

Abbotsford Cove
(Also known as the
Former Nestle Site)
Development Control Plan

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Development Control Plan



Index

1	INTRODUCTION	3
1.1	ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979, AS AMENDED	3
1.2	RELATIONSHIP TO LOCAL ENVIRONMENTAL PLANS	3
1.3	LAND TO WHICH THIS DEVELOPMENT CONTROL PLAN APPLIES	3
1.4	SITE DESCRIPTION AND LAND USE CONTEXT	3
1.5	ADDITIONAL PROVISIONS	3
1.6	DESIGN QUALITY PRINCIPLES	4
2	BACKGROUND	8
2.1	REASON FOR THE PLAN:	8
3	AIMS AND OBJECTIONS OF THE DEVELOPMENT CONTROL PLAN	8
3.1	AIMS	8
3.2	OBJECTIVES	8
4	PRINCIPLES AND PERFORMANCE STANDARDS	9
4.1	SITE PLANNING	10
4.2	DESIGN, SCALE AND BULK	11
4.3	LANDSCAPED OPEN SPACES	16
4.4	CAR PARKING AND VEHICULAR ACCESS	18
4.5	IMPACT ON ADJOINING RESIDENTIAL PROPERTIES	19
4.6	ENERGY EFFICIENCY	20
4.7	SITE FACILITIES	22
4.8	DRAINAGE	24
4.9	PUBLIC UTILITIES	24
4.10	COMMUNITY FACILITIES	24
5	ACKNOWLEDGEMENT	25

1 Introduction

1.1 Environmental Planning and Assessment Act, 1979, as amended

The purpose of this Development Control Plan is to amend The Nestle site, Abbotsford Bay Development Control Plan, thus creating a new DCP. These amendments are a result of the new requirements for Development Control Plans in Part 3 of the Environmental Planning and Assessment Act 1979 introduced under Schedule 2 of the *Environmental Planning and Assessment Amendment (Infrastructure*

1.2 Relationship to Local Environmental Plans

This DCP should be read in conjunction with:

- a) The City of Canada Bay Local Environmental Plan (CBLEP)
- b) The City of Canada Bay Specification for the Management of Stormwater
- c) The City of Canada Bay Contaminated Land Policy
- d) City of Canada Bay Section 94 Contribution Plans

Reference should also be made to the Height and floor Space Ratio Map which accompanies the City of Canada Bay LEP for applicable statutory controls.

1.3 Land to Which This Development Control Plan Applies

This Plan applies to the former Nestle site bound by Walton Crescent, Great North Road, Blackwall Point Road, Melrose Crescent and Abbotsford Bay as shown in **Diagram A**.

The site has an area of 9.4706 ha and a frontage of approximately 200m to Abbotsford Bay.

1.4 Site Description and Land Use Context

The subject site, (**Figure 1**) is located in an area which is predominantly residential in character. The land contains a variety of residential flat buildings and town house style forms in a landscaped setting. Three heritage items also occupy the site. A large number of mature trees of various species exist on the perimeter of the site.

1.5 Additional provisions

- a) This Development Control Plan adopts the following provisions of the City of Canada Bay Development Control Plan:
 - i) Part 2 Notification and Advertising
 - ii) Part 3 General Information
 - iii) Part 4 Heritage
 - iv) Part 6.4.3 (Waste)
 - v) Part 9 Signs and Advertising Structures
 - vi) Part 10 Child Care Centres

- b) A provision of this Plan will have no effect to the extent that
 - i) It is the same or substantially the same as a provision in the CBLEP or another environmental planning instrument (EPI) applying to the same land; or
 - ii) It is inconsistent with a provision of the CBLEP or another EPI applying to the same land, or its application prevents compliance with a provision of the CBLEP or another EPI applying to the same land,

And the provision in the CBLEP or other EPI will apply.

1.6 Design Quality Principles

The controls contained within this DCP support the design quality principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65).

The Principles apply to proposals subject to SEPP 65, that is, residential flat buildings that comprise or include:

- a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and
- b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but do not include a Class 1a building or a Class 1b building under the Building Code of Australia (e.g. townhouses or villas where dwellings are side by side).

The following principles are taken directly from SEPP 65. Building designers and architects are also referred to the publication Residential Flat Design Code, Department of Planning, September 2002.

Principle 1: Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Principle 3: Built form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Principle 4: Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

Principle 5: Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

Principle 6: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Principle 7: Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Principle 8: Safety and security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and nonvisible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

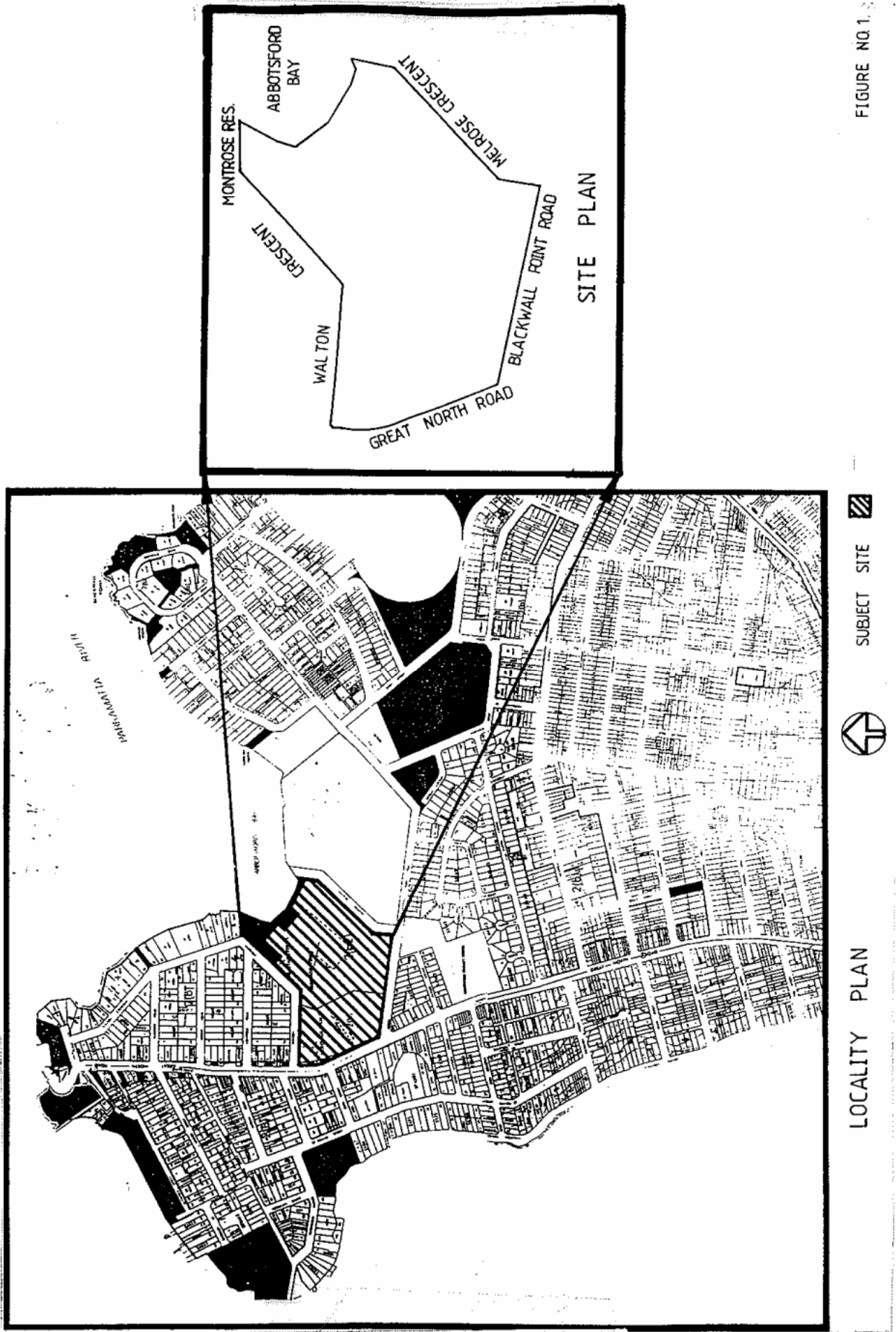
Principle 9: Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Principle 10: Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.



2 Background

2.1 Reason for the Plan:

- a) To ensure that future residents of the site will enjoy a high standard of residential amenity and environmental quality;
- b) To ensure that future development will not detract unduly from the level of residential amenity and environmental quality enjoyed by residents of adjoining properties;
- c) To ensure that future development responds sympathetically to existing streetscape and townscape values;
- d) To increase the range of housing opportunities available in the City of Canada Bay;
- e) To accord with the State Government's Urban Consolidation Policy objectives.

The Principles and Performance Standards detailed in this DCP and in the City of Canada Bay Local Environmental Plan, continue Council's innovative and flexible approach to the regulation of development of large residential sites. The plans are performance based and are supplemented by a few numerical standards. This plan is principally designed to establish the ground rules for dealing with the externalities of future development on the site, (scale, bulk, form and character), that is, the manner in which a future development should relate to existing development in the area. The plan is not prescriptive in respect of the number and size of units or the breakdown of units by number of bedrooms, and is predicated, in part, on the belief that the monetary value of the site and its locational status will encourage a design philosophy which aims to achieve community acceptance and to establish a high quality residential environment with strong market appeal.

3 Aims and Objections of the Development Control Plan

3.1 Aims

The aims of this plan are:-

- To facilitate the orderly and economic development of the land to which the plan applies and to encourage a development outcome acceptable to future residents of the site and to the community in general;
- To establish development controls and performance standards within which the scale, bulk, form and character of a future development can be determined; and
- To ensure that development complements and is environmentally compatible with the existing built environment and makes a positive contribution in social and economic terms to the area.

3.2 Objectives

The objectives of this plan are:-

- a) To encourage and facilitate development on the site which, in terms of scale, bulk, form and character: reflects the physical context of the site; is sympathetic to surrounding residential development; and does not dominate the landscape;
- b) To retain and incorporate existing significant buildings and trees and other site features, creating a sense of place and respecting the heritage values of the site;
- c) To minimise the impact of the development in terms of overlooking, loss of view and loss of sunlight from adjoining and neighbouring properties;

- d) To provide unrestricted public access to the foreshore and to the central area of public open space located between Abbotsford House and the Bay;
- e) To provide for the active and passive recreation needs of the residents of the development which should include the rehabilitation of the Clubhouse pavilion and incorporate recreation facilities such as a swimming pool and tennis courts;
- f) To cater for parking demands generated by future residents of the development and other on-site uses;
- g) To provide a publicly accessible street network as an extension of the existing street network;
- h) To ensure that adequate provision is made for site facilities and services;
- i) To facilitate an energy efficient living environment and encourage the development of an ecologically sustainable urban form by reducing household consumption of fossil fuels.

4 Principles and Performance Standards

The following principles and performance standards, together with the aims and objectives of this plan, comprise the planning assessment framework within which development of the site will be evaluated and determined by Canada Bay Council. The performance standards, which include some numeric standards, provide the means by which the principles and the aims and the objectives of the plans are achieved. The development opportunities and constraints are shown in **Figure 2**.

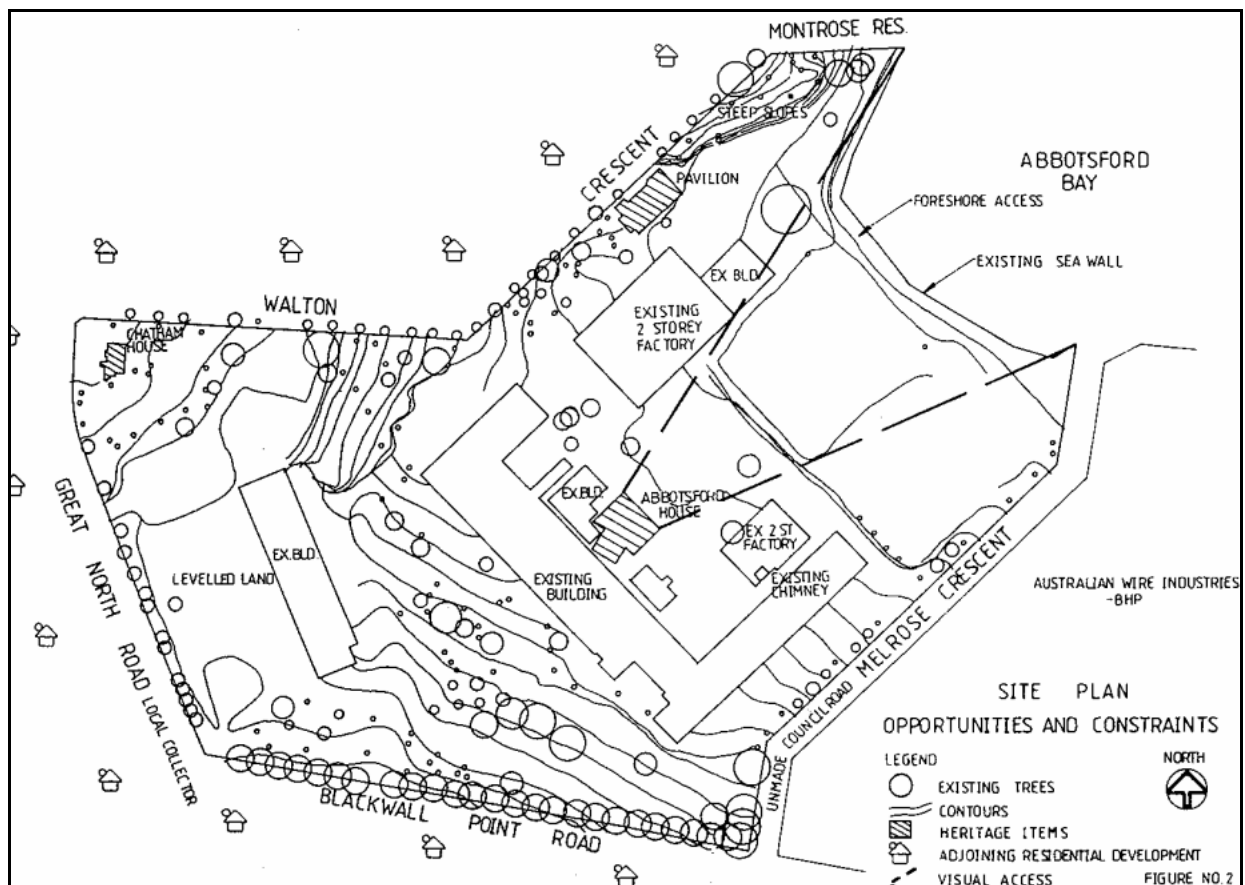


Figure 2

4.1 Site Planning

Principles:

Site planning and design should occur only when a detailed analysis has been made of the site context and attributes and the needs and expectations of the major interest groups, including:-

Future Residents - In terms of:

- Spatial requirements, living amenity and environmental quality, views, privacy, open space provision, safety and security;

Neighbouring Residents - In terms of:

- Impacts on residential amenity and environmental quality in respect to views, traffic, privacy, sunlight, visual impact and foreshore access; and

The Community - In terms of:

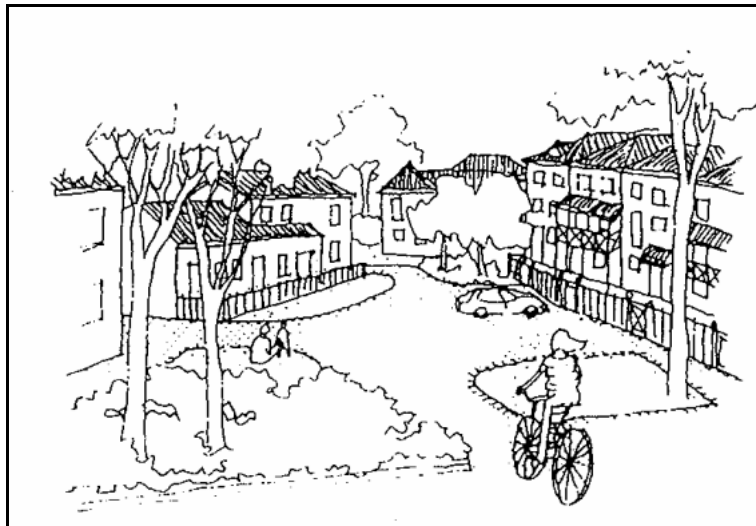
- Foreshore access and the provision of public open space, appearance from the water, conservation of the historic buildings on the site, streetscape values, opportunities for housing variety, pedestrian networks, social needs and economic effects.

The objective should be to plan and design a development which:-

- Provides an attractive living environment;
- Optimises site attributes; including Abbotsford House and the existing vegetation;
- Is compatible with the physical and built form and character of the area; and
- Does not adversely impact on neighbouring property.

Performance Standards

- a) The development is to be integrated into the local street network;



Street design should incorporate traffic, environment and streetscape issues to make streets 'places'.

- b) The street and development layout to clearly define the public, communal and private areas of the development, including the function, ownership and management of open spaces and communal areas;
- c) A Conservation Plan is to be prepared for each of the listed heritage items;

- d) A separate Development Application is required if the Clubhouse pavilion is to be relocated;
- e) The development to capitalise on views from, to and across the site and to incorporate existing significant buildings, trees and other site features of identified conservation importance;
- f) In areas with significant off-site noise, the development is to be designed to minimise entry of noise and to limit the number of dwellings that are exposed to high noise levels;
- g) The layout of the building shall facilitate environmental management by:
 - Providing for infiltration of run-off by minimising the area of paved surfaces and provide for on-site stormwater retarding basins;
 - Retention of existing large trees
- h) Car parking to be located so as to not dominate the development or street frontages by:
 - Locating resident parking under ground for residential flat buildings;
 - Providing for visitor parking in either designated areas within buildings or in small designated landscaped areas and on the public streets.

4.2 Design, Scale and bulk

Principles:

- a) To achieve a development outcome which, in terms of its design, scale and bulk, responds in a sympathetic and harmonious manner to the site, the Bay and surrounding residential development
- b) To control the externalities of a future development and ensure that future residents of the site enjoy a high standard of amenity and environmental quality.

Performance Standards:

Height

- a) The height of buildings, including any car parking levels should comply with the height limits for the five residential precincts specified in Figure 3 and detailed below:

Great North Road Precinct:

The 7.5m height limit is compatible with the existing residential development on Great North Road.

Blackwall Point Road Precinct:

The 11m height limit allows 4 levels of residential development above existing ground level. This height has been determined by considering the height and location of existing vegetation, the slope of the land and proximity to Abbotsford House.

On the Blackwall Point Road frontage a 9m setback to accommodate the root systems of existing vegetation will be necessary. The buildings will also be effectively screened from neighbouring development by the existing stand of weeping fig trees.

Melrose Crescent Precinct:

The 16.5m height limit takes into consideration: the substantial fall of the site along the eastern boundary; the height of existing buildings on the site; the location next to the Lysaght site and portion of unmade road (Melrose Crescent) creating an opportunity for a buffer area.

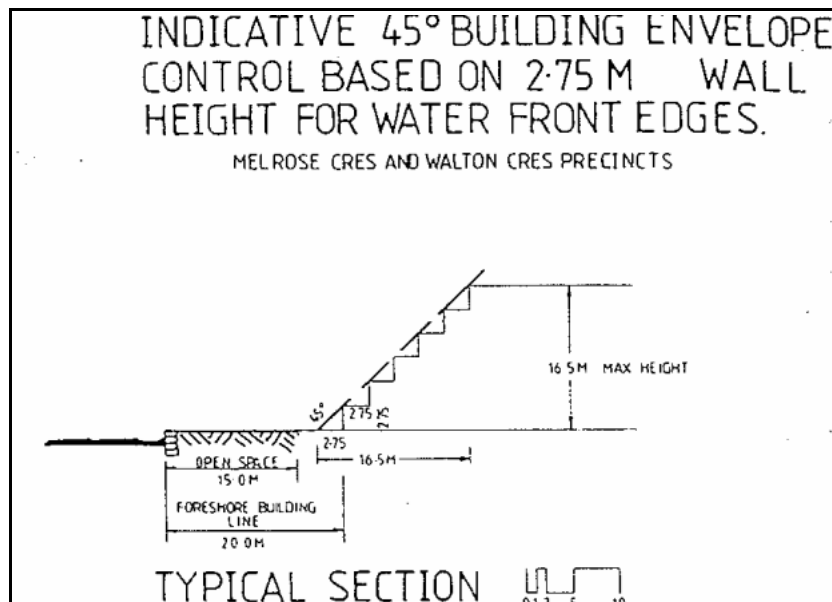
A 45° envelope control for development, where the Melrose Crescent Precinct adjoins the Open Space Precinct (see figure 4) will ensure minimal impact when viewed from the water.

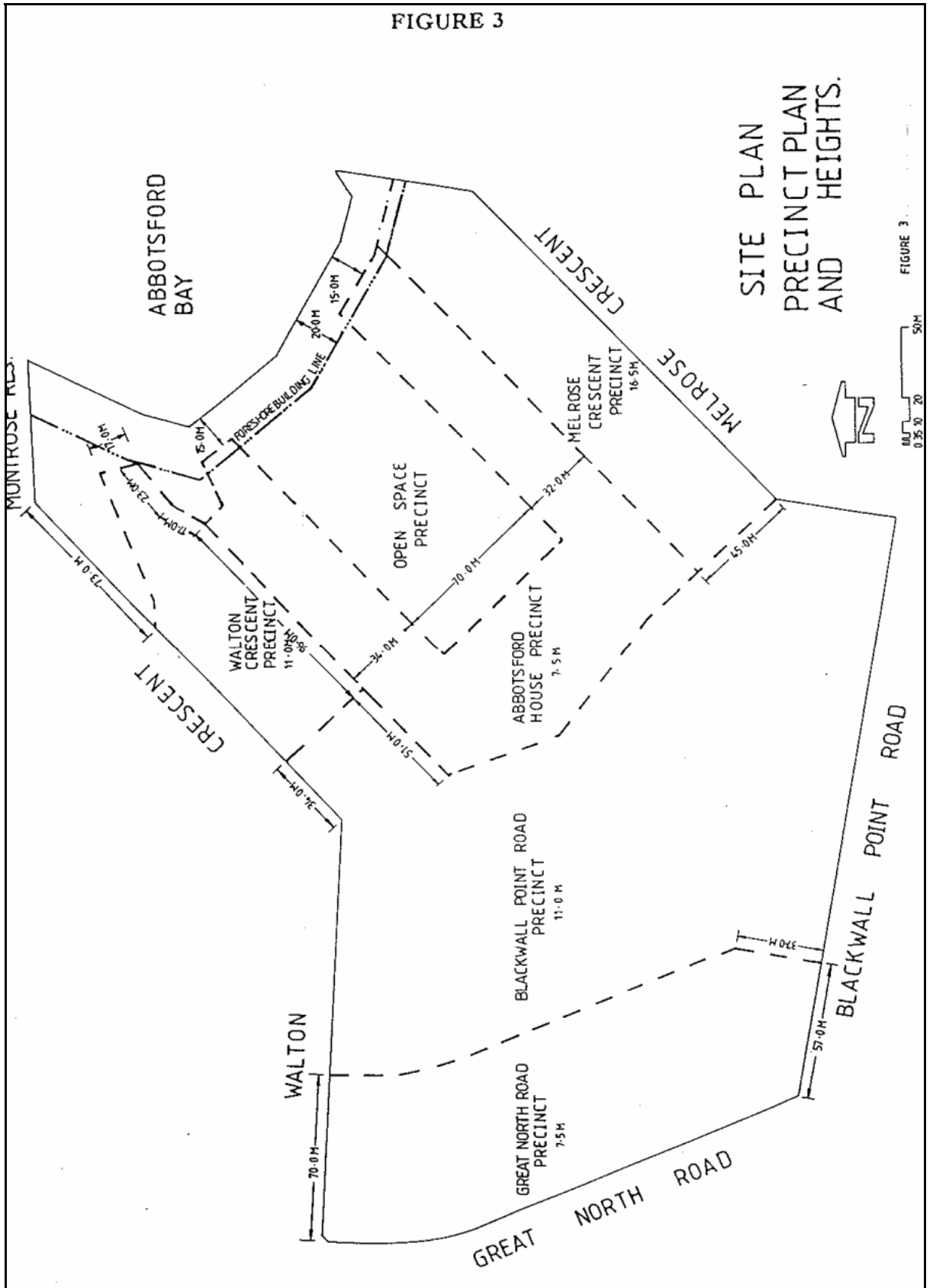
Walton Crescent Precinct:

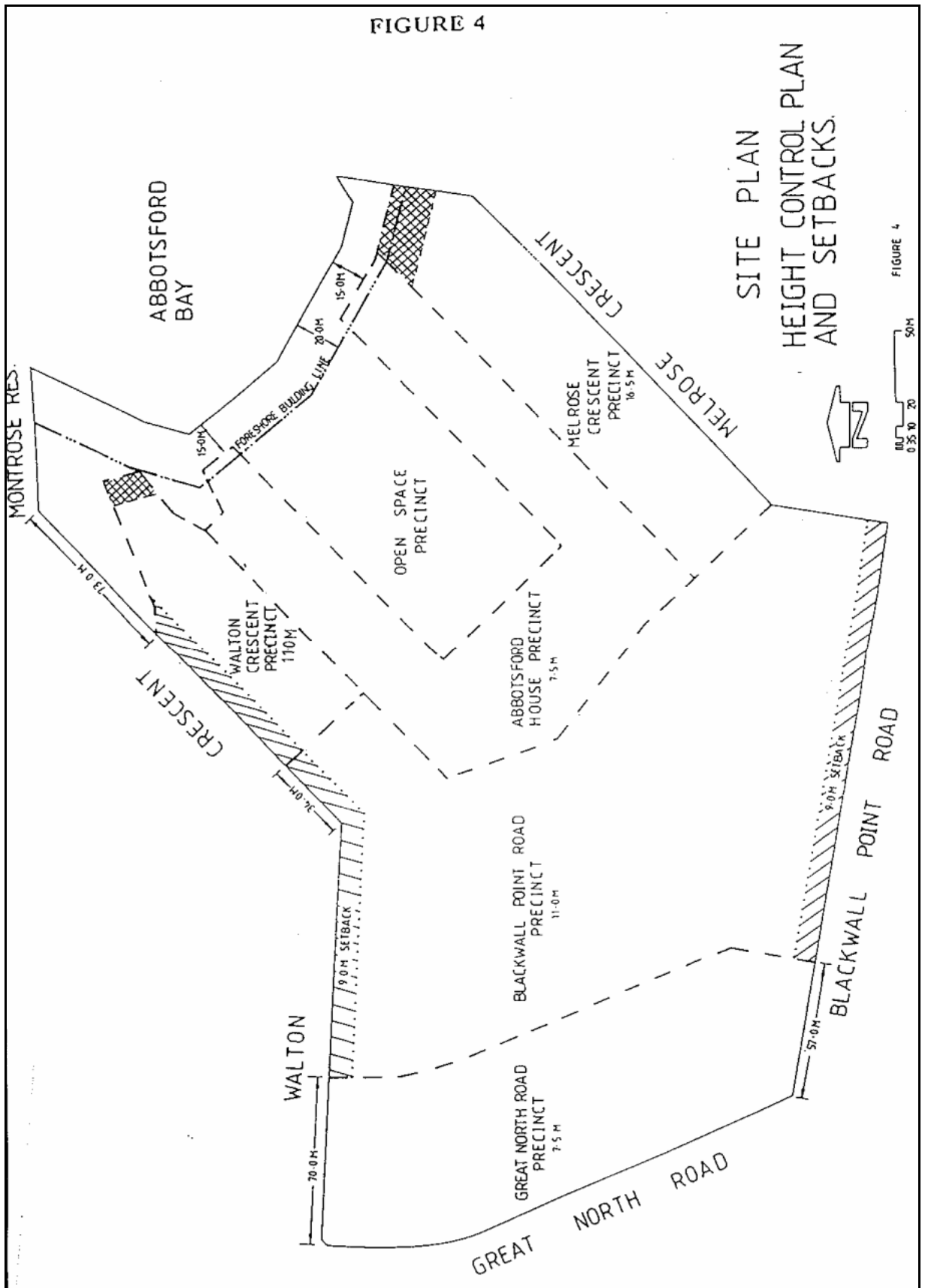
The 11m height limit together with the 9m setback will provide for development which will read as 1/2 storeys from Walton Crescent.

As neighbouring residential development is located on the high side of Walton Crescent and existing vegetation will screen the development when viewed from the Crescent.

A 45° envelope control for development where the Walton Crescent Precinct adjoins the Open Space Precinct (see figure 4) will ensure minimal impact when viewed from the water and from Walton Crescent.







Abbotsford House Precinct:

The 7.5m height limit complements Abbotsford House and provides an appropriately scaled edge to the open space.

Open Space Precinct:

Any structure located in the Open Space Precinct should not exceed 3.6m in height.

Site Coverage

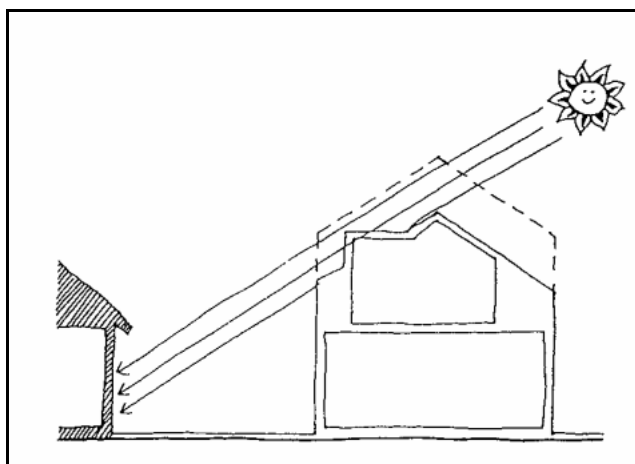
- a) Buildings must occupy less than 30% of the site area.

Setbacks

- a) A 20m foreshore building line applies to the site (see figure 4).
- b) A 9m building setback applies to parts of the Blackwall Point Road and the Walton Crescent Precincts (see figure 4).
- c) Any building to be located near to an existing tree must take account of the drip lines and root systems of that tree.
- d) Buildings must be sited so as not to overshadow adjoining properties. Shadow diagrams will be required to demonstrate the likely impact.

Design and Form

- a) Buildings should have a formal presentation to the waterfront with defined public spaces;
- b) New developments should relate to the contours and landform of the site and complement surrounding areas;
- c) A 45° building envelope control will control building form on the Abbotsford Bay edge of Melrose Crescent Precinct and Walton Crescent Precinct to minimise impact of the development when viewed from the water (see figure 4).
- d) Architectural elements, materials and colour schemes should blend with existing landscape values, however, freedom of architectural expression is encouraged.
- e) The orientation of developments should capitalise on solar access and views and establish a strong sense of place, in terms of the juxtaposition of built form and landscaped open space.
- f) The preferable roof form for all development on the site is a pitched roof form providing the opportunity for innovative use of roof space.



Use of attic rooms means less overshadowing and building than if another conventional storey is added.

Dwelling Amenity

- g) Dwellings should be designed and orientated to take advantage of solar access, views and proximity to open space areas.
- h) Consideration should be given to the efficiency of interior layout, room size, security and safety, opportunities for cross breezes, energy efficiency and conservation and privacy.
- i) All units should be provided with clothes drying facilities and adequate storage capacity.

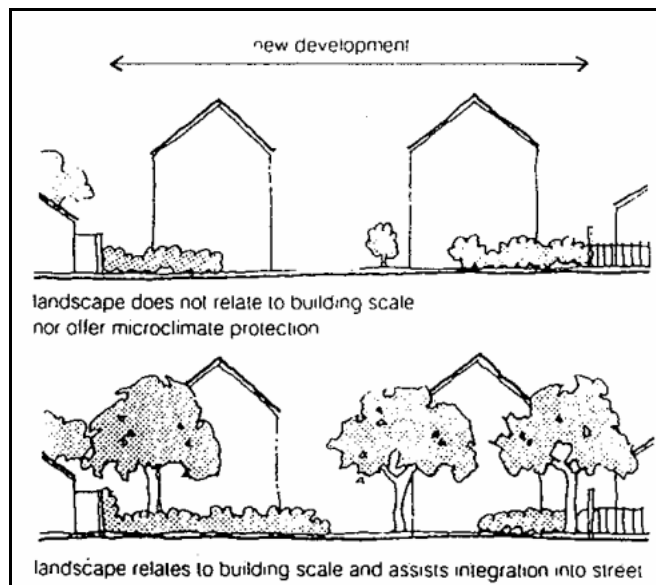
4.3 Landscaped Open Spaces

Principles:

- a) To provide for public and private open space that meets user requirements for recreational and social activities and for landscaping.
- b) The planning and design of landscaped open space should be based on an analysis of:
 - The likely site future population and its characteristics;
 - The likely open space and recreational needs of future residents;

And should have regard to:-

- Ongoing maintenance requirements; and
- The relationship of landscaped open space on the site with adjoining properties.



Landscape designed to help integrate new development into street and relate to scale of building in both height and mass of trees.

- c) To ensure that significant trees are retained or where possible relocated on the site;
- d) To assist on site drainage by the provision of at ground landscaped open space.

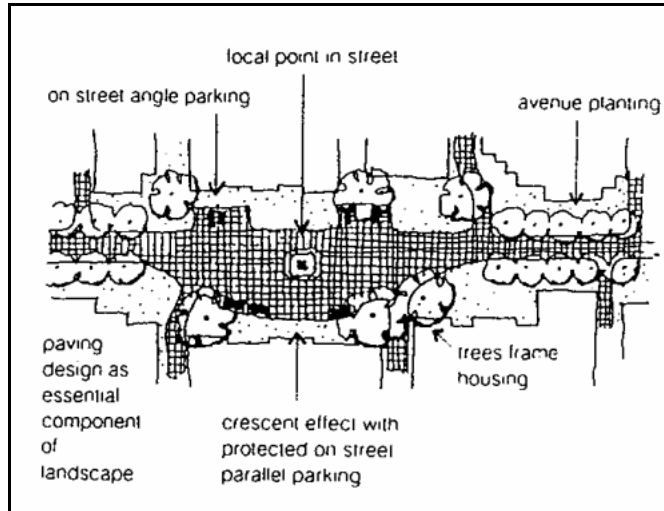
Performance Standards

- a) To ensure adequate provision of open space maximum permissible site coverage of buildings over the entire site is 30%.
- b) Landscaped open spaces should be provided to accommodate a range of communal and individual needs. There should be a primary open space area containing a recreation facility such as a pool/spa or similar, and this facility be easily accessible to all residents on site. Smaller, more intimate landscaped areas should be provided throughout the site and be accessible via a pathway system.
- c) Significant trees should be retained or where possible relocated on-site. Buildings in the vicinity of trees should be setback from the drip line and root systems of these trees.
- d) All landscaped areas, including the pathway system, should be well lit with down lighting.
- e) Where feasible landscaped areas under cultivation should be watered by an efficient irrigation system and the use of recycled water and provision of water tanks is encouraged.
- f) Landscaped areas should generally be dominated by vegetation and not masonry elements. Hard paved areas should, where possible, be kept to a minimum in order to reduce stormwater runoff, although wheelchair access must be considered.
- g) Landscaped areas should be designed for all year use, and be appropriately furnished with seating, etc;
- h) A Landscape Plan must be prepared by a suitably qualified person to the satisfaction of Council.

4.4 Car parking and Vehicular Access

Principles

- i) Adequate provision should be made for on-site resident parking and visitor parking without causing any detrimental impact on the amenity of the development, streetscape and neighbourhood.



Street landscape integrated with street design, parking and building siting and design.

Performance Standards:

Car Parking Provision

- a) Car Parking provision shall be:
 - 1.75 spaces per three bedroom dwelling
 - 1.5 spaces per two bedroom dwelling
 - 1.25 spaces per one bedroom dwelling
 - 0.2 visitor spaces per dwelling
- b) Resident parking and where feasible visitor parking is to be located under buildings;
- c) Parking areas should be well lit, capable of casual surveillance and provided with appropriate security devices.
- d) Parking and access facilities are to be provided in accordance with the Roads and Traffic Authority (RTA) Guidelines for Traffic Generating Development (1993).

Access

- a) Construction standards for grading of access ramps; loading facilities; levels for vehicular entrances at property alignments and footpath crossings shall be in accordance with the RTA Guidelines (1993).
- b) Adequate access provision shall be made for emergency vehicles and Council service vehicles.

Disabled Access

- a) Development on the site must provide access for disabled persons in accordance with the provisions of Part D3 of the Building Code of Australia - Access for People with Disabilities and Australian Standard 1428.1.

4.5 Impact on Adjoining Residential Properties

Principles

- a) To site and design buildings to minimise the loss of sunlight, privacy and views from adjoining development.
- b) To provide attractive streetscapes which enhance the amenity of neighbouring development.
- c) To minimise the impact of traffic generated by the development.

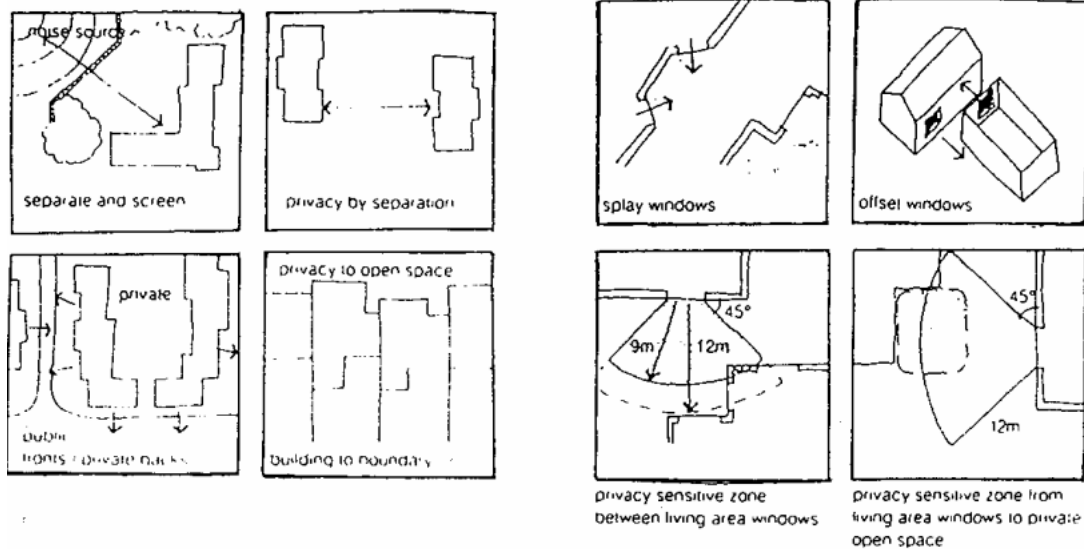
Performance Standards

Sunlight

- a) Development on the site should not unduly obscure sunlight from the habitable rooms or open space curtilages of adjoining buildings during winter months. Similarly, care should be taken to avoid the overshadowing of public spaces, such as footpaths etc. It will be necessary for shadow diagrams to be produced to demonstrate the degree of overshadowing which may result from proposed developments.

Privacy and Overlooking

- a) Care is to be taken to ensure that a reasonable level of privacy is maintained for existing residential buildings and that as far as practicable, the windows of habitable rooms of development on this site be screened or separated from windows in adjacent buildings by appropriate devices, landscaping or by staggering window positions relative to existing buildings.



Privacy is a key consideration at the site planning and layout stage.

Minimise direct views or screen where they cannot be avoided.

Views

- a) Development should be designed to minimise impact on views enjoyed by adjoining buildings by matching alignment, height and/or setbacks and where appropriate, by opening up or maintaining view corridors from other buildings.

Streetscape

- a) The street reserve together with the dwelling facades and gardens should be designed to create an attractive streetscape and establish a clear character and identity for the street or precinct.
- b) The setback of buildings from the street frontage to be appropriate to the streetscape character and respond to features of the site in terms of views, vistas and existing vegetation.

Reflectivity

- a) The detailing of architectural features and selection of materials must take into consideration reflectivity implications.

Traffic Management

- a) Vehicular access should not be provided from Great North Road except for access to Chatham House;
- b) There are to be sufficient vehicular access points to encourage ease of access to and from the development and to minimise traffic problems in surrounding streets;

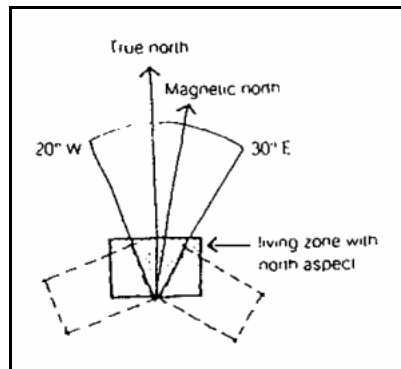
4.6 Energy Efficiency

Principle

- a) To achieve a development outcome that is energy efficient and provides a quality living environment for its future residents.

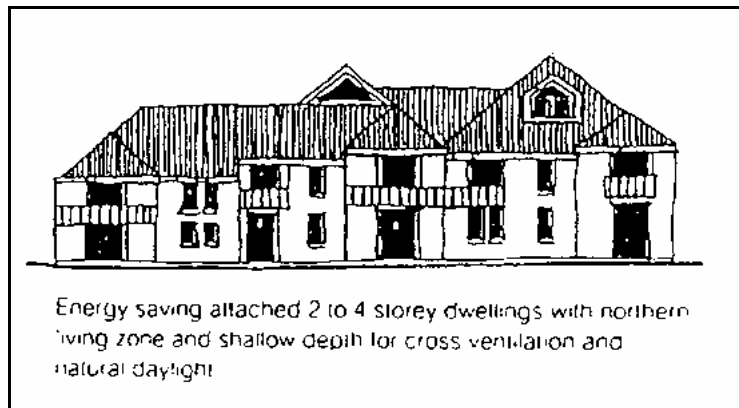
Performance Standards

- a) The orientation and design of the buildings should have regard to the location of neighbouring properties and not unreasonably overshadow living areas and private open space (as noted in Section 4.5 (i));
- b) To increase the thermal performance of dwellings preference should be given to building materials such as bricks, concrete and stone;
- c) Where possible buildings are to be located with north facing walls orientated between 200 west and 300 east of north to maximise solar access opportunities;



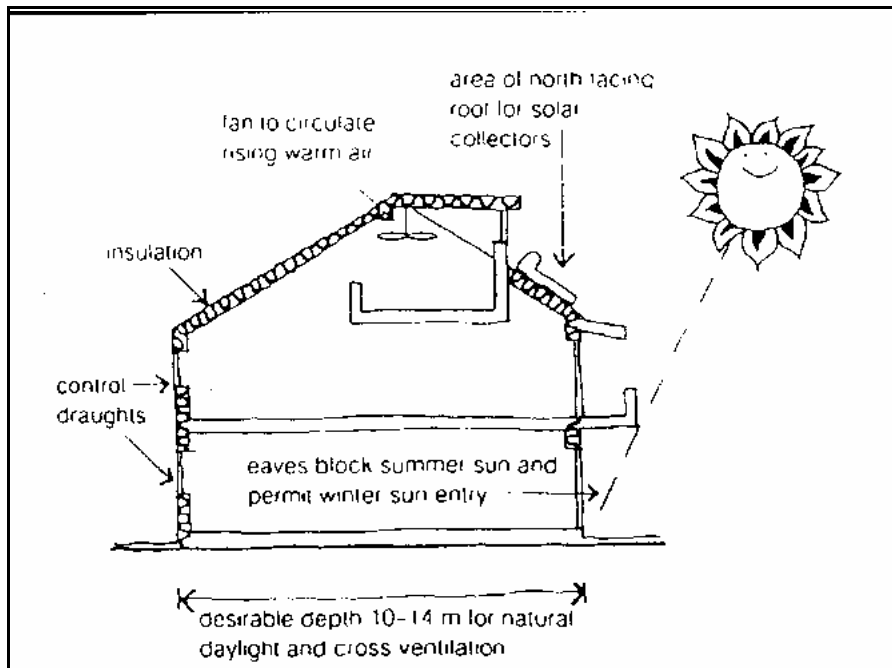
Preferred orientation range for dwellings in temperate climate zones.

- d) North facing windows should be large enough to optimise winter sun penetration and incorporate shadowing devices such as eaves, awnings and balconies to provide effective summer shading;
- e) Internal living areas and private open space should be oriented in a northerly direction;



Energy saving building forms.

- f) Ceiling insulation is to be provided with a minimum rating of R2.



Some considerations for solar efficient housing in temperate climate zones.

- g) Landscaping is to be designed to assist micro-climatic control.

4.7 Site Facilities

Principles

- a) To ensure site facilities eg garbage bin enclosures, recycling bins, and mail boxes are designed to be conveniently accessed and visually attractive to blend in with the development and street character and to require minimal maintenance.

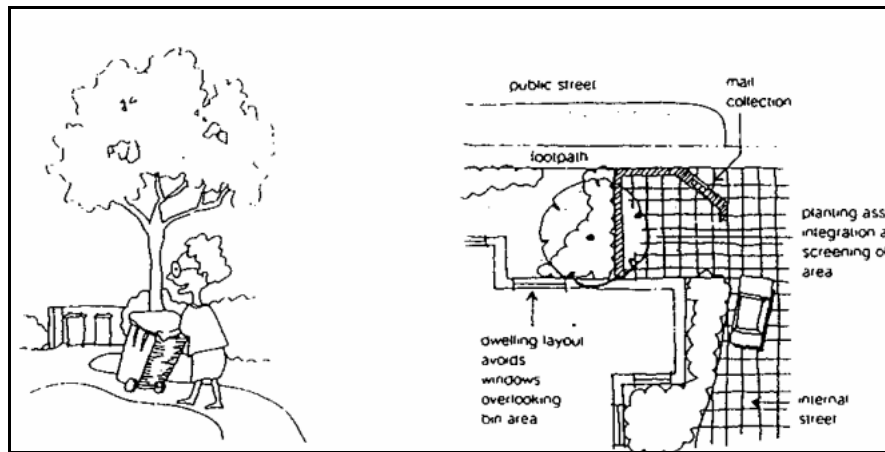
Performance Standards

Television and Radio Antennas and Dishes

- b) Devices erected to receive radio and television signals should not be visible from public places and should not unduly obstruct skyline views from adjoining residential properties.

Garbage Receptacles

- c) Garbage receptacles should be sited and designed for efficient and convenient use and ease of collection and should be visually discreet. Provision should be made for the collection of recyclable materials.



Consider ease of use of facilities	Mail and garbage collection areas, where provided, to be integrated with building design and landscape.
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Storage

- d) Adequate provision should be made for communal and private storage needs, for example: recreational equipment, garden equipment and material, bicycles and prams etc.

On Site Signage

- e) Signage should be restricted to information signs only and should be discreetly located within the site.

Mail Boxes

- f) Mail boxes should be designed as attractive visual elements and sited for the convenience of both residents and delivery services.

Bicycle Racks

- g) Provisions should be made for the on-site storage of bicycles.

Clothes Drying Area

- h) Communal clothes drying facilities should be readily accessible to all residents.

4.8 Drainage

Principles

- a) To provide appropriate on-site stormwater system which can be economically maintained.
- b) To maximise opportunities for common trenching and reduce constraints on site planning.

Performance Standards

- c) On-site drainage services should be designed in consideration of: the overall capacity of the stormwater system, options for stormwater retention; recurrent maintenance costs; water conservation objectives; and the financial benefits of minimising water supply charges.
- d) Consideration should be given to the potential for storage and re-use (for irrigation purposes) of stormwater runoff and the use of porous surfaces to reduce run-off.
- e) The retention of mature trees, especially native species is encouraged as a means of augmenting the drainage system.
- f) Compatible public utility services to be combined in common trenches where ever practicable in order to minimise construction costs and land allocated for underground services.

4.9 Public Utilities

Principles

- a) To provide for the location of public utilities to dwellings from within street reserves, in an efficient, cost-effective and environmentally sensitive manner;

Performance Measures

- b) The provision of all utilities must be in accordance with relevant service authority standards and in consultation with Councils Department of Engineering Services.

4.10 Community Facilities

Child Care

Principles

- a) If feasible, provide on-site child care facilities that meet the demand for childcare generated by the development, alternatively contribute towards the cost of providing community based facilities in accordance with the Section 94 Contribution Plan.

Library Services

Principles

- b) To provide additional library facilities to meet the needs of the additional population generated by the development.

Performance Standards

- c) A contribution in accordance to Council's S94 Contribution Plans will be required.

5 Acknowledgement

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