

## Nowra CBD Revitalisation Strategy Committee

**Meeting Date:** Wednesday, 09 June, 2021  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 4.00pm

**Please note:** Council's Code of Meeting Practice permits the electronic recording and broadcast of the proceedings of meetings of the Council which are open to the public. Your attendance at this meeting is taken as consent to the possibility that your image and/or voice may be recorded and broadcast to the public.

### Agenda

1. **Apologies**
2. **Confirmation of Minutes**
  - Nowra CBD Revitalisation Strategy Committee - 12 May 2021 ..... 1
3. **Declarations of Interest**
4. **Reports**
  - CBD21.12 Committee Actions Report for Ongoing/Completed Items ..... 4
  - CBD21.13 Proposed Membership - Stockland Nowra ..... 5
  - CBD21.14 Nowra CBD Historical Walk Interpretive Signage Project - Finalisation and Outcomes..... 6
  - CBD21.15 Investigation - Alcohol Free Areas - Egans Lane & Stewart Place Car Park - Nowra CBD (MIN20.902) ..... 12
  - CBD21.16 CBD21.7 - Blister Costs in Berry St Nowra & Financial Update - Nowra CBD Revitalisation Funds ..... 15
5. **General Business**
  - CBD21.17 Verbal Report - Finance  
*Mr Paul Keech – Director City Services will address the meeting in relation to the Budget.*
  - CBD21.18 Verbal Report - Revitalising Nowra Action Plan  
*Mr Gordon Clark – Strategic Planning Manager will address the meeting with an update on the Revitalising Nowra Action Plan.*
  - CBD21.19 Verbal - Working Groups  
*Mr Paul Keech – Director City Services will address the meeting in relation to the Working Groups of the Committee.*

**Membership**

Mr James Caldwell - Chairperson  
Clr Jo Gash  
Clr Patricia White  
Clr John Wells  
Mr Paul Keech or delegate  
Mr Robert Domm or delegate  
Mr Scott Baxter  
Mr Brendan Goddard  
Mr George Parker  
Mr Wesley Hindmarch  
Ms Alison Henry  
Mr Christopher Williamson  
Ms Catherine Shields

**Non-voting members**

All other Councillors

Quorum – Five (5) members

**Role**

Note: Tasks in relation to 1.4 will not be undertaken by Councillors

For the purpose of this Terms of Reference, Councils annual Capital Works Budget which is defined as any Special Rate on the CBD (currently \$500,000) plus any top up funding (such as grants or loans obtained by council or other council budgetary allocations) that Council provides to deliver a project initiated by Special Rate Funding.

Note: Any other Capital Works Funding in excess of \$100,000 within the CBD will be discussed with the Committee prior to expenditure of funding.

- 1.1. Recommend to Council possible refinement of, and improvements to, the Nowra CBD Revitalisation Strategy as the committee considers appropriate.
- 1.2. Develop a list of projects (with estimated costings) for Council to consider priorities over a rolling three year time frame, that will assist in achieving the ten elements of the Nowra CBD Revitalisation Strategy. The list is to be presented to an Ordinary Meeting of Council in February each year, and thus adopted by the Council.
- 1.3. Make a formal submission to Council's annual capital works budget as it relates to the Nowra CBD, in accordance with Council's budgeting process.
- 1.4. Monitor the expenditure of Council's annual capital works budget as it relates to the Nowra CBD, in particular;
  - 1.4.1. Approving design plans and specifications at the preliminary concept stage and prior to the detailed drafting and then at final approval stage.
  - 1.4.2. In cases where the General Manager (or delegate) determines that capital works within the Nowra CBD, will be tendered out, the Committee Chair (or delegate) will approve the tender documentation before tenders are advertised.
  - 1.4.3. The Committee Chair and delegate are to participate on tender evaluation panels for capital expenditure in the Nowra CBD.
  - 1.4.4. Assign a Project Steering Working Group to endorse the payment of progress claims and endorse the approval of variations, for capital expenditure in the Nowra CBD.

- 1.4.5. In the case where Council staff undertake substantial capital expenditure (greater than \$150,000) in the Nowra CBD, the Committee will receive a report outlining progress (including expenditure updates) and plans at each of the Committee’s Meetings.
- 1.5. Act as a communication conduit between Council and the CBD stakeholders in respect to the ten elements within the Nowra CBD Revitalisation Strategy and approved Capital Works within the Nowra CBD with reasonable support from Council, at Council’s expense, as determined by the General Manager.
- 1.6. Assist Council in advocating to the community the adopted list of projects that seek to deliver on the ten elements of the CBD Revitalisation Strategy.
- 1.7. Provide a report to Council each quarter outlining the year to date expenditure of Council’s annual capital works budget as it relates to the Nowra CBD and present a report to an Ordinary Meeting of Council in August each year that explains the capital expenditure and any non-expenditure, for the previous financial year.
- 1.8. Consult with relevant stakeholders as needed.

**Delegated Authority**

1. To expend the funds allocated by Council annually from the Business – Nowra subcategory (currently \$500,000) to the CBD Nowra Revitalisation Strategy Committee, as the committee deems appropriate in accordance with objectives of the Nowra CBD Strategic Plan.
2. To establish Working Groups as deemed appropriate.
3. To promote the advantages of the CBD inside and outside the Local Government area, including making press releases and promoting the Nowra CBD Revitalisation Strategy and its projects.
4. Council will provide “in-kind” support to the committee in relation to
  - a. Project Design and Documentation
  - b. Facilitation of meetings
  - c. Preparation of reports for the Committee consideration

**Nowra Revitalisation Committee - Sub/Working Groups**

	Events / Christmas Promotions	Infrastructure (including Wayfinding signs)	Writers / Historic Walk	Mural Proposal – Bonnie Greene	Banners / Perm Lighting	Logo / Communications	Architectural Ideas Comp
James Caldwell (Chair)	Yes	Yes	Yes		Yes	Yes	Yes
Clr Gash	Yes				Yes		
Clr White	Yes				Yes		Yes
Clr Wells						Yes	Yes
Wesley Hindmarch		Yes		Yes		Yes	Yes
Scott Baxter		Yes	Yes	Yes	Yes		
Brendan Goddard		Yes				Yes	Yes
George Parker	Yes						
Alison Henry	Yes						
Christopher Williamson							
Catherine							

Shields							
Robert Domm			Yes				Yes or Rep
Paul Keech		Yes			Yes		
SCC Contact (Director / Rep)	Kate Crowe	TBC	Gordon Clark		TBC	Kate Crowe	

## MINUTES OF THE NOWRA CBD REVITALISATION STRATEGY COMMITTEE

**Meeting Date:** Wednesday, 12 May 2021  
**Location:** Council Chambers, City Administrative Centre, Bridge Road, Nowra  
**Time:** 4.05pm

The following members were present:

Mr James Caldwell - Chairperson  
Clr Joanna Gash  
Clr Patricia White  
Mr Paul Keech - Director City Services  
Mr Robert Domm - Director City Futures  
Mr Brendan Goddard  
Ms Alison Henry – arrived at 4.08pm, left 5.20pm  
Ms Catherine Shields – arrived at 5.46pm

Others present:  
Clr Mark Kitchener  
Mr Gordon Clark – Strategic Planning Manager  
Coralie Bell – Section Manager - Tourism

### 1. Apologies / Leave of Absence

An apology was received from Clr Wells, George Parker, Scott Baxter, Wesley Hindmarch

### 2. Confirmation of the Minutes

**RESOLVED** (Clr White / Clr Gash)

That the Minutes of the Nowra CBD Revitalisation Strategy Committee held on Wednesday 07 April 2021 be confirmed.

CARRIED

Note: Alison Henry arrived at 4.08pm

### 3. Declarations of Interest

Nil

## REPORTS

### **CBD21.11 Proposed Finalisation - Draft Revitalising Nowra Action Plan 2021 - 23**

**HPERM Ref:  
D21/189169**

The Committee held a discussion in relation to the Draft Revitalising Nowra Action Plan 2021-2023, and the following comments were made:

- The Committee agreed that the Action Plan should be finalised, consistent with the adjustments outlined in the report and the discussion at the meeting.
- The overall Plan/Budget be broken down into “streams” in the CBD Financial Report & Job No to ensure flexibility with the budget.
- It is essential to allocate funds for shovel ready projects
- It was requested that the CEO (Director – City Performance) draw up a budget and allocate funds in line with the action plan, itemised working budget with a list of (Shovel ready) projects for grant applications.
- CBD Committee and Director City Services manages, supervises and controls the Action Plan and the budget.

4.

#### **Recommendation (Item to be determined under delegated authority)**

That the Nowra CBD Revitalisation Strategy Committee:

1. Adopt the *Revitalising Nowra Action Plan 2021 – 23*, in accordance with the contents of this report and its attachment (revised budget) and the plan be finalised accordingly.
2. Commence the relevant early preparatory work required to support the new Action Plan, including:
  - a. 2020-21 Preparation Work – obtain a fee proposal from Place Score Pty Ltd to assist in this regard (Action A2).
  - b. Action Plan Manager for Nowra CBD – commence required discussions regarding the position logistics/arrangements (Action A3).
3. Commit to undertake the annual Action Plan Impact Review (Action A10) over each of the three years and obtain a fee proposal from Place Score Pty Ltd for this work.

#### **RESOLVED** (James Caldwell / Clr White)

That the Nowra CBD Revitalisation Strategy Committee:

1. Adopt the *Revitalising Nowra Action Plan 2021 – 23*, in accordance with the contents of this report and its attachments (revised budget), and discussions at the meeting and the plan be finalised accordingly.
2. Commence the relevant early preparatory work required to support the new Action Plan, including:
  - a. 2020-21 Preparation Work – obtain a fee proposal from Place Score Pty Ltd to assist in this regard (Action A2).
  - b. Action Plan Manager for Nowra CBD – commence required discussions regarding the position logistics/arrangements (Action A3).
3. Commit to undertake the annual Action Plan Impact Review (Action A10) over each of the three years and obtain a fee proposal from Place Score Pty Ltd for this work.
4. Action Plan Package be reported to Council for endorsement when ready.
5. Notes that the Working Groups continue operation to assist with the delivery of the Action

Plan.

6. Chair and relevant Council Staff work together to establish the scope and role expectations of the Action Plan Manager for \$80,000 (up to a maximum of \$100,000).

CARRIED

## **GENERAL BUSINESS**

Nil

There being no further business, the meeting concluded, the time being 6.00pm.

Mr James Caldwell  
CHAIRPERSON

## CBD21.12 Committee Actions Report for Ongoing/Completed Items

**HPERM Ref:** D21/168629

**Department:** Business Assurance & Risk  
**Approver:** Paul Keech, Director - City Services

**Attachments:** 1. Actions List Table (under separate cover) [⇒](#)

### Reason for Report

To advise and update the Committee on the Outstanding/Ongoing Actions from the Nowra CBD Revitalisation Strategy Committee.

### Recommendation (Item to be determined under delegated authority)

That the:

1. Outstanding/Ongoing Action report be received for information;
2. Following completed items in the Action List attached to the report be removed from the listing:
  - a. CBD21.6 – Additional Item – Nowra By Night Promotions Budget
  - b. CBD21.10 – Additional Item – Walkaround
  - c. CBD20.24 - Additional Item - Alcohol Prohibited / Free Area - Laneways off Egans Lane & Stewart PI Car Park - Investigation - Nowra CBD Revitalisation Strategy Committee

### Options

1. As Recommended
2. Adopt an alternate recommendation.

### Background

The actions listed in the attachment are drawn from Resolutions made by the Committee of which an action is required.

The Action Table (**attached**) is current as at the time of drafting this report (28 April 2021).

This will be a standing report on the Agenda for each meeting to keep the Committee informed of progress on the actions/resolutions from previous meetings.

## CBD21.13 Proposed Membership - Stockland Nowra

**HPERM Ref:** D21/173039

**Department:** Business Assurance & Risk  
**Approver:** Robert Domm, Director - City Futures

**Attachments:**

1. Nowra CBD Revitalisation Strategy Committee - Map - Boundary (under separate cover) [⇒](#)
2. Terms of Reference - Nowra CBD Revitalisation Strategy Committee (under separate cover) [⇒](#)

### Reason for Report

To provide an opportunity to consider the addition of a representative from Stockland Nowra on the Committee.

### Recommendation

That the Terms of Reference for the Nowra CBD Revitalisation Strategy Committee be amended to include a dedicated position for a representative of Stockland Nowra.

### Options

1. As recommended.

Implications: The Terms of Reference for the Committee would be revised to create a dedicated membership position for a representative of Stockland Nowra.

2. Receive the report for information, noting that Stockland Nowra is able to nominate a person for one of the current membership positions next time there are appropriate vacancies.

Implications: This would possibly delay Stockland Nowra's involvement in the Committee to a later date and as such opportunities to work together on a range of matters may be missed in the meantime.

### Background

Stockland Nowra is part of the Nowra CBD (see attached map), the area for which this Committee plays a key role.

Council representatives, including the Mayor, recently met with representatives of Stockland Pty Ltd to discuss their Nowra Centre and also CBD related matters more generally. The meeting covered various opportunities to work together to better integrate Stockland Nowra with the broader CBD, consistent with the concepts identified in the adopted Nowra CBD Urban Design Masterplan.

Stockland are keen to work with and be part of the Nowra CBD Revitalisation Strategy Committee. There would be a broader benefit in Stockland Nowra having a dedicated position on the Committee, acknowledging their key large property ownership within the CBD and also the opportunities that exist for all retailers in the area to work together. If accepted, they would be represented by the current Centre Manager, Julie Modena.

There are however currently no membership vacancies on the Committee based on the current Membership in the Terms of Reference (Attached). As such, if accepted, there would be a need to amend the Terms of Reference to create a dedicated position on the Committee representing Stockland Nowra.

## **CBD21.14 Nowra CBD Historical Walk Interpretive Signage Project - Finalisation and Outcomes**

**HPERM Ref:** D19/444798

**Department:** Strategic Planning

**Approver:** Robert Domm, Director - City Futures

### **Reason for Report**

Report on the completed Nowra CBD Historical Walk Interpretive Signage project, including opportunities and recommendations for future projects. This wrap up report was delayed by the COVID-19 experience.

### **Recommendation (Item to be determined under delegated authority)**

That the Committee receive the report for information and consider future opportunities to build on the current Nowra CBD Historical Walk.

### **Options**

1. Accept the recommendation.

Implications: The report be received for information.

2. Adopt an alternate recommendation.

Implications: Will depend on the nature of the alternate recommendation.

### **Background**

The Nowra CBD Historical Walk Interpretive Signage project evolved from an initiative of the Nowra CBD Revitalisation Strategy Committee on 15 March 2017 to allocate \$4,053 for interpretive plaques in Nowra Laneways (report and minute accessible [here](#)). The Nowra CBD Historical Walk Working Party was established to progress the project.

In early 2018, the then NSW Office of Environment and Heritage (OEH) opened the 2018-19 round of Heritage Activation grants for projects designed to increase public enjoyment of local heritage. Council made an application for funding under the program for interpretive signage and digital content to complement the physical walk using the 'Heritage Near Me' web app.

On 23 August 2018, Council was notified that this grant application was successful, to the value of \$30,751 (ex. GST). This was reported to the Committee on 5 September 2018 (report accessible [here](#)) and supported.

Council staff then worked with the Nowra CBD Historical Walk Working Party and Shoalhaven Historical Society (SHS) representatives to develop the content for the walk. A substantial portion of this information was based on known works/projects by Robyn Florence, Alan Clark and Gerri Walker of SHS, as well as Council's existing heritage register.

Installation of the signage took place over October/November 2019 and the project was acquitted with the Heritage Near Me team on 9 January 2020.

### The Walk

The final Nowra CBD Historical Walk is approximately 2.7km in length, covering 28 historical buildings/places as shown in the map below. Of these, 22 are listed as heritage items in Shoalhaven Local Environmental Plan (LEP) 2014. The walk was based on part of an existing Historical Walking Trail developed by SHS and Council.



The walk commences at the SHS on Plunkett Street and covers four connected precincts, which may be experienced together or in isolation, and in any order:

1. Plunkett Street – Law Enforcement and Education Precinct (information sign located at SHS Museum);
2. Berry Street and Junction Street Axis – Culture and Entertainment Precinct (information sign located opposite the Roxy Theatre);

3. Bridge Road and Moss Street End – Connections Precinct (information sign located on Berry Street opposite the School of Arts); and
4. Kinghorne Street and Junction Street Axis – Former Main Road Precinct (information sign located on the corner of Kinghorne Street and North Street).

**Information Signs**

Each precinct is identified/introduced with a large information sign, showing general historical information, interesting facts and historical photos relating to the precinct on one side, and a map of the precinct with a brief history of the featured buildings/places in the precinct on the other side. The image below shows the information sign for the Berry Street and Junction Street Axis Precinct. The signs convey the story of each precinct and assist in the interpretation of buildings/places, especially where there is no longer any visual connection to those buildings/places.

Armsign, a firm known for similar work, was engaged to do the graphic design and fabrication of the signs. Armsign engaged a local subcontractor to carry out the installation.



**Information sign for the Berry Street and Junction Street Axis Precinct**

The original proposed walk consisted of five precincts, however two of these were later combined due to their shared historical connections and relatively small number of items. This is also resulted in cost savings and reduced signage clutter.

CBD21.14

The numbering of each featured building/place on the information sign corresponds with the small plaques installed on, or near, the building or place. The figure below shows an example of a plaque on the Roxy Theatre.



**Figure 3: Example of a small plaque on a featured building (the Roxy Theatre)**

The plaques were designed with a ‘minimalist’ approach in order to reduce potential signage clutter and impact on items, provide markers along the walk, and communicate specific facts about the item, such as the year it was built, the architectural period and the designer. A tailored solution was adopted for each item with the assistance of Armsign.

### Digital Content

The small plaques were also designed so that they could be included on the NSW Government’s ‘Heritage Near Me’ web app. This platform was envisaged to act as a ‘digital guide’ that could provide additional details and historical information on each precinct and item.

Unfortunately, the development of the app was delayed indefinitely when the ‘Heritage Near Me’ Team was disbanded in a State Government department restructure. Council staff investigated the development of an app in-house that could act as a digital guide, however early indications suggested it would be cost prohibitive.

To ensure that there was a guide to accompany the signs and plaques, Armsign produced a physical map and guide at Council’s request. Copies of the map guide were distributed and are available at the Shoalhaven Visitors Information Centre and the Shoalhaven Historical Society. It is also intended to make the map guide available on the Shoalhaven Tourism website.

Other options for digital content could be explored in future, such as a mobile-friendly website. This may be more user-friendly as it would not need to be downloaded to a device like web app would. It would also be cheaper and easier, in general, to maintain and update than a stand-alone app.

### Other Changes

The information sign for the Berry Street and Junction Street Precinct was originally proposed to be located on the western side of Berry Street, near the Roxy Theatre. Due to uncertainty around the design of the planned streetscape upgrades in this location and potential safety design issues relating to a nearby ATM, the sign was installed on the eastern side of Berry Street, opposite the Roxy Theatre and near the edge of an outdoor dining area.

The information sign for the Bridge Road and Moss Street Precinct was originally proposed to be installed within the William Batt Memorial Garden or near the Bridge Hotel. It was ultimately installed on Berry Street, opposite the School of Arts, due to:

- Concerns that the sign may be vandalised at the Bridge Hotel;
- Potential obstruction traffic and pedestrian visibility if located within William Batt Memorial Garden;
- Potential accessibility and safety issues for visitors (e.g. school groups and the less mobile) if located within William Batt Memorial Garden.

The location on Berry Street was considered to be more suitable because:

- It marks the end of the previous precinct – visitors may look to guidance from this point as the Bridge Road and Moss Street Precinct is somewhat disconnected relative to the rest of the CBD;
- The School of Arts is a strong visual landmark;
- The sign includes a historical photo of the School of Arts and the early Bridge Road taken from the approximate location that the sign is installed.

### Opening Event

A community opening event for the walk was organised in March 2020 but was subsequently cancelled due to the onset of COVID-19 restrictions.

### Opportunities for Future Projects

The following is an overview of some additional opportunities that could be considered depending on resourcing, budget and willingness.

- Expand the walk to include additional heritage items. The purpose of the Heritage Activation grant program was to promote heritage listed items, however, not all of the items along the walk are heritage listed in Shoalhaven LEP 2014.
- There has been some interest in extending the walk to include the residential area around the CBD and up to the showground. This has some merit and the following suggestions are made should a future extension be proposed:
  - Continue the use of small plaques to identify each featured building/place;
  - Minimise the use of large signs in the residential area – they may result in clutter and not be consistent with the heritage character of the area. Smaller signs on a plinth (or similar) could be used to provide information on selected buildings/residences. A large information sign could be appropriate in a future ‘showground precinct’.
  - Integration with the NSW Government’s ‘Heritage Near Me’ app, should this eventuate, or similar.
- Work with the Nowra Local Aboriginal Land Council and the community to explore the development of a Cultural Heritage addition to the walk.
- Given the uncertainty around the ‘Heritage Near Me’ web app becoming available, consider developing an app in-house or a mobile-friendly website to provide a digital

guide. This would come at a cost but could be used/shared by other projects e.g. the Nowra CBD Mural Tour. This would also assist in Nowra's transition in the longer term to a "Smart City".

- Consider how the historical walk could combine with other planned projects, events and actions being undertaken in and around the Nowra CBD, for example the Revitalising Nowra Action Plan 2021-2023 currently being finalised.

**Recommendations for Improvement**

- Focus on 'intact' heritage items i.e. items with clear visual/historical connections to the attributes that make them historically significant, rather than sites of former historical buildings that no longer exist (e.g. the current Best & Less building and the current Commonwealth Bank building). Additional detail was needed in the signage to tell the story of these items.
- Even though there were some initial issues with the finish of the signs, Armsign were good to work with and accommodated all requests, concerns and fixes. Fixes were carried out without question and free of charge.
- Allow sufficient time for the signage manufacturer's own installers to carry out the installation. Using a subcontractor means they are not connected to the work and may lack the pride and care of the manufacturer. One of the large information signs and several plaques had to be refabricated and reinstalled (at no extra cost) after they were not installed to an acceptable standard.
- Consider engaging a civil designer or project manager to deliver the project. Strategic Planning staff spent a considerable amount of time administering the project which was not reflected in the project budget.
- Following the learnings from this project (e.g. expectation of funding to SHS), the need to establish clear agreements with any community groups and other stakeholders with respect to contributions of content, knowledge and other assistance towards the project (e.g. are such contributions in-kind or are they to be funded by the project?).
- Engage with the community and property owners early on. This aspect was more time consuming than anticipated.

**Community Engagement**

A community opening event for the walk was organised in March 2020 but subsequently had to be cancelled due to the onset of COVID-19 restrictions.

**Financial Implications**

The project was funded by the Nowra CBD Revitalisation Strategy Committee and the former NSW Office of Environment and Heritage (OEH) Heritage Near Me Activations Grant 2018-19.

## **CBD21.15 Investigation - Alcohol Free Areas - Egans Lane & Stewart Place Car Park - Nowra CBD (MIN20.902)**

**HPERM Ref:** D21/181311

**Department:** Technical Services  
**Approver:** Paul Keech, Director - City Services

**Attachments:** 1. Proposed Alcohol Free Zone & Prohibited Area - Nowra CBD (under separate cover) [↗](#)

### **Reason for Report**

To report back to the Nowra CBD Revitalisation Strategy Committee the available actions that can be taken by Council to prohibit the consumption of alcohol in the Laneways off Egans Lane and Stewart Place Car Parks, near the Library, Arts Centre, and commercial areas.

### **Recommendation (Item to be determined under delegated authority)**

That as a local community group, the Nowra CBD Revitalisation Strategy Committee forms a working group to progress an application, formally requesting Council to create an Alcohol Prohibited Area on land in the Egans Lane and Stewart Place Car Park precinct to supplement the existing Alcohol Free Zones, with the key tasks being:

- a. Create a plan to be submitted with the formal application showing the locations requested to be made Alcohol Prohibited Area and/or Alcohol Free Zone.
- b. Collect any evidence that the public use of these roads, footpaths or public parks has been compromised by consumption of alcohol in the immediate area, for example, there could be instances of malicious damage to property, littering, anti-social behaviour, or other crimes, and document this evidence accordingly.

### **Options**

1. As recommended.

Implications: The request to prohibit the consumption of alcohol in the Egans Lane and Stewart Place Car Park precinct, near the Library, Arts Centre and commercial areas can be considered by Council.

2. Do nothing.

Implications: The restrictions on alcohol consumption in the Egans Lane and Stewart Place Car Park precinct, near the Library, Arts Centre and commercial areas will remain unchanged.

### **Background**

There are two mechanisms within Local Government Act 1993 that can regulate the consumption of alcohol in a public space.

1. Alcohol Prohibited Areas enable councils to declare any public place or part of a place other than a public road to be an Alcohol Prohibited Area.
2. Alcohol Free Zones enable councils to declare any public road, footpaths, or public car parks an Alcohol Free Zone.

Stewart Place carpark and the Egans Lane carpark are currently declared Alcohol Free Zones.

### Creation

A request to create an Alcohol Prohibited Area or Alcohol Free Zone can be made by Council itself, by any person living or working in the area, the local Police, or a local community group. A proposal to establish an Alcohol Prohibited Area or Alcohol Free Zone must be supported by evidence that the public use of these roads, footpaths or public parks has been compromised by consumption of alcohol in the immediate area, for example, there could be instances of malicious damage to property, littering, anti-social behaviour, or other crimes. The steps for creating an Alcohol Prohibited Area or Alcohol-Free Zone are:

1. Council receives a request and if the request has merit, prepares a proposal for the establishment of an Alcohol Prohibited Area or Alcohol-Free Zone.
2. Publish a notice of the proposal in a newspaper circulating in the area of the proposed alcohol-free zone/area, allow inspection of the proposal and invite representations or objections within 30 days from the date of publication. The notice should state the exact location of the proposed Alcohol Prohibited Area or Alcohol-Free zone, and the place and time at which the proposal may be inspected.
3. Send a copy of the proposal to:
  - a. the Police Local Area Commander and the officer in charge of the police station within or nearest to the proposed zone,
  - b. liquor licensees and secretaries of registered clubs whose premises border on, or adjoin or are adjacent to, the proposed zone, and invite representations or objections within 30 days from the date of sending the copy of the proposal.
4. Send a copy of the proposal to the NSW Anti-Discrimination Board and invite representations or objections within 30 days from the date of sending the copy of the proposal.
5. Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.
6. After complying with the procedures and proper consideration of representations submissions and objections a council may, by resolution, adopt a proposal to establish an alcohol-free zone. The resolution itself will establish the zone.
7. Inform interested parties of the Council resolution to establish and Alcohol Prohibited Area or Alcohol Free Zone including any applicant, the Anti-Discrimination Board, the relevant police Local Area Commander affected liquor licensees and club secretaries and other organisations advised of the original proposal.
8. Publicly advise the establishment of an Alcohol Prohibited Area or an Alcohol-Free Zone by notice published in a newspaper circulating in the area that includes the zone. An alcohol-free zone will not operate until 7 days after publication of the notice AND until the roads, footpaths and public parks affected are adequately signposted.

### Enforcement

The Local Government Act 1993 provides a police officer or an enforcement officer the power to seize any alcohol that is in the immediate possession of a person in an Alcohol Prohibited Area or Alcohol-Free Zone if the officer has a reasonable cause to believe that the person:

- is drinking, or
- is about to drink, or
- has recently been drinking.

Once seized, the alcohol is disposed of immediately by tipping it out of the bottle, can, receptacle or package in which is contained. If a person does not cooperate with a request by a police officer or an enforcement officer in relation to the seizure of alcohol, they can be charged with a maximum penalty of \$2,200.

An enforcement officer means an employee of council formally authorised in writing by the Commissioner of Police to enforce section 632A and 642 of the Local Government Act 1994.

Due to the risks associated with approaching possibly intoxicated people, Council currently does not have any employees authorised in writing by the Commissioner of Police to be an enforcement officer to enforce section 632A and 642 of the Local Government Act 1994. The enforcement of the Alcohol Prohibited Area or Alcohol-Free Zone is left to police officers who have appropriate training and experience in deescalating situations when alcohol consumption is involved.

### **Consideration**

Based on various conversations at the Nowra CBD Revitalisation Committee meetings, it is understood that the existing Alcohol Free Zones remain required in the Egans Lane and Stewart Place Car Park precinct, and that the preference of the Committee is to supplement the existing zones with additional Alcohol Prohibited Areas in the laneways and Council land (e.g., Jelly Bean Park) that feed into the precinct.

To assist the committee, a plan showing the existing Alcohol Free Zones in the Nowra CBD is attached to this report, with a markup (in purple) showing the land understood to be the proposed Alcohol Prohibited Areas.

### **Financial Implications**

Nil to date, however once the zone/area is confirmed signage and advertising costs can be estimated.

### **Policy Implications**

Nil.

### **Consultation**

Nil.

## **CBD21.16 CBD21.7 - Blister Costs in Berry St Nowra & Financial Update - Nowra CBD Revitalisation Funds**

**HPERM Ref:** D21/210329

**Department:** Technical Services

**Approver:** Paul Keech, Director - City Services

### **Reason for Report**

1. To report back to the Nowra CBD Revitalisation Strategy Committee the cost of the blisters on Berry Street (i.e., Council Staff vs Contractor costs); and
2. To provide an update of the Nowra CDB Revitalisation Strategy Committee budget.

### **Recommendation (Item to be determined under delegated authority)**

That the Nowra CBD Revitalisation Strategy Committee:

1. Note that the remaining budget allocated to the Nowra CBD Revitalisation Strategy Committee for the 20/21 Financial Year is \$776,507. These funds will be reserved for the future expenditure in the Nowra CBD as per the committee's deliberations.
2. Note that the cost for Council to complete the construction of the pedestrian blisters was \$18,674.23 higher than the corresponding cost items in the Contractor's tendered schedule for the Streetscape Upgrade of Berry St, Nowra between Junction St and Worrigeer St (Council's total price was \$39,481.23, the average tendered amount of the unsuccessful tenderers was \$74,888.50).
3. Note that through Council completing this element of the works that other additional costs associated with anticipated Contractor claims for variations and delays were avoided, as well as the impact on adjacent businesses and users of the street mitigated as much as possible.

### **Options**

1. As recommended:

Implications: Nowra CBD Revitalisation Strategy Committee can have certainty in their budget planning for coming financial years.

2. Request further action relating to this matter:

Implications: Council officers would investigate and respond to actions requested.

### **Background/Financial Implications**

#### Total Budget

In the 20/21 financial year the budget was allocated across 5 Finance Numbers. A summary of all 5 Finance Numbers is shown below:

Finance Number	Title	Budget	Spent	Remaining
102512	CDB Promotional and Activation	\$52,882.00	\$52,882.00	\$0.00
102512	Nowra CBD Shopfront/Facade Improvements	\$4,545.00	\$4,545.00	\$0.00
102948	Nowra CBD Renewal	\$466,610.00	\$70,986.00	\$395,624.00
102949	Nowra CBD Historic Walk	\$3,073.00	\$0.00	\$3,073.00
103898	Footpath Upgrade - Berry Street Nowra CBD	\$1,022,407.00	\$644,596.86	\$377,810.14
	<b>Total</b>	<b>\$1,549,517.00</b>	<b>\$773,009.86</b>	<b>\$776,507.14</b>

All costs associated with the Berry Street project have now acquitted and no outstanding claims are pending or expected. The Nowra CBD Revitalisation Strategy Committee has \$776,507.14 remaining in its budget for the 20/21 financial year.

These funds will be reserved for the future expenditure in the Nowra CBD as per the committee's deliberations.

Footpath Upgrade - Berry Street Nowra CBD

At the Nowra CBD Revitalisation Strategy Committee on the 7<sup>th</sup> of April 2021, it was resolved:

*That staff investigate the cost of the pavers on Berry Street (i.e., Council Staff vs Contractor costs) and aim to report back in June 2021. CBD21.7*

It was later clarified by the chair that this resolution should read.

*That staff investigate the cost of the blisters on Berry Street (i.e., Council Staff vs Contractor costs) and aim to report back in June 2021.*

The streetscape upgrade of Berry St, Nowra between Junction St and Worrigeer St was a project identified by the Nowra CBD Revitalisation Strategy Committee. The governance of the project was required to be undertaken in accordance with the Nowra CBD Revitalisation Strategy Committee Terms of Reference.

Vogue Landscape and Design was engaged to complete the construction works via an open Tender process. The table below shows a breakdown of 103898 - Footpath Upgrade - Berry Street Nowra CBD:

Charged to	Comment	Financial Year 19/20	Financial Year 20/21	Total	Pre - Construction Estimate	Payment Endorsed by the Project Steering Group
Illion	Contractor Credit Check	\$154.00		\$154.00		
2st	Add informing public of part road closure	\$1,040.00		\$1,040.00		
Vogue	Construction Contract (Total)	\$146,767.50	\$582,079.20	\$728,846.70	\$883,842.49	
	Main Construction Contract Claim 1	\$146,767.50		\$146,767.50		Yes - 27/05/2020
	Main Construction Contract Claim 2		\$117,679.23	\$117,679.55		Yes - 30/06/2020
	Main Construction Contract Claim 3		\$267,386.52	\$267,386.54		Yes - 10/08/2020
	Main Construction Contract Claim 4		\$197,013.45	\$197,013.45		Yes - 2/03/2021
Telstra	Telstra Pit Adjustments		\$26,214.93	\$26,214.93		
Internal Charges	Project Management	\$27,650.00	\$18,575.50	\$46,225.50	\$44,192.12	
	Design	\$2,044.00	\$2,054.00	\$4,098.00		
	Blisters By Council		\$39,481.23	\$39,481.23		
	New Water Meter Connection		\$961.00	\$961.00		
	Contingency (15%)				\$125,076.37	
	<b>Sub - Total</b>	\$177,655.50	\$669,365.86	\$847,021.36	\$1,053,110.98	
	Removal of Design Charges	-\$2,044.00	-\$2,054.00	-\$4,098.00		
	Removal of Shoalhaven Water Costs		-\$22,715.00	-\$22,715.00		
	<b>Grand - Total</b>	<b>\$175,611.50</b>	<b>\$644,596.86</b>	<b>\$820,208.36</b>	<b>\$1,053,110.98</b>	

The contractor has been paid for all work completed. Council is holding a bank guarantee from the contractor for the amount of \$39,713 until the end of the defect's liability period in October 2021.

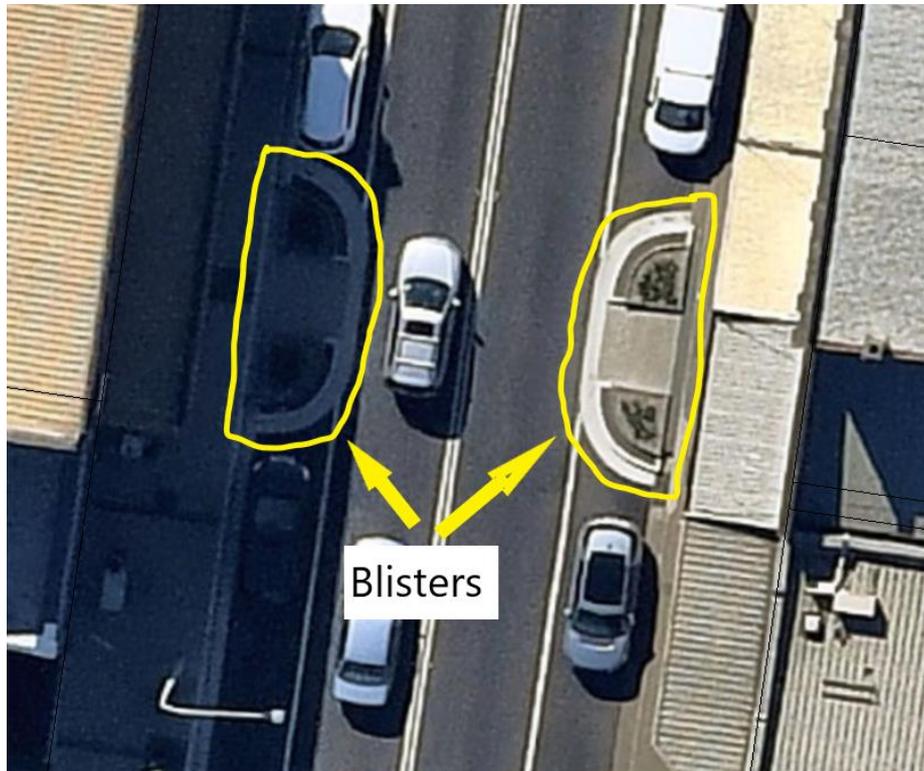
CBD21.16

Council's project management costs have been charged against the project because project management is not one of the 'in kind' services provided to the committee as outlined in the terms of reference. Section 2.4 of the Nowra CBD Revitalisation Strategy Committee Terms of Reference states that:

Council will provide in kind support to the committee in relation to

- Project Design and Documentation
- Facilitation of meetings
- Preparation of reports for the Committee consideration

As part of the streetscape upgrade blisters were specified to reduce the distance required for pedestrians to cross the street.



In addition to the streetscape upgrade works funded by the Nowra CBD Revitalisation Strategy Committee, Council funded the road rehabilitation of Berry Street to repair damaged sections of the road pavement and to correct adverse crossfall on the road. Adjusting the levels of the road meant that the design levels of the blisters changed, and that the construction of the blisters and the reconstruction of the road pavement would have to be closely integrated. The Project Manager decided to remove the construction of the blisters from the Contractor's scope of work for the following reasons:

- Adjusting the levels of the road meant that the design levels of the blisters changed. By Council managing the construction of the blisters and the reconstruction of the road the integration of the design, timing and safety of the entire street could be better managed. It also avoided costs associated with variations that were likely to stem from the adjustments in the scope of works.
- The specialist equipment required for Asphalt laying of the road pavement had lead times that were not going to fit seamlessly with the Contractor's program, therefore Council avoided being charged delay costs by the Contractor for managing the site until the Asphalt machine was available – approx. \$1,000/day.

- Business operators on Berry Street were expressing frustration on how the contractor was managing access to their stores.
- Berry Street could be opened up to 2 way traffic sooner.

For the construction of the Blisters the contractor had allowed:

Contractor Line Items (Blisters)	
Blister Trench Grate	\$3,727.00
Blister Bullnose Brick	\$3,200.00
Blister Construction	\$8,300.00
Trachelospermum	\$580.00
Blister Tap Install	\$5,000.00
<b>Total</b>	<b>\$20,807.00</b>

This amount was deducted from the contractor's price.

To add context to the value of the blisters line items, the average cost of the other contractors that tendered for the works was:

Average of Other Tenders	
Blister Trench Grate	\$30,468.50
Blister Bullnose Brick	\$6,474.00
Blister Construction	\$31,081.00
Trachelospermum	\$742.00
Blister Tap Install	\$6,123.00
<b>Total</b>	<b>\$74,888.50</b>

The Construction of The Blisters by Council cost:

Council Line Items (Blisters)	
Labour	\$12,322.43
Materials	\$23,025.08
Deduct Tools (highlight)	-\$1,354.11
Plant Hire	\$5,487.83
<b>Total</b>	<b>\$39,481.23</b>

Therefore, the cost for Council to complete the construction of the pedestrian blisters was \$17,320.12 higher than the corresponding cost items in the Contractor's tendered schedule. No adjustment for avoided costs has been considered in this calculation.

A further breakdown of the materials cost is provided below. Items highlighted in yellow have been deducted from the costs charged to the project:

Materials		
Supplier	Item	Cost
Wirin Wirra	Star Jasmine Plants	\$207.00
Eziway Concrete	32 Mpa Concrete	\$785.45
Stoneset	Permeable Paving	\$672.00
Isons	C/WOOD PR SQUARE	\$75.27
Isons	Garden Mix	\$16.36
Isons	Garden Mix	\$45.45
Isons	Garden Mix	\$45.45
Isons	Garden Mix	\$45.45
Shoalhaven Brick & Tile	Bullnose Bricks	\$727.27
South Coast Concrete Crushing	CSS20mm	\$434.00
South Coast Concrete Crushing	INASPALT	\$220.20
South Coast Decorative Concrete Supplies	75mm Joint	\$73.91
Eazyway Concrete	Concrete 32MPa	\$1,580.45
Isons	C/WOOD PR SQUARE	\$139.95
Isons	C/WOOD PR SQUARE	\$107.00
Isons	FENCE POSTS, NUTSETTER	\$114.91
Isons	ANGLE STEEL	\$26.18
Isons	BLACK POLYTHENE, SCREWS	\$147.05
Isons	Wheelbarrow	\$499.91
Isons	DYNABOLTS, DRILL BITS	\$285.67
Isons	DYNABOLTS, MASONRY DRILL BITS	\$82.70
Isons	CEMENT	\$19.00
Isons	BUILDERS CEMENT	\$47.43
DTAC PTYLTD	CLASSIC INTEGRATED TACTILE SHEET 300mmx600mm	\$2,819.35
Shoalhaven Brick & Tile	BOWRAL BLUS SINGLE BULLNOSE BRIDGES	\$727.27
SCC Stores	TA3.2-XL- POST 3.2mtr x 50mm NB	\$175.58
SCC Stores	GLOVE LIGHTNING ORANGE LARGE	\$29.42
SCC Stores	CONTAINER PLASTIC VENTED	\$17.46
SCC Stores	TURPENTINE MINERAL 1LT	\$5.56
SCC Stores	PEG SURVEY K&G 600MMX75MMX25MM	\$60.42
SCC Stores	PEG SURVEY DUMPY 200MM X 50MM	\$46.61
SCC Stores	BAG HESSIAN,SAND 860MM X 355MM	\$46.74
SCC Stores	GLOVE LIGHTNING ORANGE LARGE	\$29.42
SCC Stores	HOSE GARDEN 12MM X 18M	\$28.98
SCC Stores	CONNECTOR TAIL BRASS HOSE 12MM	\$21.82
SCC Stores	CONNECTOR SCREW TAP BRASS CLIP	\$7.78
SCC Stores	BUCKET RUBBER 10LT	\$81.82
SCC Stores	BROOM DUST PAN SET PLASTIC	\$5.71
SCC Stores	SPONGE DOGBONE FOAM PE-002	\$2.58
SCC Stores	STRAP TRADESMAN RETCHET 36MM	\$30.04
SCC Stores	PAINT COLD GAL. 400G GALMET	\$16.18
SCC Stores	DISC 127 X 22MM 60GRIT FLAP	\$13.99
SCC Stores	PAINT WHITE GLOSS AEROSOL 350G	\$9.97
SCC Stores	DICS METAL CUT OFF WHEEL 125X1	\$9.09
SCC Stores	BUCKET RUBBER 10LT	\$81.82
SCC Stores	BROOM DUST PAN SET PLASTIC	\$5.71
SCC Stores	CEMENT ADDITIVE CLEAR BYCOL 5L	\$13.15
SCC Stores	SPONGE DOGBONE FOAM PE-002	\$2.58
SCC Stores	SANITISER BACTERIOSTATIC HAND 500ML	\$10.12
SCC Stores	SPIRIT METHYLATED 1LT	\$7.36
SCC Stores	GLOVE LIGHTNING ORANGE LARGE	\$29.42
Grate Drainage Products	Trench Grate	\$11,046.27
Various	Freight	\$680.00
Carry Forward from Previous Financial System		\$543.28
SCC Stores	Cleaner Formular 5lt	\$19.77
	<b>Total</b>	<b>\$21,670.97</b>