3) *offering a variety of flexible lease options*
- iii) *Provide the same amount of Market car parking before, during and after redevelopment.*
- iv) *Retain the diversity of independent businesses, with no franchises or chains.*
- v) *Manage the market effectively during and after redevelopment to provide a clean, safe and pleasant environment for traders and shoppers*
- 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.*
 - 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 and underground car parking wherever possible*
 - 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 (20%) 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.*
- 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.*



Darebin City Council
ABN 75 815 980 522

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 Councils 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.’*