



**RESTRICTION ON DEVELOPMENT  
IN AREAS IDENTIFIED AS  
DRAINAGE "BLACK SPOTS" ON  
THE WOY WOY PENINSULA**



## **RESTRICTION ON DEVELOPMENT IN AREAS IDENTIFIED AS DRAINAGE "BLACK SPOTS" ON THE WOY WOY PENINSULA**

### **GOVERNANCE AND PLANNING – DEVELOPMENT & COMPLIANCE**

#### **POLICY OBJECTIVES**

- \* To indicate areas having drainage problems which cannot be readily overcome.
- \* To ensure that more intensive development does not exacerbate the drainage problem in identified "black spot" areas.

#### **POLICY STATEMENT**

- A Drainage "black spot" areas, which are identified under this Policy, are shown on the attached maps being -
- i Land in the vicinity of Cogra Road, Rothwell Street, Moana Street and Angler Street Woy Woy as shown on Map 1.
  - ii Land in vicinity of Shephard Street, Glenn Street and Carpenter Street Umina as shown on Map 5.
- B The Council has determined by engineering investigation that the nature of the situation and the problem is such that -
- i It is unlikely that public funds will be available in the foreseeable future to carry out the works necessary to overcome the problem.
  - ii It would not be appropriate to allow development to occur and seek contributions to future works, as these could not relate to the existing problem which would be exacerbated.
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- i The Council has determined that the appropriate strategy to address the problem is for it to exercise its discretion to refuse any development application which would have the effect of increasing rainfall run-off from the site, until such time as the necessary work can be funded and carried out, unless the developer undertakes to provide the necessary infrastructure to deal with the existing problem as well as the compounding effect of the development.
  - ii In areas where no underground drainage exists the use of on-site detention will not be considered a satisfactory solution, unless the outflows can be conveyed directly to a drainage system shown to be capable of carrying the flow without detriment to adjacent property.
  - iii In areas where no underground drainage exists absorption trenches will not be considered a satisfactory solution if they are unable to absorb the extra full storm flow from the development up to and including the 1% AEP flood event.

D On receipt of any application, which would be subject to the Policy, the Council, will give the applicant the opportunity to -

- i Withdraw the application; or
- ii provide the drainage works required to overcome the problem of any increased flow or problems caused by the increased flow as a result of the development proposal, to Council's satisfaction, and prior to the determination of the application.

If either of these actions is not taken, the application will be formally determined under the provisions of the Environmental Planning and Assessment Act 1979.

E This Policy will not apply in respect to an area identified under Part A above where drainage works have been carried out to the satisfaction of the Council to overcome the existing drainage problem.

(Min No /1993 - 13 July 1993)

(Min No 651/1996 - 27 August 1996 - Review of Policies) No Change

(Min No 239/2000 – 24 October 2000 – Review of Policies) No Change

(Min No 214/2005 - 8 March 2005 - Review of Policies)

(Min No 311/2009 - 5 May 2009 - Review of Policies)

(Min No 2013/388 - 16 July 2013 - Review of Policies)

**ATTACHMENTS**



