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MEMO

To:

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136 Manuka Road, Oyster Cove: DA-2022-336
Comment on Section 8 of Kingborough Council RFI's
dated 4 July 2023 and 11 December 2023

1. Background

Applications for approval for new and retrospective developments have been submitted to Kingborough Council (KC) for 136 Manuka Road, Oyster Cove.

The scope of development is shown in Figures 1 and 2, from the most recent site and building plans compiled by *Hargreaves Design Group*.

KC has requested further information about various aspects of the proposal on three occasions: 26 August 2022, 4 July 2023 and 11 December 2023. On the last two, Section 8 requires further information on landslide risk, which was assessed as Low in my November 2020 site classification report¹ for the proposed "4-car carport", now referred to as an "outbuilding (vehicle garage and storage)" (Figures 1 and 2).

The information requested on 4 July 2023 by KC with respect to landslide risk is shown bordered in red in Table 1.

Table 1. Section 8 of the Kingborough Council request for further information letter dated 4 July 2023 and addressed to *Smeekes Drafting* (now *Hargreaves Design Group*)

It is acknowledged that a Site 'soil test' Classification has been submitted including a landslide risk assessment. While this report concludes that the risk is low and acceptable subject to adopting good hillside construction practices, adopting good hill side practices requires implementation of a range of measures detailed in Attachment 4 of the Site 'soil test' Classification. These measures include, but are not limited to:

- supporting excavations with engineered, drained retaining walls;
- revegetating areas to prevent surface soil erosion and tunnel erosion;
- diverting surface drainage away from buildings and wastewater disposal areas to reticulated system (ie cut-off drains); and
- where required, divert upslope seepages with high-quality interception drains behind retaining wall, or in herring bone alignment diagonally down slope, away from buildings and wastewater disposal areas.

These measures have the potential to involve further development and works and result in additional impacts on trees, including tree removal. Accordingly, amended plans are required to demonstrate consistency with and incorporate these specific mitigation measures.

¹ Cromer, W. C. (2020). *Site Classification and Wind Load Classification, proposed new carport, 136 Manuka Road, Oyster Cove*. Unpublished report for A. Harrison by William C. Cromer Pty. Ltd., 3 November 2020.



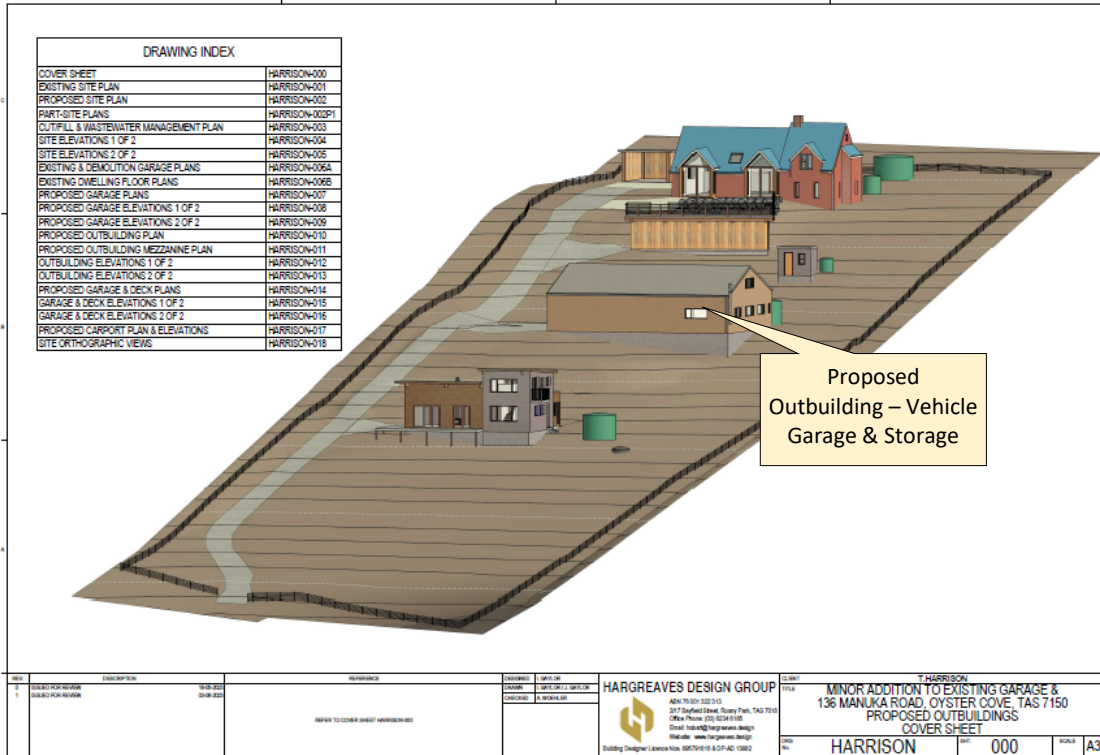


Figure 1 (above). Schematic oblique view of 136 Manuka Road, looking south southeast, showing the proposed outbuilding with vehicle garage and storage. (Cover sheet Harrison 000 of Hargreaves Design Group dated 3 August 2023)

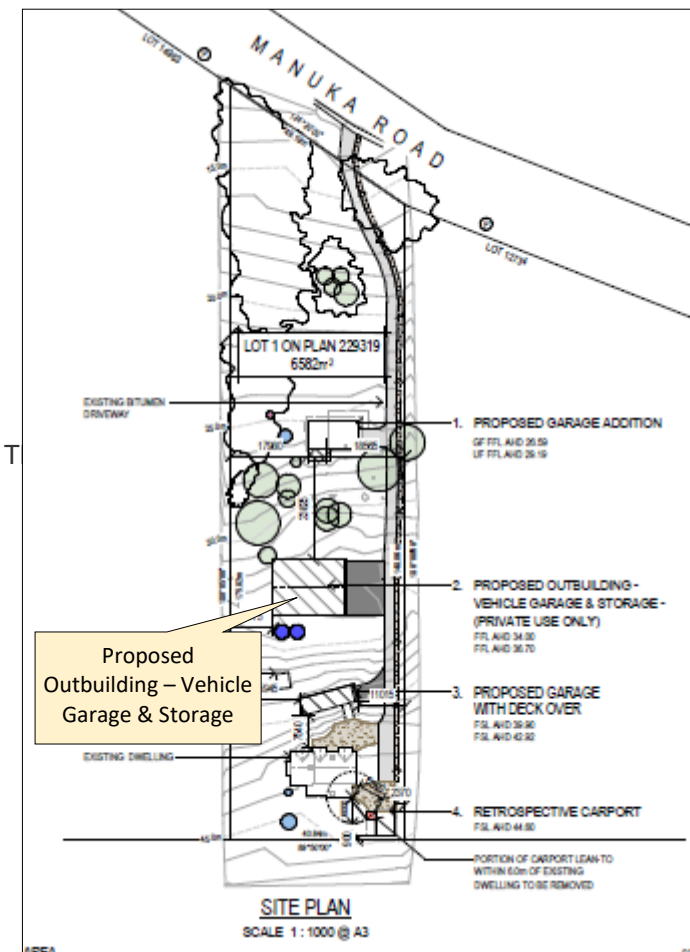


Figure 2 (left). Plan showing proposed outbuilding with vehicle garage and storage. (Proposed site plan Harrison 002 of Hargreaves Design Group dated 3 August 2023)





The further information requested on 11 December 2023 by KC with respect to landslide risk is shown in Table 2. The purpose of the requested information is underlined in red.

In both Tables, it appears the main concern relates to the potential effect on trees of landslide risk mitigation measures recommended in my November 2020 report.

Table 2. Section 8 of the Kingborough Council request for further information letter dated 11 December 2023 and addressed to *Hargreaves Design Group*

8. Information provided is partially adequate.

While the building itself is exempt from the Landslide Code, works do not benefit from this exemption and require assessment against the Landslide Code. In addition, where these works impact on native vegetation or require further tree removal, they require assessment against other standards of the Scheme, including Clause 14.4.3 P1 and E10.7.1 P1. The purpose of the requested information in this instance is to ensure the scope of works being relied upon to ensure landslide risk is low and acceptable are included in the application and any associated impacts on native vegetation are assessed as part of the application. In the absence of these works being clearly shown on the plans, it is not possible to undertake an assessment of these works and any associated impacts against the scheme requirements. In the absence of the works being included in the application, it is also unclear how the proposal meets the requirements of the Landslide Code. Identification and inclusion of works relied upon to address landslide risk is therefore integral to assessment of the application against the Landslide Code, Clause 14.4.3 P1 and E10.7.1 P1 and amended plans are required to demonstrate consistency with and incorporate these specific mitigation measures. Accordingly, amended plans are required to demonstrate consistency with and to incorporate these specific mitigation measures.

This Memo provides comment and a site plan to address the highlighted parts of Tables 1 and 2. It is based on a review of my previous investigations, and a recent site inspection on 9 January 2024 with the proponent Mr. T. Harrison.

2. Comment

2.1 General comment

The landslide risk mitigation measures described in Section 4 of my November 2020 report and repeated by KC in Table 1 are general recommendations which potentially apply to developments on hillsides everywhere. Not all listed measures necessarily apply to all sites, and the details of any adopted measures are typically determined subsequent to the report stage by designers, architects and builders during and after building plans are prepared².

I have viewed the site plans for the outbuilding, and from these and my inspection this week can now advise that in my view the following comments apply.

2.2 First dot point in Table 1

A retaining wall on the uphill side of the outbuilding is not essential, but a cutoff drain will be required to capture any upslope surface runoff and shallow subsurface seepage. Roof runoff from the building will be collected in the two 10kL rainwater tanks on the southwestern corner of the building (Figures 2 and 3). The cutoff drain water (if any) and tank overflow should be directed to the western side of the structure. No vegetation including trees will be disturbed in managing the water.

² Plans for the proposed outbuilding were not available when the November 2020 report was prepared.





2.3 Second dot point in Table 1

No revegetation is required at this site.

2.4 Third dot point in Table 1

Covered in Section 2.2 above for the proposed outbuilding. The adjacent existing “proposed garage addition” (Figure 2) requires no extra surface drainage diversion away from it.

2.5 Fourth dot point in Table 1

There is no requirement for upslope “high-quality interception drains behind retaining wall”, or herring-bone aligned drains, on the property.

2.6 E3.0 Landslide Code

The Code is referred to in Table 2.

In Table 3, the development application is assessed against Section *E3.7.1 Development Standards for Buildings and Works – Buildings and Works, other than Minor Extensions*, in *E3 Landslide Code the Kingborough Interim Planning Schemm 2015*.

The proposed developments comply with Section E3.7.1 (P1) of the Code.

Table 3. Compliance of the proposed developments on 136 Manuka Road, Oyster Cove with Section E3.7.1 (P1) of *E3 Landslide Code* in the *Kingborough Interim Planning Scheme 2015*. [The objective of Section E3.7.1 is to ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is: (a) acceptable risk; or (b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard.]

	Buildings and works must satisfy all of the following Performance Criteris: E3.7.1 (P1)	Compliance	Is management required?	Management Plan
(a)	no part of the buildings and works is in a High Landslide Hazard Area;	Compliant. With the exception of about 1,000m ² in the lower, northern part of the property in no landslidie hazard area, the balance of about 5,750m ² lies within the Low landslide hazard area.	Yes	From a slope stability perspective, the Management Plan for the proposed developments is that the works will be conducted in general accord with good hillside engineering practices common to all hillsides. These are summarised in a general way in Table 1 of the present Memo, but most are not required on 136 Manuka Road (see Comments in Sections 2.2 – 2.5).
(b)	the landslide risk associated with the buildings and works is either: (i) acceptable risk; or (ii) capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk.	Compliant with P1(b) (i) and (ii)		



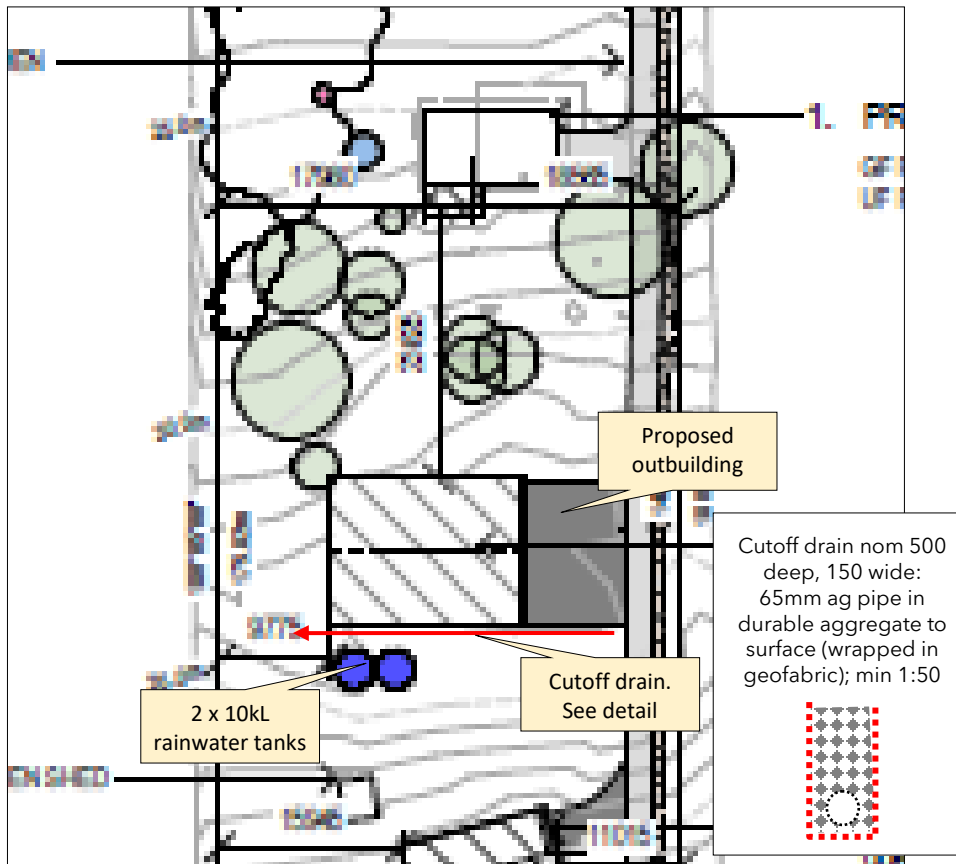


Figure 3. Drainage plan for the proposed outbuilding.
Source of base map: Drawing "Harrison 002" of Hargreaves Design Group dated 3 August 2023.

3. Conclusion

Figure 3 shows the drainage plan for the cutoff drain for the proposed outbuilding. It is intended that this minor detail be included on an amended site plan in response to Council's requests highlighted in Tables 1 and 2.

This is a Low risk property with respect to landslides. There are no risk mitigation measures (including that shown in Figure 3) which will affect existing vegetation.

Yours sincerely



W. C. Cromer
Principal