

Licensing Unit

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Development Application Number DA2019/01169, 309 King Street, Newcastle NSW 2300.

Police have reviewed Development Application relating to the proposed mixed use development for demolition of structures, erection of 14 storey mixed use including seniors living and aged care facilities. The development will form part of the Wests Group Newcastle site. These plans include the Statement of Environmental Effects and Crime Risk Assessment relating to the project. On review of the Statement of Environmental Effects and the Crime Risk Assessment police have noted that several responses have been made in conjunction with the principles of Crime Prevention Through Environmental Design (CPTED). Police have also attended the location and made observations of the proposed development site.

Crime Prevention Through Environmental Design

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place-management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

Predatory offenders often make cost-benefit assessments of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and
- Minimise excuse-making opportunities (removing conditions that facilitate the rationalisation of inappropriate behaviour).

CPTED employs four key strategies. These are Surveillance, Access Control, Territorial Reinforcement and Space/Activity Management.

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Surveillance

Natural surveillance (NS) is achieved when normal space users can see and be seen by others. NS highlights the importance of building layout, orientation and location; the strategic use of street design; landscaping and lighting. NS is a by-product of well-planned, well-designed and well-used space.

Formal (or Organised) Surveillance (FS), is achieved through the tactical positioning of guardians. An example would be the use of supervisors on station platforms, or the placement of a taxi rank within eyesight of a station entry.

Technical Surveillance (TS) is achieved through mechanical/electronic measures such as CCTV, help-phones and mirrored building panels. TS is commonly used as a "patch" to supervise isolated, higher-risk locations.

There is a proven correlation between poor lighting, fear of crime, the avoidance of public places and crime opportunity (Painter, 1997). Australia and New Zealand Pedestrian Lighting Standard 1158.3.1 requires lighting engineers and designers to factor in crime risk and fear when selecting lamps and lighting levels.

Access Control

Access control measures restrict, channel and encourage people, bicycles and motor vehicles into, out of and around targeted sites. Wayfinding, desire-lines and formal/informal routes are important crime prevention considerations.

Access control is used to increase the time and effort required to commit a crime and to increase the risk to criminals. *Natural Access Control (NAC)* includes tactical use of landform and waterways, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens. *Mechanical/Electronic Access Control (MEAC)* includes the employment of security hardware and *Formal (or Organised) Access Control (FAC)* includes on-site guardians such as employed security personnel.

Territorial Reinforcement

Criminals rarely commit crime in areas where the risk of detection and challenge are high. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it. *Territorial Reinforcement (TR)* uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should/should not be and what types of behaviour are appropriate.

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Space and Activity Management

Space and activity management strategies are an important way to develop and maintain *natural* community control. Space management involves the formal supervision, control and care of the public domain. All space, even well-planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

After reading the provided plans police have concerns in relation to the laneway connecting Bull and King Street Newcastle primarily after dark. Police would request that the correct lighting and CCTV measures are enforced specifically within this area to ensure this space is managed correctly. The design should be one that does not provide easily accessible places to commit crime or to hide once the crime has been committed.

Recommendations

If the application is approved police request the following conditions are considered for inclusions onto the Development Approval for the sole purpose of **Public Safety**:

Trading hours

In relation to the proposed retail components the proposed trading hours are as follows:

Building A	Salon (eg hair or beauty) 7am – 6pm
	Medical Centre 7am – 6pm
Building B	Café 7am -6pm
	Restaurant 7am – 10pm

Both interior and external areas.

Police believe that Technical Surveillance (TS) and lighting should be installed due to the nature of the business being proposed.

It is highly recommended that the premises ensure it has installed good quality CCTV that meets the following minimum criteria:

- 1) A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable an individual to be identified, beyond reasonable doubt, when:
 - a. the person represents not less than 100% of the screen height, and
 - b. there is an unobstructed view of the person's face.

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- 2) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas:
 - a. all other public entrances and exits, whether or not in use at the time,
 - b. staircases,
 - c. all portions of the floor area accessible to the public where entertainment is provided,
 - d. toilet external entrances,
 - e. all public accessible areas within the premise excluding toilets,
 - f. the footpath area directly adjacent to the premises, and
 - g. any courtyard and smoking areas.
- 3) The CCTV recordings of the cameras referred to in sub condition (2) must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before, when:
 - a. the person represents not less than 50% of screen height, and
 - b. there is an unobstructed view of the person's face.
- 4) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- 5) Camera recordings must meet the standards set in sub condition (1) and (3) at all times, either by way of camera positioning, camera shades or other environmental factors.
- 6) Recordings must:
 - a. be in digital format,
 - b. record at a minimum of ten (10) frames per second, and
 - c. commence one hour prior to opening, and operate continuously until at least one hour after closing.
- 7) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.
- 8) Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30-day period.
- 9) When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.
- 10) Immediate access to the CCTV system and the ability to review recordings is to be granted to NSW Police, L&G Inspectors or other regulatory officers upon request.
- 11) The CCTV system shall be able to reproduce a copy of the recordings on Compact Disc, DVD or USB memory stick and must, upon request, be provided within one working day to NSW Police, L&G Inspectors or other regulatory officers.

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- 12) Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If, during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within two hours. All reasonable steps must be undertaken to repair the system as soon as practicable.

External front and rear boundary of premises.

The outside of the premises should be well lit and covered by CCTV. This is to prevent anti-social behaviour from occurring in these areas and for investigative purposes should anything adverse occur at the location.

Police believe that technical surveillance and lighting should be installed due to the nature of the business being carried out and due to the premise's location being within the Newcastle CBD.

Police would also suggest Newcastle City Council consider conditions in respect to the following;

- 1) A security intruder system is utilised throughout the physical buildings which has 24-hour off-site monitoring which covers the whole premises with no less than three internal movement/motion detectors and separate multiple programmable zones, each single zone having a separate alarm trigger with separate external and internal sirens of not less than 100 dB and an external strobe security light.

Plans of management

If the proposed café and restaurant plan to sell alcohol police would request that they produce alcohol management plans prior to commencing trade and a condition placed onto the development consent that they abide by these plans.

If you wish to discuss this response further, please feel free to contact the Newcastle Licensing Unit on (02) 4926 6580.

A handwritten signature in blue ink, appearing to read 'Trudi Cupples'.

Trudi CUPPLES
Sergeant
Licensing Unit
Newcastle City Police District
20.11.2019

Prepared by Sgt Cupples