

trinity point

LAKE MACQUARIE

Crime Prevention Report

October 2014



HARRIS CRIME PREVENTION SERVICES

**Tourist, Commercial, Residential and Marina Precinct
Development – Trinity Point, Lake Macquarie NSW**

**Crime Prevention Report pursuant to a
Section 75W Modifications**

for

Johnson Property Group

October 2014

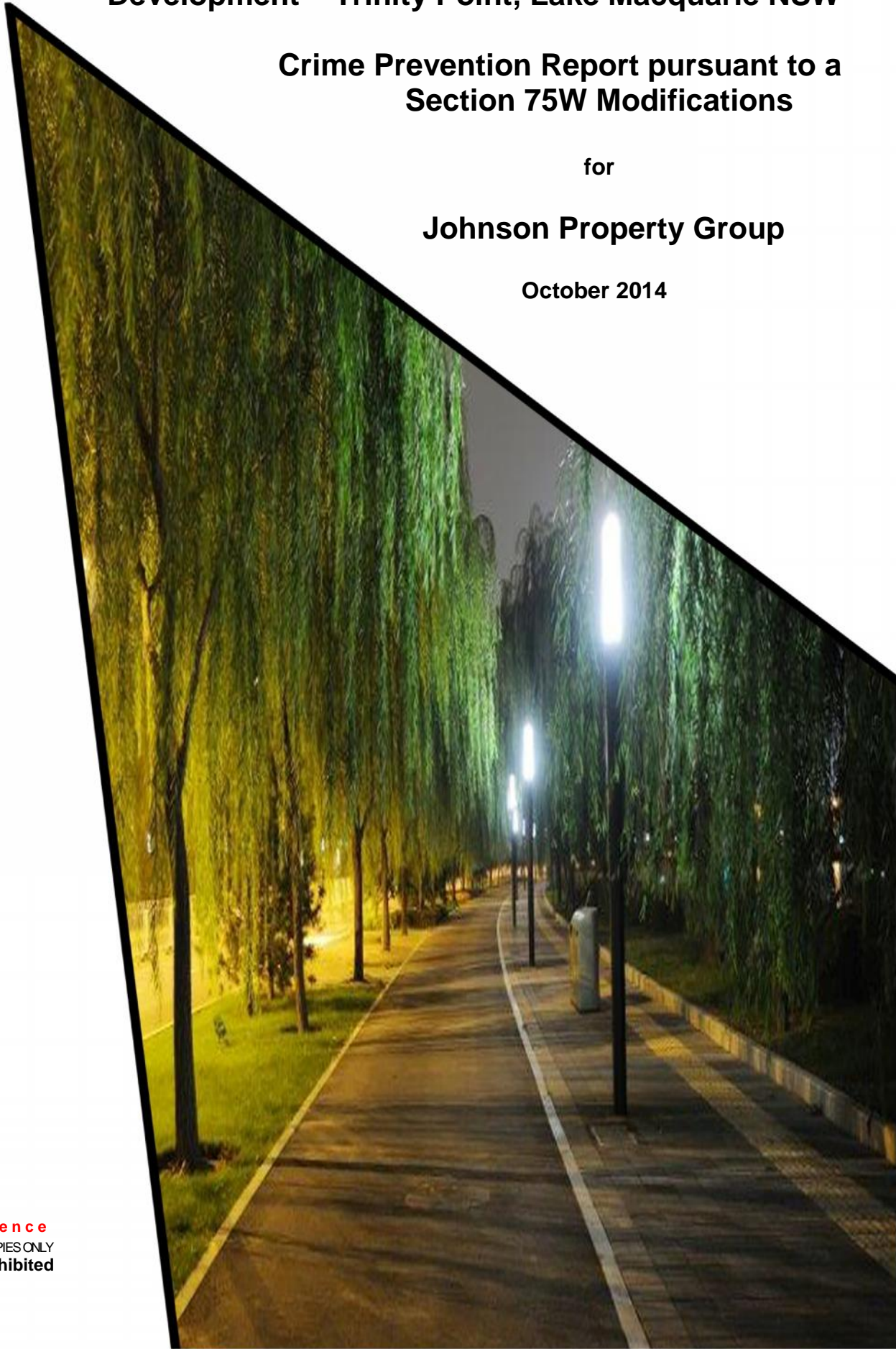


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1 EXECUTIVE SUMMARY

1.1 Background to the Section 75W Application

In 2009, the Johnson Property Group (Johnson Group) received conditional concept approval for a marina and mixed use destination development at Trinity Point, Lake Macquarie NSW. At that time Harris Crime Prevention Services submitted a 'Crime Risk and Security Design' review of the proposal. The Harris report identified four security design and management objectives – compliance with regulatory and/or planning instruments; minimising broader community crime risks; creating 'safe space' (design) and future security management objectives and outcomes.

Our review and report concluded that the (original) proposal met each objective, subject to the recommended incorporation of specific Crime Prevention Through Environmental Design (CPTED) features as part of pre-construction certificate design development/detail.

While the Group's vision and concept remains, the new proposal under Section 75W (S 75W) of the NSW Environmental Planning and Assessment (EPA) Act seeks to re-affirm the original proposal through design enhancement. This report has considered the relevant crime prevention design issues as part of the S 75W modifications. We have (a) reviewed the original (Johnson) proposal, (b) considered the conclusions and recommendation of the Harris report of 2007 and (c) examined the S 75W proposal to assess whether and how changes to the development's precinct site footprint and design layout might impact on our (2007) four abovementioned objectives.

1.2 The Revised Development

The revision is for a marina and mixed use development on the (originally proposed) Trinity Point site. The revision comprises:

- a 200 seat restaurant plus up to approximately 75 outdoor seats (some weather protected)
- a function Room 300 seats plus potential external marquee on lawn.
- a café approximately 40 seats plus up to approximately 40 seats outdoors (some weather protected)
- a 65 room hotel with guest services
- approximately 250 apartments for a combination of short-stay and permanent residents
- precinct landscaping
- on-grade and basement parking and driveways connecting streets and driveways with an objective of a pedestrian precinct at ground level
- a shared pathway generally looping the site and providing access to the foreshore
- a 188 berth marina with associated services, jetties, gangways and breakwater (staged across two stages, 94 berths per stage, but with sub-staging)
- a small marina office and retail spaces with marina user facilities (toilets, showers, lounge, small sales centre, day spa and small meeting rooms) - (Stage 1).

1.3 The Development and Crime Risk Issues

The overall mixed use concept remains as proposed and the crime risk issues are as originally outlined. The development's zoned purposes are unchanged and the development's design intent to reduce and/or remove opportunities for anti-social and criminal behaviour also remains.

The main crime risk and crime prevention issues revolve around the protection of (a) the development's assets and its people (residents, staff, guests, visitors and contractors) (b) the foreshore and (c) public domain including access connectors with neighbouring residents.

More specifically, risks relate to:

- (i) precinct-based anti-social, intimidating and/or criminal behaviour targeting individuals or groups and property (buildings, internal roads and share-ways the marina, vehicles and foreshore areas) within and/or adjacent to the development;

- (ii) unauthorised access to the development's defined public, communal and private activity spaces;
- (iii) resultant damage to property or harm to persons specifically associated with the development's commercial, recreational, minor retail, marina and guest 'day-and-stay' purposes.

Appendix 1 provides up-dated statistical information from the NSW Bureau of Crime Statistics and Research (BOCSAR) in relation to actual offences committed in and around the Morisset suburb, of which Trinity Point forms part.

1.4 Scope of the Report

The report has examined how the development's revised drawings contribute to, and comply with, planning and policy initiatives of Lake Macquarie City Council (the Council) and the NSW Government in relation to the opportunity to design out crime and foreshadows the need to apply security management practices to complement the design outcomes. The four-fold summary scope involved:

- 1.4.1 assessing the physical context surrounding the entire (whole-of-site) development in terms of mitigating anti-social behaviour, criminal activity and/or potential crime risks. (The development should impact positively on crime risk mitigation through sound design complemented by a separate occupancy security management strategy);
- 1.4.2 identifying aspects of the development's architecture supporting security design* (Crime Prevention Through Environmental Design – (CPTED) principles;
- 1.4.3 commenting on and/or recommending possible changes to aspects of architecture and/or engineering, likely to enhance the security design objectives;
- 1.4.4 ensuring compliance with safer-by-design and/or crime prevention plan requirements of the Lake Macquarie City Council and State planning instrument guidelines under Section 79C of the Environmental Planning and Assessment (EPA) Act, 1979 as amended.

* In the context of this consultancy, we define 'security design' as 'applying aspects of architecture, engineering and technology to all urban development proposals as an intentional environmental crime prevention strategy'. Security design is based on five (Harris identified) CPTED principles – territorial definition, access control, natural surveillance, activity support and target hardening.

1.5 Summary of Scope Findings

In reviewing S 75W proposal, we are of the opinion that the four security design (CPTED related) objectives have been, are being, or will be, met by the proposed design revisions indicated in development drawings.

1.5.1 Security Design Objective 1 Contextual Crime Risk Identification and Mitigation

In our opinion, the S 75W application has considered the community context in the revised drawings. The proposal continues to respect the need for community involvement in partnering (monitoring and otherwise exercising stewardship) with the development's management in maintaining a local safer environment. The design revisions maintain respect for, and access to, the Point's public domain. The domain vision and resort architecture enhances the Council's initiatives to increase safe activation of the peninsular and the local residential neighbourhood.

The overall design, incorporating the revisions, should make a positive contribution towards the aim of Lake Macquarie City Council to present this development, and all developments within its local government area (LGA) as footprints that reduce, minimise and/or prevent anti-social and criminal behaviour. The proponents of the development are conscious of their responsibility to advance Council's crime prevention goals in this regard. The adoption of CPTED principles to 'model' Council's and the community's goals for the site is affirmed within this application.

1.5.2 Security Design Objective 2 The Development's CPTED Features

A review of the Section 75 Modification drawings confirms that the development's S 75W revisions display intentional CPTED features. These are evident in (a) the interrelationship between each building within the residential and tourist/hospitality precincts, (b) the internal and external design of the accommodation Buildings A – H, the marina building, the hotel, cafe, restaurant and function centre, (c) the interconnectivity between the development's access-egress points, the marina precinct, public foreshore and internal pathways and the accommodation buildings and (d) the definitional clarity of 'territory' facilitating occupancy purpose and activity separation.

The architecture acknowledges the need for, and maximises, passive and active surveillance within and around each building's perimeter. Design to maximise sight line surveillance is also evident in the surrounding internal and main site perimeter pathway linkages.

We are satisfied that the development's S 75W design revisions emphasise CPTED principles.

1.5.3 Security Design Objective 3 CPTED Opportunities and Recommendations

The revised application reinforces the original attention to CPTED specifics. The opportunities to incorporate detail site perimeter security and connectivity with the local neighbourhood, in part through the Trinity Drive design and the site's entry statements, remain under this application. The internal site design specifics recommended for design development/detail as part of staged development applications and later construction certificate issue, are facilitated by drawings reviewed for this application. In summary, the S 75W drawings are the foundational platform upon which to develop:

- the safe pedestrian activation of foreshore, marina berth approaches, marina moorings, accommodation buildings (A – H), the tourist/hospitality buildings and all public domain areas,
- whole-of-site lighting, landscaping and signage sub-plans;
- design specifics for basement and ground level car parking, building facades, stairwells, lifts, lift foyers and corridor circulation;
- protective design of pedestrian connectivity between the proposed tourist hospitality and accommodation precincts and adjacent residential streetscapes;
- IP Network (camera surveillance) design specifics for plant rooms, utilities (services) infrastructure, loading and waste storage areas and other vulnerable intra-site zones.

1.5.4 Security Design Objective 4 Compliance with Local and State (Planning) Instruments

Lake Macquarie City Council's requirements for the original and revised development relate to the application of CPTED principles in relevant aspects of design. Council's requirements are reflected in their revised Development Control Plan, 2014 (DCP 2014), their Crime Prevention Plan CPTED guidelines and the Delivery Program 2013 – 2017. There are broader compliance aspirations for the development, alluded to in the State's Hunter Regional Action Plan, 2012. The S 75W application complies with those aspirations.

The revised drawings also affirm compliance with provisions and guidelines under Section 79 C (1) (e) of and the State's EPA Act in that there are intentional design strategies aimed at mitigating potential anti-social and criminal behaviour risks, thereby considering Section's...'public interest' test.

1.6 Conclusions and Recommendations Summary

We (Harris Crime Prevention Services) have assessed the revised drawings and supporting information to be submitted as a Section 75W application for a marina and mixed use development at Trinity Point, Lake Macquarie NSW. The revisions are consistent with the original concept plan which, in relation to curbing and/or preventing anti-social and criminal behaviour, considered the intentional application of Crime Prevention Through Environmental Design (CPTED) principles within the (revised) footprint.

The S 75W revisions:

- (a) support our earlier (2007) assessment that the development's design and operations should generate positive opportunities for a crime prevention partnership between the neighbouring community and the development,
- (b) contain CPTED features consistent with those incorporated into the original concept plan,
- (c) provide a platform to incorporate CPTED specifics to enhance (strengthen) the already-present design features, and
- (d) comply with the relevant planning and/or policy instruments of Lake Macquarie City Council and the NSW Government.

Prior to occupancy of each and all development stage(s), we recommend the implementation of a contextual and site specific crime prevention management 'master plan' to include all stakeholders including Lake Macquarie City Council, the (police) area command and surrounding neighbourhoods.

2 THE REPORT

2.1 The Revised Section 75W Application and Crime Prevention

In 2009, the Johnson Property Group (Johnson Group) received conditional concept approval for a marina and mixed use destination development at Trinity Point, Lake Macquarie NSW. At that time Harris Crime Prevention Services submitted a 'Crime Risk and Security Design' review of the proposal. The Harris report identified four security design and management objectives – compliance with regulatory and/or planning instruments; minimising broader community crime risks; creating 'safe space' (design) and future security management objectives and outcomes.

Johnson proposes a development revision under Section 75W (S 75W) of the Environmental Planning and Assessment (EPA) Act, 1979. The revision is for a marina and mixed use development on the (originally proposed) Trinity point site. The revision comprises:

- a 200 seat restaurant plus up to approximately 75 outdoor seats (some weather protected)
- a function Room 300 seats plus potential external marquee on lawn.
- a café approximately 40 seats plus up to approximately 40 seats outdoors (some weather protected)
- a 65 room hotel with guest services
- approximately 250 apartments for a combination of short-stay and permanent residents
- precinct landscaping
- on-grade and basement parking and driveways connecting streets and driveways with an objective of a pedestrian precinct at ground level
- a shared pathway generally looping the site and providing access to the foreshore
- a 188 berth marina with associated services, jetties, gangways and breakwater (staged across two stages, 94 berths per stage, but with sub-staging)
- a small marina office and retail spaces with marina user facilities (toilets, showers, lounge, small sales centre, day spa and small meeting rooms) - (Stage 1).

The Johnson Group's vision for the development of short stay and permanent accommodation has not changed. The precinct development will be a vibrant, integrated, mixed use complex comprising residential apartments, hotel, function centre, restaurant, cafe and marina with significant public domain, including the lake foreshore. The mixed use functionality will generate 24/7 pedestrian and vehicular activity – both formal and informal.

From a crime prevention perspective, the development is in a prime position to 'model' appropriate security design practice to protect the development's assets and stakeholder users, offering informal welcoming and safe exploratory foreshore and interconnecting pedestrian pathways, together with the formal activation of the designated residential, commercial and marina spaces.

While the Group's vision and concept remains, the S 75W application seeks to re-affirm the original proposal through design enhancement. This report has considered the relevant crime prevention design issues as part of the S 75W modifications.

We have (a) reviewed the original (Johnson) proposal, (b) considered the conclusions and recommendation of the Harris report of 2007 and (c) examined the S 75W proposal to assess whether and how changes to the development's precinct site footprint and design layout might impact on our (2007) four abovementioned objectives.

We note from the original (2007) drawings and those prepared for this (S 75W) application, that the Johnson Group remains committed to promoting and contributing to, community safety (crime prevention) goals, consistent with those of Lake Macquarie City Council (Council or the Council). The revised development will hopefully provide levels of (security) comfort to adjacent residential neighbourhoods whose local streets are providing the resort's access and egress. There is, therefore an extended security objective, to increase local community awareness, stewardship and/or ownership of their access-egress streetscape corridors in partnership with the resort developers, local police and Council.

In security design terms, the development aims to present safe (a) building envelopes and associated pedestrian pathways and trafficable roads, (b) internal recreational, social and retail/commercial circulation, (c) long term and short term apartment and water amenity, (d) access and egress for staff and resort guests, (e) outdoor and foreshore public space, (f) basement vehicle access-egress, (f) access-egress for loading and contractor vehicles and (g) seamless connectivity between each of the development's territorial 'zones'.

The development may attract criminal elements, targeting vehicles, boats, other resort property and the property of individuals or groups. Theft and assaults are the two primary categories outlined in the appended NSW Bureau of Crime Statistics and Research (BOCSAR) data – Appendix 1. The development should aim to address these categories through security design, and ultimately security management, contributing to decreasing risks associated with them.

The report has examined the development's revised drawings to determine how they contribute to, and comply with, planning and policy initiatives of Council and the NSW Government in relation to the opportunity to design out crime and foreshadows the need to apply security management practices to complement the design outcomes.

The development's residential, commercial and community security objectives will be realised if those objectives support the security (crime prevention) expectations of stakeholders in addition to those of Council. Therefore, safe (security) design must be the foundation for a 'safe place' reputation on occupancy. Security design integrity positions the development to enjoy a positive security reputation whereby all users can be collectively confident of integrated and effective protection.

Where security was once a peripheral issue, it is now a 'core business' consideration. We re-iterate that every new urban development is now partly measured in terms of its reputation for personal safety (security). This development is no exception. Owner/occupier stakeholders must know that every effort has been made to incorporate 'security' into the design brief as forethought, not afterthought. It is also essential that stakeholders accept a role in a post-construction security awareness and/or management plan.

2.1.1 The Development's 'Welcoming and Safe Place' Outcome

It is imperative that design and footprint changes under this revision ensure a 'welcoming and safe place' outcome. A welcoming and safe place may be defined as *'an environment where security has been considered as part of the master-planning, design and construction processes and where the security outcomes enhance a project's overall reputation'*. To this end, security design* or crime prevention architecture becomes the foundational security platform which should:

- add to the development's creative form and function goals;
- be unobtrusive and minimalist in overall impact;
- consider the specific (security) needs of all user/stakeholders;
- be cost-effective;
- contribute to the neighbourhood's security (community safety) expectations.

* We define *security design* as *'applying aspects of architecture, engineering and technology to all urban development proposals as an intentional environmental crime prevention strategy'*. We contend that security design is based on five CPTED principles – territorial definition, access control, natural surveillance, activity support and target hardening. (Refer Appendix 2)

2.1.2 Crime Risk Issues and Security Design Objectives for the Development

The overall mixed use concept remains as proposed and the crime risk issues are as originally outlined. The development's zoned purposes are unchanged and the development's design intent to reduce and/or remove opportunities for anti-social and criminal behaviour also remains.

The main crime risk and crime prevention issues revolve around the protection of (a) the development's assets and its people (residents, staff, guests, visitors and contractors) (b) the foreshore and (c) public domain including access connectors with neighbouring residents.

More specifically, risks relate to:

- (i) precinct-based anti-social, intimidating and/or criminal behaviour targeting individuals or groups and property (buildings, internal roads and share-ways the marina, vehicles and foreshore areas) within and/or adjacent to the development;
- (ii) unauthorised access to the development's defined public, communal and private activity spaces;
- (iii) resultant damage to property or harm to persons specifically associated with the development's residential, commercial, recreational, minor retail, marina and guest 'day-and-stay' purposes.

This report considers four security design related objectives for the S 75W application. The four objectives are:

2.1.2.1 Security Design Objective 1 Contextual Crime Risk Identification and Mitigation

- assessing the development's physical environment in terms of anti-social behaviour, criminal activity and/or potential crime risks. (Council expects the development should positively impact on crime risk mitigation through sound security design and management.)

2.1.2.2 Security Design Objective 2 The Development's CPTED Features

- identifying vulnerable aspects of the development requiring specific security design input aimed at reducing and/or preventing opportunities to commit crime;
- affirming appropriate security design strategies embedded in aspects of architecture and/or engineering, likely to enhance security objectives.

2.1.2.3 Security Design Objective 3 Specific CPTED Opportunities and Recommendations

- outlining specific CPTED applications and recommendations to enhance sustainability and marketability as a welcoming and safe residential, social, recreational, commercial and community place.

2.1.2.4 Security Design Objective 4 Local and State (Planning) Instrument Compliance

- ensuring compliance with the Lake Macquarie City Council's Development Control Plan 2014 (DCP 2014), its mandated crime prevention design guidelines and broader crime prevention strategies; and with State planning instrument guidelines under Section 79C of the New South Wales Environmental Planning and Assessment (EPA) Act.

Note: *Disclaimer*

The commentary, conclusions and recommendations contained in the report are based on information provided to Harris Crime Prevention Services at the time of this assignment. The reduction and/or prevention of crime in urban environments, through appropriate design and management decisions, are internationally accepted strategies. Implementing this report's conclusions and/or recommendations, while following these strategies, cannot guarantee that future crime will be reduced or prevented.

3 THE STAKEHOLDERS

The primary stakeholders are:

- Johnson Property Group
- Lake Macquarie City Council
- The local community
- function and hotel guests, casual visitors, marina lessees and resort staff
- owners, lessees and/or service contractors associated with all commercial and public space

While each of the stakeholders have different security expectations, their broad expectations are similar in that personal and property safety is a 'given' of the development.

4 CONSULTANCY OUTCOMES

The following commentary, conclusions and recommendations have canvassed the revised drawings as they relate to the four security design objectives. First, we have compared the revisions with our assessment of the original (2007) drawings and have reaffirmed the inclusion of crime prevention (CPTED) strategies and outcomes assessed in the original (2007) report, including their compliance with State and Council planning instruments. Secondly we have commented on, concluded and/or recommended, where necessary, on new or altered aspects of the S 75W drawings which may impact on any intended crime prevention outcomes.

4.1 Security Design Objective 1 Contextual Crime Risk Identification and Mitigation

4.1.1 The Site Footprint, Foreshore and Residential Neighbourhood

Under the S 75W revisions, the site footprint will continue to provide public access to grassed and foreshore areas and to internal public spaces within the development. Trinity Point Drive remains the main road conduit to those developments. Its extension is also the single entry point for the proposed marina, tourist and hospitality developments.

The revisions do not change the development's clientele; specifically as short term (holiday) and permanent residential occupancy, hotel guest accommodation, function centre and the marina activities. The site will continue to encourage casual community access for passive open space recreation including access to the foreshore.

The revisions should not negatively impact on anti-social behaviour, crime risks and criminal incident concerns. Revised drawings continue to encourage local (community) access in particular, thereby increasing the likelihood of on-going partnerships with the resort operators in monitoring and managing on-going crime risks.

The revised Precinct development will maintain the intended pedestrian access to an environmentally sensitive foreshore and identified heritage sites. While the access will be guided, controlled and passively monitored by resort security and other personnel, such access can signal increased risks of environmental vandalism and will therefore require a community-resort partnership approach to protect these assets.

Design of the site's perimeters, vehicle and pedestrian access points have not changed significantly. Sight lines between the development and the nearest residences encourage passive two-way surveillance by residents and occupants of the development. The revised drawings retain perimeter 'openness' to the immediate residential neighbourhood thereby facilitating day-night surveillance opportunities.

The marina and resort activities will increase Lake Macquarie's water-way use, especially during peak holiday times. The development's mixed use activation has the potential to curb opportunistic antisocial and/or offending behaviour, particularly along the foreshore. While the developers will have little or no control over any 'water-ways' risks, improved sightlines and legibility of the site will again deter proximate opportunistic (crime) risk taking. In addition, formal and informal security monitoring is proposed as part of a site-wide and local community (partnered) security management plan.

A key positive outcome of the original concept and the revised proposal is the invigoration of the peninsular and surrounds. The emphasis on security (community safety) as part of this new profile, will in part define the (revised development's) reputation. The vision of a new and preferred destination, characterised by minimal or no anti-social or criminal behaviour, should remain the 'benchmark' to ensure a positive (safe place) reputational outcome. To reiterate, this reputation will have a desirable relationship 'outreach' to adjacent streets and near neighbourhoods in line with the safety (crime prevention) strategies of the broader community and Council.

The Precinct development should actualise high security expectations in relation to design and occupancy purpose, with multi-purpose activation occurring across the day-night spectrum. Access and

egress will vary (day and night), depending on activity schedules and/or opportunities for functions, hotel occupancy, apartment living, marina activity and casual socialisation. The development's security design aim should present an environment where vehicles are secured and pedestrians accessing all of the Precinct zones – residential, car park, public amenity and retail – will be safe; that is, where persons and property are protected and where anti-social and/or criminal behaviour is both discouraged and not tolerated.

4.1.2 Evidence of Anti-Social and Criminal Behaviour

Over recent years, little evidence exists of contextual disturbance caused by criminal activity. Much of the natural environment remains undisturbed. Foreshore grasslands and tree clustering remained intact, mostly free from vandalism activity.

The current site is open grassed areas much of which will be preserved around the development's perimeters. It has not been possible to obtain police data as to criminality in neighbouring small-acre farm-lets, older and newer residential neighbourhoods. However, as mentioned above, the presence of the development will increase surveillance opportunities on approaches to, and surrounding the site. Community-developer-operator partnerships to preserve a low or no criminality context will hopefully be in place early in the development's occupancy.

Eventually, the entire development should 'blend' with its neighbourhood to create a wider and safer urban context by intentionally ensuring that all architectural and operational footprints within it, minimise or reduce perceived or actual patterns of opportunistic anti-social and/or criminal behaviour which might otherwise have the potential to increase, were security design and security management strategies to be ignored.

4.1.3 Stakeholder Cooperation in Preventing Crime and Reducing Crime Risks

There has been on-going consultation between Johnson Property Group and the local community about the entire marina and resort proposal. It is hoped that such consultations will include the joint sharing of information about managing, reduction and prevention of crime once all stages of the development have been completed. There is however a need and opportunity for local residents to be advised of steps being taken to 'secure' the site and to establish stakeholder partnerships in the way that will happen, through design and management.

Mitigation of site-based and broader (local) crime risks will therefore depend on the relationship between Trinity Point and its 'neighbours'. Site access and egress will place 'pressures' on local residents and their streets. Neighbourly relations will be enhanced if there is a common approach to containing and countering anti-social and criminal behaviour in the short and long term.

Therefore, as a major mixed-use development, the security *design* must aim to provide a vibrant and inter-connecting safe environment. The security *management* must complement design initiatives. In part, security management must pay close attention to the way in which all functional aspects of the development interrelate and to understand how the entire development relates to the neighbouring communities, especially as those communities are the development's access conduits. In particular, the security design of inter-site zones - public space, boardwalks, share ways and interconnecting walkways is critical in terms of sight line surveillance and way-finding.

Obviously design is not the only way to counter the fear and reality of crime. It is one well-recognised approach aimed at complementing other social, environmental and policing measures that already exist in the broader Morisset community.

In summary, the Johnson Property Group understands the importance of a neighbourhood-resort partnership to not only to implement a whole-of-site protection regime through design and management initiatives, but to do so cooperatively; a whole-of-site crime prevention strategy zero-tolerance of criminal behaviour with a partnering 'eye' on how such a strategy can benefit neighbourhood stakeholders.

4.1.4 Security Design Objective 1 Contextual Risk Identification and Mitigation

Conclusions

In our opinion, the S 75W application has considered the community context in the revised drawings. The proposal continues to respect the need for community involvement in partnering (monitoring and otherwise exercising stewardship) with the development's management in maintaining a local safer environment. The design revisions maintain respect for, and access to, the Point's public domain. The public space and resort architecture enhances the Council's initiatives to increase safe activation of the peninsular and the local residential neighbourhood.

The overall design, incorporating the revisions, should make a positive contribution towards the aim of Lake Macquarie City Council to present this development, and all developments within its local government area (LGA) as footprints that reduce, minimise and/or prevent anti-social and criminal behaviour. The proponents of the development are conscious of their responsibility to advance Council's crime prevention goals in this regard. The adoption of CPTED principles to 'model' Council's and the community's goals for the site is affirmed within this application.

4.2 Security Design Objective 2 The Development's CPTED Features

A review of the S75 W drawings affirms the application of one or more CPTED principles – territorial definition, access control, natural surveillance, activity support and target hardening.

4.2.1 Territorial Definition – Site Footprint Zones and Perimeter

From a crime prevention (security design) perspective, the total site is clearly defined and the Precinct's definition within that total is also clear. Trinity Point Drive, Celestial Drive and Henry Road set the total development apart from the neighbouring residences. The site's perimeters are also defined by foreshore public space reserves, in turn bounded by tidal definitions along a mostly sea grass and rocky shoreline.

The site definitions facilitate way-finding access. Trinity Point Drive facilitates entry into tourist and hospitality precinct and into the proposed future eight short stay and permanent residential buildings. Council requirements for definitional imprints call for minimal physical barriers. In this case the intention is to ensure seamless pedestrian and vehicle connectivity between the resort and adjoining residences. Streetscape, and pathway design which maximises observation and surveillance 'on approach' fulfils this requirement. Vehicles are clearly directed to the site and pedestrians have an option of entering the site via the roadways or entering the site via shared pathways along the foreshore, connected to neighbouring urban pathways. We are advised that entry statement landscaping and site-wide civil works design will maximise surveillance and connectivity seamlessness.

Defining territory in multi-level, multifunctional mixed use developments provides activation certainty. It increases the level of legitimate access guidance and unauthorised access alertness. This development exhibits five clear definitional parameters – (i) vehicle access and parking, (ii) pedestrian access, (iii) foreshore gathering spaces, (iv) marina access and (v) points of connectivity with the adjoining neighbourhood.

4.2.2 Territorial Definition – Accommodation and Tourist/Hospitality Precincts

The S 75W drawings define and separate each of the functional sub-precincts; residential, commercial, marina and public domain. Separation clarity for formal and informal activation of each building's function provides a sense of location and purpose. Building surrounds – apartment buildings, the hotel, function centre, cafe, office space, courtyards and car parking entrances encourage day-night passive surveillance. Spatial identity encourages knowledge of access limitations across public, communal and private spaces.

Territorial definition and separation principles are enhanced by appropriate intentional building orientation and associated private or communal spaces towards the marina and foreshore. This is particularly evident (and important) in defining the extent of public amenity access limitations. Observational (passive surveillance) opportunities are 'strengthened' by the application of this architecture.

4.2.3 Observation and Natural Surveillance

The principle of natural (informal or casual) surveillance encourages (i) the observation of building form and (ii) the observation and notation of activation function. Natural surveillance is purposeful observation. It is observation that unobtrusively notes and recognises the usual, so that the unusual may be more easily recognisable.

Reviewed S 75W drawings indicate maximum opportunities for observation and surveillance, particularly in relation to the 'flow thru' areas between the apartments, hotel, function centre, cafe and marina buildings and ground level car park, accentuated by courtyards, boardwalk, connecting easements, the lawn, pool deck, water zone and tiered gardens, all of which invite informal transit and gathering spaces. Observation from the foreshore and marina towards Precinct buildings, along roads and shared pathways present opportunities for multi-directional surveillance.

The Precinct's basement car parking facilitates surveillance along access and egress bays, with limited cross-bay surveillance possible between vehicles.

Perspectives and building location drawings indicate appropriate footprint legibility around each internal and external (functional) space. Road-facing (Trinity Point Drive) perimeter length sight lines are uninterrupted and allow street level movement certainty in and out of the Precinct, with observational points to future stages of the resort and to adjacent residences. Drawings indicate minimal recesses around the perimeter and building footprints likely to provide entrapment opportunities.

4.2.4 Mixed Use (Functional) Separation

Drawings clearly separate buildings and their functions with obvious identifying and way-finding demarcation points. Signage, landscaping, lighting and designated formal or informal activity will ensure legitimacy of access at each location.

Vehicle parking is also clearly defined, with signed bays for staff, guests, residents, disabled persons and loading.

4.2.5 Access Control

Drawings show unambiguous separation of space from the street-level entry to locations in and around the Precinct. Building, private, communal and public space corridors encourage movement to and from each building and gathering space. The hotel entrance 'invites' foyer access with appropriate way-finding to the lift lobby, minor retail, the business centre, gymnasium and hotel suites. Natural and technical surveillance in and around these locations is unimpeded. The activity support application of signage, lighting and landscaping will enhance way-finding to and from ground, basement and upper level spaces, including signage or visual cues as to public, communal, private and restricted access.

We understand that access to hotel and residential short-stay and permanent living apartments will be controlled by (a) secured basement level lifts, (b) by 'open' and highly visible lift lobbies in the basement car park and building foyers and (c) by highly visible hotel and residential foyer/porches.

The apartment layouts present no perceived crime risk issues. However, attempted unauthorised access to ground (and above) level apartments from the internal road ways cannot be discounted. Design detail can manage this risk by appropriate security locking and screen technology. Intra and interconnecting corridors are of standard design and provide adequate sight lines within the hotel and to adjoining locations.

4.2.6 Target Hardening and Activity Support

The S 75W revisions continue the CPTED architectural features, which in our view, negate the need for target-hardening emphases, other than those indicated by territorial definition and separation across each of the functional zones and internal connectors. There do not appear to be any especially vulnerable points of public access risk, other than un-detected waterfront 'landings', concealed from observational view; especially late at night. However, as public access is not foreshore-restricted,

individuals or groups intent on causing harm or damage within the sub-precincts should be readily detected, once easements and landscaped areas are accessed.

Construction certificate detail will provide appropriate lighting and landscaping plans to maximise night time surveillance along public reserves and internal pathways.

4.2.7 Security Design Objective 2 The Development's CPTED Features

Conclusions

A review of the Section 75 Modification drawings confirms that the development's S 75W revisions display intentional CPTED features. These are evident in (a) the interrelationship between each building within the residential and tourist/hospitality precincts, (b) the internal and external design of the accommodation Buildings A – H, the marina building, the hotel, cafe, restaurant and function centre, (c) the interconnectivity between the development's access-egress points, the marina precinct, public foreshore and internal pathways and the accommodation buildings and (d) the definitional clarity of 'territory' facilitating occupancy purpose and activity separation.

The architecture acknowledges the need for, and maximises, passive and active surveillance within and around each building's perimeter. Design to maximise sight line surveillance is also evident in the surrounding internal and main site perimeter pathway linkages.

We are satisfied that the development's S 75W design revisions emphasise CPTED principles.

4.3 Security Design Objective 3 CPTED Opportunities and Recommendations

The S 75W drawings; (a) re-confirm the adoption of CPTED principles cited our original assessment of concept plan drawings, (b) confirm the CPTED 'strengths' outlined in Security Design Objective 2 and (c) provide opportunities for incorporating those strengths into design development/detail. The main aspects of CPTED-relevant architecture concern building facades, intra-site connectivity, the basements, street level entry separation, lifts and foyers, plant and utilities infrastructure, waste storage and removal, the marina docking and mooring and design to facilitate intra-site public domain.

The following is an overview of CPTED 'opportunities' for each sub-precinct.

4.3.1. The Accommodation Sub-Precinct

The eight apartment buildings provide a sense of layout (footprint) legibility. Their separation promotes natural surveillance from apartment windows and balconies, around each building perimeter, throughout the landscaped spaces, along the internal roads and along the proposed share-ways. Surveillance of the foreshore, Trinity Point Drive and of the eastern public space boundary and towards the tourist and buildings is also assured.

Pedestrian and vehicle day-night activation will increase the liveliness of the sub-precinct. There will be encouragement to informally gather in communal and community spaces. Interconnected internal roads and secure basement parking will add to the overall sense of residential safety.

4.3.2 The Tourist/Hospitality Sub-Precinct

This sub-precinct will engage a cross section of vehicle and pedestrian activity. The function centre, cafe and restaurant will combine formal and informal activation which will be shared throughout the proposed lawns and associated landscaped pockets. Indoor and outdoor dining together with movement throughout the passive spaces will facilitate observation and surveillance in and around each 'function' space. Liveliness and legibility commend these spaces as 'welcoming and safe'.

The hotel's layout provides a similar sense of welcome and safety. The entry foyer invites passive surveillance towards the gymnasium, pool, lifts and roadway. There is appropriate pedestrian interconnectivity between the functions spaces and hotel, adding to observable activation. S 75W design

revisions promote glazed facades and doorways offering inter-level surveillance opportunities beyond the immediate hotel perimeter.

On-ground, sub-basement and basement parking is appropriately designed as secure spaces. We understand that external tower or pole lighting will cover internal roads and on-ground parking spaces. The vehicle ramp for basement parking is appropriately recessed off the internal roadway and we understand access to all parking – tourist, hospitality and accommodation – will be via perforated roller shutters. We recommend overhead or high wall-wash installations to avoid any possibility of glare when arriving at, or leaving ramps.

The marina (via Easement B) has observable access along the docking paths and along individual berths. Lighting will facilitate night time passive surveillance and we are recommending that IP Network cameras be installed at key marina locations, as part of ‘smart pole’ technology. (While the marina and the overall footprint architecture facilitates informal (casual, passive) surveillance, we recommend supporting (formal) surveillance by installing IP Network cameras at critical locations. These include the marina berths and western gate, building perimeters, easements and foreshore pathways.

4.3.3 The Public Domain

The S 75W revisions re-affirm the development’s public domain goals. The site invites community participation in resort activities, encouraging day-night pedestrian activation along the boardwalk, internal roads and share-ways. Landscaping will define gathering spaces.

Preliminary whole-of-site landscaping drawings suggest an intention to sensitively blend natural bushland features with grassed, low level and deep soil plantings to create a complementary whole. The tiered gardens, open gathering spaces, courtyards and pathways will entice and encourage overall liveliness, exploration and way-finding to or through these spaces and to each of the Precinct’s buildings.

Perhaps the most vulnerable zone is the foreshore. With public access from the site’s boundary ‘flanks’ and from the water – apart from the marina and casual-visitor berths – one or more persons intent on causing harm or damage could use these routes unseen, before and after causing a disturbance or committing an offence. A combined lighting, landscaping, signage and IP surveillance strategy for these vulnerable areas should form part of (a) design detail and (b) a whole-of-site security management plan. We acknowledge that there are issues with waterfront surveillance and that the resort’s management has little control over unlawful incursions from that area.

4.3.4 Security Design Objective 3 Specific CPTED Opportunities and Recommendations

Conclusions

The revised application reinforces the original attention to CPTED specifics. The opportunities to incorporate detail site perimeter security and connectivity with the local neighbourhood, in part through the Trinity Drive design and the site’s entry statements, remain under this application. The internal site design specifics recommended for design development/detail as part of staged development applications and later construction certificate issue, are facilitated by drawings reviewed for this application. In summary, the S 75W drawings are the foundational platform upon which to develop:

- the safe pedestrian activation of foreshore, marina berth approaches, marina moorings, accommodation buildings (A – H), the tourist/hospitality buildings and all public domain areas;
- whole-of-site lighting, landscaping and signage sub-plans;
- design specifics for basement and ground level car parking, building facades, stairwells, lifts, lift foyers and corridor circulation;
- protective design of pedestrian connectivity between the proposed tourist hospitality and accommodation precincts and adjacent residential streetscapes;
- IP Network (camera surveillance) design specifics for plant rooms, utilities (services) infrastructure, loading and waste storage areas and other vulnerable intra-site zones.

4.4 Security Design Objective 4 Compliance with Local and State (Planning) Instruments

We have considered the revised drawings and associated information in relation to compliance with Lake Macquarie City Council's crime prevention (CPTED) planning requirements and those of the NSW Government.

4.4.1 Local Government Instruments – Lake Macquarie City Council

We noted in our earlier report that Council's crime prevention (community safety) objectives, predominantly those outlined in their Development Control Plan 2014 (DCP 2014) were complied with in the original planning submission. The S 75W application drawings have been reviewed in light of Council's up-dated DCP 2014 and its Crime Prevention Through Environmental Design Guideline.

Council's more recent *City of Lake Macquarie Delivery Program 2013 – 2017* also highlights community safety and crime prevention initiatives as an improvement priority. (Security and community safety through crime reduction and prevention features prominently on most local government 'key issues' lists.) Council's concerns to provide on-going community safety outcomes throughout its LGA are therefore commensurate with 'safe space' living across the range of urban and rural environments.

Council's DCP 2014 is explicit in requiring attention to CPTED principles and guidelines in relation to the revised development.

Section 2.7.3 relates to the design of public space with reference to (perimeter) sight lines.

Section 2.7.4 address the design of pedestrian networks.

Section 2.7.9 requires this (and all designated developments) to apply CPTED principles to design.

Council's published Delivery Program (2013 – 2017) and the State's Hunter Regional Action Plan (2012 both mention community safety/crime prevention objectives as a community issue priority. These objectives relate to how, when and where communities function safely in urban spaces.

The original (2007) concept plan complied with DCP1 (as it was then and the associated Council guideline. In our view the S 75W revised drawings also comply with the latest DCP 2014 and with the guideline. The development's future security management strategy should be developed in concert with the latest Council crime prevention priorities.

4.4.2 State Instruments – The NSW EPA ACT

The NSW EPA Act, 1979 as amended, allows for provision to be made for instruments to regulate or codify issues pertaining to environmental impacts of (normally) large scale and modest developments. Security (crime prevention) is one of the "impacts" allowed for.

Section 79C (1) states: *"In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development, the subject of the development application"*.

Section 79 (1) (b) adds: *"...the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality"*.

Section 79 (1) (e) adds: *"...the public interest"*.

The 2001 amendments to the interpretive guidelines for this Section state: *"...Crime prevention falls under these subsections of 79C. Councils have an obligation to ensure that a development provides safety and security to users and the community. If a development presents a crime risk, these guidelines can be used to justify:*

- *modification of the development to minimise the risk of crime, or*
- *refusal of the development on the grounds that crime risk cannot be appropriately minimised"*.

In this case “the public interest” clearly is to reduce and/or prevent any anti-social or criminal behaviour that might cause offence or harm to any person accessing the development site.

The public interest could arguably extend to such behaviour occurring at or beyond the perimeters of the site, although strictly speaking, the developer has no responsibility for such behaviour. The Act’s 2001 Guidelines endorse this interpretation. This interpretation aligns with the Council’s crime prevention objectives. In this case, the developer-operator stakeholders are concerned to prevent any site-based or operationally-caused anti-social or criminal behaviour that might impact upon persons accessing or occupying the site and the residents and property of adjoining or neighbouring communities.

In our view, the S 75W drawings consider the public interest by applying CPTED principles as appropriate. The public interest will also be served once full site occupancy is approved at which time a security management plan (already referred to), should be implemented.

4.4.3 Security Objective 4 Compliance with Local and State (Planning) Instruments

Conclusions

Lake Macquarie City Council’s requirements for the original and revised development relate to the application of CPTED principles in relevant aspects of design. Council’s requirements are reflected in their revised Development Control Plan, 2014 (DCP 2014), their Crime Prevention Plan CPTED guidelines and the Delivery Program 2013 – 2017. There are broader compliance aspirations for the development, alluded to in the State’s Hunter Regional Action Plan, 2012. The S 75W application complies with those aspirations.

The revised drawings also affirm compliance with provisions and guidelines under Section 79 C (1) (e) of and the State’s EPA Act in that there are intentional design strategies aimed at mitigating potential anti-social and criminal behaviour risks, thereby considering Section’s...‘public interest’ test.

4.5 Conclusions and Recommendations

We (Harris Crime Prevention Services) have assessed the revised drawings and supporting information to be submitted as a Section 75W application for a marina and mixed use development at Trinity Point, Lake Macquarie NSW. The revisions are consistent with the original concept plan which, in relation to curbing and/or preventing anti-social and criminal behaviour, considered the intentional application of Crime Prevention Through Environmental Design (CPTED) principles within the (revised) footprint.

The S 75W revisions:

- (a) support our earlier (2007) assessment that the development’s design and operations should generate positive opportunities for a crime prevention partnership between the neighbouring community and the development,**
- (b) contain CPTED features consistent with those incorporated into the original concept plan,**
- (c) provide a platform to incorporate CPTED specifics to enhance (strengthen) the already-present design features, and**
- (d) comply with the relevant planning and/or policy instruments of Lake Macquarie City Council and the NSW Government.**

Prior to occupancy of each and all development stage(s), we recommend the implementation of a contextual and site specific crime prevention management ‘master plan’ to include all stakeholders including Lake Macquarie City Council, the (police) area command and surrounding neighbourhoods.

5 REVIEW METHODOLOGY

The methodology indicates the perspective taken by the consultants in undertaking our analysis and making recommendations. The consultants have:

- (a) reviewed the drawings in relation to Security Design Objectives 1 to 4 of this report;
- (b) met with representatives from Squillace Architects and associated consultants in order to understand the commercial and architectural goals of the development;
- (c) received input from Lake Macquarie City Council's policy and/or planning documents;
- (d) explored the crime risk backdrop against BOCSAR crime statistics;
- (e) obtained information from State planning instruments.

6 REFERENCES

Crowe T, *Crime Prevention Through Environmental Design* Second Ed, Butterworth-Heinemann, Boston, 2003,

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New South Wales Bureau of Crime Statistics and Research, *Crime Statistics for the Suburb of Morisset Lake Macquarie City Council LGA*, NSW BOCSAR, Sydney, 2014,

NSW Government, *Environmental Planning and Assessment Act, 1979*, Government Printer, Sydney, 1980,

NSW Department of Urban Affairs and Planning, *Crime Prevention and the Assessment of Development Applications: Guidelines under Section 79C of the Environmental Planning and Assessment Act, 1979*, April 2001,

Squillace Architects Interior Designers, *Development Application Drawings – Issue, DA - 051, 052, 100, 101, 110, 120, 121, 125, 130, 140, 150, 220, 250, 251, 850*.

APPENDIX 1: CITY OF LAKE MACQUARIE – MORISSET SUBURB

It has not been possible to obtain police or other evidence concerning actual levels of criminality within the Morisset suburb. However, the crime statistics below from the NSW Bureau of Crime Statistics and Research (BOCSAR) are indicative of *reported* criminal activity.

NSW Crime Statistics April 2011 to March 2014 for Morisset (Suburb)							
	3 Year Trend to March 2014	Year to March 2012 Count	Year to March 2012 Rate	Year to March 2013 Count	Year to March 2013 Rate	Year to March 2014 Count	Year to March 2014 Rate
Homicide	n.c.	0	0	0	0	0	0
Assault - domestic	n.c.	9	302.5	7	233.9	8	267.3
Assault - non Domestic	stable	33	1110.2	32	1069.2	42	1403.3
Sexual assault	n.c.	2	67.4	9	300.7	12	400.9
Indecent assault, act of indecency and other sexual offences	n.c.	8	269	13	434.3	7	233.9
Robbery without weapon	n.c.	1	33.7	0	0	1	33.4
Robbery with a firearm	n.c.	0	0	1	33.4	0	0
Robbery with weapon not a firearm	n.c.	0	0	1	33.4	3	100.2
Harassment, threatening behaviour & private nuisance	n.c.	10	336.2	16	534.6	21	701.6
Other offences against the person	n.c.	0	0	1	33.4	3	100.2
Break & enter dwelling	n.c.	19	639.2	30	1002.3	27	902.1
Break & enter non dwelling	stable	34	1143.6	33	1102.6	35	1169.4
Motor vehicle theft	down 16.8% per year	33	1109	25	835.3	23	768.5
Steal from motor vehicle	down 21.8% per year	65	2185.5	31	1035.8	40	1336.5
Steal from retail Store	n.c.	19	639.2	22	735	14	467.8
Steal from dwelling	n.c.	11	368.7	10	334.1	10	334.1
Steal from person	n.c.	10	336.5	3	100.2	4	133.6
Liquor offences	n.c.	1	33.7	5	167.1	0	0
Disorderly conduct	n.c.	17	570.9	9	300.7	20	668.2
Drug offences	n.c.	3	100.8	21	701.6	32	1069.2
Malicious damage to property	down 18.8% per year	104	3496.4	77	2572.7	69	2305.4
Prohibited and regulated weapons offences	n.c.	1	33.7	3	100.2	8	267.3
Arson	n.c.	9	303	7	233.9	8	267.3