

## 4.04 Safety and Security

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	27/09/2016	24/10/2016	Amended
3	28/11/2017	11/12/2017	Amended
4	27/09/2022	1/11/2022	Amended

### Introduction

Council is committed to providing a safe physical and social environment for the community by applying the concept of Crime Prevention Through Environmental Design (CPTED) in considering new development. CPTED involves designing buildings and spaces in a way that applies four principles: surveillance, access control, territorial reinforcement and space management. Those principles form the basis of this section.

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This Section applies to all development.

Note: Contact Council to discuss level of detail required for a particular development type.

### Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012.

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

### Associated technical manual/s

- Nil

## **Additional information**

- Development Applications may be referred to the NSW Police for Crime Prevention Through Environmental Design (CPTED) Assessment.

## **Definitions**

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan, and include:

- **Licensed premises** means premises licensed under the *Liquor Act 2007*.
- **Plan of management** means a document that provides a framework for the management of a particular development / event.

## **Aims of this section**

1. To ensure safety and security is considered as a component of the site planning process and reflects the zone, scale, density and context of development, as well as its surroundings.
2. To reduce community vulnerability to crime through good urban design and the incorporation of Crime Prevention Through Environmental Design (CPTED) principles in development.
3. To ensure development incorporates features that enhance safety and security.
4. Provide safe environments and minimise opportunities for criminal and anti-social behaviour.

## **4.04.01 General principles**

### ***Performance criteria***

1. Potential criminal and/or anti-social behaviour risks for development are identified and addressed.
2. The design and layout of the development:
  - a) is integrated into the wider public realm enhancing the potential for natural surveillance, access control, territorial reinforcement and space management;
  - b) reduces temptations for vandalism and graffiti without detracting from the façade; and
  - c) minimises or prevents opportunities for crime and risks to public safety while maintaining neighbourhood amenity and the character of the streetscape.
3. Development is designed to:
  - a) maximise opportunities for effective natural and/or technical surveillance;
  - b) encourage active street environments as they enhance public safety;

- c) provide unimpeded sight lines, particularly along pedestrian pathways; and
  - d) improve natural surveillance through increased legitimate use of spaces.
4. Development considers areas that will be utilised at night and incorporates appropriate levels of lighting and/or visibility to improve safety and security and deter illegitimate activity.
  5. To create a sense of safety through greater knowledge of location and direction.

**Acceptable solutions**

1. A Crime Risk Assessment in accordance with Table 1 is supplied for development that is considered to:
  - a) create a risk of crime;
  - b) involve an increased threat to public safety; and/or
  - c) include a component to serve, sell or supply alcohol.

<b>Table 1 Information to be included in a Crime Risk Assessment</b>	
Introduction	<ul style="list-style-type: none"> <li>• Describe the proposed development.</li> </ul>
Site Analysis	<ul style="list-style-type: none"> <li>• Describe the topography of the site and its physical surrounds.</li> </ul>
Crime Risk and Opportunity	<ul style="list-style-type: none"> <li>• Identify existing and possible crime risks.</li> <li>• Analyse the types of crime that may be prevalent in the area, and to which the development may be susceptible.</li> </ul>
CPTED	<ul style="list-style-type: none"> <li>• Describe how the proposed development addresses each of the CPTED principles.</li> </ul>
Specific Uses	<ul style="list-style-type: none"> <li>• Where applicable, outline how the proposal addresses any development specific criteria that is identified within this DCP Section.</li> </ul>
Recommendations and Mitigation Measures	<ul style="list-style-type: none"> <li>• Outline whether the proposed development will have an impact on crime and safety, and why.</li> <li>• Describe risk assessment recommendations and mitigation measures to be implemented as part of the development.</li> </ul>

Note 1: A Crime Risk Assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these elements (crime amount and type) will determine the choice and appropriate mix of CPTED strategies.

Note 2: Types of development that may involve the preparation of a Crime Risk Assessment include, but is not limited to:

- Amusement centres
- Car parks
- Centre-based child care facilities
- Community facilities
- Educational establishments
- Entertainment facilities

- Food and drink premises
- Function centres
- Health service facilities
- Industrial developments
- Markets
- Place of public worship
- Recreation facility (indoor, major and outdoor)
- Registered clubs
- Residential accommodation (excluding single dwellings, secondary dwellings, semi-detached dwellings and dual occupancies)
- Residential care facility
- Restricted premises
- Service stations
- Sex service premises
- Tourist and visitor accommodation

Note 3: Council will exercise discretion, under the *Environmental Planning and Assessment Act 1979*, in respect to the requirement for a Crime Risk Assessment.

Note 4: A Crime Risk Assessment is to be prepared by a suitably qualified person who has completed the NSW Police Safer by Design Course.

Note 5: For further information on preparing a Crime Risk Assessment refer to *Crime Prevention and the Assessment of Development Applications: Guidelines* published by NSW Department of Urban Affairs and Planning, 2001 (or as updated or amended)

## 2. Design and layout

- (a) Buildings are to be designed to allow casual surveillance of the street, for example by:
- (i) maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved;
  - (ii) providing openings of an adequate size in the upper levels to maximise opportunities for surveillance;
  - (iii) locating high use rooms to maximise casual surveillance;
  - (iv) clearly displaying the street number on the front of the building in pedestrian view; and
  - (v) ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters.
- (b) Casual surveillance of loading areas is to be improved by:
- (i) providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and

- (ii) providing adequate day and night lighting which will reduce the risk of undesirable activity.
- (c) Design entrances to buildings from public streets so that:
  - (i) building entrances are clearly identifiable, defined, lit and visible;
  - (ii) the residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development;
  - (iii) main entrances are clearly identifiable;
  - (iv) pavement surfaces and signage direct pedestrian movements; and
  - (v) potential conflict between pedestrians and vehicles is avoided.