

Crime prevention and the assessment of development applications

Guidelines under section 79C of the *Environmental
Planning and Assessment Act 1979*



Department of
Urban Affairs and Planning

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Purpose of these guidelines

These guidelines will help councils identify crime risk and minimise opportunities for crime through the appropriate assessment of development proposals.

Introduction

Criminologists agree that effective design can be used to reduce crime opportunities. A typical offender will assess a potential crime victim or a location before committing a crime. If the design and use of a building or place create the perception that the costs of committing the crime are greater than its benefits, the potential offender is likely to think twice about committing crime.

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'
- removing conditions that create confusion about required norms of behaviour.

What the government is doing to design out crime

The State Government has prepared these guidelines as part of a broad approach to reducing crime through better design. The Government's strategy includes:

- guidelines under section 79C of the *Environmental Planning and Assessment Act 1979* to help councils consider and implement CPTED principles when assessing development applications
- a training program called *Safer by Design* run by the NSW Police Service that will enable councils to understand and apply the principles contained in the section 79C Guidelines
- working with the Australian Building Codes Board to include crime prevention strategies in the future *Building Code of Australia*
- continuing to encourage crime prevention strategies as good design principles, for example through the publication *Better Urban Living*, the *NSW Model Code* and any future design based planning controls.

The guidelines

Why crime risk needs to be considered

Before a decision can be made on a development application, a consent authority (usually a council) must consider the application under section 79C of the *Environmental Planning and Assessment Act 1979*. Included in section 79C are subsections requiring the consent authority to consider:

- the likely impacts of that development, including the environmental impacts on the natural and built environments, and social and economic impacts on the locality
- the public interest.

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

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

How to use these guidelines

These guidelines contain two parts. Part A details the need for a crime risk assessment when considering development applications. Typically, crime risk assessments are conducted in cooperation with trained local police. Part B outlines basic design principles, which minimise crime risk. They can be used by councils to justify the modification of development proposals to minimise crime risk.

Councils and local police should:

- identify the types of development which will require a crime risk assessment, and
- prepare a consultation protocol.

Consultation protocols are location based. They need specific agreements, which outline the types of development that will be jointly assessed, how consultation will occur and timeframes for consultation. Subject to council discretion, development types not listed in consultation protocols will not require a formal crime risk assessment.

A formal crime risk assessment is needed for any development that is likely (in the council's opinion) to create a risk of crime. Examples would include:

- a new/refurbished shopping centre or transport interchange
- a large scale residential development (more than 20 new dwellings), or
- the development or re-development of a mall or other public place, including the installation of new street furniture.

Councils are required to consider the principles in Part B of these guidelines when assessing *all* developments.

Part A

Crime risk assessment

What is a crime risk assessment?

A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and appropriate mix of CPTED strategies.

How to assess crime risk

There are two important steps when assessing crime risk:

- obtain an understanding of the crime risk of the area, and if required
- apply (CPTED) treatments that correspond with levels of risk present in the area.

These guidelines outline how councils are to assess crime risk in local developments. They are not sufficient in themselves, however, to inform councils how to conduct crime risk assessments. To gain a detailed understanding of how to conduct crime risk assessments and how to apply CPTED principles, *council planners need to attend approved training courses*. The NSW Police Service provides approved CPTED training courses, known as *Safer by Design*, to planners and other key professional groups. Details can be obtained by contacting the *Safer by Design* Project Manager on (02) 9339 5687, or to e-mail address sbd@police.nsw.gov.au, or going to the *Safer by Design* website at www.police.nsw.gov.au

Formalising the crime risk assessment process

Local crime risk assessment processes can be formalised through:

- a development control plan
- a council policy on crime risk assessment
- a formal agreement (consultation protocol) for targeted consultation with the local police on specific development proposals, or proposals in certain areas of high risk.

Where a large proposal is being developed in stages, the crime risk assessment can be incorporated into site specific development control or master plans.

When conducting individual crime risk assessments, the consequences and likelihood of crime are identified and measured using recorded crime statistics, hotspot analyses and Australian Bureau of Statistics (ABS) socio-economic data. The NSW Police *Service Safer by Design Evaluation* is a crime risk management instrument based upon Australian Risk Management standard 4360:1999. Use of this instrument and the *Companion to the Safer by Design Evaluation* will help assessors to identify crime risk in proposed developments and in existing environments.

Part B

Principles for minimising crime risk

Applying the CPTED principles

This part of the guidelines outlines basic CPTED principles for use in assessing development applications. Councils need to use these principles so they do not approve developments that create or exacerbate crime risk.

How the principles are applied to each development application will depend on the nature of the development proposal and the prevailing crime risk in the area. Councils need to be careful when applying CPTED principles as they interact with each other, as well as with other basic principles of good urban design. It is easy to apply one CPTED principle to a development to the detriment of other CPTED or design principles. That is to say, CPTED principles should not be rigidly applied as one might use a checklist, but should be used selectively and flexibly to address crime risk within the context of responsible urban planning and space design.

The CPTED principles

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

- surveillance
- access control
- territorial reinforcement
- space management.

Surveillance

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

Good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. Would be offenders are often deterred from committing crime in areas with high levels of surveillance. From a design perspective, 'deterrence' can be achieved by:

- clear sightlines between public and private places
- effective lighting of public places
- landscaping that makes places attractive, but does not provide offenders with a place to hide or entrap victims.

Access control

Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.

By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in restricted areas. However, care needs to be taken to ensure that the barriers are not tall or hostile, creating the effect of a compound.

Effective access control can be achieved by creating:

- landscapes and physical locations that channel and group pedestrians into target areas
- public spaces which attract, rather than discourage people from gathering
- restricted access to internal areas or high-risk areas (like carparks or other rarely visited areas). This is often achieved through the use of physical barriers.

Territorial reinforcement

Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.

If people feel that they have some ownership of public space, they are more likely to gather and to enjoy that space. Community ownership also increases the likelihood that people who witness crime will respond by quickly reporting it or by attempting to prevent it. Territorial reinforcement can be achieved through:

- design that encourages people to gather in public space and to feel some responsibility for its use and condition
- design with clear transitions and boundaries between public and private space
- clear design cues on who is to use space and what it is to be used for. Care is needed to ensure that territorial reinforcement is not achieved by making public spaces private spaces, through gates and enclosures.

Space management

Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

Further information

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