

Regulatory, Planning and Assessment.MBisson/GMansfield  
Reference: PB2020/03154  
Phone: 02 4974 2000

3 June 2020

Tim Green  
Key Sites Assessments  
Department of Planning, Industry and Environment  
GPO Box 39  
**SYDNEY NSW 2001**

Reply by email: [majorprojects.planningportal.nsw.gov.au](mailto:majorprojects.planningportal.nsw.gov.au)

Dear Mr Green

**42 HONEYSUCKLE DRIVE, NEWCASTLE - MIXED USE DEVELOPMENT (SSD 10378)**

I refer to the City of Newcastle's (CN) letter of 24 April 2020 concerning the above development and confirm that the application was considered at the 27 April meeting of CN's Licensed Premises Reference Group.

The membership of the Group comprises representatives of CN, Liquor and Gaming NSW, NSW Hunter New England Health and the NSW Police Force.

The written response of the Newcastle City Police District was received on 26 May 2020 and is attached for your consideration. For the reasons explained in the response the police are concerned that the bar and associated terrace of the development will operate between 6:00am and 12:00 midnight, 7 days a week. Consequently, they have recommended a condition be imposed on any approval granted which changes the hours of operation to as follows:

- Bar  
6:00am to 12:00 midnight-Monday to Saturday  
6:00am to 10:00pm -Sunday
- Terrace  
6:00am to 10:30pm – Monday to Saturday  
6:00am to 10:00pm – Sunday

CN is supportive of the proposed hours of operation of the bar and terrace as outlined in the application, subject to compliance with the recommendations of the acoustic report, except for Sunday trading which it is recommended to close at 10:00pm.

The response has also recommended the imposition of conditions requiring the installation of a CCTV system and lighting, maximum patron capacity, plan of management and noise restrictions. It is envisaged these areas could be resolved through a plan of management and it is recommended the applicant is afforded an opportunity to respond to these various matters raised by the police.

If you have any questions in relation to the matters raised in this letter, please contact Geof Mansfield, Principal Planner (Development) on 4974 2767 or by email on [gmansfield@ncc.nsw.gov.au](mailto:gmansfield@ncc.nsw.gov.au) ..

Yours faithfully

A handwritten signature in black ink, appearing to read 'Michelle Bisson', with a stylized flourish at the end.

**Michelle Bisson**  
**MANAGER GOVERNANCE**

**Licensing Unit**

30 Harriet Street  
Waratah N.S.W. 2289  
Ph. **(02) 49266579**  
Eagle 60579  
Fax. **(02) 49266511**  
Eagle 60511



Geof MANSFIELD  
Principal Planner  
Newcastle City Council  
[mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)

**Development Application Little National Hotel, 42 Honeysuckle Drive, Newcastle NSW 2300.**

Police have reviewed Development Application relating to the proposed mixed use development at 42 Honeysuckle Drive, Newcastle. The site will form part of the Little National Hotel. These plans include the Statement of Environmental Effects and the plan of management for the Little National Hotel relating to the project.

On review of the Statement of Environmental Effects police have noted that several responses have been made in conjunction with the principles of Crime Prevention Through Environmental Design (CPTED). Police have also attended the location and made observations of the proposed development site.

**Crime Prevention Through Environmental Design**

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

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

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

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



## Surveillance

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

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

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

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

## Access Control

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

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

## Territorial Reinforcement

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



## Space and Activity Management

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

## Plan of Management

Police have been provided a copy of the Plan of management dated February 2020. Police have reviewed the plan provided and would like to make the following comments.

It is understood, based on the description given under "Purpose" that the PoM relates only to the Little National Hotel and the Level 3 bar, and to no other component of the development, hence our response is only in relation to those components.

### Trading hours

The proposed trading hours of the Little National Hotel is 24 hours a day, 7 days a week, whilst the bar and terrace area are expected to operate between 6.00am and 12.00 midnight, 7 days a week. The 24-hour trading is to allow for the use of the premise as an accommodation facility. A further break down of trading hours has been provided for the bar and terrace areas.

Police have concerns that the premise will be in a position to serve or supply alcohol, under the liquor licence, 24 hours a day should they request extended trading hours with the liquor licence.

Police submit that approved trading hours for the premise be amended to allow the accommodation hotel to operate 24 hours as required and reduced trading hours for the bar and terrace areas.

### Patron Capacity

Patron capacity has not been discussed at all throughout the plan of management or in other documents supplied. Police request in consultation with the applicant a patron capacity for each of the areas of the Hotel is included in the final development consent.

## Recommendations

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

### Both interior and external areas.

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



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

- 1) A camera must be located at the main entrance to the venue and positioned to record any person entering through this entrance. The CCTV recordings of this camera must be sufficient to enable an individual to be identified, beyond reasonable doubt, when:
  - a. the person represents not less than 100% of the screen height, and
  - b. there is an unobstructed view of the person's face.
- 2) In addition, CCTV cameras must be maintained throughout the premises with camera coverage to specifically record images of the following areas:
  - a. all other public entrances and exits, whether or not in use at the time,
  - b. staircases,
  - c. all portions of the floor area accessible to the public where entertainment is provided,
  - d. toilet external entrances,
  - e. all public accessible areas within the premise excluding toilets,
  - f. the footpath area directly adjacent to the premises, and
  - g. any courtyard and smoking areas.
- 3) The CCTV recordings of the cameras referred to in sub condition (2) must be sufficient to enable the recognition of a person. A viewer must be able to say with a high degree of certainty whether or not an individual shown is the same as someone they have seen before, when:
  - a. the person represents not less than 50% of screen height, and
  - b. there is an unobstructed view of the person's face.
- 4) Camera views are not to be obstructed by temporary or permanent structures, signage or other impediments.
- 5) Camera recordings must meet the standards set in sub condition (1) and (3) at all times, either by way of camera positioning, camera shades or other environmental factors.
- 6) Recordings must:
  - a. be in digital format,
  - b. record at a minimum of ten (10) frames per second, and
  - c. commence one hour prior to opening, and operate continuously until at least one hour after closing.
- 7) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system without interfering with the view of the target area.
- 8) Recordings should be retained for a period of 30 days before being reused or destroyed. The licensee shall ensure that no person is able to delete or alter any recordings within the 30-day period.



- 9) When the venue is open and trading, at least one person shall be at the venue that is capable of accessing the CCTV system and is able to immediately review recordings and produce copies.
- 10) Immediate access to the CCTV system and the ability to review recordings is to be granted to NSW Police, L&G Inspectors or other regulatory officers upon request.
- 11) The CCTV system shall be able to reproduce a copy of the recordings on Compact Disc, DVD or USB memory stick and must, upon request, be provided within one working day to NSW Police, L&G Inspectors or other regulatory officers.
- 12) Prior to the commencement of trade each day, the CCTV system shall be checked to ensure the equipment is in full operating order. If, during the daily check or at any other time, it is discovered that the equipment is not in full operating order, the licensee is to notify the Local Area Commander or delegate within two hours. All reasonable steps must be undertaken to repair the system as soon as practicable.

#### **External front and rear boundary of premises.**

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

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

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

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

#### **Trading Hours**

- 1) The hours we recommend for the bar and terrace area are as follows:

Bar      6.00am – 12.00 midnight Monday to Saturday  
            6.00am – 10.00pm Sunday

Terrace 6.00am – 10.30pm Monday to Saturday  
            6.00am – 10.00pm Sunday

The terrace hours are to reflect the current outdoor trading policy Newcastle City Council currently abides by.



The 10.00pm close on a Sunday is in line with the current hours issued by Liquor and Gaming NSW with a standard Hotel licence. Anything after 10.00pm would entail an extended trading authorisation which police would not be supportive of with the current proposal.

### **Maximum Patron Capacity**

- 1) A maximum patron capacity of the premise, as divided by area, is to be as follows;
  - a. Hotel guests: xxx patrons.
  - b. Bar (third floor): xxx patrons.
  - c. Outdoor Terrace: xxx patrons.
  - d. Gymnasium: xxx patrons.
- 2) Signage (in lettering not less than 15mm in height on a contrasting background) is to be erected in a prominent position near the main principle entry to the premises. The signage shall state:

**Approved patron capacity is limited to xxx**

### **Plan of Management**

- 1) The premise is to operate in accordance with a Plan of Management suitable for a premise of this size and style. A copy of this plan must be submitted to local police prior to the premise being open to the public.
- 2) Any proposed changes to the agreed plan must be submitted to local police for review at least 28 days prior to those changes being implemented. If changes must be implemented within the 28-day period local police must be consulted at the earliest opportunity.

### **Noise**

- 1) The LA10\* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.

\*Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 07:00am and 12:00midnight.

If you wish to discuss this response further, please feel free to contact the Newcastle Licensing Unit on (02) 4926 6579.

A handwritten signature in blue ink, appearing to read 'Trudi Cupples', written over a horizontal line.

Trudi CUPPLES  
Sergeant  
Licensing Unit  
Newcastle City Police District  
26 May 2020  
Prepared by Sgt CUPPLES