3.01.3 DA review by Police

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<tr>
<th>Directorate</th>
<th>Community, Environment and Planning (CEP)</th>
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<tbody>
<tr>
<td>Responsible Officer</td>
<td>Manager Planning and Sustainability</td>
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Introduction

The parties to this protocol are the Director of Community, Environment and Planning (CEP) of Bega Valley Shire Council (represented by the Manager of Planning and Sustainability) and the Far South Coast Local Area Command of the NSW Police Service (represented by the Crime Prevention Officer).

The purpose of the protocol is to facilitate the incorporation of Crime Prevention through Environmental Design (CPTED) principles in the assessment of certain development applications and in the preparation of Plans of Management.

Applicability

Council will consider CPTED principles when assessing all developments as required by legislative guidelines under Section 79c of the New South Wales Planning and Environment Assessment Act 1979 (as Amended).

Discretion rests with the Council as to which DA’s and Plans of Management are referred for review to the NSW Police Service, depending on the size or nature of proposals and their likely impact on community safety.

The schedule of development proposals for referral is indicative only, and is subject to variance to reflect changes in crime patterns and the size/importance of proposals.

The Schedule

- Multiple units, townhouse/villa development (20 or more dwellings)
- Mixed use developments with 20 or more dwellings
- New or upgraded commercial/retail development (major work)
- New or upgraded industrial complex (multiple industrial units)
- Large sports/community facilities
- Clubs/hotels (i.e. extended hours, gaming rooms)
- Service stations/convenience stores
- Hospitals
- Some developments of social interest (i.e. arcades, brothels, amusement centres, upgrading of housing estates, etc.)
- Plans of Management for “community land”.

Procedure

1. The Council’s Manger of Planning and Sustainability should receive formal notification in writing from the NSW Police Service of the names and addresses of nominated officers.
2. Council will notify a nominated officer of the NSW Police Service (normally the Crime Prevention Officer) of a relevant development application (DA)/Plan of Management (PoM) as soon as possible after lodgement.
3. Where Council officers consider it appropriate, the NSW Police Service will be invited to Development Control Unit meetings, and Council meetings.
4. Where the NSW Police Service seeks a meeting to view plans or clarify queries on a referred DA, this is to be arranged with the Council Officer named on the DA within the agreed time frame for comment by NSW Police Service.
5. All comments by the NSW Police Service on a referred DA/PoM are to be in writing, received within the deadline; otherwise Council will not guarantee that comments made will be taken into account.
6. All written comments should be addressed to the Manager of Planning and Sustainability, quoting the relevant DA number.
7. Council will take into account NSW Police Service comments in determining its response to DA’s.
Exchanges or Information

Council and NSW Police Service believe that the periodic discussion of emerging issues and trends relating to DA’s generally and crime prevention will be helpful to both parties and will endeavour to arrange discussion between representatives frequently and as required.

Where relevant and appropriate, NSW Police Service may make available to Council crime related information helpful to Council in the processing of DA’s.
Review of DA by Police (Flowchart)

1. Reviewable Development Application received.
2. Manager of Planning and Sustainability receives in writing the details of nominated review officers.
3. Council notifies nominated review officers about submission of the DA.
4. Council invites NSW Police to Development Control Unit and/or Council Meetings.
5. Delegated Council Officer will collate all feedback on DA.
6. Feedback/ submissions must be received before the relevant deadline.
7. Feedback/ submissions must be addressed to the General Manager and quote the relevant DA number.
8. Submissions reviewed and factored into final recommendations by Council.
10. DA decision made.
## Review of DA of Police (Checklist)

**Action Officer:**
Coordinator Planning Services

**Approving Officer:**
Manager | Planning and Sustainability

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<tr>
<th>No.:</th>
<th>Action</th>
<th>Completion</th>
<th>Observation or Evidence (including relevant dates)</th>
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<tbody>
<tr>
<td>1.</td>
<td>Details of the Nominated Review Officers are recorded on the DA file.</td>
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<tr>
<td>2.</td>
<td>Development Application is lodged with Council that requires Council to consult with the NSW Police</td>
<td></td>
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<tr>
<td>3.</td>
<td>Manager of Planning and Sustainability has received (in writing) the details of Nominated Review Officers from the NSW Police Force.</td>
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<td>4.</td>
<td>Council Officer notifies relevant NSW Police Officer about the receipt of a DA which requires review.</td>
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<tr>
<td>5.</td>
<td>Council Officer sends invite to NSW Police to attend Development Control Unit or Council Meeting.</td>
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<tr>
<td>6.</td>
<td>Feedback/submissions are collected and recorded by the Council Officer.</td>
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<tr>
<td>7.</td>
<td>Summary of submissions received are reported to the Council for consideration as part of overall DA report.</td>
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<tr>
<td>10.</td>
<td>Council make final recommendations/decision regarding the Development Application.</td>
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