

## **Appendix C – Agency Referrals**



27 July 2012

SF2012/017145

MJ

General Manager  
Newcastle City Council  
PO Box 489  
Newcastle NSW 2300

**Attention: Mr Steven Masia**

**PROPOSED DEMOLITION OF PART MULTI LEVEL CAR PARK AND ERECTION OF A 17 STOREY COMMERCIAL / RESIDENTIAL BUILDING INCLUDING HOTEL AND BASEMENT CAR PARK, LOT 5 DP 1145847, LOT 4 DP 1029006, 1 KING STREET, NEWCASTLE (DA2012/549)**

Dear Mr Masia

I refer to your letter dated 15 June 2012, received on 19 June 2012 (your reference: DA 2012/549), regarding the subject development application forwarded to Roads and Maritime Services (RMS) for consideration.

Transport NSW and RMS' primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, RMS has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. King Street and Church Street are local roads. Council is the roads authority for these roads and all other public roads in the area.

It is noted that this development meets the requirement for referral to RMS under *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*, Clause 104 Schedule 3. This matter was discussed at a meeting with Council's Mr David Ryner on 26 July 2012.

RMS has reviewed the information provided and has no objections or requirements for the proposed development as it is considered there will be no significant impacts on the classified (State) road network.

Notwithstanding the above, RMS considers that the following matters should be addressed by Council in determining this development application:

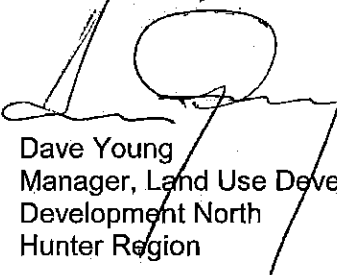
**Roads & Maritime Services**

- Section 117 (2) direction 3.4 (*Integrating Land Use Development and Transport*) under the *Environmental Planning and Assessment Act 1979*, should be taken into account in relation to the provision of adequate access to public transport, especially for the elderly and opportunities for pedestrians and cyclists connections to existing facilities.
- A Construction Traffic Management Plan (CTMP) should be prepared including a Vehicle Movement Plan and Traffic Control Plan. The CTMP should be prepared with the intention of causing minimal impact to the operation of the road network during construction.
- The applicant should submit plans showing all turning paths for the design vehicle for all movements into and within the site.

On Council's determination of this matter, it would be appreciated if a copy of the Notice of Determination is forwarded to RMS for record and / or action purposes.

Should you require further advice please contact me on (02) 4924 0688.

Yours sincerely



Dave Young  
Manager, Land Use Development  
Development North  
Hunter Region

# NSW POLICE SERVICE

## Newcastle City Local Area Command, Waratah.



30 Harriet St  
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Ph: 49266599  
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E/n: 60511,  
Trim Ref No.:  
Your Ref:

31 July 2012.

Steven MASIA  
Development Assessment Officer  
Newcastle City Council

### **Crime Prevention and assessment of development application.**

Guidelines under section 79c of the Environmental Planning and Assessment Act 1979.

### **Development Application No: 2012/549**

Property: Lot 5 DP 1145847, Lot 4 DP 1029006 1 King Street, Newcastle

The following assessment has been conducted utilising the four Crime Prevention Through Environmental Design (CPTED) principles:

#### **Surveillance**

#### **Access Control**

#### **Territorial reinforcement**

#### **Space Management.**

The assessment was conducted by Senior Constable Jeff Milton, a Crime Prevention officer from Waratah Local Area Command, trained in the Safer by Design principles and application.

It is understood that these details do not necessarily form part of the initial development application, however police CPTED training includes examining these issues.

It was felt important to indicate these factors as they play a significant role within the four principles utilised to conduct an assessment.

## **SURVEILLANCE:**

***Providing opportunities for effective surveillance, both natural and technical, can reduce the attractiveness of crime targets.***

### **VEGETATION:**

Research and strong anecdotal evidence indicates that criminals commonly use vegetation for their concealment. Plants that block sight lines lessen natural surveillance. It is therefore necessary to consider this when choosing and maintaining plants along pathways, courtyards and alcoves.

Due to the nature of the site, only limited landscaping is planned for the forecourt and common area. The plan describes the type of plantings that are to be utilised and a basic layout. Consideration should be given to ensure plants and shrubs do not completely block the view of neighbours and passers-by.

Species can be selected for use in different locations on the basis of their height, bulk and shape. A safety convention for vegetation is: lower tree limbs should be above average head height, and shrubs should not provide easy concealment. A yardstick height of 900mm (maximum) is often applied to shrubs in an "at risk" area.

In relation to any street furniture, consideration should be given to using robust materials that deter vandalism and are not easily damaged. All seats and benches should be fitted with appropriate means to deter any skateboarding activity as this tends to damage property and cause intolerance.

### **LIGHTING:**

***Effective lighting: contributes to public safety by reducing fear, increasing community activity, improving visibility and increasing the chance that offenders will be detected and apprehended.***

Without a lighting plan, it is difficult to comment on the driveways, car park, pathways and yards of the site. It is recommended however that special attention be paid to lighting along pedestrian pathways and within the car parking areas.

Evenly lit communal courtyards and garbage bin bays and letterbox areas that are visible to passing pedestrians and residences can reduce crime risks. Sensor lights should also be considered if residents will be affected by constant lighting.

Designers should consider the size, shape and density of plants to be placed near external lights.

Security lighting should not illuminate observers or vantage points. As observers are likely to be inside domestic buildings, light should be projected outwards towards pathways and gates- not towards windows and doors.

Both the above issues are considered under the area of surveillance. Natural surveillance affords everyday space users the opportunity to see and be seen. Therefore any areas around the buildings and within courtyards, car parking areas and utility areas, which diminish the ability to practice natural surveillance, should offer some other form of surveillance.

## ACCESS CONTROL

*Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime. Opportunistic criminals will often exploit areas with unclear spatial definition, borders and boundaries.*

*Consideration should be given to ensure that adequate signage is present for visitors to the area regarding car parks and pathways. E.g. clear signage should be used regarding public and private areas.*

*Under CPTED principles, it is stated that "pedestrian access around the site will be controlled to ensure it is legible, clearly defined, well lit and visible to others" and due to the fact that the location will be an open plan design, ensure that areas that are not for general public use are well defined from public to private space.*

Consideration should strongly be given to the access to the car park. The application states that the access to the car park will be secure but does not describe in what ways. Access should be monitored and for residents/visitors only. All pedestrian access doors, no doubt will be classified as fire exits, but should be self closing. The main car entry door should not remain open longer then necessary to allow one vehicle to enter the car park to reduce the opportunity other cars following in, or people accessing the secure car park. Appropriate warning signs should be erected around the areas that are not open to the public such as the car park, warning about trespassers and restricted access etc.

In relation to the access to the property through the lobby and associated stairwells and elevators, design consideration should be given to restricting the access to these areas to prevent unauthorised access. An effective way to control access is through swipe cards where a guest or resident is in possession of the card that allows authorised access but restricts others from entering unauthorised areas. This can be enhanced by an intercom system for after hours visitors to contact residents/guests for access to the building.

## TERRITORIAL REINFORCEMENT

*Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well-used places also reduce opportunities for crime and increase risk to criminals.*

Well-designed footpaths, road surfaces and verges can help define boundaries and transitions from public to private space. To many people, maintenance is a strong indicator of area safety.

## SPACE MANAGEMENT

*Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.*

To adequately maintain any surrounding landscaping or vegetation, preventing concealment of offenders is considered to be the main issue in relation to this principle.

## OTHER

In relation to the wind pipes that may be a future addition to the site to recognise the traditional Aboriginal heritage of the area, I have concerns that this may cause some problems in relation to noise complaints. If these wind pipes operate continuously via air flowing across the pipes causing a noise, I would think that this over time, 24 hours a day, may cause complaints from residents that may be affected by the ongoing noise. Added to this, is that the development is along the coast line that generally has a constant breeze blowing all year round at differing strengths that may exacerbate any complaints.

The development proposal consists of the **“erection of a 17 storey commercial/residential building including hotel and basement car park”**. After perusal of the application and consultation with the Licensing Section of Newcastle Police, it is identified that the **“Hotel”** aspect of the application does not refer to a **“licensed premises”**. If this is incorrect or is to change to include a Licensed Premises, then I do not support this application without the Newcastle Police Licensing Branch commenting on any Licensing issues within the development, and as such would request that the Development Application be resubmitted to Newcastle Police for the Licensing Branch to comment.

Other than the above point I have no objections to the Application in its current form.

**Disclaimer:**

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make area evaluated by NSW Police absolutely safe for the community and their property.
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The evaluation/report is a confidential document that is for use by the person/organisation referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise that for the purposes of the person/organisation referred to on page one.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

If any points need clarification or expansion, please do not hesitate to contact us

Regards,



Jeff Milton

For:

Senior Constable Jeff Milton &  
Senior Constable Mark Bird  
Crime Prevention Officers  
Newcastle City Local Area Command.