



MELIORA
PROJECTS

DESCRIPTION: **The Belvedere**

Proposed Residential Flat Building (56 dwellings) with ancillary facilities (office premise and indoor recreation facility), two basement levels for car parking, land amalgamation and strata subdivision; and associated site

ADDRESS: 42 Donald Street and 5-7 Church Street, Nelson Bay 2315
A/-/DP417172, B/-/DP417172, 15/A/DP5616

PROJECT#: J19612

NSW Planning Portal (Major Projects) – SSD-83366960



QUALITY CONTROL

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1 | INTRODUCTION

This Crime Prevention Through Environmental Design (CPTED) and Crime Risk Assessment report has been prepared to accompany the Development Application for the Belvedere project, located at 42 Donald Street, 5 and 7 Church Street, Nelson Bay, NSW. The proposal comprises demolition of existing structures, bulk earthworks, construction of a nine-storey residential flat building (56 units and a manager's office), basement parking, and associated landscaping and services works.

The development has been declared State Significant Development (SSD) under Section 4.36(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act), following a recommendation by the Housing Delivery Authority (HDA) and formal declaration by the Minister on 18 March 2025. The Secretary's Environmental Assessment Requirements (SEARs), issued on 7 May 2025, identify crime prevention and safety as key matters for consideration during the assessment process.

This CPTED report has been prepared in response to:

- 1) Matters raised during a pre-lodgement meeting with Port Stephens Council on 19 September 2024, which specifically requested the preparation and submission of a CPTED report.
- 2) Feedback received during the Design Review Panel consultation on 13 March 2025 (Ref: 18-2024-34-1), which highlighted several safety-related concerns associated with the design, particularly around visibility, access control, wayfinding, and the potential for concealment or anti-social behaviour.

In line with established CPTED principles including natural surveillance, access control, territorial reinforcement, and maintenance, this report assesses potential crime risks associated with the site and proposed development and provides design recommendations to minimise those risks. The assessment considers both actual and perceived safety for residents, visitors, service providers, and the wider community.

The goal of this report is to support a development outcome that is not only compliant with relevant planning policies but also promotes a safe, inclusive, and resilient urban environment.



2 | SITE AND LOCALITY ANALYSIS

2.1 Site Description

Site Details		
Address	42 Donald Street, Nelson Bay 2315 7 Church Street, Nelson Bay 2315 5 Church Street, Nelson Bay 2315	
Lot/Section/DP	- B/-/DP417172 - A/-/DP417172 15/A/DP5616	
Site Area	2,203m²	
Planning Framework		
Legislation	- Environmental Planning and Assessment Act 1979 No 203 - Environmental Planning and Assessment Regulation 2021	
Planning Instruments	State Environmental Planning Policies (SEPP) - SEPP (Planning Systems) 2021 - SEPP (Housing) 2021 - SEPP (Resilience and Hazards) 2021 - SEPP (Sustainable Buildings) 2021	
	Local Environmental Plan (LEP) Port Stephens Local Environmental Plan 2013	
	Development Control Plan (DCP) Port Stephens Development Control Plan 2022	
DCP Precinct	D5 Nelson Bay Centre – Town Living & Commercial Precinct	
LEP Zone	E1 Local Centre	R3 Medium Density Residential
LEP Zone Objectives	- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area. - To encourage investment in local commercial development that generates employment opportunities and economic growth. - To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area. - To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.	- To provide for the housing needs of the community within a medium density residential environment. - To provide a variety of housing types within a medium density residential environment. - To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.



2.2 Site Imagery



Figure 1 - Sat Image - Subject Site



Figure 2 – Image facing west from Church Street towards Lot A (vacant), Lot 15 (existing house on left), and Lot B (shop, behind fence down the sloping site) (Google Maps)



Figure 3 – Image from Donald Street facing northwest towards Lot B (existing Shop) and Lot A (Google Maps)



Figure 4 – Image facing northeast from the intersection of Donald Street and Church Street, showing the extent of streetscape improvements including footpath, street trees (Google Maps)

2.2 Proximity to Emergency Services

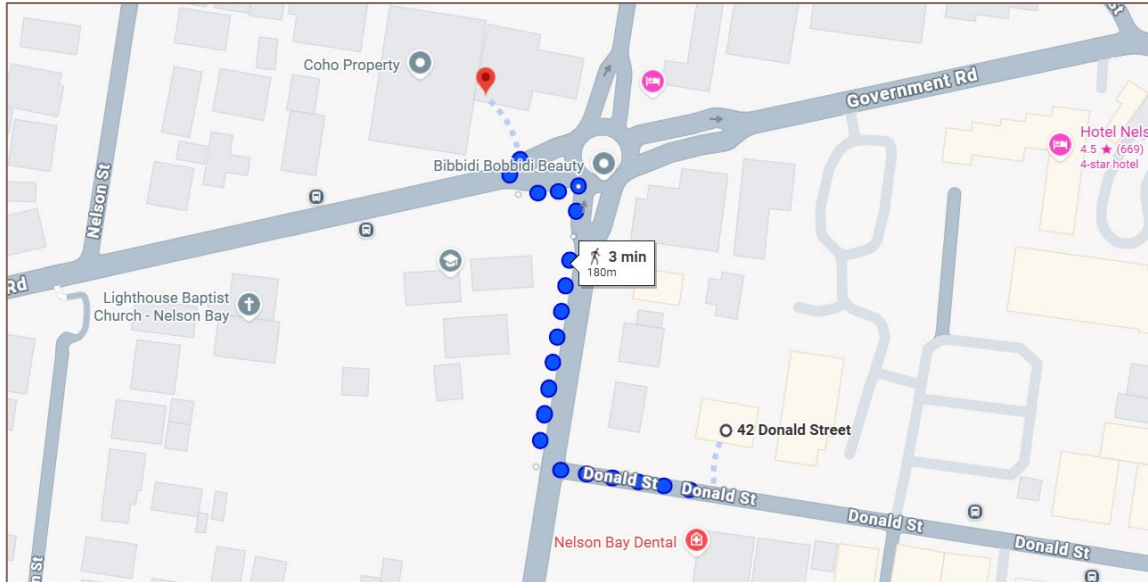


Figure 5 - Nelson Bay Police Station, Shop 16/18 Government Rd, Nelson Bay NSW 2315

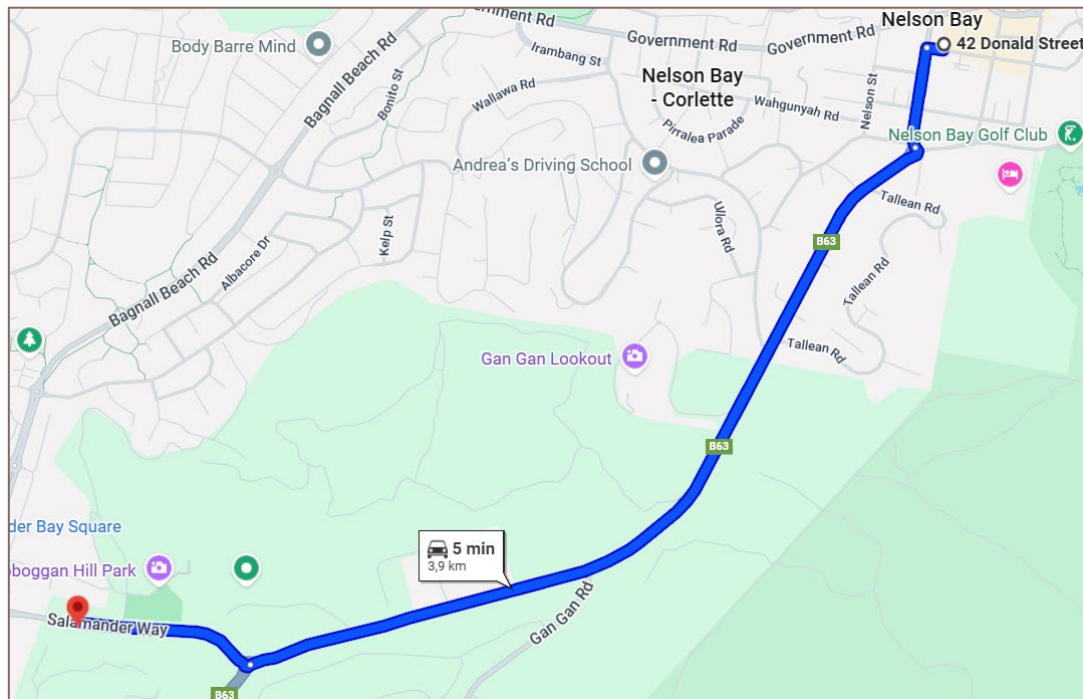


Figure 6 - Nelson Bay Ambulance Station, 192 Salamander Way, Salamander Bay NSW 2317, Australia

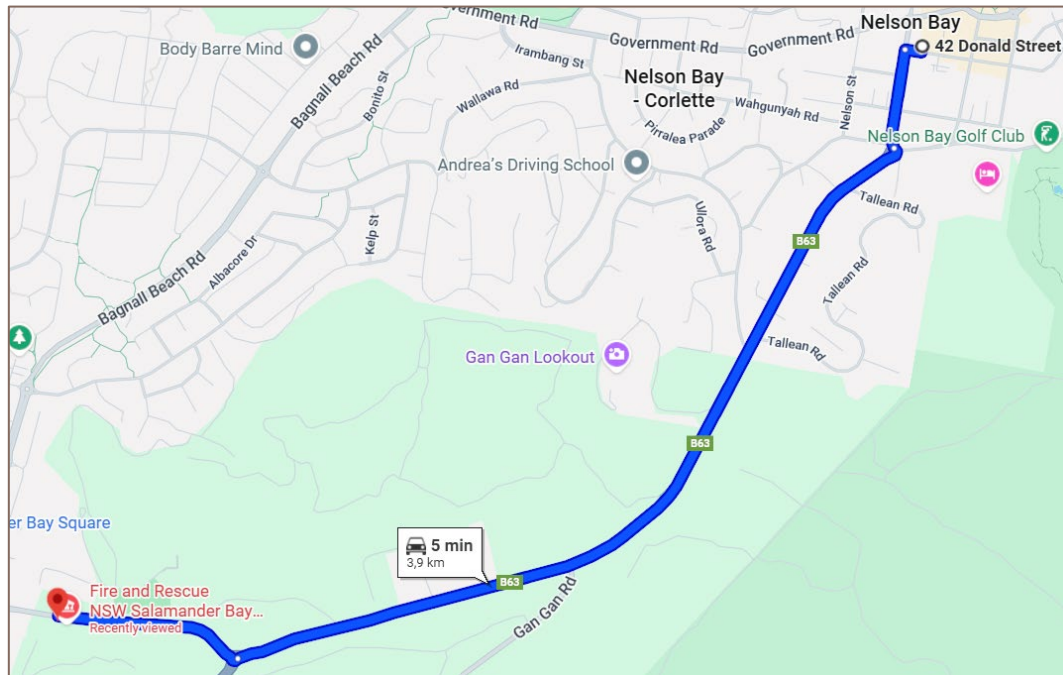


Figure 7 - Fire and Rescue NSW Salamander Bay Fire Station, 194 Salamander Way, Salamander Bay NSW 2317

3 | PROPOSED DEVELOPMENT

3.1 Project Overview

The Belvedere is a proposed State Significant Development (SSD) located at 5-7 Church Street and 42 Donald Street, Nelson Bay within the Port Stephens LGA. We s

The project is being delivered by Fortezza Group with architectural design by HAL Architect. Meliora Projects, formerly known as Ryan Planning and Development at time of EOI submission to the Planning Secretary, has been engaged for the preparation of this Environmental Impact Statement.

The development comprises a nine-storey residential flat building (eight levels plus rooftop) including 56 two- and three-bedroom apartments, a manager's office, and a suite of shared rooftop and landscaped amenities, including a pool, gym, spa, and communal open spaces. The ground floor includes a gym, wellness and amenities area accessible from the grand lobby.

The proposal seeks to deliver a high-quality residential product that responds to Nelson Bay's evolving character, housing needs, and tourism-oriented economy.

Declared SSD under the State Environmental Planning Policy (Housing) 2021, the proposal benefits from a streamlined assessment pathway under Division 4.7 of the EP&A Act 1979.



Figure 8 - Artist's Impression by HAL Architects



3.2 Development Summary

Site Area	2,202m ² corner allotment
Frontage Width	53.265m to Donald Street and 41.35m to Church Street
Building Height (Max)	29.7 m
Number of Storeys	9 Storeys incl. roof top facilities
Setbacks	▪ 6.93m Donald Street (primary street frontage) ▪ 3.6m Church Street (secondary street frontage) ▪ 7.41m to Side boundary (north – Zone R3 land) ▪ 3.6m Side boundary (east – E1 Zone land)
Total Dwellings	56 dwellings ▪ 2-Bed: 34 ▪ 3-Bed: 22
Manager's Office Space	25.28m ² for 2 employees
Access	6.755m crossover to Donald Street, no vehicle access to Church St
Design Service Vehicle	Refuse Collection Vehicle (11m)
Car Parking	98 parking spaces (78 residential, 18 visitor incl. 2 inclusive, and 1 commercial)
Gross Floor Area (GFA)	6,115.46 m ²
Floor Space Ratio (FSR)	2.8:1
Communal Open Space	593.96 m ² (27%) ▪ Grand Lobby: 71.22 m² ▪ Roof Terrace: 365.69 m² ▪ Stretching Lawn: 44.42 m² ▪ Wellness: 112.63 m²
Landscaping	▪ Deep Soil: 289.82 m² (13%) ▪ Containerized Planting: 522.68 m²
Private Open Space	2,0004.90m ² ranging from 15.67m ² to 150.09m ²

4 | CONSULTATION AND DEVELOPMENT CONTROLS

In accordance with section 173 of the Environmental Planning and Assessment Regulation 2021, an application for the Planning Secretary's Environmental Assessment Requirements (SEARs) was made. The SEARs were issued on 7 May 2025, following consultation with relevant public authorities. The consultation identified key issues to be addressed in the assessment of the proposed State Significant Development and included matters of safety and crime prevention.

Port Stephens Council Pre-Lodgement Meeting

On 19 September 2024, the applicant attended a pre-lodgement meeting with Council. The below table provides a summary of how the issues raised in the meeting minutes were managed and where appropriate, incorporated into the proposal.

Issues Discussed	Comments
A Crime Prevention Through Environmental Design report should be prepared during the design process to ensure crime prevention measures are incorporated in the design. The CPTED report must also be submitted the development application.	This document has been prepared to accompany the Development Application. It includes a Crime Risk Assessment and review of CPTED principles.

Port Stephens Council Design Review Panel

On 13 March 2025, the applicant attended a design review panel (DRP) consultation with Council (Ref: 18-2024-34-1). The below table provides a summary of how the DRP's comments and issues in raised relation to safety were managed.

Issue Discussed	Comments
7. Safety <i>The development has the opportunity to improve safety for residents, visitors, workers, service providers and the wider community. As the site is located on the edge of the CBD, it is important that safety is integrated into the design to avoid spaces where antisocial or criminal activity could occur. The goal should be to make it risky and difficult to commit a crime, encouraging offenders to move on.</i> <i>There are several areas for improvement:</i>	
Front Setback: While the streetscape is visually appealing, it is heavily vegetated with layered planting that limits views to and from the street, creating pockets of entrapment and concealment. The Applicant has expressed a desire to create 'enclosed spaces' in both	The layered vegetation has been reduced, and plant species reselected to maintain clear sightlines between 0.6 m and 2.0 m above ground. Planting has been repositioned to remove concealment points and improve visibility between the street, footpaths,



the landscape and built form of the front setback; however, the design must consider all users, particularly women and vulnerable people, who may be at greater risk or feel unsafe in enclosed or hidden areas. These types of spaces can negatively impact perceived and actual safety. The Panel recommends reducing the layering of vegetation (e.g. multiple deep garden beds layered back from the street), and carefully selecting plant species that don't block view lines between the lower branches of trees and the top of ground covers and low shrubs.

and building entries, consistent with CPTED principles.

References:

- Ground floor plan comparisons in Figure 9 (Issue AE) and Figure 10 (Issue A)
- Front elevation comparisons in Figure 11 (Issue AE) and Figure 12 (Issue A)

Commercial Entry (Office Access):

The office entry is via a meandering path behind visitor bike racks and landscaping. This area does not relate clearly to the street, making wayfinding difficult for visitors and potentially facilitating excuse-making or loitering. Although the protruding front entry clearly marks the entrance, it also obstructs views of the office and wellness centre façades, especially in combination with the landscaping. Opportunities to simplify the landscape design and reduce walls are encouraged, as excessive walls can be costly and prone to failure, as discussed in other sections. Improving direct visibility and access from the street - by potentially realigning the Donald Street stairs or modifying the Church Street path - should be explored.

The main pedestrian entry has been realigned and widened, bringing the office, residential, and wellness centre entries into a single visible alignment from Donald Street to improve wayfinding. Landscaping, bike rack placement, and levels have been adjusted to enhance direct sightlines from the street, reduce potential loitering areas, and increase casual surveillance.

References:

- Ground floor plan comparisons in Figure 9 (Issue AE) and Figure 10 (Issue A)
- Front elevation comparisons in Figure 11 (Issue AE) and Figure 12 (Issue A)

Driveway Entry from Donald Street:

The driveway is proposed to be open to the street, which allows direct access to a concealed lift lobby area. This is a high-risk zone for malicious damage, such as graffiti and criminal and anti-social behaviour, such as theft from cars. Particularly as Nelson Bay is a coastal tourism town that experiences seasonal crime and anti-social behaviour. Spaces designed in this way have a stronger reliance on CCTV which is only useful when constantly monitored. Visitor parking is proposed at the same level as resident storage cages, which are vulnerable and should be relocated to the secured, private level below. Storage cages are easy targets.

We acknowledge the challenge of providing sufficient height clearance for service vehicles from the street while securing the carpark. However, it is equally important that carparks are safe for residents and those servicing the building 24/7, and design

The revised design addresses Council's CPTED and access control concerns through a two-gate system (Traffic Impact Assessment, QTraffic, Rev C, 19 June 2025, s3.1.2):

- Gate 1 – ~3 m inside the boundary, open by day and closed after hours. Visitors must stop clear of Donald Street, exit their vehicle, and use an intercom for resident authorisation—detering opportunistic entry and enhancing passive surveillance.
- Gate 2 – ~34 m inside, beyond visitor parking and around the bend, separating resident and visitor areas with resident-only swipe/remote access.

Outcomes:

decisions are not solely to enable building servicing from time to time. During the meeting, there was a discussion about providing a gate deep within the building, around the corner, to separate the visitor carpark from the resident carpark and then leave the visitor carpark open during the day and secured at night. However, if the carpark gate is to be relocated around the corner, care must be taken to ensure this does not worsen concealment or sightline issues, even during the day.

The optimal solution provides a gate between the truck (open air section) and the visitor parking area. This will also secure the lobby access and leave two parking spaces outside the secure line, and these could be retained or removed and used for building services. A second gate could be included internally to separate visitor parking from resident parking. Note that gates should prevent both pedestrian and vehicular access to prevent pedestrian access to the building, storage cages, vehicles and people.

- Secures lift lobby and storage cages from street access.
- Blocks unauthorised pedestrian and vehicle entry to private areas.
- Reduces concealment/entrapment risk by locating Gate 2 beyond sightline breaks.
- Maintains safe resident, visitor, and service access.
- This arrangement meets Council's recommended intent while maintaining safety, surveillance, and operational efficiency.

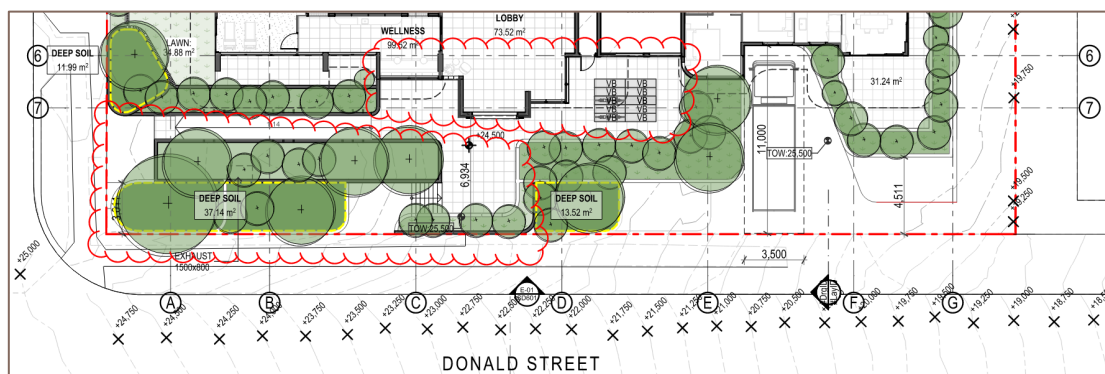


Figure 9 - DRP meeting - Ground Floor Plan - Issue AE

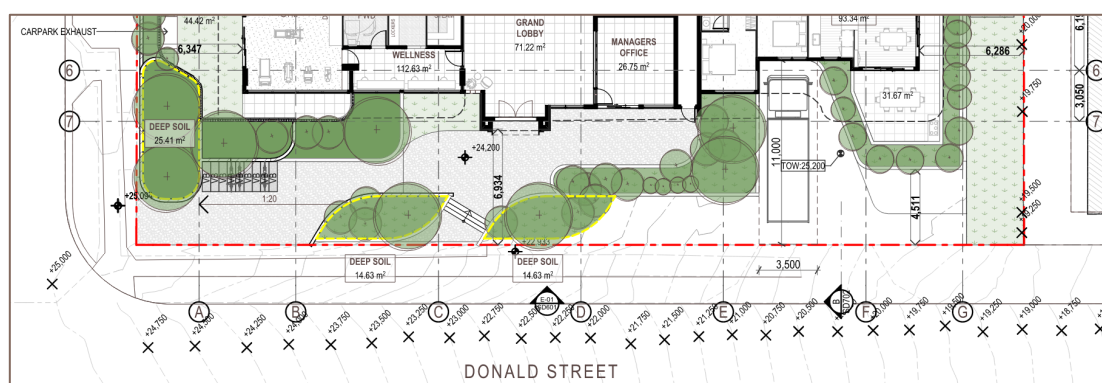


Figure 10 - Updated Ground Floor Plan - Issue A



Figure 11 - DRP meeting - Elevation Plan - Issue AE

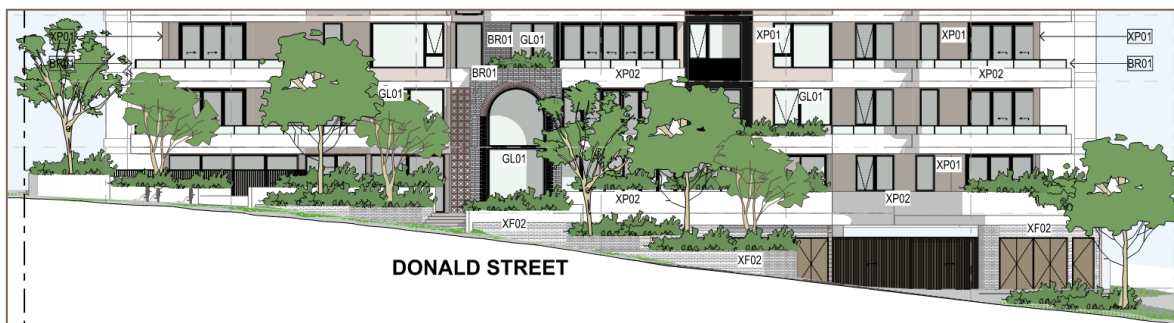


Figure 12 – Updated Elevation Plan - Issue A

Port Stephens Development Control Plan 2014

A review of the development control plan indicates that CPTED relates provisions exist, however they are not explicitly applied to residential flat buildings. It is noted that the development does include a small, staffed ground floor office, and therefore a mention of Section C2 is necessary.

C Development Types - C2 Commercial		
C2.D	Facades	
Objectives - To ensure street activation and passive surveillance through active street frontage - To facilitate development that is safe and secure for pedestrians and contributes to public domain safety by incorporating principles of crime prevention through environmental design (CPTED), such as: - Territorial re-enforcement - Surveillance - Access control - Space/activity management - To ensure the bulk of large floor plate development is concealed by a sleeve of smaller buildings fronting the street		
Materials		
C2.17	Building facades use materials, colours and architectural elements to reduce bulk and scale that are complementary to existing built form and natural setting	Complies: The proposed façade incorporates a layered palette of high-quality materials, including painted render in complementary tones (XP01–XP03), white brick (BR01), vertical battens (CL01), fluted concrete (XF01), and privacy screens (SC01). These elements are combined with balconies, planters, and articulated setbacks to break up building mass and reduce visual bulk. The use of natural colours and textures is consistent with the coastal and landscaped setting, ensuring the building is sympathetic to both the existing built form and surrounding environment.
Public Domain		
C2.21	Development provides paving to the public footpath for the entire length of the development street frontage	Complies: The development provides paving to the full length of the street frontage, integrating seamlessly with the existing public footpath and enhancing pedestrian connectivity.



5 | CRIME AND SAFETY CONTEXT

Analysis of reported crime trends and spatial data from April 2023 to March 2025, sourced from the NSW Bureau of Crime Statistics and Research (BOCSAR), indicates that Nelson Bay town centre experiences elevated rates of several offence categories compared to the New South Wales average. These insights are based on both temporal trend data and rate maps illustrating incident concentrations per 100,000 population.

Several offence types, particularly assault, theft, drug offences, intimidation, stalking and harassment, and disorderly conduct, occur at rates well above the state average and show sustained spatial concentrations in and around the town centre. Offences against justice procedures also stand out, showing some of the highest regional rates with significant month-to-month fluctuations.

Malicious damage to property has declined significantly in Nelson Bay (down 46.2% per year) yet continues to show periodic spikes and remains spatially elevated. Sexual offences present an irregular pattern with intermittent peaks, while robbery and homicide are infrequent and low, though not absent.

Together, these findings confirm that Nelson Bay town centre is a key localised hotspot for multiple crime types. The concentration and variability of these offences underscore the need for a targeted Crime Prevention Through Environmental Design (CPTED) approach.

Against justice procedures

Nelson Bay town centre records some of the highest rates of "Against justice procedures" offences in the region, with sharp monthly fluctuations and persistent concentrations well above the state average. This localised pattern highlights the need for targeted CPTED responses within the immediate area of the proposed development.

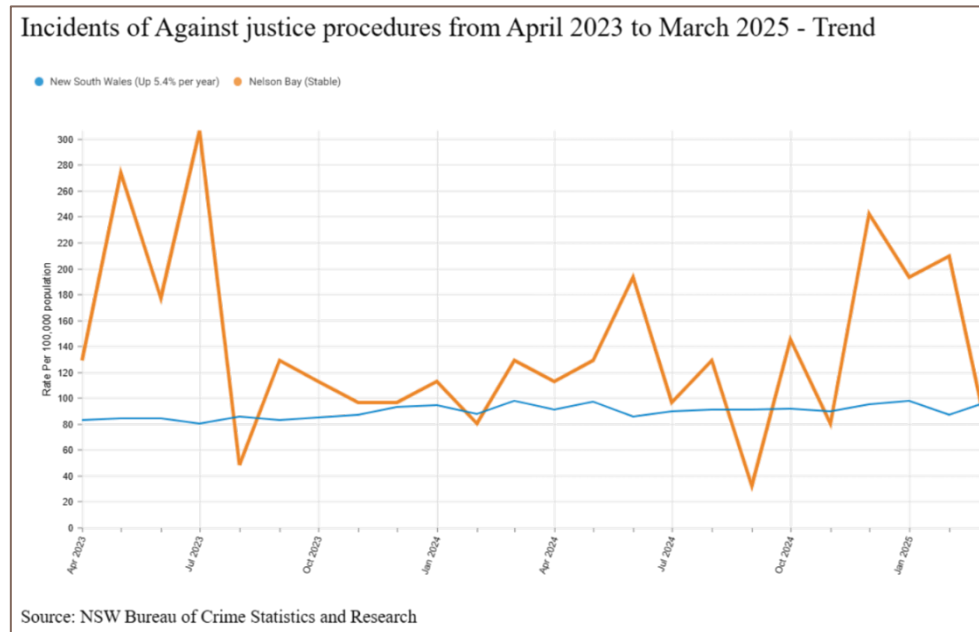


Figure 13 - Incidents of Against justice procedures from April 2023 to March 2025 - Trend

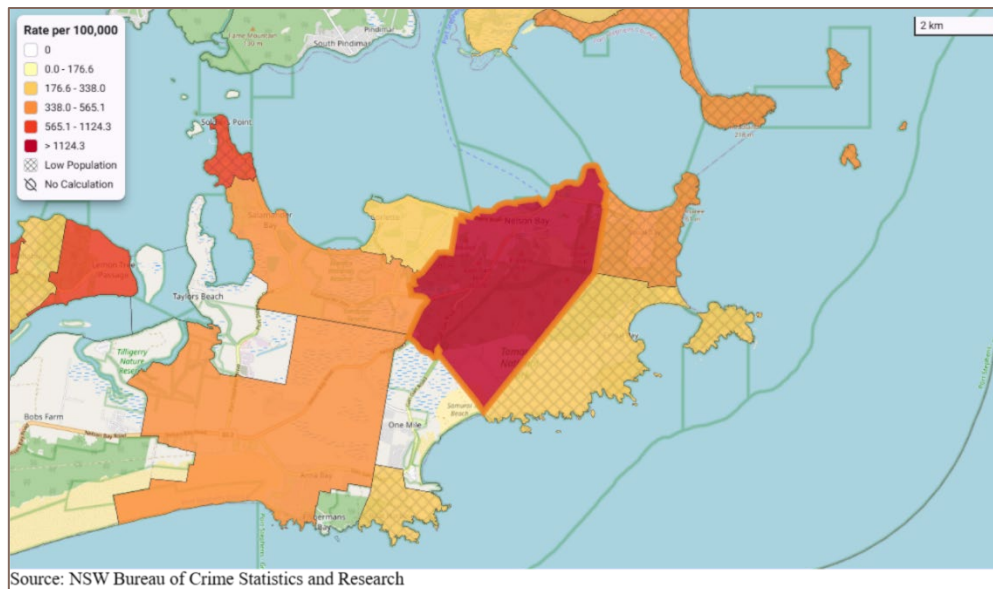


Figure 14 - Incidents of Against justice procedures from April 2024 to March 2025 - Rate Map



Assault

Nelson Bay exhibits consistently higher rates of assault compared to the state average, with frequent spikes and pronounced monthly variation. While the overall trend for New South Wales remains low and stable, Nelson Bay fluctuates sharply, with peaks more than double the state rate. The most recent rate map confirms that the town centre and immediate surroundings fall within the highest assault rate category (>1190.8 per 100,000), reinforcing the need for focused CPTED measures in the area surrounding the proposed development.

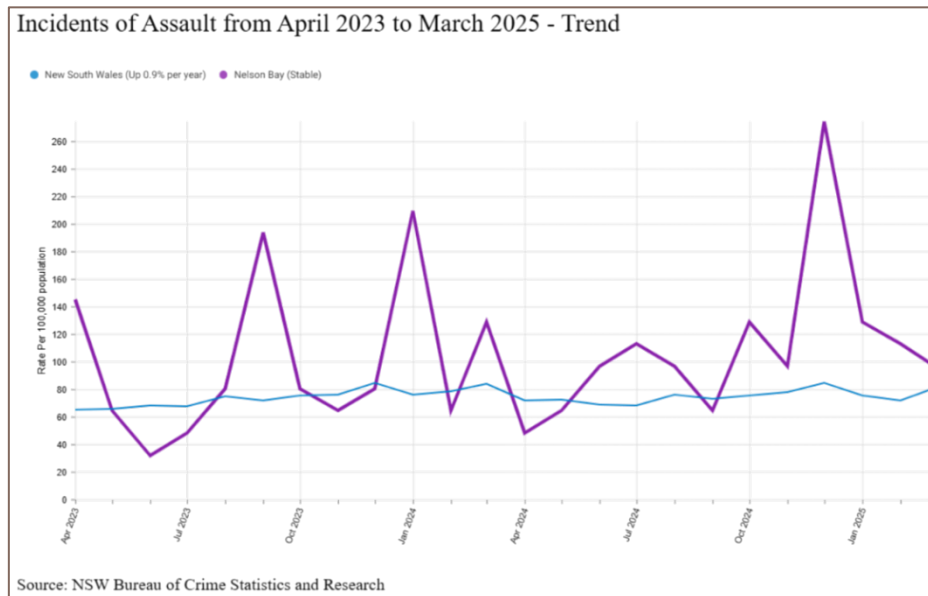
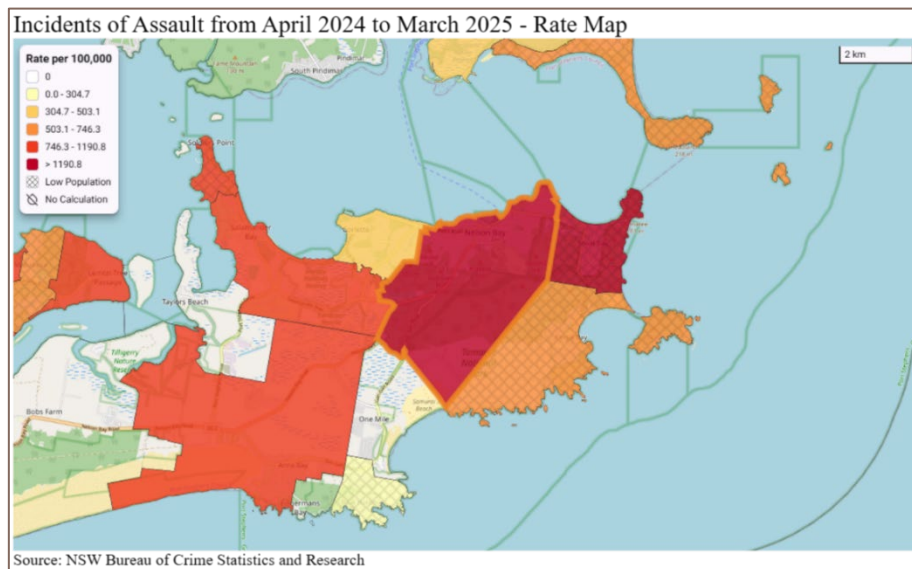


Figure 15 - Incidents of Assault from April 2024 to March 2025 - Rate Map



Incidents of Assault from April 2023 to March 2025 - Trend

Disorderly conduct

Disorderly conduct in Nelson Bay shows erratic month-to-month variation, including repeated drops to zero and periodic spikes well above the state average. Despite this volatility, the overall trend remains relatively flat. However, the most recent rate map reveals that the Nelson Bay centre falls within the highest category of disorderly conduct (>326.8 per 100,000), marking it as a hotspot relative to surrounding areas. This spatial concentration reinforces the relevance of CPTED measures in and around the proposed development site.

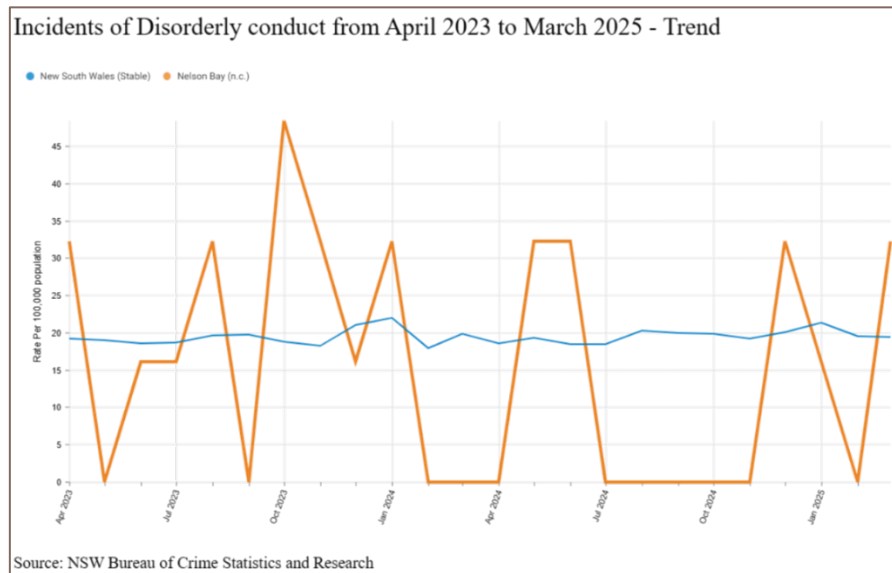


Figure 16 - Incidents of Disorderly conduct from April 2023 to March 2025 - Trend

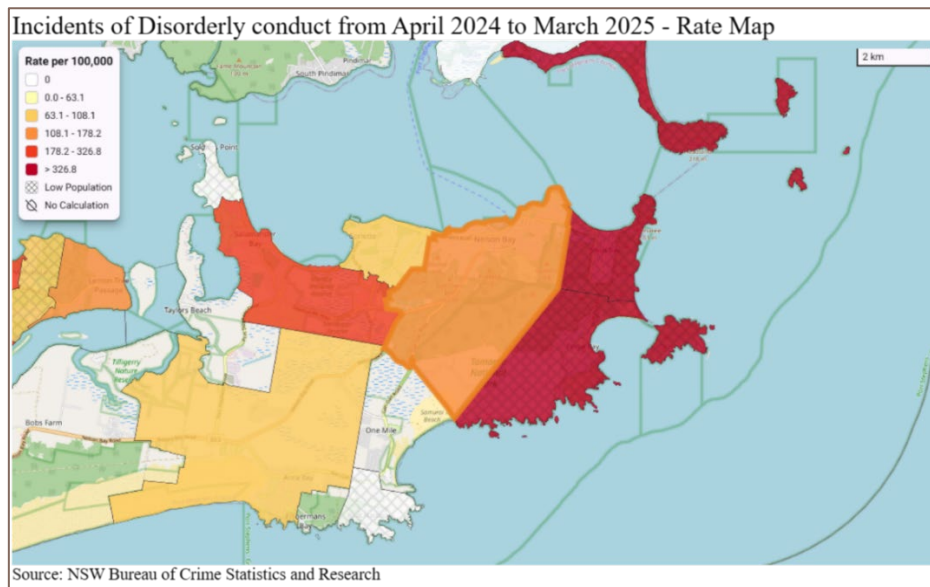


Figure 17 - Incidents of Disorderly conduct from April 2024 to March 2025 - Rate Map

Drug offences

Drug offence rates in Nelson Bay are highly variable month to month, frequently spiking above and dipping below the state average. While the overall trend remains stable, the local pattern is marked by sharp fluctuations. The spatial data further confirms elevated risk: Nelson Bay Center is within one of the highest rate categories for drug offences (292.3–577.7 per 100,000), indicating a concentrated area of concern relevant to CPTED planning around the proposed development site.

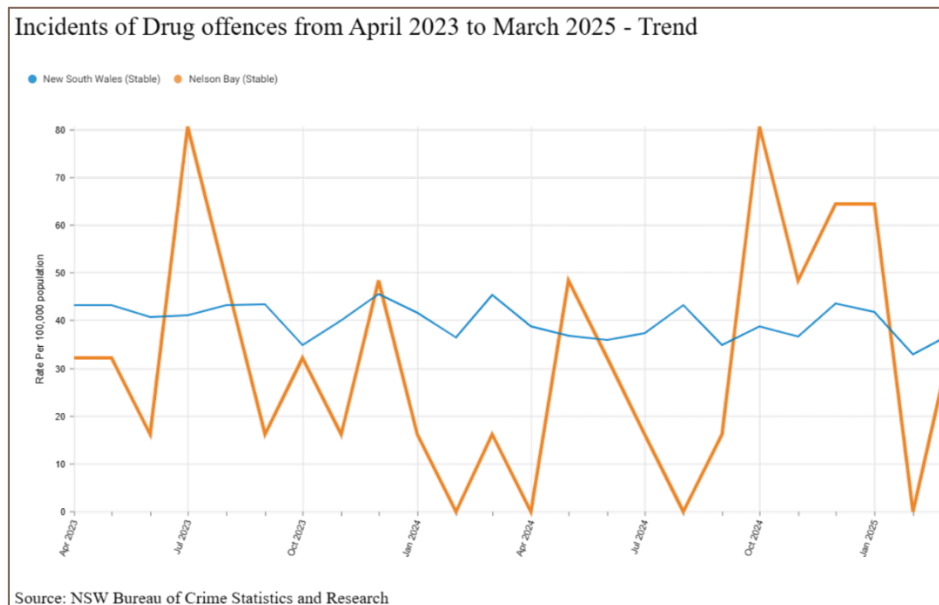


Figure 18 - Incidents of Drug offences from April 2023 to March 2025 - Trend

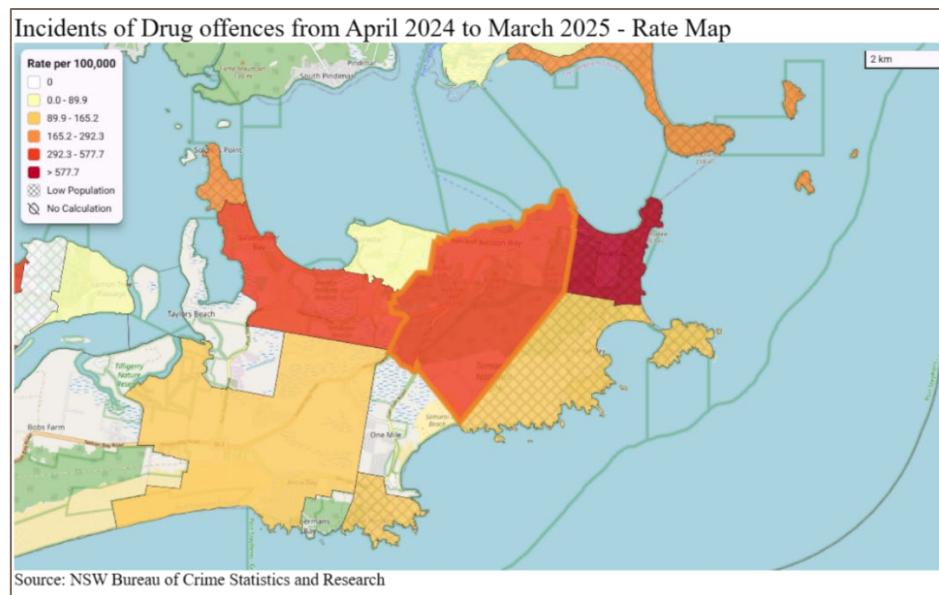


Figure 19 - Incidents of Drug offences from April 2024 to March 2025 - Rate Map



Incidents of Intimidation, stalking & harassment

Incidents of intimidation, stalking, and harassment in Nelson Bay show sharp fluctuations over time, with rates frequently rising well above the state average. Despite the overall trend being classified as stable, the peaks suggest periodic intensification. The accompanying rate map identifies Nelson Bay town centre as part of a broader high-rate zone (357.9–525.8 per 100,000), further supporting the need for CPTED strategies to mitigate risks near the proposed development site.

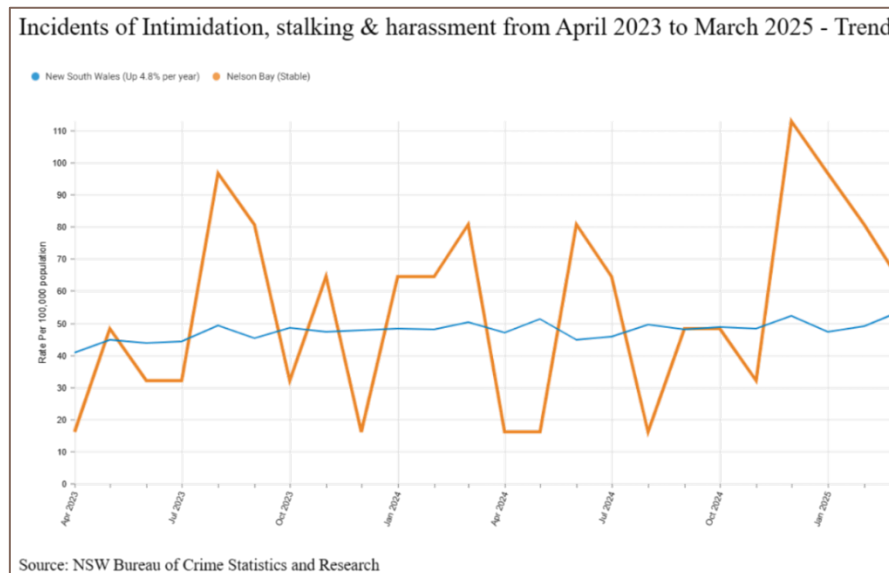


Figure 20 - Incidents of Intimidation, stalking & harassment from April 2023 to March 2025 - Trend

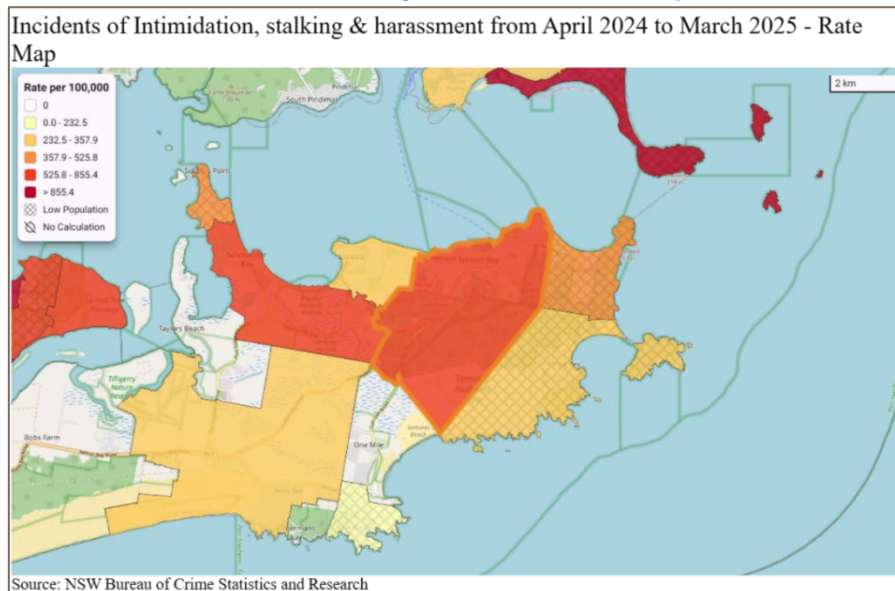
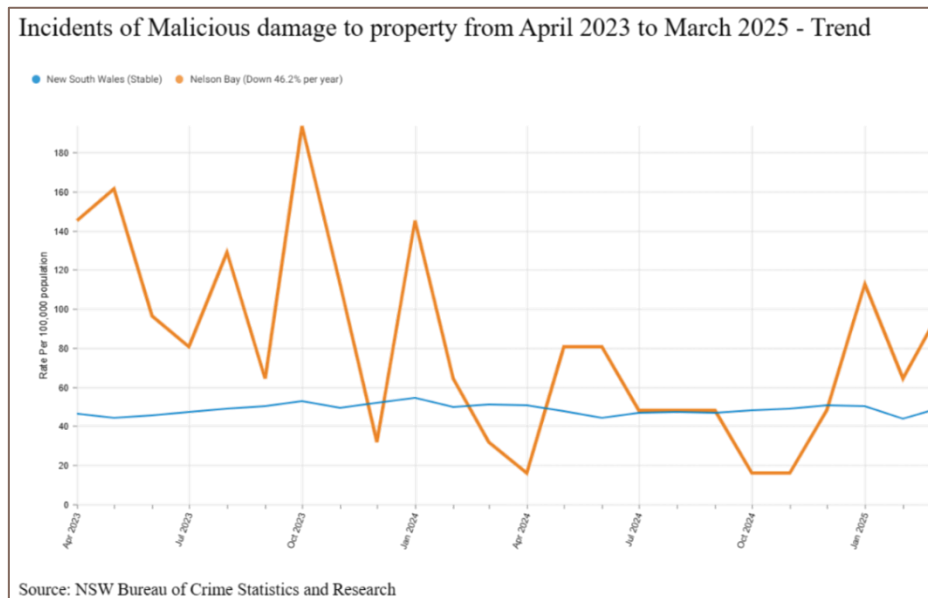


Figure 21 - Incidents of Intimidation, stalking & harassment from April 2024 to March 2025 - Rate Map



Malicious damage

Although Nelson Bay has experienced a significant year-on-year decline in malicious damage to property offences (down 46.2%), the trend remains volatile, with repeated spikes still exceeding state rates. The most recent spatial data shows the town centre falling within a high-rate zone (344.0–507.2 per 100,000), suggesting that while the overall trend is improving, persistent hotspots remain. These supports maintaining CPTED attention around the proposed development.



Incidents of Malicious damage to property from April 2023 to March 2025 - Trend

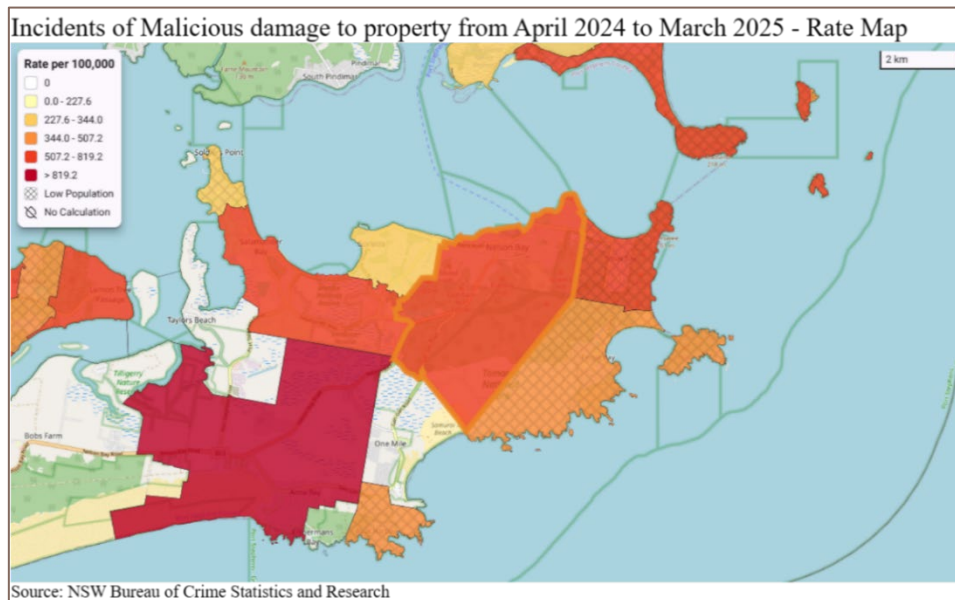
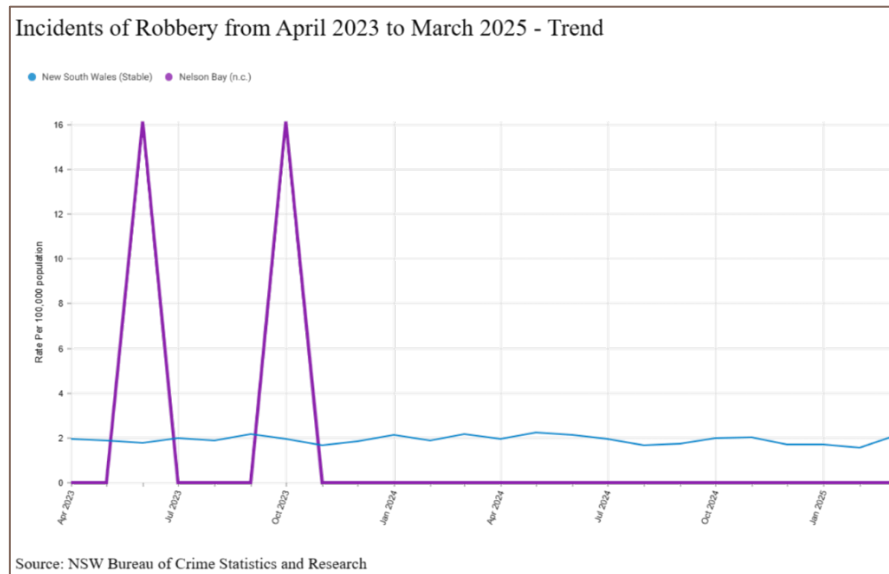


Figure 22 - Incidents of Malicious damage to property from April 2024 to March 2025 - Rate Map



Robbery

Robbery incidents in Nelson Bay are minimal and infrequent, with only two short-lived spikes over the two-year period and no clear upward or downward trend. The rate map further reflects this low activity, showing most of the town centre area in the lowest category (0–15 per 100,000) or marked as low population/no calculation. While not a current concern, ongoing CPTED design should maintain passive surveillance and activation measures to deter future occurrences.



Incidents of Robbery from April 2023 to March 2025 - Trend.png

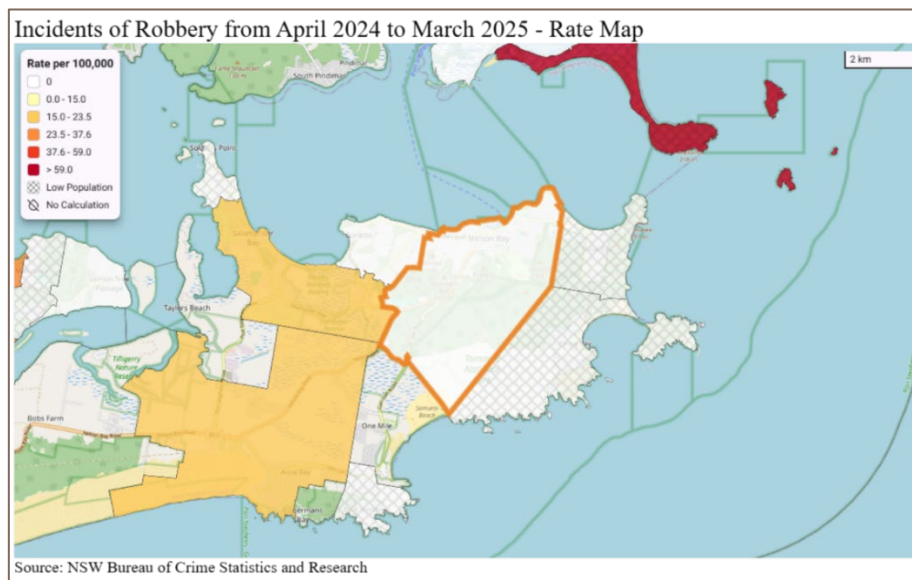


Figure 23 - Incidents of Robbery from April 2024 to March 2025 - Rate Map

Sexual offences

Sexual offence rates in Nelson Bay are marked by sharp, isolated spikes and extended periods of no recorded incidents, resulting in a highly irregular trend. While no clear pattern is evident over time, the rate map shows the town centre within a moderate risk category (157.5–231.3 per 100,000), suggesting a non-negligible level of reported offences. These findings support continued CPTED design considerations with a focus on visibility, access control, and safe public spaces.

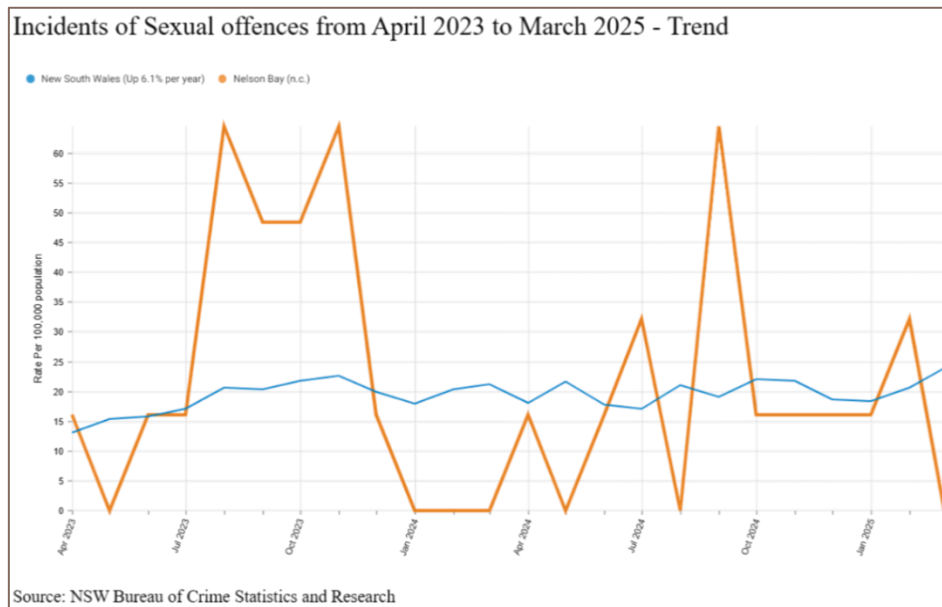


Figure 24 - Incidents of Sexual offences from April 2023 to March 2025 - Trend

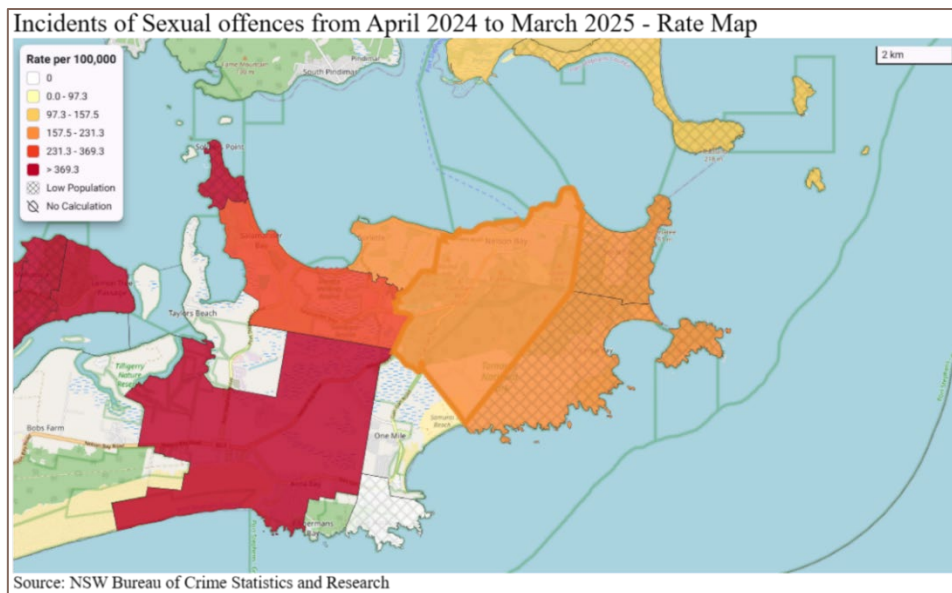


Figure 25 - Incidents of Sexual offences from April 2024 to March 2025 - Rate Map

Incidents of Theft

Theft rates in Nelson Bay remain volatile, with consistently higher values than the state average across the entire period. Despite fluctuations, the overall trend is stable. The rate map highlights the town centre as a key hotspot, falling within one of the highest theft rate categories (1172.4–1717.2 per 100,000). This persistent spatial concentration supports strong CPTED emphasis on surveillance, access control, and activity support in and around the proposed development site.

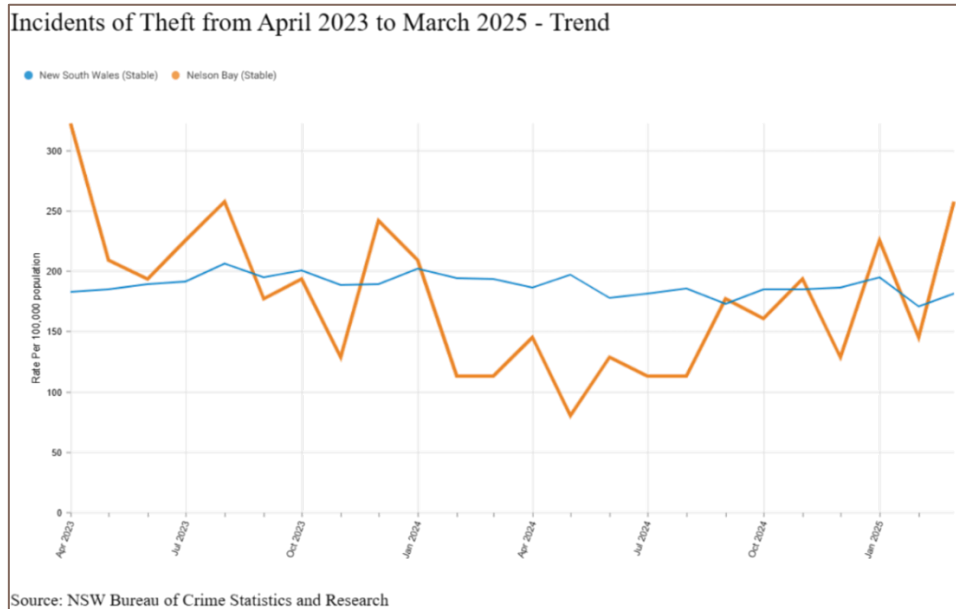


Figure 26 - Incidents of Theft from April 2023 to March 2025 - Trend

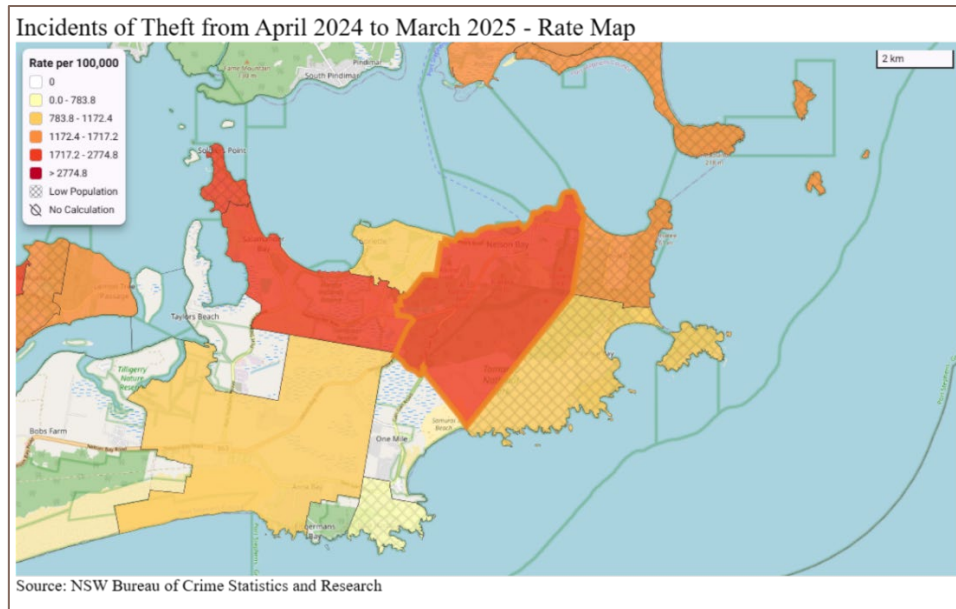


Figure 27 - Incidents of Theft from April 2024 to March 2025 - Rate Map



Homicide

The map shows incidents of homicide and related offences in the Nelson Bay area from April 2024 to March 2025. Nelson Bay town centre falls within the lowest non-zero category (6.1–11.2 per 100,000), indicating that while such incidents are rare, they are not absent. The surrounding areas generally report zero or very low rates, suggesting that the localised presence in Nelson Bay warrants continued attention to situational prevention and environmental design, particularly where safety perception is concerned.

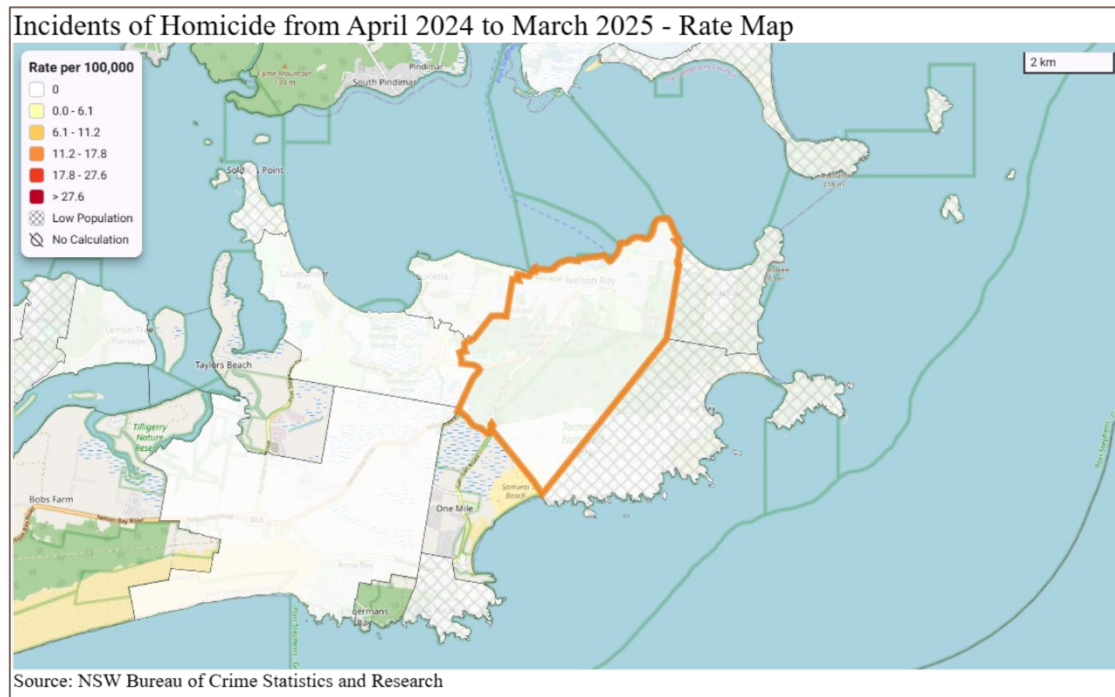


Figure 28 - Incidents of Homicide from April 2024 to March 2025 - Rate Map

6 | CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Crime Prevention Through Environmental Design (CPTED) is a situational crime-prevention approach that reduces opportunities for crime by shaping the design, layout and management of buildings and public spaces. In NSW, CPTED is embedded in planning practice through the NSW Police “Safer by Design” framework and council DCPs, which emphasise four core principles—territorial reinforcement, surveillance, access control and space/activity management—as relevant considerations under section 4.15 of the EP&A Act.

The following sections outline how each of the four key CPTED principles are incorporated into the development design to promote safety and deter potential crime.

- 1) Territorial Reinforcement,
- 2) Surveillance,
- 3) Access Control, and
- 4) Space/Activity Management

For the Belvedere, these principles have been applied in the context of a corner site at the edge of the Nelson Bay town centre, an area identified through BOCSAR data as a localised hotspot for several offence categories as outlined in the preceding report sections. Accordingly the design response focuses on:

- clearly distinguishing public, semi-private and private realms
- maximising natural surveillance over key movement corridors and gathering areas
- tightly controlling access to residents-only spaces and basement parking
- ensuring ongoing activation and management of communal and landscaped areas to discourage concealment and antisocial behaviour.

The following sections describe how each CPTED principle is interpreted in the NSW context and how it is specifically addressed by the proposed development.

Principle 1: Territorial Reinforcement

Territorial reinforcement seeks to foster a clear sense of ownership over space, so that legitimate users feel responsible for an area and are more likely to challenge suspicious behaviour. NSW guidance emphasises cues such as clear demarcation between public and private domains, prominent entries, consistent materials, landscaping that signals care and maintenance, and design that supports a “defensible space” hierarchy from public to private areas.

- Clear public–semi-private–private hierarchy on a corner site:
 - The corner allotment, with frontage to Donald Street and to Church Street, is organised to read as a clearly private residential address, not an extension of the public domain. Generous setbacks (6.93 m to Donald Street and 3.6 m to Church

Street) establish a transition zone where paving, low walls and planting signal entry into the development while still allowing free movement along public footpaths.

- Grand lobby and commercial frontage as strong ownership cues:
 - The grand lobby and small manager's office at ground level provide a prominent, legible address and a constant presence at the Donald Street frontage. The alignment of the main residential, commercial and wellness entries along the Donald Street axis reinforces a single, understandable "front door" sequence, strengthening perceptions of private ownership over the setback and threshold areas. Internal courtyards and rooftop communal areas are clearly delineated for resident use, encouraging territorial behaviour and discouraging unauthorised access.
- Landscape and level changes reinforcing spatial hierarchy:
 - Landscape treatments, including deep soil planting and containerised planting, are used in combination with paving changes, low walls and raised planters to distinguish public footpaths, semi-public forecourt areas and private podium and rooftop spaces. Planting in the front setback has been deliberately simplified and re-selected to maintain clear sightlines between 0.6 m and 2.0 m above ground, responding to Design Review Panel concerns regarding concealment and perceived safety while still providing a cared-for, legible edge to the site.
- Defined private communal domains for residents:
 - Rooftop communal spaces and internal landscaped courtyards are accessible only from secure internal circulation, making these clearly private resident domains rather than extensions of the public realm. The clear separation between private communal space and the public street, reinforced by fencing, planting and controlled entries, supports resident stewardship and discourages unauthorised occupation.

Principle 2: Surveillance

Surveillance refers to the visibility of spaces from buildings and public areas so that suspicious or unlawful behaviour is more easily observed, increasing offenders' perceived risk. NSW guidance distinguishes between natural (passive) surveillance—which is prioritised—and mechanical surveillance such as CCTV or lighting, which supplements but does not replace visibility. Ensuring "eyes on the street" from active rooms, pedestrian paths, and communal spaces is fundamental.

- Active street edges and glazed frontages:
 - The Donald Street frontage presents a strongly articulated façade with large glazed openings to the commercial/office component and grand lobby, ensuring continual passive surveillance of the public footpath and entry forecourt during both day and evening periods. The secondary pedestrian entry from Church Street for the north-west unit provides additional "eyes" on this quieter edge while remaining clearly defined as a private access.

- Apartment layout that supports outlook and surveillance:
 - The arrangement of apartments provides strong outward surveillance across all site edges. Living rooms and balconies are oriented toward the public interfaces along Donald Street and Church Street, as well as the internal landscaped courtyard, ensuring frequent resident presence overlooking pedestrian activity, entries, and setback areas. Upper levels maintain clear sightlines over the public domain due to the building's stepped form and the gentle fall of the site toward Donald Street, creating a tiered arrangement of balconies that increases visual coverage rather than concentrating viewing points in one location. Internal circulation is kept away from external frontages, ensuring the active rooms, rather than enclosed corridors, address the street.
- Communal spaces overlooking key interfaces:
 - The roof terrace and internal courtyards provide elevated vantage points across the front setback, entry areas and portions of the public footpath. These semi-public zones are regularly used by residents, increasing natural guardianship during the day and early evening.
- Visitor parking placed for visibility:
 - Visitor bays are located near the internal lobbies rather than the deeper resident-only areas of the basement. This reduces dark corners, improves passive observation from the lift core, and limits places where offenders could hide or linger.
- Lighting and CCTV as supporting measures:
 - AS/NZS 1158-compliant lighting will ensure uniform illumination to the front setback, pathways, basement circulation, communal areas and entries. CCTV will cover building entries, lift lobbies and the basement access points. These systems support passive surveillance rather than compensating for poor design.

Principle 3: Access Control

Access control directs legitimate users along intended routes while making it difficult for unauthorised persons to reach vulnerable or private areas. NSW CPTED practice emphasises legible routes, minimised entry points, clear separation of public vs private access, and reliable security hardware that does not create hidden or enclosed entrapment areas.

- Single vehicular crossover and consolidated control point:
 - Vehicle entry is restricted to one crossover on Donald Street. This reduces conflict points, consolidates security infrastructure, and establishes a predictable movement pattern for both residents and visitors.
- Two-gate basement control system:
 - The access strategy incorporates:
 - Gate 1: Positioned approximately 3 m inside the boundary; open during daytime, intercom-controlled after hours.
 - Gate 2: Located approximately 34 m within the basement and around a horizontal curve, allowing only resident key-fob/remote access.
 - This arrangement prevents unauthorised progression into resident zones and avoids sightline-based concealment opportunities around the internal bend.

- Separation of visitors and residents:
 - Visitor parking is located before Gate 2, with clear signage indicating restricted access beyond that point. Lift lobbies serving the apartments are behind secure access doors, preventing public drift into residential floors.
- Controlled pedestrian access:
 - The north-west unit's dedicated Church Street access is secure and clearly defined, preventing it from becoming an informal shortcut for non-residents. All other pedestrian access is via the grand lobby, providing a controlled and visible threshold.
- Perimeter fencing with visibility maintained:
 - The 1.8 m fencing along the northern and eastern boundaries reinforces security while retaining visibility into planted areas and avoiding "dead-edge" conditions.

Principle 4: Space/Activity Management

Space/activity management concerns the ongoing use, maintenance and operation of spaces. Environments that are clean, well-used and actively managed discourage vandalism, opportunistic crime and antisocial behaviour. NSW practice emphasises maintenance regimes, programming of communal spaces, service area management, and operations that maintain a sense of ownership.

- Day-to-evening activation patterns:
 - The mix of 56 dwellings, on-site building management, and communal wellness/recreation facilities ensures ongoing, legitimate activity throughout the day. This reduces extended periods of low activation, particularly relevant in the Nelson Bay town centre, where night-time disorderly behaviour peaks.
- Large and varied communal spaces
 - With approximately 594 m² of communal open space and over 2,000 m² of private open space, residents have multiple reasons to occupy shared areas. Regular use of rooftop and courtyard spaces increases passive guardianship and reduces opportunities for concealment.
- Maintained landscaping and visible care of the site:
 - The landscape scheme, particularly the simplified front setback treatment, supports visibility while being designed for long-term maintainability. Consistent maintenance ensures that the site conveys care and oversight, reducing opportunities for vandalism or informal occupation.
- Service and waste areas designed for efficiency and safety:
 - Waste collection occurs on site, reducing the potential for bins or storage areas to become unmanaged or attract unwanted activity. Service vehicle access has been planned to avoid reversing into public interfaces, reducing noise, conflict points and unobserved service spaces.
- Management of safety infrastructure:
 - A documented maintenance regime will ensure that lighting, CCTV, intercoms and automated gates remain functional at all times. This is important given the volatile nature of crime categories in Nelson Bay that can shift quickly in response to seasonal activity patterns.

6 | CONCLUSION

This Crime Prevention Through Environmental Design (CPTED) and Crime Risk Assessment has demonstrated that the proposed development at 42 Donald Street and 5–7 Church Street, Nelson Bay has been carefully designed to respond to both the crime context of the locality and the principles of safe urban design.

The development integrates CPTED principles across all key areas:

- Territorial reinforcement is achieved through clear delineation of public, semi-private, and private zones, combined with defined entries and landscape treatments.
- Surveillance is maximised through active street frontages, large windows, balconies, and well-placed communal spaces that provide passive observation of surrounding areas.
- Access control is robust, with secured lift and stair access, intercom systems, and a two-gate vehicular entry system that separates public and private parking areas while preventing unauthorised access to sensitive building zones.
- Space and activity management is addressed through the provision of diverse, well-activated communal facilities and clear maintenance strategies that discourage concealment and support natural guardianship throughout the day and evening.

The design has also been refined in direct response to pre-lodgement and Design Review Panel feedback. Specific issues raised, such as visibility and access at the commercial entry, concealment risks in the front setback, and carpark safety, have been addressed through adjustments to landscaping, entry alignment, and access control infrastructure.

Informed by local crime data and guided by best-practice CPTED principles, the proposal is considered to provide a high level of safety for residents, visitors, service providers, and the broader community. It supports a well-defined, inclusive, and resilient environment aligned with the objectives of the Port Stephens Development Control Plan 2014 and the broader planning framework.