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Crime Risk and Crime Prevention Through Environmental Design (CPTED) Consultancy

FINAL REPORT

in relation to the

Residential Development at Lot 159, 30 Chinbible Avenue Mullumbimby NSW

for

Sked No 2 Pty Ltd

12th June 2024

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Crime Prevention Through Environmental Design (CPTED) Consultancy in relation to the Residential Development, Lot 159 30 Chinbible Avenue Mullumbimby NSW

THE REPORT

1 Engagement and Development Overview

Harris Crime Prevention Services (Harris) has provided a Crime Risk and Crime Prevention Through Environmental Design (CPTED) consultancy to Sked-Solutions Pty Ltd, on behalf of Sked No 2 Pty Ltd at Callum-Sked Trust, for a residential development (the development or project).

The development is located at Lot 159, 30 Chinbible Avenue, Mullumbimby NSW. Proximate are residential and commercial properties, Mullumbimby Showground, Brunswick River, sporting clubs/grounds. Woolworths is approximately 2kms from the site and Mullumbimby railway station approximately 2.5 kms. There are a number of licenced premises in the area. Brunswick Heads is approximately 12 kms north-east, and Byron Bay approximately 22 kms south-east of the development context.

The development will comprise:

- 25 dwellings – 20 x 3 bedrooms, 1 x 2 bedrooms and 4 x 1 bedroom, all with internal vehicle parking
- internal driveways
- lighting, setback landscaping and directional signage.

Byron Shire Council requires an independent CPTED report under Chapter B11 of its Development Control Plan 2014 and Community Safety Strategy.

Our report has been undertaken with reference to local police information on contextual crime risks as they might impact the positive (safe place) outcomes for the development.

2 Report Structure

The report is structured as:

Section 1	engagement and development overview
Section 2	report structure
Section 3	CPTED aim, principles and the Harris approach
Section 4	scope, stakeholders and informing instruments
Section 5	local crime risk context, police information and crime data
Section 6	assessed crime risks to the development
Section 7	CPTED-applied principles for the development's risk mitigation outcomes
Section 8	compliance with legislation, regulation, planning and/or policy instruments
Section 9	overall consultancy summary
Section 10	references, and
Section 11	supporting Appendices 1 and 2.

3 CPTED – Aim, Definitions and Principles

3.1 CPTED Consultancy Aim and Definitions

The aim is to provide levels of confidence to Sked Solutions and Byron Shire Council that contextual crime risks have been understood and that the development's design maximises any negative crime risk impacts.

The overarching CPTED aim is for the development to become a 'welcoming-and-safe-place' for all stakeholders; that is residents and visitors.

Harris defines 'welcoming and safe place' as: *'built form and public space environments where crime prevention has been a consideration of concept, master-planning, design development and construction processes to ensure a development's overall (safe and secure) reputation'*.

We define CPTED as: *'applying aspects of architecture, engineering and technology to all urban development proposals (projects) as an intentional environmental, welcoming-and-safe-place, crime prevention strategy'*.

The consultancy was therefore required to:

- (i) identify and assess the potential and actual crime risks to the development,
- (ii) analyse and recommend the application of CPTED principles to mitigate those risks,
- (iii) ensure (CPTED) compliance with State and/or Council planning instruments.

3.2 CPTED Principles

Designing-out crime through CPTED principles is an acknowledged crime prevention platform.

Our report is based on five acknowledged CPTED principles, adapted by Harris from the Moffatt (1983) CPTED framework as:

- Principle 1 Territorial definition – clarity about spatial identify, separation, boundaries and purposes,
- Principle 2 Natural surveillance – architecture facilitating strong sightlines for ground plane, basement and/or upper-level observation and surveillance,
- Principle 3 Access control – access-egress definitions - who goes where, when and why,
- Principle 4 Activity support – the influences of (external) lighting, landscaping and signage,
- Principle 5 Target hardening – adding specific and robust architecture and technology.

These principles underpin the report's assessment, conclusions and recommendations.

4 Scope, Outcomes, Stakeholders and Informing Instruments-Standards

4.1 Consultancy Scope

The client-agreed scope has addressed crime risk and crime prevention (CPTED) solutions. Our consultants have:

- (i) clarified with the architect/client regarding the development's crime risk parameters
- (ii) undertaken a desk top review of the drawings with specific CPTED focus on site-wide pedestrian and vehicle activation-circulation across public/private areas including entries
- (iii) assessed CPTED solutions based on the (abovementioned) acknowledged principles - territorial definition, natural surveillance, access control, activity support and target hardening

- (iv) affirmed or recommended CPTED solutions regarding the application of Principles 1 to 5
- (v) liaised with the Crime Prevention Officer attached to the Tweed-Byron Police District to obtain local intelligence as to categories, levels and trends in anti-social and/or criminal activity
- (vi) completed a Crime Prevention Through Environmental Design report.

4.2 Expected Outcomes

Harris believes the development should 'model' a welcoming-and-safe-place reputation. This would:

- (i) enhance the architectural integrity and client objectives of the development
- (ii) holistically protect all assets – people, property, systems and infrastructure
- (iii) comply with the requirements of regulatory instruments and/or Standards
- (iv) meet the expectations of secondary stakeholders, e.g. insurers, auditors.

4.3 Key Stakeholders

Key stakeholder groups are:

- (i) Sked No 2 Pty Ltd and other project partners and owners
- (ii) residents, visitors, (future) maintenance contractors and emergency personnel
- (iii) Byron Shire Council
- (iv) NSW Police.

While each stakeholder will have different community safety expectations, their broad expectations are similar in that personal and property safety is a 'given' of the designing-out-crime objectives.

4.4 Informing Instruments

Our analyses, conclusions and recommendations are informed and/or underpinned by:

- (i) the NSW Environmental Planning and Assessment Act, 1979, as amended,
- (ii) Byron Shire Council's Development Control Plan, 2014 (with 2018 amendments)
- (iii) Byron Shire Council's Community Safety Strategy
- (iv) NSW Police CPTED 'Check List'
- (v) data from the NSW Bureau of Crime Statistics and Research (BOCSAR).

The development's compliance with, or reference to, these instruments is covered in **Section 8**.

4.5 Supporting Standards

Our analysis and report is also underpinned by two International Standards:

- (i) AS/ISO 31000:2018, *Risk Management Guidelines*, which provides a helpful framework to identify and manage any organisational risks, include crime risks,
- (ii) ISO 22341:2021 *Security and Resilience – Protective Security – Guidelines for Crime Prevention Through Environmental Design*, which provides an acknowledged international CPTED framework.

The report has two (supporting) appendices:

- Appendix 1 NSW Bureau of Crime Statistics and Research (BOCSAR) - reported crime statistics for Mullumbimby over five years, October 2018 to September 2023,
- Appendix 2 The Risk Management Standard AS/ISO31000:2018 (the Standard), its relevance to the development.

4.6 Notes and Disclaimer

Note 1 Harris' consultancy services are provided independently; i.e. we are not affiliated with, nor receive benefits from, any organisation that supplies security hardware, installs security systems, monitors alarm systems or provides guarding/patrol services. This independence is critical to the way we approach security solution options and recommendations.

Note 2 The scope excluded the development/provision of a technical security brief, security systems design and specifications or lighting brief and specifications.

Note 3 The commentary, assessment, conclusions and recommendations outlined in the report are based on information provided to Harris Crime Prevention Services at the time of this assignment.

Disclaimer: While our research and experience suggest CPTED can be adopted to reduce opportunities for crime, it is not possible to guarantee that actual crime will be reduced or eliminated if these suggestions and/or recommendations are implemented.

5 Local Crime Risk Context, Police Information and Crime Data

5.1 The Crime Risk Context

The development site 'flows' to other residential, social, recreational and mixed-use zones within 'greater' Mullumbimby. The immediate context is an expanding and settled residential area, surrounded by open space, including the riverbank, pocket park and oval-parklands-showground.

Specifically, the site is bounded by houses to the south and east, an unembellished pocket park at the southeast corner and open space, between the site and the river, to the west. Contextually, our perception suggests a minimal crime risk environment, borne out by local police comments and published BOCSAR data.

Therefore, from a crime risk perspective, there are no 'red flags' from these sources indicating concerns. Open (including recreational) spaces are always susceptible to the occasional late-night or weekend noise disturbances which may occur around these residential neighbourhoods. There could also be the occasional vehicle and/or pedestrian noise 'spill' possibly emanating from not-too-distant licenced premises.

5.2 Local Police (Crime Risk) Information

Local police from the Tweed-Byron police station were reluctant to share actual crime intelligence data from their region, advising that the BOCSAR data reflected the suburb's reported crime trends. They advised that the town itself reflected a 'safe community' outcome, the intended objective of the whole of Byron Shire, as outlined in their DCP and Community Safety Strategy – **Refer Section 8.**

There is no indication of any crime 'hot spot' near the proposed development. We indicated that the Council will probably refer our (CPTED) report to the Crime Prevention Officer (CPO) for comment.

Notwithstanding the above, there are always possible and unpredictable police interventions when sporadic anti-social or criminal behaviour is reported, especially on weekends at night, possibly emanating from Club or other licenced premises in the town itself.

5.3 NSW Bureau of Crime Statistics and Research (BOCSAR) Data

The BOCSAR data of reported crime for Mullumbimby suburb backs police information and our own contextual assessment. The data is published to indicate trends in various offence categories over a 5-year (year-on-year) period July 2018 to June 2023. **Appendix 1** details this latest data.

In summary, there are no 'disturbing' trends in the data, as well as pleasing decreases in drug offences – down 27.8% and in stalking and intimidation – down 5.3% year on year. All other reported crime categories indicated 'no change' in consistently low to moderate criminal activity.

6 Assessed Potential Crime Risks Impacting the Development

6.1 Important (Generic) Factors in Assessing Crime Risks

Predicting when, where, what, how and why internal and external risks can become threats and incidents targeting this (or any development) footprint, may be potentially influenced by:

- (i) the surrounding context's potential to 'attract' opportunities for anti-social or criminal behaviour
- (ii) time of day or night and weather conditions for such opportunities
- (iii) the emotional 'state' and motive of a person intending to commit an offence
- (iv) the intended targets – people and/or property, and
- (v) how easy or difficult it is to unlawfully gain access to targets.

One or more of these factors could influence the crime risks to this development.

6.2 The Harris-Assessed Crime Risk Summary

Notwithstanding the low crime risk context of the development, the assessed crime risks listed below should not be underestimated. Even the most minor offence occurring within or near the development, internal communal or external public spaces including adjacent streetscapes, can have major consequences.

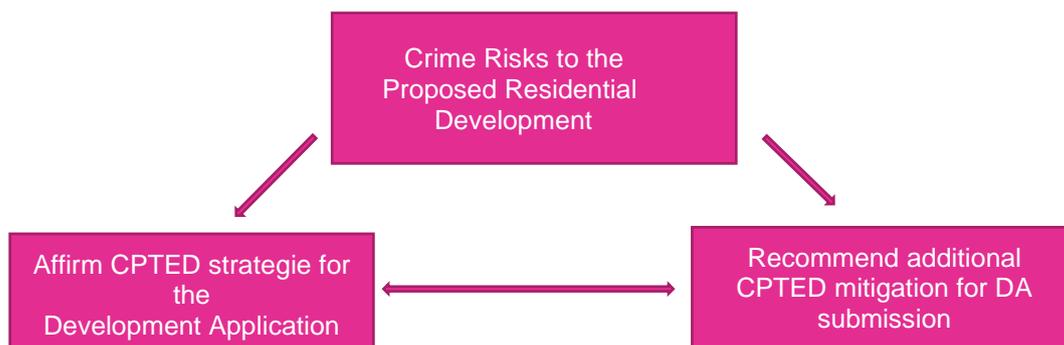
Assessment is based on four risk categories: 'low' (**L**), 'moderate' (**M**), 'high' (**H**) and 'extreme' (**E**). Risk categories, levels and consequences are framed by AS/ISO 31000:2018, *Risk Management Guidelines* (refer Matrix **Appendix 2**).

The mostly predictable crime categories likely to 'target' the development are:

- (i) intimidating anti-social behaviour towards residents, (**L**)
- (ii) physical and/or sexual assaults against (i) above, including at night, (**L**)
- (iii) damage to residential dwellings, carports and garages, or theft of residential property, (**L - M**)
- (iv) theft of, or damage to, motor vehicles, (**L**)
- (v) damage to streetscapes, common infrastructure or street fittings (**L**)
- (vi) context-based drug dealing in the vicinity of the subdivision, (**L - M**).

Potential for anti-social and criminal behaviour also relates to the 'newness' of the development. In our experience, would-be offenders will always 'test' new developments to look for weaknesses in security design and operations. CPTED solutions aim to reduce or eliminate 'security breach' opportunities.

Application of each CPTED principle, where relevant to this development, follows.



7 CPTED Applications to Ensure ‘Welcoming and Safe Place’ Outcomes

7.1 CPTED Principle 1 Territorial Definition: clarity about spatial identity, separation, boundaries and purposes

General Explanation

Defining territorial boundaries, spatial separation and purposes are the elements of this first CPTED principle. The aim is to maximise built form and public domain ‘knowledge certainty’ for all who have day-night access to a site.

Stakeholder, occupant, visitor, emergency response or contractor knowledge (identification) of territorial sub-spaces increases destination and circulation confidence.

When built form and open space is clearly defined, form and function are more easily identified. This removes confusion of purpose and enhances safe circulation.

7.1.1 Application – Contextual and Site Definitions

The subdivision layout is clearly defined within the Byron Shire Council’s overall plan.

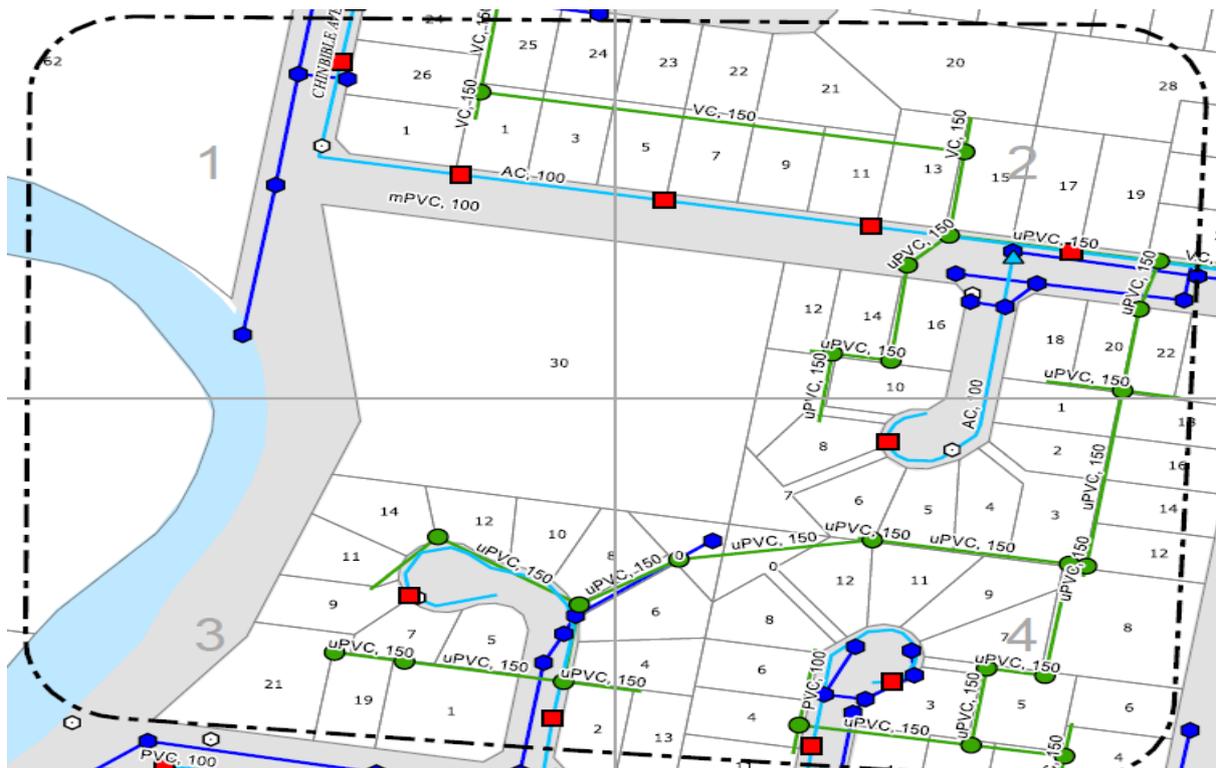


Image 1 Contextual Residential Plan - Byron Shire Council

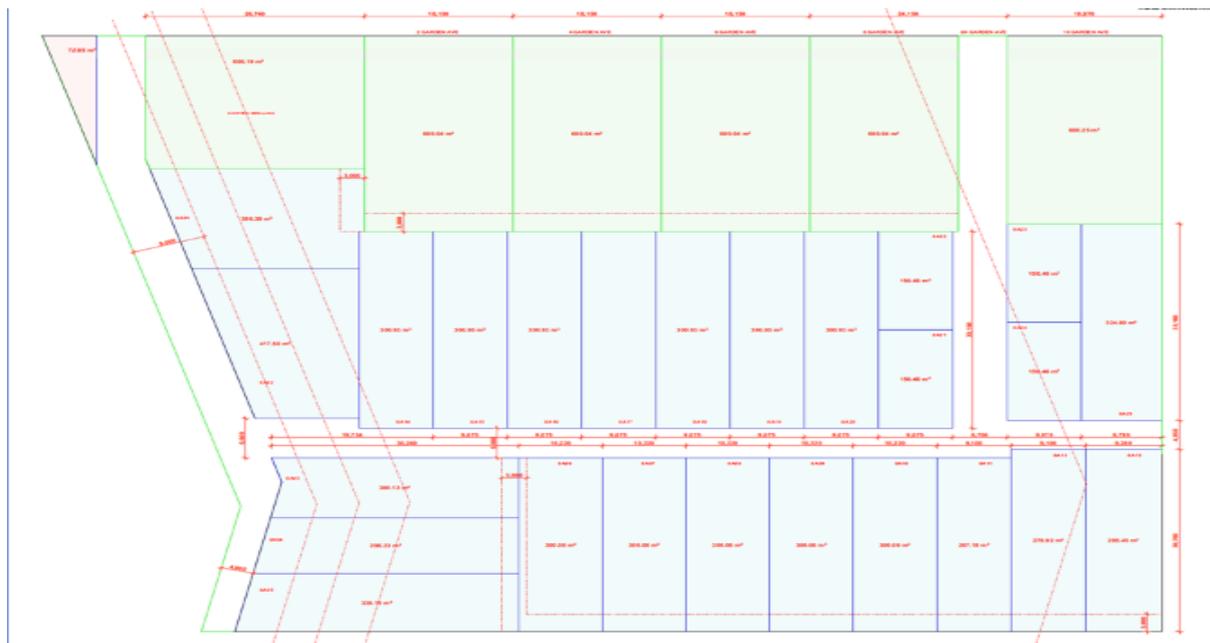


Image 2 Site and lot layout plan - Story Design Collective (Drawing 202)

7.1.2 Application – Building (Dwelling) Definitions, Purposes and Spatial Separation

The 25 dwellings are laid out at ground plane with entrances facing either Garden Avenue or in development's internal loop driveway. The footprint combines vehicle and pedestrian access and use. Occupation and circulation design elements indicate appropriate dwelling alignment, consistent with the Council's requirements for maintaining a safe and secure neighbourhood.

These elements are clearly defined to maximise safe wayfinding and subdivision 'knowledge certainty'. Definitional elements provide directional destination location confidence for residents and 'first time' visitors and maintenance contractors.

Throughout the site, there is no spatial confusion. There are no 'hidden' 'spaces or blind corners likely to conceal or entrap within the development footprint.

External lighting, communal landscaping and signage are key elements to ensuring consistent and safe day-night site identification and (safe) intra-site movement-to-locations. (**Refer Principle 4**)

In summary, the development's footprint ensures whole-of-site clarity of purposes through well-defined spatial separation and overall legibility. CPTED 'looks for' this design element clarity.

7.1.3 Application – Pedestrian Access, Vehicle Entry and Parking

Off-street pedestrian and vehicle entry to the development is open and invites safe circulation. The internal driveway loop conveys the certainty already mentioned.

Dwelling garages or carports should contribute to security and safety of vehicles. The interconnectivity with front and/or rear dwelling entrances are appropriate design features. No additional design elements are required. from a CPTED perspective.

7.1.4 Application – Definitional Relationships Between Dwellings and Immediate Boundaries

In definitional terms, building and/or lot connectivity with neighbouring boundaries is appropriate, providing seamless links with open space, with adjoining residential property and with the Garden Avenue streetscape.

Definitional spaces between lot dwellings will comply with Council's planning approval and there are no CPTED-related issues with these definitions. Wayfinding to other retained buildings is also clearly defined.

As mentioned in 7.1.2 above, there are no obvious entrapment or concealment points at or around each dwelling or at any of the clearly defined boundaries.

7.1.5 Application – Waste Storage and Collection

Operationally, residential waste will be 'binned' to comply with Council standards for storage and removal.

7.1.6 Application – Utilities Infrastructure and Other Plant

Protecting all external utilities infrastructure is critical. Securing electricity or other residentially located meters is essential to prevent unlawful tampering.

CPTED Principle 1 Territorial Definitions Conclusions and/or Recommendations

In terms of this foundational principle, drawing display definitional design clarity for all residents of, and visitors to, the development site.

In CPTED definitional terms, there are no ambiguously allocated spaces or confusing spatial purposes. Lot location, separation of dwellings and clarity of street-driveway access provides safe wayfinding confidence.

Boundary (perimeter) fencing should consider appropriate design options which reflect the intended safe suburban street and development profile while deterring unauthorised access into lots or dwellings.

The broad whole-of-site definitional clarity provides a foundation design statement, upon which to overlay Principles 2 to 5, as part of an integrated 'welcoming-and-safe-place' outcome.

Design Development (DD) drawings will reinforce crime prevention aim of the site, thereby encouraging safe vehicle and pedestrian wayfinding circulation and activation.

The (combined) definitional elements present a coordinated and integrated 'whole', supporting the development's marketing and crime prevention (security) objectives.

7.2 CPTED Principle 2 Natural Surveillance: architecture facilitating informal observation

General Explanation

The principle of natural (aka informal or casual) surveillance encourages (i) the observation of built form and public domain spaces and purposes by user/stakeholders and (ii) the observation and notation within or around spaces of usual or unusual activity and behaviour, potentially (or actually) leading to anti-social or criminal threats and incidents.

Natural surveillance is purposeful observation. Maximum surveillance impact requires sightline certainty, facilitated by clear proximate-distant and longitudinal-latitude fields. The aim is to know who or what is within a surveillance field and to observe specific unlawful action or intent.

7.2.1 Application – Perimeter Surveillance

The internal driveway, the streetscape, visual impact of adjoining residences, the pocket park, street frontages and neighbouring open spaces offer opportunities for multi-axis ground plane surveillance.

These make for legible, interconnected sightlines around the site's boundaries (perimeters). There is proximate and distant surveillance certainty as a result.

There are no perimeter sightline 'interruptions' or impediments likely to cause contextual or on-site disengagement or reduction of natural surveillance opportunities along the (perimeter) spaces.

7.2.2 Application – Ground Plane Site Surveillance

There is ample observation space throughout the site – incorporating the streetscape setback, internal driveway loop, entries to garages and to dwelling front doors. Intra-site sightlines are strong.

The between-buildings surveillance opportunities will be 'promoted' by simple driveway and pathway designs, encouraging safe circulation. There are no obvious recesses or blind corners on approaches to, or away from, any structures throughout the site.

Given the definitional certainty of the site's ground plane (**Principle 1**), surveillance objectives along, and at, intersecting circulation-activation axes should be achieved. Definition + strong sightlines facilitate the day-night 'eyes and ears' observation of the usual and unusual.

General Note on Ground Plane Surveillance: In our experience, and from scholarly research, legible and permeable ground plane surveillance has the following advantages:

- (i) Sightlines are at eye level facilitating proximate and distant surveillance.
- (ii) The hearing range is closer meaning incidents are more likely to be sight-sound identified, even when there are contextual distractions.
- (iii) There is a sense of context – the observer and/or hearer is usually within or near the same space and is 'drawn' to any unusual or disturbing behaviour.
- (iv) Night-time on-street person and property surveillance is still effective due to retaining same-plane visual and aural (audible) cues.]

CPTED Principle 2 Natural Surveillance Conclusions and/or Recommendations

The development's overall design elements promote multi-angle proximate and distant sightlines to and from the street entrances and along the looped driveway.

There are clear sightlines to rear and front entrances of each dwelling. There are also clear sightlines to adjoining residential properties, to the pocket park and to open spaces to the west.

Legible and permeable architecture during design development should promote these natural surveillance opportunities.

7.3 CPTED Principle 3 Access Control: who goes where, when and why

General Explanation

Access control is a consequential extension of defining territory (Principle 1) and natural surveillance (Principle 2). Open and/or restricted access must be: (a) readily identified through the appropriate built form (approach) architecture, (b) supported by mechanical or electronic access control systems, both aimed at (preventing unauthorised access).

7.3.1 Application – Pedestrian and Vehicle Access to the Development Site

The clearly defined and mostly secure boundaries limit opportunities for unauthorised access to the site. Street and driveway access to dwellings will be authorised by each resident.

Video intercom (identification) technology for non-resident admissions should be considered.

7.3.2 Application – Access to Dwellings and Garages

Design development-detail will ensure that front door and/or garage entry will be controlled by dwelling owners who may also prevent potential unauthorised access through the application of video camera, mechanical and/or video-audio locking systems. Carports may an area for camera ‘capture’.

7.3.3 Application – Mailbox Access and Security

The location security of mailboxes is mentioned by police in their ‘CPTED Check List’ as there is increasing mail theft for ‘stolen identity’ purposes. It is therefore important to ‘alert’ residents to this risk.

While each household will probably select differing mailbox designs, we recommend that they be structurally strong, not easily removed and securely locked at all times to prevent unauthorised access.

7.3.4 Application – Contractor Access

From time to time, contractors will need to enter dwellings. As with all who seek such access, we are assuming that residents (households) will (and must) challenge and verify identity.

CPTED Principle 3 Access Control Conclusions and/or Recommendations

Identifying visitors and (maintenance) contractors is the responsibility of each resident (household). However, it is important not to underestimate the crime risk of persons seeking unauthorised access to any of the development’s structures, including mailboxes.

Ensuring these access restrictions will ensure this residential development’s ‘welcoming-and-safe-place’ reputation.

As purposed, multi-angle, proximate-distant sightline opportunities, should significantly enhanced crime risk mitigation, including deterring unauthorised pedestrian or vehicle access to and through the site.

7.4 CPTED Principle 4 Activity Support: influences of (mainly external) lighting, landscaping and signage

General Explanation

Activity support applies (external) lighting, landscaping and signage architecture to a footprint’s form and function design, ‘supporting’ definitional clarity, passive and technical surveillance and access control (Principles 1 to 3).

7.4.1 Application – External Lighting Consistency, Colour and ‘Corridors’

External lighting is a critical ‘support’ for the development’s night-time ‘welcoming-and-safe-place’ objectives; an integral part of ensuring residents, visitors, and, where required, contractors or emergency services are ‘secure’ in wayfinding.

The idea is to create a lighting 'corridor', from Garden Avenue to and along the looped driveway, maximising wayfinding certainty and safety. Illumination consistency should eliminate shadows or gaps, ensuring strong beam angles, throw spill and wash.

From a CPTED perspective it is essential to present consistent lighting colour characteristics. LED lighting is assumed, and we recommend 4000 Kelvin, as the most appropriate colour temperature to achieve safe proximate and distant wayfinding, surveillance and, where necessary, identification.

(The white-natural light spectrum at 4000 Kelvin has advantages over blue, orange or yellow colour output. Yellow, orange and blue renditions distort natural colour profiles and features. White light installations strengthen contrasting colours and identify individual (personal) features more distinctly. Complementary street lighting should match this temperature.)



Images 3 and 4 wayfinding light examples as alternatives to standard pole luminaires, perhaps to light the looped driveway - Harris

We do not recommend any bollard lighting. Bollards create glare and tend to interrupt sightline or wayfinding certainty, Bollards are also prone to intentional or accidental damage.

7.4.2 Application – Landscaping

Landscaping will be the prerogative of each household – that is plantings they choose for the front, side and possibly rear dwellings, for example alfresco spaces.

The object of residential landscaping is to prevent opportunity for concealment or entrapment around dwellings. Maintaining plantings to prevent these possibilities has crime prevention 'merit'.

7.4.3 Application – Numbering Signage

Numbering signage is standard and an obvious necessity in this, and all, residential developments, adding to the site's safety and security value. Directional signage is the key to wayfinding and access controlling 'knowledge'.

Signs should reflect a clarity of style aimed at providing wayfinding confidence, destination (arrival) certainty and access-limiting advice.

Clear numbered signage and/or driveway wayfinding immediately directs first time visitors, contractors and emergency services.

CPTED Principle 4 Activity Support Conclusions and/or Recommendations

External lighting will provide invitational and safe circulation throughout the site's driveway. Design development-detail will select the most appropriate luminaires to provide night-time wayfinding confidence.

We recommend wayfinding LED luminaires at (4000 Kelvin). They should be sufficiently beam-angled to maximise throw, spill and (where appropriate) wash, eliminating, shadowing and dark gaps.

Bollards should not be a lighting feature due to low level glare and the potential for damage.

CPTED landscaping solutions should:

- (i) eliminate possible concealment or entrapment within or around plantings,
- (ii) ensure perimeter and site-wide sightline continuity,

Numbering signage should consider immediate dwelling identification for first-time visitors, contractors and emergency services personnel.

Inter-disciplinary coordination of these three 'support elements' is essential to enhance the overall safety (security) of the development.

7.5 CPTED Principle 5 Target Hardening: adding specific and robust architecture and technology

General Explanation

Target hardening is often called 'situational' crime prevention. It aims to reinforce other CPTED principles and to proactively 'strengthen' form, infrastructure, structures, fixtures, fittings and furniture in and around identified vulnerable spaces. Target hardening is an added crime risk defence layer.

7.5.1 Application – Fixtures, Fittings, Barriers and Mailboxes

As a residential development, there is no call for 'target' hardening measures, except for ensuring that that fencing and proposed perimeter barriers from adjoining open spaces to prevent unauthorised site access are designed to resist property or other structural damage.

It is recommended security-rated screen door be installed. Windows should also be key-lockable when closed or when partially open (preventing access).

We mention again our earlier recommendation regarding the robust structure and design of mailboxes to prevent damage or mail theft.

7.5.2 Application – Building Facades

Fixtures, structures and building facades are prime targets for 'tagging'. While no masonry coatings can guarantee protection from graffiti damage, we recommend investigating whether the latest protective material might be applied to minimise defacing of any non-residential masonry structures. The coating should also facilitate ease of graffiti removal.

7.5.3 Application – CCTV for Surveillance and Identification Validation

Each household will decide whether to install their own video monitoring system, at front or rear entrances. There could be some advantage in providing 'common' advice as to the type, effectiveness and costs associated with such installations. The aim is to 'protect' property and validate persons seeking dwelling access.

CPTED Principle 5 Target Hardening Conclusions and/or Recommendations

From a CPTED perspective, this residential development requires little, if any attention to target hardening. Driveway lighting will be installed to the required standard and there are no other structures, external to the residences, likely to be vandalised.

Some assistance might be afforded residents in exploring the need for CCTV installations for the purposes outlined above. We also reinforce the need for structurally strong mailbox installations.

8 Informing Legislation, Policy and or Planning Instruments: Compliance

8.1 Environmental Planning and Assessment Act, 1979 (as amended)

Consideration of crime prevention for mid to large scale developments in New South Wales derives from Section 4.15 (1) (b) and (e) of the NSW Environment Planning and Assessment (EPA) Act, (as amended).

The Act allows provision for State and local government instruments to regulate or codify issues pertaining to the evaluation of environmental impacts of developments. Social “*impacts*” (b) and “*the public interest*” (e) fall within this Section. Under the heading ‘Evaluation’, Section 4.15 (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:*

- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.”*

In the case of ‘green’ or ‘brown’ field developments, interpretation of “*the public interest*” includes stakeholder proponents, post-development occupants and, by extension, the wider community.

Local Government authorities in NSW are required to consider the various impacts within S.4.15 when evaluating developments. Councils recognise the importance of mitigating anti-social and criminal behaviour within their constituencies. Many have incorporated the CPTED framework into Development Control Plans and/or Crime Prevention Plans, requiring crime prevention considerations as a specific development consent condition.

The *public interest* interpretation aims to ensure CPTED-relevant architecture creates and promotes ‘safe place’ outcomes, i.e. to prevent anti-social and/or criminal behaviour which could put at risk people and property associated with a new development footprint.

Ordinarily, the *public interest* is limited to a development footprint. However, public space approaches to, or ‘edges’ of, a development’s surrounds, may be considered as an extension of the social and public interest impacts (S.4.15 (b) and (e)).

In our opinion, the proposed development has considered the “social” and “public interest” requirements of this Section and the 2001 regulatory CPTED Guidelines.

8.2 Byron Shire Council

8.2.1 Development Control Plan 2014, as amended and adopted 2018

Part A6 of the of Council's Development Control Plan (DCP) (2010), under the heading *Planning for Crime Prevention* states:

“*The Department of Urban Affairs and Planning in April 2001 published “Crime prevention and the Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979”. The Guidelines recognise the principles of Crime Prevention*

Through Environmental Design (CPTED), and establish two levels of assessment of crime risk for consideration of Development Applications:

- 1. A formal Crime Risk assessment is required for any development which, in the Council's opinion, is likely to create a risk of crime.*
- 2. CPTED principles are to be considered in the assessment of all developments."*

Note: The Section details the application of CPTED principles which it lists. This report has applied those principles in the sequence developed by Moffatt (refer this report 3.2).

Chapter B11 of the DCP – *Planning for Crime Prevention* - provides further information regarding the requirements for, and aims of, a crime risk and CPTED assessment. This development is subject to these requirements. B11.1.1 provides three inclusive aims as:

- "1. To ensure that all development plays a role in enhancing the safety of our communities.*
- 2. To reduce the vulnerability of our community to crime through good urban design.*
- 3. To require developers to work with the community and the NSW Police Force to create a safer environment..."*

8.2.2 Safer Community Compact 2016 – 2019+

Section 9.1 of the Compact deals with the role of CPTED in the Council's aim for safer streets.

Safer Streets – Crime Prevention Through Environmental Design (CPTED). Opportunities have been identified in the Byron Bay Town Centre Masterplan for CPTED application.

"1. Use CPTED principles to increase surveillance, control access, improve territorial reinforcement and manage space. Primarily these are found in the strategies for improvements in the public domain with a whole sub-strategy on providing a 'safe and friendly centre' of town. There are also links with other sub-strategies in the plan, namely 'access and movement', 'culture' and 'economic development'. CPTED has proven to be highly effective in discouraging and preventing crime and increasing the public perception of safety."

Residential sub-divisions and their interconnectivity with urban networks are part of this strategy. Hence the relevance of this development to this Compact.

8.3 NSW Police CPTED Check List

The NSW Police have developed their own CPTED (or Safer-By-Design) guidelines as a 'Check List' which was revised in 2020. Relevant items in the Check List have been reviewed. This report has been undertaken with reference to those relevant items, particularly with reference to residential mailbox theft, for the purposes of stealing personal identity details.

8.4 International Standards Informing CPTED Principles and Applications

There are no (crime) risk and mitigation absolutes or guarantees when referencing or applying Standards. However, there are two International Standards relevant to the application of CPTED. AS/ISO 31000:2018, *Risk Management Guidelines*, provides a helpful framework to identify and manage any organisational risks, include crime risks.

A more recently, and relevant, gazetted Standard is ISO 22341:2021 *Security and Resilience – Protective Security – Guidelines for Crime Prevention Through Environmental Design*. It provides a CPTED framework.

8.5 Instrument Compliance Conclusions and/or Recommendations

Harris Crime Prevention Services' consultants conclude that reviewed and assessed drawings of the proposed residential development at 30 Chinbible Avenue Mullumbimby NSW, are consistent with mitigating anti-social and criminal behaviour risks by applying CPTED principles as required by:

- (i) legislation and/or regulations and crime prevention Guidelines (2001) derived from Section 4.15 of the NSW Environment Planning and Assessment Act, 1979, as amended,
- (ii) Byron Shire Council's Development Control Plan (2014) – Part A.6,
- (iii) Byron Shire Council's Development Control Plan (2014) – Chapter B11,
- (iv) Byron Shire Council's, Safer Community Compact 2016 – 2019+ and,
- (v) the NSW Police Crime Prevention (Safer-By-Design) Checklist – Revision 2020.

We conclude that, subject to intentional application of CPTED measures throughout design development-detail documentation, the reviewed and assessed drawings support consent by Byron Shire Council, as that consent relates to considering or fulfilling CPTED conditions.

9 OVERALL CPTED ASSESSMENT SUMMARY

Application of CPTED Principles

In our professional opinion, the assessed drawings and associated documentation for the proposed residential development at 30 Chinbible Avenue Mullumbimby NSW, has considered, or will consider, CPTED principles and their application throughout the design development and design detail processes.

We have noted (8.5 above) that the development's incorporation of CPTED principles complies with the State Government's 'social impact' and 'public interest' requirements. It also complies with the Council's Development Control Plan and Safer Community Compact requirements.

The consultants conferred with the Crime Prevention Officer at Tweed-Byron Police District, confirming our assessment of a 'low' crime risk environment. We have referenced the drawings against the Police CPTED Check List, 2020.

10 References

Byron Shire Council, Contextual Residential Plan, 2023,

Byron Shire Council, Development Control Plan 2014, as amended and adopted 2018,

Byron Shire Council, Safer Community Compact 2016 – 2019+,

Moffatt, R, Crime Prevention Through Environmental Design – A Management Perspective, Canadian Journal of Criminology, Vol 25, 1983,

NSW Bureau of Crime Statistics and Research, Crime Statistics for the suburb of Mullumbimby, NSW, October 2018 – September 2023,

NSW Department of Planning and Environment, Section 4.15, (b) and (e) Environmental Planning and Assessment Act, 1979, as amended,

NSW Department of Planning and Environment, EPA Regulatory Guidelines 2001,

NSW Police, Crime Prevention Through Environmental Design (Safer-By-Design) 'Check List', Revision 2020,

Story Design Collective, layout and drawing set for the Residential Development at Lot 159, 30 Chinbible Avenue, Mullumbimby NSW, 29th May 2024, Issue J,

Standard AS/ISO 31000:2018, Risk Management Guidelines,

Standard ISO 22341:2021 Security and Resilience – Protective Security – Guidelines for Crime Prevention Through Environmental Design.

11 Supporting Appendices 1 and 2

APPENDIX 1 CRIME STATISTICS FOR THE TOWN (SUBURB) OF MULLUMBIMBY NSW

The following crime statistics are supplied by the NSW Bureau of Crime Statistics and Research. They are indicative of reported crime only and can only be taken as a guide to actual crime (reported and unreported) occurring in Mullumbimby over the (reported) 5-year period, October 2018 – September 2023.

NSW Crime Statistics October 2018 to September 2023 - Mullumbimby (Suburb)											
	5 Year Trend to September 2023	Year to Sept 2019 Count	Year to Sept 2019 Rate	Year to Sept 2020 Count	Year to Sept 2020 Rate	Year to Sept 2021 Count	Year to Sept 2021 Rate	Year to Sept 2022 Count	Year to Sept 2022 Rate	Year to Sept 2023 Count	Year to Sept 2023 Rate
Homicide	n.c.	0	0.0	0	0	0	0.0	0	0	0	0.0
Assault - domestic	n.c.	18	455.1	7	171.8	15	360.5	17	407.2	22	526.9
Assault - non Domestic	Stable	23	578.1	30	738.7	20	480.6	32	766.5	26	622.8
Sexual assault	n.c.	2	50.6	7	172.5	5	120.6	3	71.9	9	215.6
Sexual touching, sexual act & other sexual offences	n.c.	6	151.3	11	270.6	10	240.3	1	24.0	5	119.8
Robbery without weapon	n.c.	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Robbery with a firearm	n.c.	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Robbery with weapon not a firearm	n.c.	0	0.0	0	0.0	0	0.0	0	0.0	1	24.0
Intimidation, stalking & harassment	Down 5.3% per year	39	982.6	36	886.9	37	891.0	33	790.4	33	790.4
Other offences against the person	n.c.	3	75.1	0	0.0	2	47.9	0	0.0	0	0.0
Break & enter dwelling	n.c.	8	202.0	11	271.3	8	193.6	6	143.7	8	191.6
Break & enter non dwelling	n.c.	9	226.5	6	147.5	5	120.6	23	550.9	6	143.7
Motor vehicle theft	n.c.	1	25.0	7	171.1	15	360.5	15	359.3	12	287.4
Steal from motor vehicle	n.c.	28	705.5	7	173.2	17	409.2	21	503.0	19	455.1
Steal from retail store	n.c.	10	250.9	4	98.8	5	120.6	2	47.9	5	119.8
Steal from dwelling	n.c.	11	277.1	10	244.2	9	216.4	3	71.9	7	167.7
Steal from person	n.c.	0	0.0	1	24.3	2	48.3	0	0.0	1	24.0
Liquor offences	n.c.	18	451.8	25	612.2	8	191.6	8	191.6	5	119.8
Disorderly conduct	n.c.	14	352.8	18	439.7	12	289.8	19	455.1	14	335.3
Disorderly Conduct (criminal intent)	n.c.	3	75.1	1	24.3	1	24.0	0	0.0	0	0.0
Disorderly conduct (trespass)	n.c.	4	100.7	8	195.5	9	217.6	18	431.1	10	239.5
Disorderly conduct (offensive conduct)	n.c.	7	176.9	3	73.0	2	48.3	1	24.0	4	95.8
Drug offences	Down 27.8% per year	74	1856.1	59	1442.1	45	1081.8	34	814.4	21	503.0
Malicious damage to property	Stable	36	906.4	35	861.8	30	720.9	45	1077.8	44	1053.9
Prohibited and regulated weapons offences	n.c.	17	425.6	11	269.2	6	144.9	10	239.5	7	167.7
Arson	n.c.	4	100.7	2	49.4	3	72.3	4	95.8	3	71.9

APPENDIX 2 THE RISK MANAGEMENT STANDARD

While there are absolutes or guarantees around risk and risk mitigation, the International Standard – AS/ISO 31000:2018 provides a helpful framework to identify and manage *any* organisational risks, including crime risks.

Identifying and mitigating crime risks is a legitimate application of the Standard. The Standard provides a theoretical and practical framework whereby contexts, risks, levels and consequences can be identified and managed.

The Standard defines generic risk as... “*the effect (impact) of uncertainty on objectives*” (AS/ISO 31000 Clause 2.1). The Standard’s objective is to identify and remove or manage the uncertainty so as not to negatively impact on organisational objectives.

Harris has adapted and applied the Standard by defining (crime) risks within the **context**, assessing **risk levels** and affirming and/or recommending appropriate CPTED treatment.

The collective term ‘**risk**’ has been more widely defined as: ...*‘the likelihood of something untoward happening and the consequence(s) if one or more risks become threats or incidents.’*

Threats and incidents are progressive in their definitions. If risks remain unidentified and untreated (unmanaged), they can rapidly and easily become threats or incidents.

A ‘**threat**’ may be defined as *‘unacceptable and escalating behaviour stemming from one or more ‘uncontrolled’ risks, which if not urgently managed, is likely to lead to harm or damage with negative consequences or outcomes.’*

An ‘**incident**’ may be defined as *‘an uncontained threat with likely negative harm or damage consequences.’*

2.1 A (Crime) Risk Management Matrix

CPTED solutions should ‘match’ the adapted Standard’s risk levels and categorised behaviours. Recommendations and/or affirmation of architectural solutions are proposed against this backdrop. This table identifies typical risk levels applicable to this specific development.

<i>Low Level Risks</i>	disturbances, intimidation, and aggressive behaviour towards individuals or groups; graffiti and other minor property damage to the façades or street fixtures, fittings, paving, luminaires, plantings and signage
<i>Moderate Level Risks</i>	escalating intimidating or threatening behaviour leading to assault, and/or damage to personal property; unauthorised access, damage to and/or theft of property from the building, vehicles and/or vehicle theft
<i>High Level Risks</i>	‘moderate level’ crime risks escalated to intentional (planned) personal harm and /or damage to building facades and structures and/or property including plant and associated utilities infrastructure
<i>Extreme Level Risks</i>	immediate and dangerous threats to people and/or property, including the building and contents, vehicles, and/or nearby structures and/or utilities infrastructure, including bomb threats and hostile vehicle penetration

It is worth reiterating that even low risk levels can have serious consequences if not addressed.