

Queen Victoria Market Precinct Renewal Program Update

15 May 2018

Presenter: Rob Adams, Director City Design and Projects

Purpose and background

1. The purpose of this report is to present the options available to Council in response to Heritage Victoria's refusal of a permit for works at the western end of Sheds A-D at Queen Victoria Market and to recommend that management work with Heritage Victoria, traders, customers and other key stakeholders to submit a revised proposal for the provision of market infrastructure.
2. The QVMPR Implementation Framework (August 2016) identified key infrastructure improvements, including new below ground infrastructure and operational areas beneath Sheds H and I (Q1), and Sheds A, B, C and part of Shed D (Q2). These upgrades are one of thirteen packages of works to be delivered through the QVMPR Program. The independent Business Case for the QVMPR Program, endorsed by Council in June 2017, reinforced the vision and delivery approach outlined in the Implementation Framework and confirmed the requirement for below ground operational facilities in the upper and lower market areas to secure the future of the Queen Victoria Market.
3. In August 2017, Council approved the proposed design for the below ground operational area at the western end of Sheds A-D including vehicular access from Peel Street, and the lodgement of planning and heritage applications to progress delivery. In accordance with Council's resolution, a permit application was lodged with Heritage Victoria on 22 September 2017 for the dismantling, restoration and reconstruction of the western section of Sheds A to D and the construction of a three level basement (plus mezzanine) accommodating customer carparking, trader facilities and operational areas to support the market.
4. On Tuesday 27 March 2018, Heritage Victoria refused to grant a heritage permit for the proposed works to the western end of Sheds A-D citing:
 - 4.1 The approval of the proposed works would be unacceptably detrimental to the cultural heritage significance of the registered place.
 - 4.2 The refusal would not prevent the economic use of the registered place, and that the viable economic use of the registered place does not require the level of change proposed.

Key issues

5. Despite Heritage Victoria's determination, there remains a strong and continued case for renewal, which includes lack of infrastructure to support contemporary Work Health and Safety, Food Safety and site security practices, inadequate waste management systems, absence of dedicated trader facilities and a need for enhanced customer amenities, including more public toilets, more seating and access for people of all abilities, a lack of public spaces and community facilities in the growing city north area, declining profitability of Queen Victoria Market Pty Ltd and an associated inability to fund necessary site maintenance and upgrades, ageing heritage sheds and facilities.
6. There are three options available to Council in response to Heritage Victoria's determination, they being (a) seeking judicial review; (b) seeking a review of the decision by the Heritage Council of Victoria; and (c) submission of a new application to Heritage Victoria. Whilst there may be strong grounds for review, each of these options has been considered against the impact of lengthy legal proceedings on the market, including the resultant ongoing period of uncertainty for traders, responsible public expenditure, relationship management and reinforcement of Council's commitment to preserving the market's heritage.
7. The option of working with Heritage Victoria, traders, customers and other key stakeholders to submit a revised proposal is therefore deemed to be in the best interests of the market, noting the complexities of the site and operational challenges require a pragmatic and transparent approach.

Recommendation from management

8. That the Future Melbourne Committee notes:
 - 8.1. The options available to Council in response to Heritage Victoria's refusal of a permit for the dismantling, restoration and reconstruction of the western section of Sheds A to D and the construction of a three level basement (plus mezzanine) accommodating customer carparking, trader facilities and operational areas to support the market.
 - 8.2. Management's intention to advise Heritage Victoria before 25 May 2018 that it wishes to work with Heritage Victoria, traders, customers and other key stakeholders to submit a revised proposal for the provision of market infrastructure.
 - 8.3. The proposed approach and timeframe for working with stakeholders on the revised proposal will be brought back to a future meeting of Council.

Attachment:

1. Supporting Attachment (Page 3 of 3)

Supporting Attachment

Legal

1. Legal advice has and will continue to be provided on all aspects of the Queen Victoria Market Renewal Program.

Finance

2. Financial implications applicable to this matter have been considered in making the recommendation to this report.

Conflict of interest

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

Stakeholder consultation

4. Internal consultation with relevant branches of Council has been undertaken in the preparation of this report.

Environmental sustainability

5. Delivery of the QVMPR Program will allow for the development of a sustainable Queen Victoria Market which is guided by a Precinct Sustainability Plan, rated through the use of the Green Star – Communities tool and which delivers on the six sustainability principles detailed in the QVMPR Masterplan.