

**Detailed Comments of Government Departments**

1. District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):
  - (a) the applicant has not addressed the future management and maintenance arrangement of the proposed pedestrian link;
  - (b) the slope maintenance liability within the Green Hatched Black Area (GHBA) is borne by the owner of IL 7426 under lease. Any slope works on adjoining Government land beyond the GHBA of IL 7426 is in general not acceptable unless there are exceptional geotechnical reasons to justify the cutting into Government land for safety purpose with support from Geotechnical Engineering Office of Civil Engineering and Development Department (GEO of CEDD);
  - (c) additional Government land would be affected or involved including the existing public roads of Tai Hang Road, portion of back lane at Wun Sha Street and two slope features, Nos. 11SE-A/FR106 and 11SE-A/F107, which are all under the purview of Transport Department (TD) and Highways Department (HyD);
  - (d) the application for the new access road and planting area largely on Government land is intended to serve the future residential redevelopment on IL 7426. Under the relevant lease conditions of IL 7426, the user is restricted to private residential purposes subject to a maximum GFA of about 2,928 m<sup>2</sup> [which is about a plot ratio of 1.5 on the site area of IL 7426 (about 20,947 ft<sup>2</sup> i.e. 1,946 m<sup>2</sup>)] with permitted vehicular access to and from Tai Hang Road fronting the lot (the lower portion of Tai Hang Road). The lease term of IL 7426 is 75 years commencing from 22.9.1958;
  - (e) the GHBA shown on the lease plan of IL 7426 remains as government land, shall be maintained by the owner at all times in good and substantial repair and condition to the satisfaction of the Director of Lands including all land slope treatment works, earth-retaining structures, support protection drainage and any other works therein and thereon;
  - (f) from the applicant's earlier submission, the proposal is "for the benefit of the neighborhood to enhance pedestrian safety and accessibility". As such, the proposed pedestrian link is not contingent upon the proposed development.
  - (g) pedestrian walkway system of such a scale and its operation mode, would have implications on the Roads (Works, Use and Compensation) Ordinance, Cap 370;
  - (h) in the event gazettal under Roads (Works, Use and Compensation) Ordinance is required, the applicant will be liable to pay the Government all the relevant costs;

#### FI-1 at Appendix Ic

- (i) there are still inconsistencies/discrepancy in the proposed development, dimensions of the proposed access road/pedestrian link and the layout plans of the residential development in a number of paragraphs/figures in the respective appendices in FI-1;
- (j) regarding the various information as submitted, comments from technical departments should be sought on the feasibility on the proposed transplanting/compensatory planting on the sloping site adjoining upper Tai Hang Road and the GHBA of IL 7426; and HyD's comment on the proposed transplanting/compensatory planting for the pedestrian link on HyD's slope feature 11SE-A/F107; and

#### FI-2 to FI-4 at Appendices Id to If

- (k) according to the applicant, the proposed pedestrian link is meant for the benefit of the neighbourhood. Transport Department (TD) also expressed that the proposed pedestrian link provides "improved accessibility and walkability around the area". As such, the proposed link and its gazettal fall outside LandsD's purview. Relevant departments including TD should consider the applicant's undertaking letter, its implementation including the road gazettal and enforcement.

#### 2. Commissioner for Transport (C for T):

- (a) the connection of the proposed access road with upper Tai Hang Road should be compatible with the future road alignment as indicated in the outline zoning plan/outline development plan. The concerned section should be handed over to the Government on request;
- (b) based on the assessment results in Tables 5.1 and 5.2 in the planning statement at Appendix Ia, the performance of road junctions near the development will remain more or less the same with the proposed access road at the upper portion of Tai Hang Road. There will be no noticeable effect or improvement on the surrounding road junctions;

#### FI-1

regarding Appendix 6 - Brief Feasibility Study Report and Method Statement on the Constructability of the Proposed Access and Public Pedestrian Link, please note our comments as follows:

- (c) since the carriageway and/or footpath at Tai Hang Road, Sun Chun Street and Wun Sha Street areas would be affected by the construction activities and loading/unloading of construction plants/materials, temporary traffic arrangement (TTA) should be submitted to TD and the Commissioner of Police for comment prior to works commencement;

- (d) for the construction of the covered walkway near Sun Chun Street, it is noted that concrete blocks and steel posts will be erected along the existing masonry wall. The Applicant should examine whether the normal or emergency access to the adjacent buildings will be affected;
- (e) the applicant mentioned that the walkway structure spanning Tai Hang Road has to be prefabricated off-site into sections and then lifted and erected on site. Due to limited working spaces available, the essential on-site fabrication and erection works may cause significant traffic impact to the area. The applicant should derive preliminary traffic scheme to demonstrate the relevant TTA will not cause unacceptable traffic impact to the nearby road network;

FI-2

- (f) our comments on construction method statement in FI-1 still apply to the Annex 6 – Revised Feasibility Study on Method of Construction of Access Road & Walkway System in FI-2;

FI-3

- (g) the applicant in general did not provide new information in his responses to our comments. Our previous comments given on FI-1 remain valid;
- (h) the applicant mentioned that “*the traffic from the uphill section will only allow right turn into the development, but no right turn out from the development*”. Appropriate traffic management measures should be proposed to effect this left-turn only arrangement at the vehicular egress at upper Tai Hang Road;

FI-4

- (i) the applicant proposes to design and build the PPL at his own cost and undertake the future management and maintenance responsibility of the PPL. This should be included as an approval condition of this s.16 application and land documents as appropriate; and

FI-5

- (j) FI-5 contains the applicant’s responses to comments from various departments other than TD. Our previous comments remain valid.

3. Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) it is noted that the proposed maintenance access to slope feature no. 11SE-A/DT12 (Plan A-2) would be underneath the proposed access road. Please provide sufficient interfacing details to ensure technical feasibility. HyD reserves comments from slope maintenance point of view upon receipt of detailed design of modification works to this slope feature of HyD;

- (b) as the proposed pedestrian link would occupy government land, the comment from LandsD should be sought;
- (c) the proposed access road and pedestrian link should be designed in accordance with Transport Planning and Design Manual (TPDM) and Structures Design Manual for Highways and Railways (2013 Edition) (SDMHR). The applicant should seek TD and HyD/Bridges and Structures' comment on the proposed works;
- (d) HyD's slope (No. 11SE-A/DT12) will be affected by the proposed access road and pedestrian link. The applicant should provide details of any works for HyD's comment;
- (e) the applicant should seek comments from GEO on the proposed works on the HyD's slopes features Nos. 11SE-A/DT12, 11SE-A/FR106 and 11SE-A/FR107;
- (f) the applicant should liaise with relevant departments to modify the SIMAR boundary of the slopes features Nos. 11SE-A/DT12, 11SE-A/FR106 and 11SE-A/FR107 so that the portion of the slope in the vicinity of the proposed access road and pedestrian link would be maintained by the applicant;
- (g) the applicant is required to provide "tree protection plan and method statement showing both vertical and horizontal tree protection zones..." and "a cross-section showing the proposed architectural and engineering features around trees proposed to be retained...to show that sufficient vertical and horizontal space be reserved for TPZs [Tree Protection Zones]" in accordance with DEVB TC(W) No. 7/2015 – "Tree Preservation";
- (h) although some existing trees and the proposed compensatory planting are located within HyD SIMAR Slope No.: 11SE-A/DT12, 11SE-A/FR106 and 11SE-A/FR107, the applicant should seek LandsD's approval on the Tree Preservation and Removal Proposal and the Compensatory Planting Proposal in accordance with Development Bureau Technical Circular (Works) (DEVB TC(W)) No. 7/2015 – "Tree Preservation";
- (i) ETWB TCW No. 2/2004 had been superseded by DEVB TC(W) No. 7/2015 – "Maintenance of Vegetation and Hard Landscape Features" on 1.1.2016. The Applicant is required to revise the paragraph accordingly;
- (j) the applicant is required to state the SIMAR Slope features nos. in the Tree Assessment Schedule for sake of clarity;
- (k) in the drawing no. TS02, a tree at the north-east side of the existing tree "A13" was found on the tree survey plan but its legend was missing. The applicant is required to review the tree survey plan and Tree Assessment Schedule accordingly;

- (l) the Applicant is required to provide maintenance matrix (i.e. to demarcate the area and identify the future vegetation maintenance party) for all proposed compensatory planting as shown in the drawing no. PT01 and PT02. Moreover, please seek comment and agreement from relevant vegetation maintenance department(s) in accordance with DEVB TC(W) No. 7/2015 – “Maintenance of Vegetation and Hard Landscape Features”. If vegetation is proposed to be handed over to Landscape Division of HyD, the Applicant is reminded to observe and follow the latest version of “Requirements for Handover of Vegetation to Highways Department” which is available at HyD’s website;

FI-1 to FI-4

- (m) my previous comments are valid; and
  - (n) during construction, different kinds of temporary platforms would be required, the applicant should assess the impact on our routine inspection/maintenance of the adjacent HyD’s road/structures/slopes/facilities/road drains/services and utilities.
4. Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):
- (a) the proposed passenger lift “A”, passenger lift “B” and pedestrian walkway connecting the two lifts of the proposed pedestrian walkway system are located at or in the vicinity of slope/retaining wall features, Nos. 11SE-A/R217, 11SE-A/F107, 11SE-A/CR409 and 11SE-A/FR106;
  - (b) realistic assumptions should be made for the supporting geotechnical assessment;
  - (c) has reservation on the clarification that the scheme of car lift is not included in the current planning applications;

FI-1 at Appendix Ic

- (d) H(GEO) is not in a position to comment on different traffic schemes quoted in the response to comments;
- (e) the BD job reference quoted in the GPRR refers to the piling works through a mass concrete retaining wall no. 11SE-B/R18 supporting completely decomposed granite while the subject application involves piling works through a 7m high masonry wall supporting oil fill with high groundwater table. It is therefore considered that the job reference quoted is irrelevant to the subject application;
- (f) realistic assumptions are pre-requisite for making credible geotechnical assessments. For example, it is assumed in the geotechnical assessment as Sections 3-3 and 3A-3A that the bed rock level is 1-1.5m below the base slab of retaining wall feature no. 11SE-A/R217, which is largely deviated from

that shown on the as-built drawing no. HH4367 of Tai Hang Road Widening Project (Kai Ning Path to Lai Tak Tsuen Road). It is shown on the as-built drawing that the bed rock level is about 6m below the base slab of the retaining wall no. 11SE-A/R217;

- (g) it is shown in the SIS record which attached in the GPR that stage 3 study has been completed for feature no. 11SE-A/CR409 under Agreement No. CE34/2013. The feature is now proceeding to the construction stage. The results of the study should be duly considered and the potential conflict of the proposed upgrading works (soil nails) at feature no. 11SE-A/CR409 and foundation of the proposed pedestrian walkway should be taken into account in the assessment;
- (h) it is shown on Figure 9B (Section 3A-3A) that solid nails are proposed at retaining wall feature no. 11SE-A/R217 underneath Tai Hang Road. Please seek HyD's comment on the proposal;
- (i) there are inconsistencies regarding the bottom level of pile cap supporting the column of the pedestrian walkway located at the existing platform in front of retaining wall feature no. 11SE-A/R217 as shown on Figure 3 (+16.5mPD) and Figure 4B (+17mPD). In conjunction, please clarify whether excavation and lateral support works are required for the construction of such pile cap. If affirmative, the effect of the proposed works to the stability of the existing slopes and retaining walls should be duly assessed;
- (j) referring to Section 2 and 4 of the construction method statement provided in Appendix 6 of the current submission, the assessment of the effects of the proposed pedestrian walkway to the stability of the existing slopes and retaining walls during the construction stage shall be critically reviewed, taking into account of the geotechnical comments provided above;

FI-2 at Appendix Id

- (k) the effectiveness of the proposed measures, e.g. grouting for improving the stability of the retaining wall during the construction stage and under permanent conditions shall be fully justified;
- (l) the response that "the structural integrity of mass wall is considered as not critical use with respect to the stability condition provided that the wall would not be damaged or broken seriously." As HyD is the maintenance party of the masonry retaining wall (feature no. 11SE-A/FR106), HyD should be consulted in this regard;
- (m) we reiterate that the potential conflict of the proposed upgrading works (soil nails) at feature no. 11SE-A/CR409 and foundation of the proposed pedestrian link should be taken into account in the assessment. It is stated in the response that "as the LPM Stage 3 study report S3R 115/2016 for feature no. 11SE-A/CR 409 under Agreement No. CE34/2013 is not currently available to public for review, the applicant were not able to identify and consider the proposed location of soil nails proposed yet". However,

according to our record, the applicant's representative did obtain a copy of such Stage 3 study report via the project engineer's email dated 5.10.2018 before the FI-2 submission (the applicant's letter ref. S1313/4THR/18/007Lg dated 8.10.2018 refers). We reiterate that the results of the Stage 3 study should be duly considered in the assessment to demonstrate the geotechnical feasibility of the proposed works;

- (n) realistic assumptions are pre-requisite for making credible geotechnical assessments. All available records, investigation reports, geotechnical studies shall be reviewed and considered in the geotechnical assessments. For example, the presence of colluvium at feature 11SE-A/CR409 as revealed from ground investigation and the effect of dewatering should be duly considered in the slope stability assessment and Plaxis analyses respectively in Section 3-3 and 3A-3A;
- (o) the calculations for "Sin Fat Road" project were included in Annex 4 of Appendix 5 in FI-2. Clarification are required for the relevancy of the calculations; and

FI-3 & FI-4 at Appendices Ie & If

- (p) we are not in the position to comment on the operation, maintenance and management of the proposed pedestrian link.

5. Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) the proposed access road will degrade traffic flow of upper Tai Hang Road and cause severe damage to existing slope and trees;
- (b) as the access road will pass through Government land, the applicant is advised to consult and seek LandsD's written permission for the right of way prior to the approval of the planning permission;
- (c) regarding the proposed huge footbridge structure running across Tai Hang Road, it is noted that the applicant will submit to ACABUS during detailed design stage. The applicant should consult and seek HyD's written permission for the proposed footbridge structure prior to the approval of the planning application;
- (d) part of the proposed pedestrian walkway and the proposed passenger lifts are locating on Government land. The applicant is advised to consult and seek LandsD written permission for the proposed pedestrian walkway and lifts prior to the approval of the planning application;
- (e) no further comment on the width of the pedestrian walkway as the proposed pedestrian walkway and footbridge are provided with a clear width of about 2.5m, and the applicant has indicated that it can allow a pedestrian flow up to 4,950 per hour; and

- (f) on FI-5 (Appendix Ig), our previous comments are still valid in that:
- (i) the issue of the proposed access road running through and part of the proposed pedestrian walkway and the proposed passenger lifts located in Government land has not been satisfactorily addressed, the land issues should be settled at the current application;
  - (ii) it is noted that there is pedestrian zebra-crossing with traffic light in close proximity. The effectiveness of this footbridge structure running across Tai Hang Road for public usage is doubtful;
  - (iii) the issue of huge bank wall along/under the access road and the huge structure column has not been satisfactorily addressed and they will impose significant undesirable visual impact to surrounding areas;
  - (iv) the proposal will set an undesirable precedent case to induce similar applications which will degrade traffic flow of upper Tai hang Road and cause severe damage to existing slope and trees;
  - (v) the issue of existing trees and proposed compensatory trees overcrowding with each other has not been satisfactorily addressed, which will affect their survival rate; and
  - (vi) the issue of maintenance agents for the future maintenance of the compensatory plantings (including the vegetation on the footbridge, etc.) and of the irrigation system has not been satisfactorily addressed.

6. Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

- (a) the mitigation measures shall be provided to cope with the increase of runoff discharging to the downstream and other areas concerned;
- (b) detailed impact assessment is required to verify the drainage impact for the proposed residential development , access road and pedestrian link, and after development;
- (c) the runoff collected from the proposed pedestrian link is found discharged to the existing slope drains under purview of HyD. As such, HyD should be consulted; and

FI-1 at Appendix Ic

- (d) discrepancies are found for the width of the proposed access road as presented in Section 3 (6m carriageway & 1.6m footpath), Figure 3.1 in Appendix 1 (6m carriageway & 2.0m footpath) and Figure 3.1B in Appendix 4 (6m carriageway & 2.5m footpath).



7. Chief Engineer/Construction, Water Supplies Department (CE/C,WSD):
- (a) a 3m wide Waterworks Reserve is proposed for the water mains within the application site;
  - (b) if the footpath along both upper and lower Tai Hang Road is turned into a run-in, the cover to the fresh water mains would become insufficient according to HyD standard drawing, No. H6170;
  - (c) the alignment of the water mains as shown in the mains record plans is indicative only, it cannot be guaranteed that the information as shown in the plan is exhaustive. The exact lines and levels of the water mains as well as the materials that the water mains are made of should be established by hand dug trial holes on site if they are of significance to the proposed works. Some changes might have been made to the information shown on drawings in the course of time and that digging of trial holes to ascertain the exact alignment and depth of water mains would still be necessary before any road excavation; and
  - (d) WSD has mainlaying works under Contract No. 11/WSD/10 at Tung Lo Wan Road between Wun Sha Street and Lai Yin Street as well as Lai Yin Street and Second Lane which are within 300m of the subject site. The work is tentatively schedule to complete by December 2018.
8. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
- (a) the proposed access road, pedestrian walkway as well as footbridge form part of the planned residential development and thus should be assessed as a whole;
  - (b) the application seeks to construct a vehicular access, a pedestrian walkway and a footbridge with ramps and lifts from the upper portion of Tai Hang Road to serve a residential site lying 50m below the slope and abutting the lower portion of Tai Hang Road. The pedestrian walkway connects upper road through the residential development to a footbridge over lower road to ramps and lifts to Ormsby Road;
  - (c) judging from floor plans and photomontages provided, the vehicular access would serve the residential development at its podium level at 72.35mPD with ingress/egress, while there is another egress at lower road at 24.78mPD;
  - (d) the applicant responded that it is technically infeasible to accommodate up-to-standard parking facilities accessible from lower Tai Hang Road from traffic and geotechnical point of views. According to the applicant's response in FI-2 at Appendix 1d, the provision of up-to-standard parking facilities would result in a retaining structure of 21 to 22m in height which would not be acceptable;

- (e) with reference to pages 8 and 10 of the response to comment table, the applicant has misquoted our comments in response to the concerns of ArchSD and our Landscape Unit on the issue of the proposed access road within the area zoned “Green Belt” passing through Government land, which has no relation to the pedestrian link in lower Tai Hang Road;
- (f) the applicant should also consider demonstrating that measures and quality design have been adopted to reduce visual bulkiness of the footbridge and enhance compatibility with its surrounding setting;
- (g) while the applicant has provided a photomontage showing the treatment of the proposed base structure from viewpoint 6 at lower Tai Hang Road (Drawing A-6e) (see FI-2 at Appendix Id), there is doubt on the accuracy of the photomontage as it is different from the floor plans and section plans provided in FI-1 at Appendix 1c;
- (h) there are discrepancies on the landscape treatment as shown on the photomontage from viewpoint 8 (Drawing A-6g) as compared to the proposed planting plan in Drawing A-4a. The applicant should clarify and revise the photomontage. Furthermore, an assessment of the visual impact from viewpoints 7 and 8 as per Drawings A-6f and A-6g has yet to be submitted; and
- (i) among the total 67 nos. of existing trees, including 3 nos. of dead trees, trees proposed to be felled is slightly reduced from 39 to 38. Compared to the landscape and tree felling proposal in FI-1 at Appendix Ic, the current compensatory tree ratio in terms of quantity is at 1:1.03 and the ratio in terms of quality has slightly adjusted from 1:0.187 to 1:0.19.

9. Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) the applicant has clarified that compensation ratio in relation to the revised landscape and tree felling/compensation proposal at per FI-2 at Appendix Id in terms of quality (i.e. DBH compensation ratio) is approx. 1.019. The applicant should explore any possible of maximizing shrub planting on site to compensate for loss of greenery under the development;
- (b) the applicant has confirmed that 39 nos. of new trees are proposed to be planted to compensate for the felling of 38 nos. of existing trees. While removal of tree may be inevitable if the proposed road and footbridge construction work are considered as a must. For tree removal, justification provided has to be well related to the condition of individual tree with blow up photos to enable precise illustration of each tree;
- (c) the compensation ratio is 1:1.03 which is slightly above the required ratio of no less than 1:1 in terms of quantity as stipulated in the DEVB TC(W) No. 7/2015 – Tree Preservation. For the compensation ratio in terms of quality, the applicant shall further review the opportunity to maximize the greening/tree planting and increase the overall site coverage despite shade-tolerant shrub planting is proposed by the applicant to mitigate the adverse impact on the

existing landscape resources due to the proposed development;

- (d) the ETWB No. 2/2004 as mentioned in Para. 6.2 of the Tree Preservation and Landscape Proposal has been superseded by DEVB TC(W) No. 6/2015 with effect from 1.1.2016. Verification is required. Besides, DEVB TC(W) No. 6/2015 sets out the responsibilities for maintenance of vegetation and hard landscape features among Government departments;
- (e) according to the Tree Assessment Schedule, some of the trees, such as A01 – A04, are located on the SIMAR slope. However, with reference to the Tree Survey Plan they are located outside the boundary of the slope feature. Clarification and verification shall be required;
- (f) in view of the possible impact on the tree and landscape within and adjacent area of the site, the applicant shall address the comments and concerns of relevant departments and stakeholders including Wan Chai District Council (WCDC);
- (g) for tree preservation and removal proposal, the applicant should adhere to the requirements and procedure as laid down in DEVB TC(W) No. 7/2015 – Tree Preservation;
- (h) it is shown in paragraph 6.2. Appendix 7 of Appendix Ia, Tree Preservation and Landscape Proposal that the project consultant will submit a full tree felling application in accordance with ETWB No. 2/2004 and LAO Practice Note No. 7/2007 respectively. As a matter fact, the quoted ETWB No. 2/2004 is obsolete and has been superseded by ETWB TC(W) No. 6/2015. Further clarification by the project consultant shall be required; and
- (i) the applicant is advised to fully address comments from WCDC and other government departments in respect of tree protection and preservation within and in the vicinity of the application site and to seek support for the proposed development.

Advisory Clauses

- (a) to apply to Lands Department (LandsD) for a lease modification and/or other appropriate land documentation to implement the proposed development; if approved, will be subject to such terms and conditions as imposed by LandsD;
- (b) to note the comments of the District Lands Officer/Hong Kong East, LandsD regarding the land administration requirements in respect of IL 7426 and the Green Hatched Back Area (GHBA) under the maintenance responsibility of the applicant and the need to seek support from the Geotechnical Engineering Office of Civil Engineering and Development Department on any slope works on government land beyond the GHBA;
- (c) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department (ArchSD) that the applicant should submit the Tree Preservation and Removal Proposal to LandsD for implementation of the proposed pedestrian walkway and passenger lifts in accordance with DEVB TC(W) No. 7/2015 – Tree Preservation;
- (d) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department (BD) and the Director of Fire Services that should the proposed vehicular access be used as an Emergency Vehicular Access (EVA), the EVA arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD;
- (e) to note the comments of the Commissioner of Police that the developer should take note of any requirement to notify/apply permit from relevant departments in respect of any possible road works, loading/unloading on the street, etc.;
- (f) to note the comments of the Director of Leisure and Cultural Services that for tree preservation and removal proposal, the applicant should adhere to the requirements and procedure as laid down in DEVB TC(W) No. 7/2015 – Tree Preservation; and to comply with the requirements as per DEVB TC(W) No. 6/2015 – Maintenance of Vegetation and Hard Landscape Features which sets out the responsibilities for maintenance of vegetation and hard landscape features among Government departments; and
- (g) to note the comments for the Chief Highway Engineer/Hong Kong, Highways Department that the applicant should make submission to the Advisory Committee on the Appearance of Bridges and Associated Structures in accordance with ETWB TCW No. 36/2004.