

MPC Paper No. A/H6/87A
For Consideration by the
Metro Planning Committee
on 18.1.2019

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H6/87

<u>Applicant</u>	Century Shiner Limited represented by Kenneth To & Associates Limited
<u>Site</u>	4-4C Tai Hang Road (Part) and adjoining Government land, Tai Hang Road, Hong Kong
<u>Site Area</u>	About 2,203.9m ² (including about 2,090.4m ² (94.8%) of Government land)
<u>Lease</u>	Inland Lot No. 7426 (a) 75 years from 22.9.1958 (b) restricted for private residential purposes with a Right of Way to and from the lower portion of Tai Hang Road (c) maximum GFA of 2,928m ² (d) the Lessee shall maintain the slope within the Green Hatched Black Area (GHBA)
<u>Plan</u>	Draft Causeway Bay Outline Zoning Plan (OZP) No. S/H6/16
<u>Zoning</u>	"Green Belt" ("GB") (about 53%) "Residential (Group A)1" ("R(A)1") (about 36%) - maximum building height (BH) of 115mPD "Residential (Group B)" ("R(B)") (about 5%) - maximum plot ratio (PR) of 5, and maximum BH of 30 storeys including carports 'Road' (about 6%)
<u>Application</u>	Proposed 'Flat' use (access road for residential development and pedestrian link)

1. The Proposal

- 1.1 The applicant seeks planning permission for the proposed access road from the upper section of Tai Hang Road (upper Tai Hang Road) to serve exclusively the permitted residential development proposal at 4-4C Tai Hang Road at the adjoining "R(B)" zone and a proposed pedestrian link connecting the development to upper Tai Hang Road and the lower section of Tai Hang Road (lower Tai Hang Road) and further extending to Ormsby Street/Wun Sha Street in the lower part of the Tai Hang area. The application site (the Site) includes a

proposed access road, pedestrian link, an existing staircase between lower Tai Hang Road and Ormsby Street, and two compensatory planting areas for the affected trees (**Plan A-1**). The proposed pedestrian link will be covered and opened to the public 24 hours a day.

- 1.2 The Site falls within an area zoned partly “GB” (about 53%), “R(A)1” (about 36%), “R(B)” (about 5%) and an area shown as ‘Road’ (about 6%) on the draft Causeway Bay OZP No. S/H6/16. The proposed access road and pedestrian link are regarded as ‘Flat’ use as they form part and parcel of the concerned residential development proposal*. Hence, planning permission from the Town Planning Board (the Board/TPB) is required.

Access Road and Traffic Arrangement

- 1.3 The proposed access road of about 42m in length which comprises a 6m wide carriageway and a 2.5m wide footpath will be constructed in the form of elevated structure at about 75.3mPD, which will link upper Tai Hang Road (**Drawings A-1, A-2a, A-5a & A-5d**) to the podium of the planned residential development about the same level. Two carpark floors are proposed below the podium with a one-way spiral down ramp connecting to lower Tai Hang Road at about 24.7mPD (**Drawing A-5b to A-5d**).
- 1.4 The applicant proposes that only goods vehicle will use the access road as both ingress and egress for loading/unloading. Private car and taxi will use the access as ingress only with the access point at lower Tai Hang Road as egress, through the one-way spiral ramp within the residential development. Both the access points at upper and lower Tai Hang Road will be restricted to ‘left-turn’ only. A layby is also proposed at lower Tai Hang Road for pick-up/drop-off for private car and taxi only (**Drawings A-5a & A-5d**).

Pedestrian Link

- 1.5 The proposed pedestrian link of about 147.5m in length comprises the footpaths along the proposed access road and on the podium of the planned residential development, an elevated footbridge over lower Tai Hang Road and an elevated walkway sloping down from lower Tai Hang Road towards Ormsby Street and Wun Sha Street (at about +6.21mPD) next to an existing pedestrian staircase. The elevated footbridge over lower Tai Hang Road is proposed to be about 2.5m width with 6m clearance while the walkway towards Ormsby Street/Wun Sha Street is about 2.5m in width with a gradient about 1:12 (**Drawings A-2a to A-2c & A-5a and Plans A-2 & A-9**).
- 1.6 Three passenger lifts are proposed along the pedestrian link at the planned residential development fronting lower Tai Hang Road, Government slope by lower Tai Hang Road and area abutting Ormsby Street (**Drawings A-2a, A-2c & A-5a and Plans A-2 & A-9**).

* The planned residential development at 4-4C Tai Hang Road falls within an area zoned “R(B)”, in which ‘Flat’ use is always permitted. According to the applicant, the indicative typical floor plans/carpark floor plans/section & elevation drawings/photomontages in relation to the planned residential development are submitted for information only and do not form part of the application.

- 1.7 The applicant proposes to design and build the pedestrian link at his own cost; take up the maintenance and management responsibilities of the entire pedestrian link, unless and until relevant Government department takes up the entire/part of the link; and set up necessary financial arrangement to the satisfaction of relevant Government authorities to support the long term recurrent cost of the link. The applicant has also submitted an undertaking letter (**Appendix If**) addressed to the Secretary of the Town Planning Board (Secy, TPB) to this effect.

Slope Stabilization Works and Drainage System

- 1.8 Registered geotechnical features have been identified and slope stabilization works (**Drawings A-2b & A-3**) are proposed to accommodate the proposed access road and pedestrian link (**Plans A-2 & A-9**). In addition, a new drainage system is also proposed. Surface runoff from the proposed access road and pedestrian link will be discharged to the existing drainage system at lower Tai Hang Road and Ormsby Street (**Appendix 1 of Appendix Ic**).

Landscape and Tree Proposal

- 1.9 Tree survey, landscape proposal and tree felling/compensation proposal are shown in **Drawings A-1 & A-4a to A-4f**. A total of 38 nos. of existing trees (including 3 dead trees) of common species will be felled and 39 nos. of trees are proposed as compensation resulting in a compensation ratio of 1:1.03 in quantity and 1:0.19 in quality. Shrub mix and light standard trees are proposed at two planting areas on the slopes of the proposed access road and the slope adjoining to the proposed lift tower at lower Tai Hang Road. The applicant will implement the landscape and tree compensation proposal and hand over the planting areas to the relevant Government departments upon completion of the landscape works as per DEVB TC(W) No. 6/2015. The elevated footbridge over lower Tai Hang Road will be landscaped with ornamental shrub planting (**Drawings A-6a, A-6e & A-6f**).
- 1.10 In support of the application, the applicant has submitted the following documents:
- (a) Applicant's letter dated 7.6.2018 and application form (**Appendix I**)
 - (b) Supplementary planning statement including traffic impact assessment (TIA), visual impact assessment (VIA), geotechnical planning review report (GPRR), drainage impact assessment (DIA) and tree preservation and landscape proposal (**Appendix Ia**)
 - (c) Applicant's letter dated 27.6.2018 with drawings attached (**Appendix Ib**)
 - (d) Applicant's letter dated 24.8.2018 (FI-1) providing responses to departmental and public comments, revised schematic drawings, feasibility study report and method statement on the constructability and revised technical assessments (**Appendix Ic**)

[accepted but not exempted from the publication and recounting requirements]

- (e) Applicant's letter dated 8.10.2018 (FI-2) providing responses to departmental comments **(Appendix Id)**

[accepted but not exempted from the publication and recounting requirements]

- (f) Applicant's letter dated 19.10.2018 (FI-3) providing responses to departmental comments **(Appendix Ie)**

[accepted and exempted from the publication and recounting requirements]

- (g) Applicant's letter dated 2.11.2018 (FI-4) providing responses to departmental comments **(Appendix If)**

[accepted and exempted from the publication and recounting requirements]

- (h) Applicant's letter dated 23.11.2018 (FI-5) providing responses to departmental comments **(Appendix Ig)**

[accepted but not exempted from the publication and recounting requirements]

- (i) Applicant's letter dated 2.1.2019 (FI-6) providing responses to departmental comments **(Appendix Ih)**

[accepted and exempted from the publication and recounting requirements]

- (j) Applicant's letter dated 7.1.2019 (FI-7) providing updated drawings (no new information involved) **(Appendix Ii)**

[accepted and exempted from the publication and recounting requirements]

- 1.11 The application was received on 20.6.2018 and was originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 17.8.2018. On 17.8.2018, as requested by the applicant, the Committee decided to defer making a decision on the application pending the submission of FI by the applicant. Seven FIs (FI-1 to FI-7) were subsequently submitted by the applicant as detailed in paragraph 1.10 above. Hence, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forward by the applicant in support of the application are detailed in the supplementary planning statement at **Appendix Ia** and FI-1 to FI-7 at **Appendices Ic to Ii**. They can be summarized as follows:

- (a) the proposal echoes Government's "Walk in HK" initiative to promote walking and improve connectivity to make Hong Kong a sustainable city;

- (b) the proposal will bring public gain to the neighbourhood by improving accessibility, pedestrian safety and walkability through the provision of barrier-free and covered pedestrian link;
- (c) the scale of the proposed access road and public pedestrian link is appropriate in width and gradient by making reference to the current standards of the Highways Department (HyD). The connection from about +73.5mPD at upper Tai Hang Road to about +5mPD near Wun Sha Street is linked up by a footbridge and an elevated walkway of gentle gradients as well as lifts;
- (d) the public pedestrian link can bring about traffic benefits and is a sustainable mode of transport. Residents from upper Tai Hang Road can use the public pedestrian link to access Tin Hau MTR station (**Drawing A-2d**), Hong Kong Central Library (a common public transport interchange) and Wun Sha Street area. Walking distance from Hong Kong Central Library and Wun Sha Street to upper Tai Hang Road can be reduced to about 770m and 230m respectively;
- (e) the applicant will be responsible for the implementation, maintenance and management of the pedestrian link to the satisfaction of relevant Government authorities;
- (f) the TIA (Appendix 8 of **Appendix 1a** and the responses to comments in FI-1 of **Appendix 1c**) concluded that the proposed traffic arrangement could improve/reduce traffic flow and enhance road safety;
- (g) the site has specific constraints and access only from lower Tai Hang Road will not be able to support a scheme with adequate car parking and load/unloading facilities as well as building services in accordance with modern standards (**Drawing A-7**);
- (h) the proposal has no adverse geotechnical, drainage and visual impacts, and is compatible with the adjoining medium to high-rise development;
- (i) the landscape proposal and compensatory tree planting will result in a compensation ratio of 1:1.03 in quantity and 1:0.19 in quality, the proposed footbridge will be accompanied by ornamental shrub planting. Therefore, there will be no significant adverse landscape impact (**Drawings A-4a to A-4f**); and
- (j) the proposal is in line with the Town Planning Board Guidelines for application for developments within “GB” zone. The proposal only affects a minor portion of “GB” zone and the Site is unique as it has severe geotechnical constraints.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The Site involves part of IL 7426 and Government land. As the applicant is the sole “current land owner” of the subject private lot, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) has been met. Detailed information would be deposited at the meeting for Members’ inspection.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines for Application for Development within “GB” Zone under section 16 of the Town Planning Ordinance (TPB PG-No. 10) is relevant to this application. The relevant assessment criteria are as follows:

- (a) there is a general presumption against development (other than redevelopment) in “GB” zone. In general the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use;
- (b) an application for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning ground;
- (c) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impacts on the surrounding environment;
- (d) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area; and
- (f) any proposed development on a slope or hillside should not adversely affect slope stability.

5. Previous Application

There is no previous application on the Site. However, two planning applications (Nos. A/H6/80 and A/H6/82) for a proposed access road and associated works in relation to the planned residential development were submitted but subsequently withdrawn by the same applicant.

6. Similar Application

There is no similar planning application for the development of access road and pedestrian link for residential use within the Causeway Bay OZP area.

7. **The Site and Its Surrounding Areas** (Plans A-1 and A-2 and site photos/aerial photos on Plan A-3 to A-9)

7.1 The Site (Plans A-4 to A-9):

- (a) is elongated in shape with the proposed access road sited to the south, and the proposed pedestrian link toward the north extending to Ormsby Street and Wun Sha Street in Tai Hang with the Tin Hau Station about 800m further north;
- (b) is abutting the upper Tai Hang Road to the south and falling with a section of slope covered with vegetation between 60 Tai Hang Road (The Elegance) and 70 Tai Hang Road (Trafalgar Court);
- (c) covers a steep gradient with level difference sloping down from about 75mPD at the southern site boundary to about 23mPD at lower Tai Hang Road and about 6.7mPD at Ormsby Street; and
- (d) partially falls within a vacant 6-storey residential building at 4-4C lower Tai Hang Road, and a section of slope besides an existing staircase between 3 Tai Hang Road (Winway Court) and 5 Tai Hang Road (Block One of Illumination Terrace), to the north near Ormsby Street.

7.2 The surrounding areas have the following characteristics (Plans A-1, A-2, A-3 & A-9):

- (a) the southern part of the Site falls within a large, steep and vegetated slope bounded by upper and lower Tai Hang Road zoned “GB”, and is located immediately behind an area zoned “R(B)”, i.e. the concerned planned residential development at 4-4C Tai Hang Road;
- (b) the northern part of the Site intersects with lower Tai Hang Road, existing residential developments and vegetated slope adjoining an existing staircase leading from lower Tai Hang Road towards Ormsby Street/Wun Sha Street, and three residential developments zoned “R(A)1”, namely Winway Court, Kanfield Mansion and Illumination Terrace;
- (c) two residential developments zoned “R(B)”, Trafalgar Court and The Elegance are at the east and west of the Site; and
- (d) Ormsby Street/Wun Sha Street is characterised with a mix of medium to high rise residential developments many of which have commercial uses on ground floor.

8. **Planning Intention**

- 8.1 The planning intention of the “GB” zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide

additional outlets for passive recreational activities. There is a general presumption against development within the “GB” zone.

- 8.2 “R(A)1” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.3 “R(B)” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.4 The area shown as ‘Road’ is mainly to depict the road network for private cars and public transport services within the planning scheme area.

9. **Comments from Relevant Government Departments**

- 9.1 The following Government departments have been consulted and their views are summarized as follows:

Land Administration Aspect

- 9.1.1 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

Access Road

- (a) the existing lease of IL 7426 permits access to and from Tai Hang Road fronting the lot (the lower Tai Hang Road) through a right of way. Transport Department’s (TD) advice should be sought if the proposed access at upper Tai Hang Road is genuinely and solely required for the planned residential development and that it is the only viable solution;
- (b) the proposed access from upper Tai Hang Road is not in accordance with the existing lease conditions and the works other than slope maintenance purposes for constructing a new access road on the GHBA or adjoining Government land is not permitted. In general, direct grant of Government land will not be entertained where the concerned land is capable of separate alienation;

Pedestrian Link

- (c) there is reservation on the future maintenance and management liability of the new pedestrian walkway system, the proposed access road and the nearby Government slope features to be affected if it is proposed to be borne by the future owners of individual units of the planned residential development taking into account the scale of the development;
- (d) the proposed pedestrian link is not contingent to the development on lot and therefore the proposed pedestrian link and its gazettal

arrangement under the Roads (Works, Use and Compensation) Ordinance fall outside DLO/HKE's purview. Relevant departments should be consulted if there is a public need for the proposed pedestrian link, the applicant's undertaking letter, its implementation including the road gazettal and enforcement;

- (e) if the planning application is approved, the owner needs to apply for a lease modification and/or other appropriate land documentation for such new proposed access arrangement under lease and for such new road and associated works on Government land. However, there is no guarantee that such application will be approved, and if approved, it will be subject to such terms and conditions, including payment of premium and fees, as imposed; and
- (f) other detailed comments are at **Appendix II**.

Traffic Aspect

9.1.2 Comments of the Commissioner for Transport (C for T):

Access Road and Traffic Arrangement

- (a) there will be no noticeable traffic improvement or effect on vehicular traffic to the overall road network arising from the access road and traffic management scheme proposed by the applicant. While the "left-in/left-out" arrangement is proposed for lower Tai Hang Road, a majority of the development-related vehicles will still need to travel along upper Tai Hang Road and right turn into the premises. The proposed access road at upper Tai Hang Road will not bring overall traffic benefit to the adjacent road network. There is no strong justification for the proposed vehicular access at upper Tai Hang Road from the traffic point of view;
- (b) the necessity of the proposed access road depends on whether there are other practical solutions to overcome the geotechnical and other constraints for maintaining a vehicular access at lower Tai Hang Road. The conclusion of technical infeasibility of maintaining a vehicular access only at lower Tai Hang Road is based on geotechnical constraints, on which TD is not in the position to comment. The applicant should provide justification, to the satisfaction of the Buildings Department (BD) and the Civil Engineering and Development Department (CEDD), to demonstrate such technical infeasibility. Nevertheless, it is noted from FI-1 that the proposed one-way ramp system and the notional car-lift system will only occupy a relative small portion of the subject lot I.L. 7426. Furthermore, from traffic point of view, provided that the lot area can be largely or fully utilized, it seems not impossible to provide vehicular ingress and egress to the lot at lower Tai Hang Road;
- (c) the applicant mentioned in FI-3 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;

- (d) the proposed pick-up/drop-off layby for private car and taxi at lower Tai Hang Road within the lot boundary should be opened for public use and this should be reflected in the relevant land documents. Moreover, adequate traffic measures should be provided to effect the 'left-in/left-out' arrangement at lower Tai Hang Road;

Pedestrian Link

- (e) no objection in principle to the proposed pedestrian link which could improve accessibility and walkability around the area. Indeed the public has already suggested a hillside escalator/elevator link between Wun Sha Street area and Tai Hang Road. Nevertheless, there are issues on technical feasibility, land and gazettal issues, management and maintenance responsibilities of the walkway system to be resolved. Details should be submitted to TD and relevant Government departments for comments and agreement;
- (f) the applicant proposes in FI-4 to design and build the pedestrian link at his own cost and undertake the future management and maintenance responsibility of the pedestrian link. Should the application be approved, this should be included as an approval condition and land documents as appropriate;
- (g) TD does not support the application if the proposed pedestrian link is not included in the applicant's proposal for the reason that the proposed access road alone will not bring overall traffic benefit to the adjacent road network and there is no strong justification for the proposed vehicular access at upper Tai Hang Road from traffic planning perspective;
- (h) regarding the public comment stating a cautionary crossing outside 8 Tai Hang Road (i.e. Jolly Villa) proposed by TD (**Plan A-2**), the cautionary crossing is under planning stage and HyD has not yet been requested to carry out the works. As recently advised by HyD, it is not feasible to divert the existing underground utilities and set back the footpath to facilitate the works for the proposed cautionary crossing due to space constraints and the presence of the existing retaining wall. TD is liaising with HyD on other feasible options of the cautionary crossing;
- (i) the applicant has proposed in Appendix V of FI-5 (**Appendix 1g**) the preliminary traffic diversion scheme for installing the steel frame of the proposed pedestrian link across Tai Hang Road. Prior to commencement of works, the applicant should submit a construction traffic impact assessment and detailed temporary traffic arrangement plans to relevant departments (including TD and Hong Kong Police Force) for approval with a view to minimizing disruption to traffic in

the vicinity. This submission should be included as an approval condition of this s.16 application; and

- (j) other detailed comments are at **Appendix II**.

9.1.3 Comments of the Commissioner of Police (C of P):

No specific comment from the Wan Chai Police District. Nonetheless, the developer should be reminded to 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.

Highways Aspect

9.1.4 Comments of the Chief Highway Engineer/Hong Kong (CHE/HK), HyD:

Highways Structure and Maintenance

- (a) the proposed pedestrian link would be erected next to the existing elevated covered walkway (HyD's Structure no. HF136), the applicant should carry out impact assessment on the existing HyD's structure for comment;
- (b) the applicant should carry out feasibility study to identify the site constraints and provide the relevant method statements with associated temporary traffic arrangement to demonstrate the constructability for the whole proposed access road and pedestrian link within a limited working space;
- (c) as mentioned in the construction method in FI-1, in particular that part of the proposed pedestrian link would be prefabricated off-site, a comprehensive temporary traffic arrangement scheme should be provided to demonstrate the feasibility of the works;
- (d) the applicant proposes to take up the management and maintenance responsibilities of the proposed pedestrian link, and should therefore provide a management and maintenance demarcation plan to identify the management and maintenance parties for HyD's comment, the applicant should also provide the justification on connectivity and walkability, and implication on environment and sustainability for the consideration of relevant Government departments;
- (e) given that the proposed works will affect and modify slope feature no. 11SE-A/FR106 and the proposed pedestrian link will be maintained by the future lot owner, the future lot owner should also take up the maintenance responsibility of slope feature no. 11SE-A/FR106;

Landscape and Vegetation Maintenance

- (f) HyD reserves comments from highway landscape and vegetation maintenance point of view upon receipt of future tree preservation

and removal proposal and compensatory planting proposal in accordance with DEVB TC(W) No. 6/2015 – “Maintenance of Vegetation and Hard Landscape Features” and DEVB TC(W) No. 7/2015 – “Tree Preservation”;

- (g) the applicant is required to provide shrub planting matrix to indicate the layout/planting arrangement of the proposed “shrub mix” as shown in the planting plans;
- (h) the applicant is reminded that submission to the Advisory Committee on the Appearance of Bridges and Associated Structures is required in accordance with ETWB TCW No. 36/2004; and
- (i) other detailed comments are at **Appendix II**.

Geotechnical Aspect

9.1.5 Comments of the Head of Geotechnical Engineering Office (H(GEO)), CEDD:

Access Road

- (a) according to the GPRR (**Appendix Ia**), the proposed slope stabilisation works is ‘the preferred solution’. It is also noted that the applicant could retain the current vehicular access from lower Tai Hang Road while maintaining the stability of land, therefore, the new access road from upper Tai Hang Road is not the only viable alternative;
- (b) there is no adverse geotechnical comment on the geotechnical feasibility of the proposed access road in the form of elevated deck structure support by rock socketed mini-piles;

Pedestrian Link

- (c) on the geotechnical feasibility of the proposed pedestrian link, we have the following comments:
 - (i) it is noted that the layout and orientation of the proposed pile foundation of the pedestrian walkway have been revised such that no piles would drive through the existing masonry retaining wall feature no. 11SE-A/FR106. There is no further geotechnical comment on this point. However, the revised pile foundation proposal involves 8 nos. of piles/columns to be constructed at the service lane behind the buildings at No. 44-50 Sun Chun Street. The concerned service lane would be obstructed by the foundation/columns of the pedestrian walkway permanently. Relevant departments should be consulted on this aspect as appropriate;
 - (ii) according to the revised analyses in Annex 3 of FI-5, the proposed excavation and lateral support works for constructing

the lift tower would induce settlement at the level of Tai Hang Road. In addition, it is noted (revised figure No. 9B) that soil nails are still proposed at the retaining wall feature No. 11SE-A/R217 underneath Tai Hang Road. HyD's comment should be sought;

- (iii) realistic assumptions are pre-requisite for making credible geotechnical assessments. The GPRR shall demonstrate the geotechnical feasibility of the proposed pedestrian link based on the actual site conditions. All available records, investigation reports, geotechnical studies shall be reviewed and considered in the geotechnical assessments; and

- (d) other detailed comments are at **Appendix II**.

Building Aspect

9.1.6 Comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit (CBS/HKE&H), BD:

- (a) no objection in principle under the Buildings Ordinance (BO);
- (b) any covered pedestrian walkway system/footbridge within the private lot should be accountable for gross floor area (GFA) calculation under regulation 23(3)(a) of the Building (Planning) Regulations (B(P)R 23(3)(a)) and no building/part of building including footbridge should project over street under section 31(1) of BO unless exempted; and
- (c) subject to demonstrating the proposed pedestrian walkway system/footbridge would enhance public safety/convenience and there is no objection to or support from the relevant Government departments, the following modification/exemption under BO would be favourably considered:
 - (i) projection of the proposed pedestrian walkway system/footbridge over street, which is to be constructed wholly or partly within a private lot or gains support from or is connected to a building resting on a private lot, under section 31(1) of BO, as stated in PNAP APP-38;
 - (ii) as part of the proposed pedestrian walkway system/footbridge is within private land, exemption of certain floor area of the new footbridge (and other associated area) from GFA calculations under B(P)R 23(3)(a) may be granted, as stated in PNAP APP-108; and
 - (iii) other comments under BO can only be provided at the building plan submission stage.

Fire Safety Aspect

9.1.7 Comments of the Director of Fire Services (D of FS):

- (a) no objection to the application subject to fire services installations and water supplies for fire fighting being provided to the satisfaction of his department;
- (b) as no details of the EVA have been provided, comments could not be offered by D of FS at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of Code of Practice for Fire Safety in Buildings 2011 which is administered by BD; and
- (c) detailed fire service requirements will be formulated upon receipt of formal submission of general building plans.

Architectural and Visual Aspects

9.1.8 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

Access Road

- (a) the proposed access road would be setting an undesirable precedent;
- (b) the huge blank wall along and under the proposed access road, and the huge columns will have significant undesirable visual impact to the surrounding area, the applicant is advised to submit photomontages/perspectives images from different vantage points to demonstrate how the visual impact could be minimized;
- (c) the compensatory trees are overcrowded and therefore will affect their survival rate, as indicated in **Drawings A-4a & A-4b**, the full grown tree crowns are overlapping with each other and with existing trees;

Pedestrian Link

- (d) the proposed huge footbridge structure running across Tai Hang Road will have significant undesirable visual impact to the surrounding area. The applicant is advised to submit photomontages/perspectives images of the proposed footbridge structure in its surrounding context from different vantage points to demonstrate how the visual impact could be minimized;
- (e) the maintenance agents for the future maintenance of the compensatory plantings (including vegetation on the footbridge, etc.) and of irrigation system should be identified and confirmed by the applicant at the planning application stage rather than at the detailed design stage to ensure survival of all the plantings and vegetation could be ascertained; and

(f) other detailed comments are at **Appendix II**.

9.1.9 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- (a) the proposed development partly falls within an area zoned “GB”, where there is a general presumption against development. Unless there are strong justifications, development should not be allowed within the “GB” zone. Confirmation is required from relevant departments on the necessity of the proposed access road arrangement and whether the proposed access road from upper road is the only viable alternative to serve the planned residential development noting that many adjacent residential developments are directly accessible from lower Tai Hang Road. Otherwise, it would undermine the planning intention of the “GB” zone;
- (b) subject to the comments of C for T and H(GEO) on whether the scheme is the only viable option, the necessity of raising the proposed development by about 47.6m supported by stilted structures is yet to be ascertained;
- (c) it is noted that the proposed access road may cause significant slope cutting and vegetation clearance, which may affect the amenity and lead to negative impact on the townscape in the vicinity. The photomontages from viewpoints (VP) 4 and 5 (**Drawing A-6d** and **Appendix 1a**) have not reflected the clearance of vegetation involved and the proposed residential development served by the access road to show the overall potential visual impact to the surroundings. Hence, the overall potential visual impact including the planned residential development is yet to be ascertained;
- (d) while there are merits from urban design perspective for better connectivity and provision of barrier-free access, the visual impact of pedestrian link accessing the area via staircases from Ormsby Road is yet to be ascertained and considered in the VIA; and whether it is necessary given there are crossing about 100m from the Site would be subject to the comments of C for T;
- (e) in view of the above, the applicant’s submission has not provided enough information to demonstrate that the proposed residential development as a whole would integrate with the surroundings, and the proposed access road arrangement would result in unnecessary raising of the residential development by more than 40m supported by stilted structures. The base structure of about 47m would likely have an imposing visual impact on the pedestrians on lower Tai Hang Road, while the proposed access road would cause significant vegetation clearance which may affect the amenity and lead to negative impact on the townscape in the vicinity; and
- (f) other detailed comments are at **Appendix II**.

Landscape Aspect

9.1.10 Comments of CTP/UD&L, PlanD:

- (a) some reservation on the application due to the following;
 - (i) notwithstanding the proposed compensatory planting, it is considered that the residue impact after mitigation of the adverse impact on the existing landscape resources imposed by the proposed development remains substantial;

Access Road

- (ii) there is a general presumption against development in the “GB” zone. Approximate 30% of extensive vegetated areas are inevitably affected due to proposed works. The function and continuity as a green buffer to the surrounding environment will be compromised to some extent and this will adversely affect the general landscape quality of the area;
- (iii) noting the preserved trees are generally semi-mature, there is concern if the stability of these trees will be affected by the proposed formation and construction work at the slope in close proximity. The practicality of tree preservation and proposed compensatory tree planting at the affected slope should be critically assessed;

Pedestrian Link

- (iv) more than half of existing trees are proposed to be felled due to the proposed works. There will be compensatory tree planting on the affected slopes, agreement from relevant department in relation to vegetation maintenance has not been sought. The feasibility of tree compensatory proposal cannot be ascertained;
- (b) the applicant should keep new trees outside the canopy spread of existing trees for healthy tree growth and the applicant should improve the tree compensation ratio for quality and the landscape and tree planting proposal for enhancement of the overall greenery effect in the area;
 - (c) should the Committee approve the application, the following landscape condition is suggested to be included in the planning approval:

submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Board; and
 - (d) other detailed comments are at **Appendix II**.

Nature Conservation

9.1.11 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) no strong view on the application including the tree preservation proposal and complementary planting proposal; and
- (b) regarding the public comment on the issues of ecological impact of the proposed development on the environment and rare species (e.g. Yellow-crested Cockatoo):
 - (i) the extent of tree felling is reduced in the current application and the trees to be affected are mainly common species;
 - (ii) there is no record of those two species in the Site; and both bird species are not rare in Hong Kong. The Yellow-crested Cockatoo can be found in Pok Fu Lam, Happy Valley, Victoria Park, and Aberdeen, etc. areas, while the Fork-tailed Sunbird is a common resident that widely distributed in Hong Kong;
 - (iii) a survey on the Yellow-crested Cockatoo was conducted in 2011, and about 100 individuals were recorded. It was revealed that most Yellow-crested Cockatoo roosted in the Hong Kong Park. Other roosting sites included the Hong Kong Zoological and Botanical Garden, The University of Hong Kong and the Stonecutters Island; and
 - (iv) for potential impact of the proposed development on the Yellow-crested Cockatoo, the Agriculture, Fisheries and Conservation Department's field observation did not reveal any sign of usage of the Site by the cockatoo. Besides, most of the trees that would be affected are of relatively small size and generally not suitable to serve as roost trees.

Environmental Aspect

9.1.12 Comments of the Director of Environmental Protection (DEP):

No objection to the application since no insurmountable environmental problem is anticipated, and no planning approval condition is required.

Drainage Aspect

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

- (a) a holistic detailed DIA of the whole development, including the planned residential development, access road and pedestrian link, is

required at the detailed design stage as the size/arrangement of the building is still preliminary. The detailed DIA should verify the drainage impact for the planned residential development, access road and pedestrian link, and after development;

- (b) the mitigation measures shall be provided to cope with the increase of runoff discharging to the downstream and other areas concerned; and
- (c) other detailed comments are at **Appendix II**.

Water Supplies Aspect

9.1.14 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C,WSD):

- (a) no objection to the application;
- (b) the applicant should check the mains record plans before commencement of any road excavation works;
- (c) there are some existing fresh water mains within the Site and are affected by the proposed development. Free access should be allowed for WSD at any time to carry out operation and maintenance of these water mains;
- (d) if the applicant considers that diversion of water mains is required, he should study the feasibility and submit proposal for WSD's consideration and approval. Diversion work shall be carried out by the applicant at his own cost to the satisfaction of WSD, who will only carry out the connection works to the existing WSD's water mains and other associated connection cost should be borne by the applicant/project proponent; and
- (e) other detailed comments are at **Appendix II**.

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

- (a) there should be sound justification according to the engineering consideration and intrinsic conditions of each individual tree in supporting the tree removal. By generalizing the affected trees are of poor form and fair health may not be justified enough for tree removal;
- (b) it is observed that some of the mature trees locating within the Site are said to be in conflict with the works and proposed to be felled. From tree preservation perspective, the applicant shall review the proposed design and layout so that they could be preserved and retained on site as far as possible;

- (c) according to the revised tree compensatory proposal in FI-2 at **Appendix 1d**, 39 nos. of new trees are proposed to be planted to compensate for the felling of 38 nos. of existing trees within the Site. It is at 1:1.03 ratio by quantity and 1:0.19 ratio by quality. The applicant shall further review the opportunity to maximize the greening/tree planting in the landscape and tree compensation proposal and explore any possible of maximizing shrub planting on site to compensate for loss of greenery under the development;
- (d) for the compensatory planting proposal, please advise the demarcation for the management and maintenance responsibility on the proposed compensatory trees. The future management and maintenance responsibilities for the compensatory landscape work and irrigation system amongst parties concerned should be ascertained at the earliest possible opportunity to avoid any possible dispute amongst the applicant and Government if the responsibilities cannot be identified eventually; and
- (e) other detailed comments are at **Appendix II**.

Local Views

9.1.16 Comments of the District Officer (Wan Chai), Home Affairs Department (DO(WC), HAD):

Local views on the application are received by DO(WC) as follows:

- (a) at the Development, Transport and Planning Committee (DTPC) of the Wan Chai District Council (WCDC) meeting held on 26.7.2018, DTPC members expressed strong views opposing to the application. The key comments of the WCDC members are summarized as follows:

Environmental Degradation

- (i) the application would have various far-reaching implications to the surrounding environment by damaging the adjacent "GB" area;

Pedestrian Link

- (ii) there were concerns over the future maintenance and management responsibilities of the proposed pedestrian link. Some members opined that the future maintenance cost could be high, and the applicant might discontinue the maintenance of the pedestrian link, leaving the maintenance responsibility to the Government;
- (iii) the pedestrian link would infringe the privacy of nearby residents due to its close proximity to residential developments especially Jolly Villa and Kanfield Mansion;

- (iv) security issue at night time might arise as pedestrian flow are expected to be low;

Others

- (v) the applicant had submitted planning applications repeatedly with minor amendments, which was very disturbing to local residents as they need to voice their opposing views to the Board repeatedly on the same application;
 - (vi) the existing application mechanism should be reviewed to limit the number of times that an applicant is allowed to submit planning applications; and
 - (vii) concerns of WCDC members should be appropriately addressed when processing the planning application;
- (b) DO(WC) received one local comment on the application via WCDC, objecting to the proposed development as it would generate adverse ecological and visual impacts to the surrounding area in Tai Hang; the Site occupies extensive Government land; lack of justifications and merits for the provision of pedestrian link; and lack of information provided by the applicant on future maintenance and management of the pedestrian link; and residents should be consulted on the footbridge design and agreed upon construction;
 - (c) on FI-1, DO(WC) received one local comment raising objection to the application for the proposed access road and pedestrian link. This local comment was also submitted to the Board and has been included as a public comment under **Appendix III**. The grounds and concerns of this local comment are similar to the public comments and views as detailed in paragraph 10.3 below; and
 - (d) on FI-2, DO(WC) received 12 local comments, which are same in content, raising objection to the application for the proposed access road and pedestrian link and the supplementary information submitted by the applicant. The concerns raised by these 12 local comments are similar to the local comments received by DO(WC) in paragraphs 9.16 (b) and 9.16 (c) above and the public comments and views as detailed in paragraph 10.3 below.

10. Public Comments Received During Statutory Publication Periods

- 10.1 During the first three weeks of the statutory publication periods of the application and FIs, a total of 9,229 public comments were received (**Appendix III**). A brief summary of the 9,229 comments are as follows:

	Supporting/ Positive Comments	Objecting/ Express Concerns	Total
1 st Publication	685	647	1,332
Publication of FI-1	1,185	1,081*	2,266
Publication of FI-2	2,626	711 [#]	3,337
Publication of FI-5	1,197	1,097	2,294
			9,229
	5,693 (incl. 5,689 standard letters and/or with same content)	3,536 (incl. 3,391 standard letters and/or with same content)	---

Remarks:

* including 6 returns with names provided only

including 4 returns with names provided only

10.2 The supporting comments were from residents living in the locality and individuals mainly on the following grounds:

- (a) lower Tai Hang Road is not capable of withstanding more traffic, the proposed traffic arrangement will minimize the traffic burden on lower Tai Hang Road;
- (b) the proposed pedestrian footbridge can directly serve pedestrian to Ormsby Street and Brown Street and ensure safety and convenience of pedestrians with barrier free access, it is beneficial to the traffic circulation in the area; and
- (c) the further information provided by the applicant has clarified the proposed development in terms of implementation, visual appearance, tree and landscape and potential impacts on the surroundings.

10.3 The objecting comments were from two Legislative Council members (Hon. Gary FAN Kwok-wai and Hon. KWONG Chun-yu), three WDC members (Miss Clarisse YEUNG, Mr. Anson LAM and Mr. Joey LEE), and 19 Incorporated Owners (ICs) and management offices of nearby residential developments¹, nearby residents/locals/individual members of the public and two interest groups (Central and Western Concern Group and Green Sense). Major points of the objections/concerns, comments and issues raised are summarized below:

Traffic

- (a) inadequacy of the TIA report and the traffic survey undertaken in August 2017 in which the actual traffic situation has been grossly under-represented, lack of information about the planned residential development (e.g. car parking spaces), lack of justifications and merits for the proposed access road and traffic arrangement, adverse traffic impact

¹ Fontana Gardens; Trafalgar Court; Sunrise Court; Royal Court; Wah Fung Mansion; Rosedale; Scenic Lodge; Illumination Terrace; Jolly Villa; One Wang Fung Terrace; 4A-4D Wang Fung Terrace; Y.I.; Grand Deco Tower; Yukon Heights; Carnation Court; The Legend; The Elegance; Fuk Kwan Mansion; and Kanfield Mansion (Plan A-2)

on Tai Hang Road and the adjacent transport network, endangering road and pedestrian safety, inadequate sightline, aggravating traffic congestion of the existing narrow road, etc.;

Pedestrian

- (b) request for an independent study to assess the usage of the existing pedestrian link/staircase linking Tai Hang Road and Ormsby Street and the transportation options for the proposed walkway, lack of details and assessments (e.g. air ventilation assessment and VIA) for the pedestrian walkway system, query on the need for and feasibility of the proposed pedestrian walkway system, causing disturbance including privacy to the residents living nearby which will result in further disruption to the slopes and existing trees/vegetation in the Wun Sha Street area, lack of information on the future management and maintenance responsibility of the proposed pedestrian link;

Geotechnical

- (c) excessive slope stabilization works and slope cutting without sound justifications affecting slope stability and slope safety, adverse impact on the foundation and structural safety of the neighbouring developments (eg. Trafalgar Court, The Elegance, 58 Tai Hang Road, Jolly Villa, Y.I. and Cherry Court), lack of justifications to demonstrate the proposed road scheme and slope stabilization works as the only feasible option without other alternative, etc.;

Drainage

- (d) the proposed development will cause bottleneck to the drainage system and may cause landslide, drainage and flooding problems to the area, the sample size in the DIA report is too small, etc.;

Environmental impact

- (e) lack of environmental impact assessment (including noise, air, visual and construction impacts, etc.) to demonstrate the proposed road scheme will not result in adverse environmental impact on the neighbourhood and the "GB" zone, etc.;

Ecological and landscape

- (f) excessive felling of existing trees and clearance of natural vegetation causing loss of natural landscape and disturbance to the natural environment, affecting the ecology of the area, adverse impact on the rare species (e.g. Fork-tailed Sunbird, Yellow-crested Cockatoo, etc.) found in the "GB" zone, etc.;

Building and architectural design

- (g) the elevated deck structure for the proposed access road and excessive foundation and podium structures (about 15m) for the planned residential development will result in adverse visual impact, causing overcast/shadow effect and blocking of open views in Tai Hang area, massive foundation structures causing eyesore and adverse visual impact, etc.;

Public interest

- (h) inappropriate use of public resources for private interest, loss of public space and deprivation of public enjoyment, concern on the previous unauthorized actions undertaken by the applicant including tree felling, cordon off the public road for authorized works on the slope, the new pedestrian walkway will take up more Government land which would extend the disturbance further towards lower Tai Hang Road to the residential neighbourhood in Wun Sha Street without bringing any benefits to the public, etc.;

Procedural matter

- (i) request for extension of publication period for public comments and increase the number of consulting bodies, request the Committee to reject the application, concern on the abuse on procedure with repeated submission of applications with similar proposals by the applicant, etc. and

Irregularities

- (j) there are significant number of supporting letters having similar style of handwriting, signatures, etc., and contain erroneous information such as wrong application number and post-dated letters (dated of letter later than the date officially received by the Board Secretariat), all of which have casted doubt on the authenticity and accuracy of the actual number of support from the public/locals to the application.

11. Planning Considerations and Assessment

- 11.1 The application is for a proposed access road and pedestrian link to serve the applicant's planned residential development at 4-4C Tai Hang Road which is zoned "R(B)". The Site falls within areas partly zoned "GB", "R(A)1", "R(B)" and shown as 'Road' (**Plan A-2**). The access road is proposed for exclusive use of the planned residential development while the pedestrian link is proposed to be open to the public 24 hours a day. The applicant also proposes to build, maintain and manage the pedestrian link at his own cost, and set up necessary financial arrangements to the satisfaction of relevant authorities in an undertaking letter addressed to the Secy, TPB. Two compensatory planting areas are proposed for the affected trees, which will be handed back to the relevant Government departments upon completion of the landscape works as per DEVB TC(W) No. 6/2015.

Access Road

- 11.2 The proposed access road of about 127m² largely falls within Government land zoned "GB". The planning intention of the "GB" zone is primarily for the conservation of the natural environment and to safeguard it from encroachment by urban type developments. There is a general presumption against development in "GB" zone. The proposed access road, which serves as an exclusive vehicular access to the planned residential development, is not in line with the planning intention of the "GB" zone. As there is a general presumption against development in "GB" zone, any application for development must be justified with very strong planning grounds. In addition, DLO/HKE states that, in general, direct grant of Government land will not be entertained where the concerned land

is capable of separate alienation.

- 11.3 Similar to other existing residential developments along lower Tai Hang Road, the existing building at 4-4C Tai Hang Road (currently vacant) has vehicular access directly leading onto lower Tai Hang Road (**Plans A-1, A-2 & A-4**). Although the applicant claims that a new access from upper Tai Hang Road is required as there is limited space within the planned residential development for vehicular access due to the proposed slope upgrading works for the planned residential development at 4-4C Tai Hang Road (**Drawing A-2a**), H(GEO) considers that the proposed new access road from upper Tai Hang Road is not the only viable alternative in developing the Site given the applicant has stated in the GPRR that the proposed slope works is a 'preferred solution'.
- 11.4 C for T considers that the proposed access road alone will not bring overall traffic benefit to the adjacent road network and there is no strong justification for such proposal from the traffic planning perspective. He also advises that provided the concerned lot for the planned residential development can be largely or fully utilized, it seems not impossible to provide vehicular ingress and egress to the lot at lower Tai Hang Road. He also notes from FI-1 that the proposed one-way ramp system and the notional car-lift system will only occupy a relative small portion of the lot. It should also be noted that the applicant has proposed an egress point and vehicular layby at lower Tai Hang Road for private car and taxi pick-up/drop-off while maintaining the stability of slope. In view of the above, there is no exceptional circumstance to warrant special consideration for the application. The application does not comply with criterion (b) of the TPB PG-No. 10 as set out in paragraph 4 above.
- 11.5 The applicant also proposes that the private cars and taxis will use the proposed access road as ingress and the access at lower Tai Hang Road as egress, and all the access points when egress are restricted to 'left-turn' only. C for T considers that appropriate traffic management measure should be proposed to effect the 'left-turn' only arrangement at the vehicular egress at upper Tai Hang Road. If the proposed access road is used for both ingress and egress for all traffic associated with the planned residential development, it has yet been ascertained by the applicant that the traffic impact on upper Tai Hang Road is acceptable.
- 11.6 The design of the proposed access road itself will not only have impacts on the surrounding areas but also affect the overall design, such as height, disposition and massing of the applicant's planned residential development. According to the applicant's indicative scheme for the residential development, with the proposed access at upper Tai Hang Road at about 75mPD, extensive stilted structure of over 50m tall (measured from lower Tai Hang Road at about 23mPD) will need to be constructed beneath the residential tower (**Drawing A-5d**). Such structure will have significant impacts on the streetscape, visual and landscape amenities of the surrounding area (**Plan A-4**). However, other than two photomontages (**Drawings A-6a and A-6e**), no comprehensive assessment has been conducted on the overall visual impact of the proposed development (including the proposed access road and pedestrian link, as well as the planned residential development), especially along lower Tai Hang Road. Both CA/CMD2 and CTP/UD&L have raised concern on the lack of suitable visual assessment from different vantage points to demonstrate the overall visual

impacts and how such impacts could be minimized. In the absence of further assessment, the overall potential visual impact cannot be ascertained. Therefore, the application does not comply with criterion (c) of the TPB PG-No. 10.

- 11.7 CA/CMD2 has also raised concerns on landscape and tree felling/compensatory planting proposals which would affect the tree survival rate while CTP/UD&L has reservation on the proposal which would not only adversely affect the general landscape quality of the area, but also have substantial residual impact on the existing landscape resources. Therefore, the application does not comply with criterion (d) of the TPB PG-No. 10.

Pedestrian Link

- 11.8 The proposed pedestrian link (except the section on the podium of the planned residential development and the passenger lift within the lot) falls mainly on Government land with extensive vegetation cover (**Plans A-3, A-5 & A-9**). In this regard, DLO/HKE considers that the proposed link is not contingent to the proposed residential development and advises that direct grant of Government land will not be entertained where the concerned land is capable of separate alienation.
- 11.9 While C for T considers that proposed pedestrian link could improve accessibility and walkability around the area (**Drawings A-1 and A-2a**), he advises that technical feasibility, land and gazettal issues, management and maintenance responsibilities of the proposed link have yet to be resolved. H(GEO) considers that information submitted by the applicant is inadequate to demonstrate the geotechnical feasibility of the proposed link. Notwithstanding the provision of an undertaking letter to the Secy of TPB (**Appendix 1f**), which is considered not an appropriate mean for enforcement, the applicant has not provided sufficient details on its implementation, management and maintenance arrangements, and financing mechanism to ensure the long-term viability of the proposed pedestrian line. There is also no in-principle agreement from concerned Government departments on those issues related to the proposed pedestrian link have been obtained. DLO/HKE also has reservation on the future maintenance and management liability if it would be borne by the future owners of individual units of the planned residential development, given the scale of the pedestrian link not to mention about other liabilities associated with the proposed access road and the slope.
- 11.10 Both CA/CMD2 and CTP/UD&L have concern on the visual impact of the proposed pedestrian link. Furthermore, CTP/UD&L is concerned about its landscape impact while CA/CMD2 considers that the maintenance responsibilities of the compensatory plantings and of the irrigation system should be ascertained at this stage rather than at the detail design stage to ensure survival of the plantings and vegetation. CHE/HK also points out that the applicant should provide justification on connectivity and walkability and implication on environment and sustainability of the pedestrian link.
- 11.11 Although the proposed pedestrian link will provide a more direct pedestrian access from upper Tai Hang Road towards Wun Sha Street, there are already a number of pedestrian facilities within 200m from the Site, such as two signalized crossings at lower Tai Hang Road and a zebra crossing at Fuk Kwan Avenue

between Fi Kwan Avenue and access road leading onto lower Tai Hang Road, serving the local residents (**Plan A-2**). TD is also liaising with HyD on other feasible options of improving pedestrian crossing at lower Tai Hang Road. In view of this and other technical concerns above, the applicant has failed to demonstrate the benefits and implementability of the proposed pedestrian link.

- 11.12 Regarding the adverse public comments summarised in paragraph 10.3 above, the departmental comments and the assessment as set out in paragraphs 9 and 11.2 to 11.11 above respectively are relevant. As for the public concerns on the application procedure, extension of publication period and repeated submissions by the applicant, it should be noted that the application is processed in accordance with the provisions of the Town Planning Ordinance (the Ordinance) and the relevant TPB Guidelines. Under the provision of the Ordinance, there are no restrictions, amongst others, on any person and/or the number of submissions in seeking planning application for any site-specific development and/or the development being sought, provided that all the statutory planning procedures and planning guidelines are complied with. As to the alleged irregularities on the supporting comments received, it is required under the Ordinance to make all planning applications available for public inspection and any person may make comments to the Board in respect of such planning applications. All public comments received will be processed in accordance with the relevant TPB Guidelines. In considering the planning applications, among other things, comments from relevant Government departments and the public will be considered. However, it is the content and substance instead of number of supporting and/or opposing comments that form the basis for deliberation of planning applications.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10 above, PlanD does not support the application for the following reasons:
- (a) the proposed development is not in line with the planning intention of the “GB” zone which is primarily for conservation of the natural environment and to safeguard it from encroachment by urban-type development. There is a general presumption against development in “GB” zone, and there is no strong justification for a departure from such planning intention;
 - (b) the applicant fails to demonstrate that the proposed access road is the only viable option in geotechnical terms to serve the planned residential development and that the proposed access road does not result in adverse visual and landscape impacts; and
 - (c) the applicant fails to demonstrate the implementability of the proposed pedestrian link and that the proposed link does not result in adverse visual and landscape impacts.
- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.1.2023, and after the said date,

the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the design, provision, management and maintenance of the proposed access road and pedestrian link as proposed by the applicant to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the proposed pedestrian link and associated pedestrian access should be open for public use at all times to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) prior to commencement of works for the proposed pedestrian link and associated pedestrian access, the submission of a construction traffic impact assessment and detailed temporary traffic arrangement plans to the satisfaction of the Commissioner of Transport or of the Town Planning Board;
- (d) the submission and implementation of a traffic management plan for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the submission of a revised Geotechnical Planning Review Report and the implementation of the necessary geotechnical remedial works identified therein, in respect of the section of proposed pedestrian link between the planned residential development at 4-4C Tai Hang Road and Ormsby Street to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board;
- (f) the submission of a revised Drainage Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (g) the submission and implementation of a landscape proposals for the proposed access road and pedestrian link to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix IV**.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to

consider the approval condition(s) and advisory clause(s) to be attached to the permission, and the date when the validity of the permission should expire.

- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

14. Attachments

Appendix I	Applicant's letter dated 7.6.2018 and application form
Appendix Ia	Supplementary planning statement including a VIA, a GPRR for the proposed access road, a GPRR for the proposed pedestrian link, a DIA for the proposed access road, a DIA for the proposed pedestrian link, a tree preservation and landscape proposal and a TIA
Appendix Ib	Applicant's letter dated 27.6.2018
Appendix Ic	Applicant's letter dated 24.8.2018 (FI-1)
Appendix Id	Applicant's letter dated 8.10.2018 (FI-2)
Appendix Ie	Applicant's letter dated 19.10.2018 (FI-3)
Appendix If	Applicant's letter dated 2.11.2018 (FI-4)
Appendix Ig	Applicant's letter dated 23.11.2018 (FI-5)
Appendix Ih	Applicant's letter dated 2.1.2019 (FI-6)
Appendix Ii	Applicant's letter dated 7.1.2019 (FI-7)
Appendix II	Detailed comments of Government departments
Appendix III	Public comments (CD-Rom)
Appendix IV	Advisory clauses
Drawing A-1	Overall layout plan
Drawing A-2a	Access road proposal and proposed pedestrian link
Drawing A-2b	Section of proposed pedestrian link
Drawing A-2c	Section showing the lifts of the proposed access road and pedestrian link
Drawing A-2d	Possible pedestrian routing between the proposed development and Tin Hau station
Drawing A-3	Sections showing the proposed slope stabilization works
Drawing A-4a to A-4f	Landscape proposals (layout plan, section, tree felling plan and compensatory tree planting plan)
Drawing A-5a to A-5d	Indicative layout plans of the proposed access road and pedestrian link with the planned residential development at the "R(B)" zone
Drawings A-6a to A-6g	Photomontages showing the proposed access road and the planned residential development at the "R(B)" zone from lower Tai Hang Road
Drawing A-7	Site constraints affecting G/F layout and vehicular circulation
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4 to A-9	Site photos

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 m² [which is about a plot ratio of 1.5 on the site area of IL 7426 (about 20,947 ft² i.e. 1,946 m²)] 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 1c, 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.

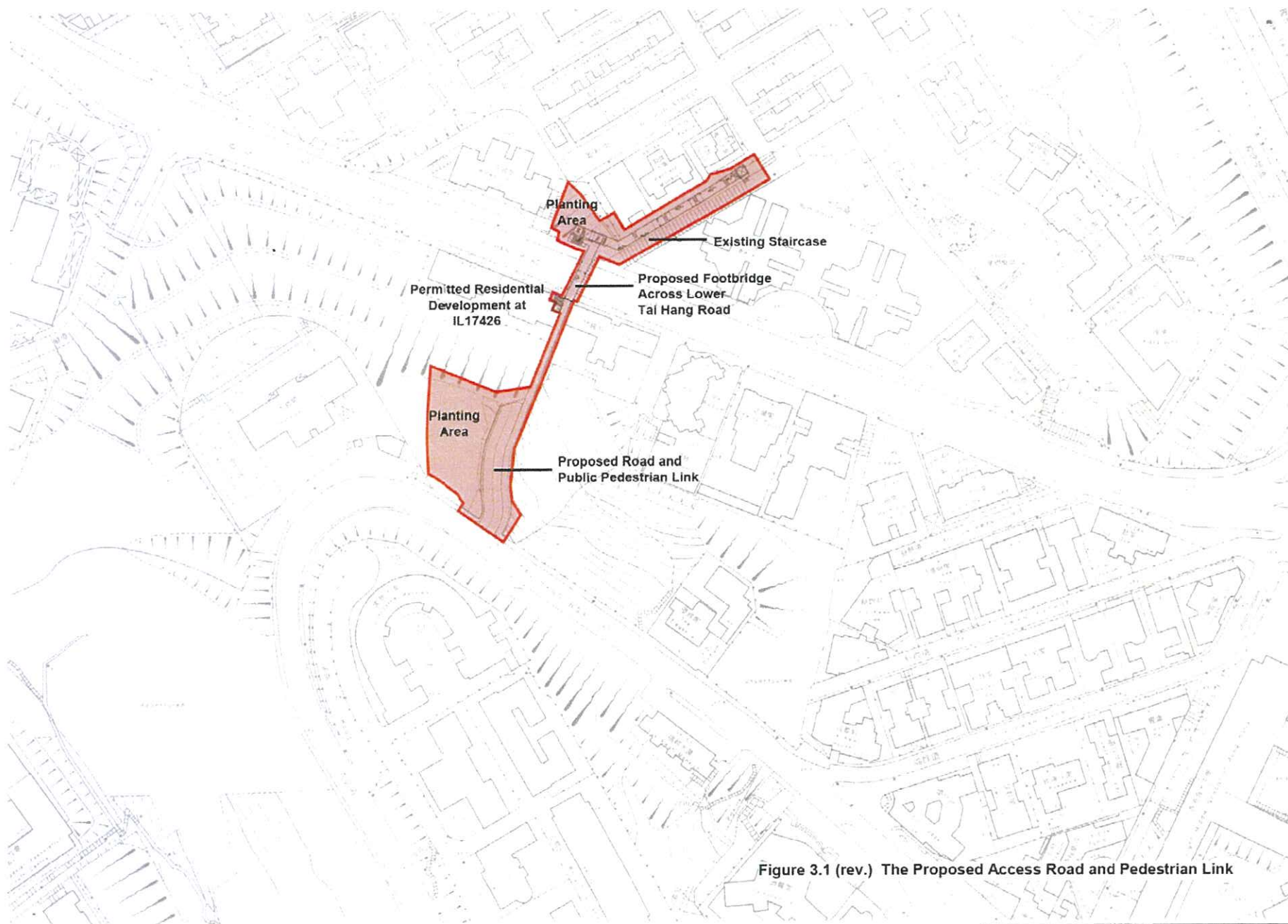
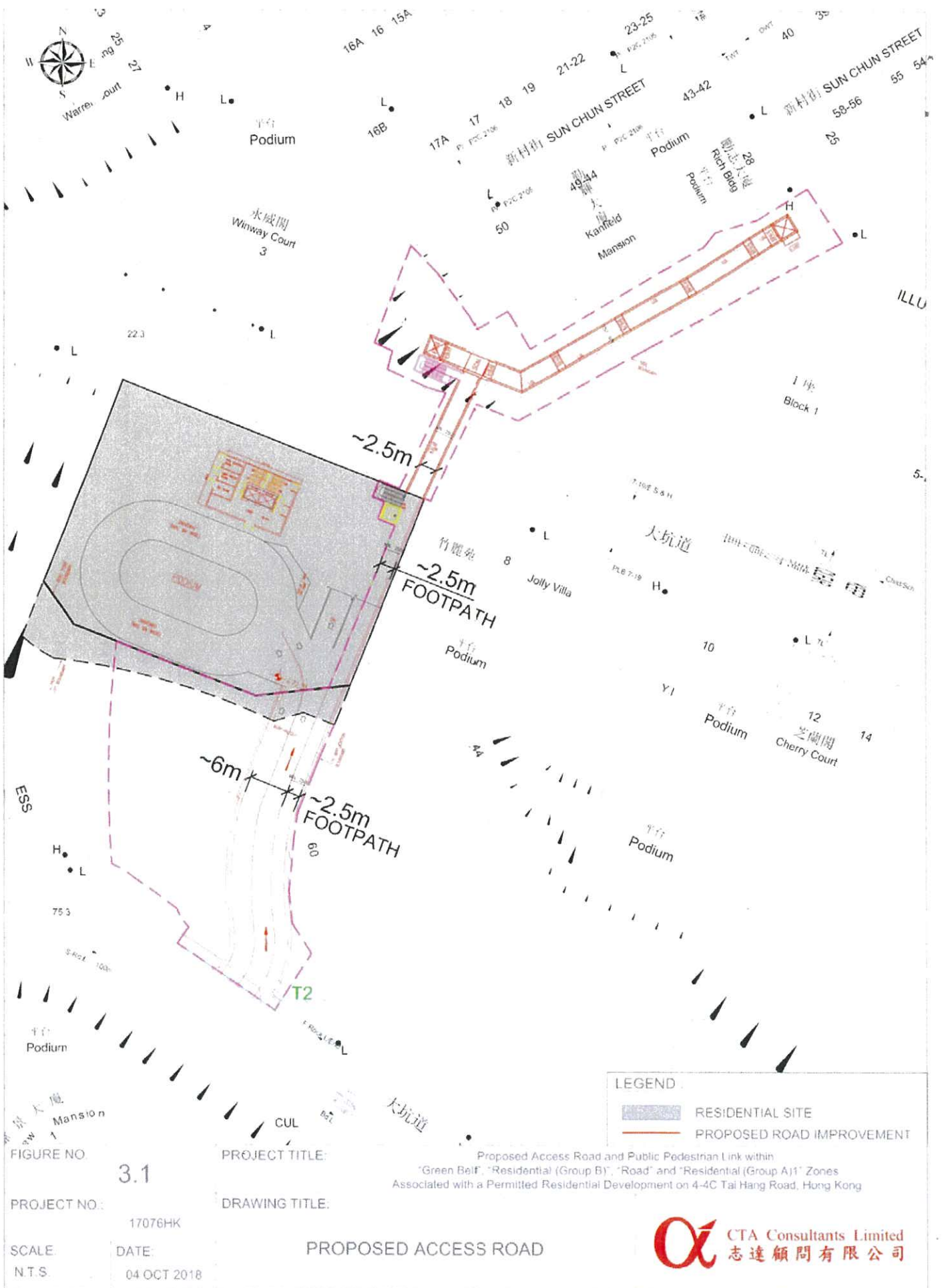


Figure 3.1 (rev.) The Proposed Access Road and Pedestrian Link

資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
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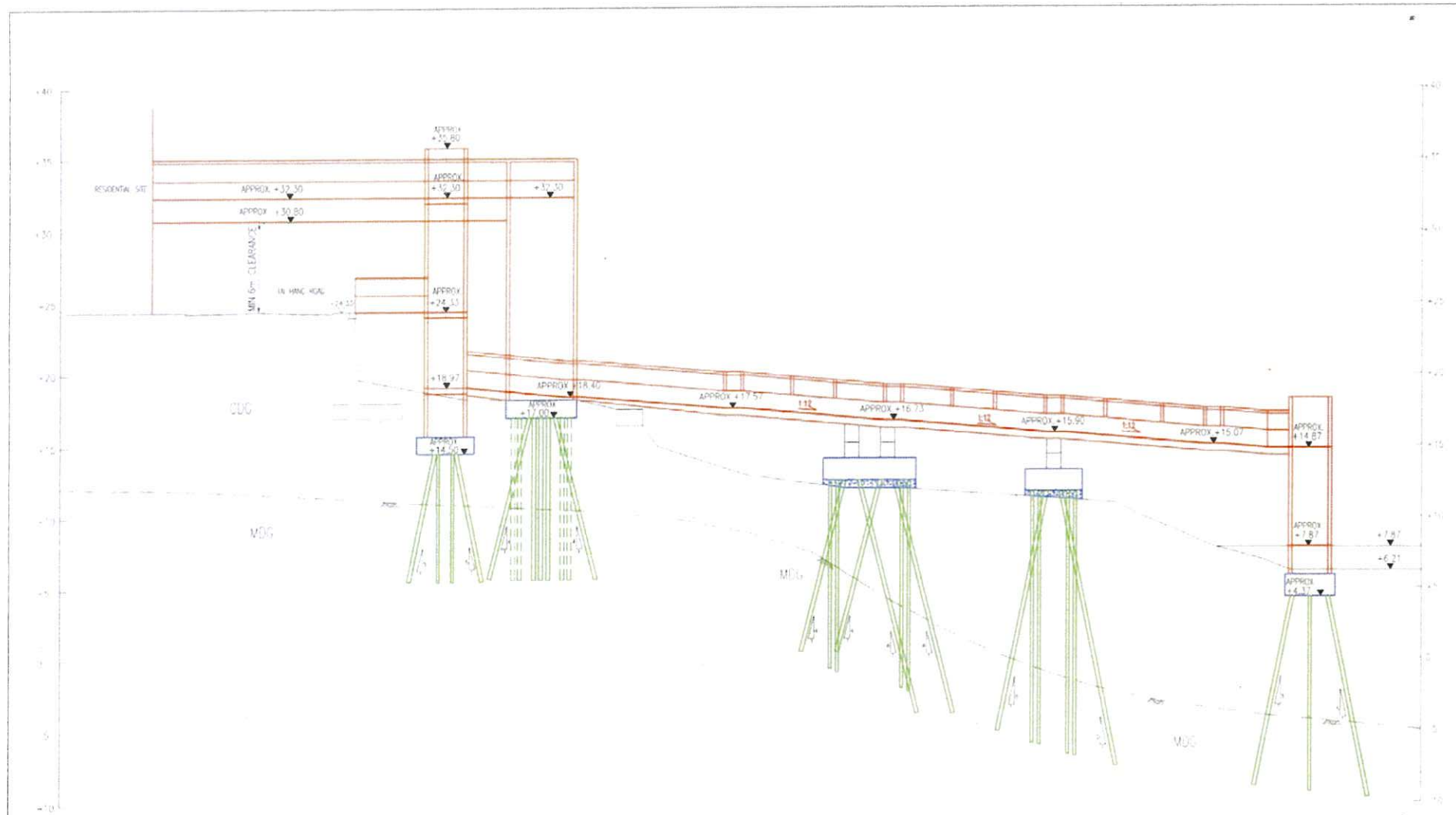
繪圖
DRAWING
A - 1



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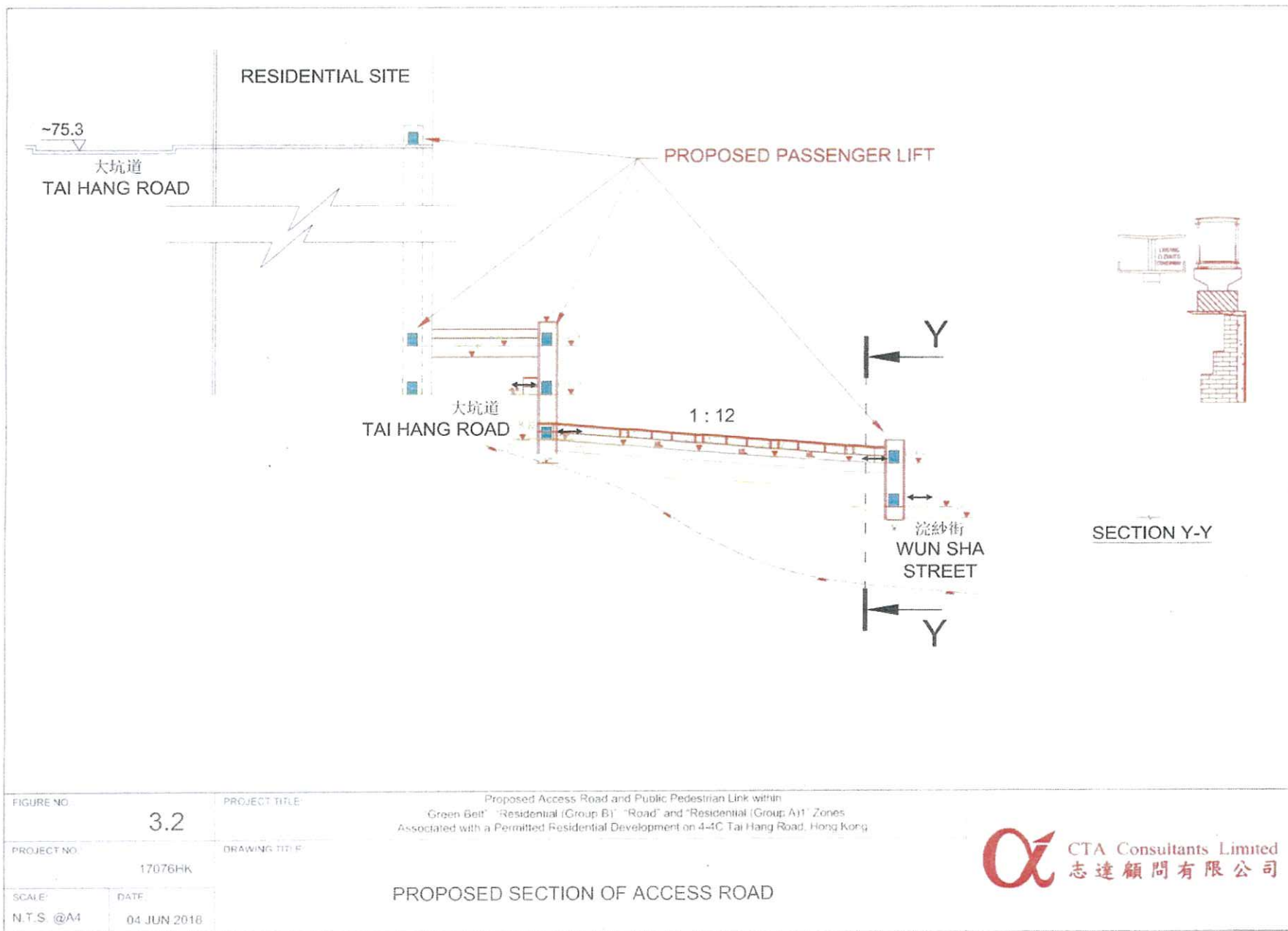
REMARK: THE PROPOSED LEVELS ARE TENTATIVE ONLY. IT MAY BE ADJUSTED SLIGHTLY IN DETAILED DESIGN TO SUIT THE ACTUAL SITE (GROUND) CONDITION.

FIGURE 3 - LONG SECTION OF PROPOSED PEDESTRIAN WALKWAY SYSTEM
A3-1:250

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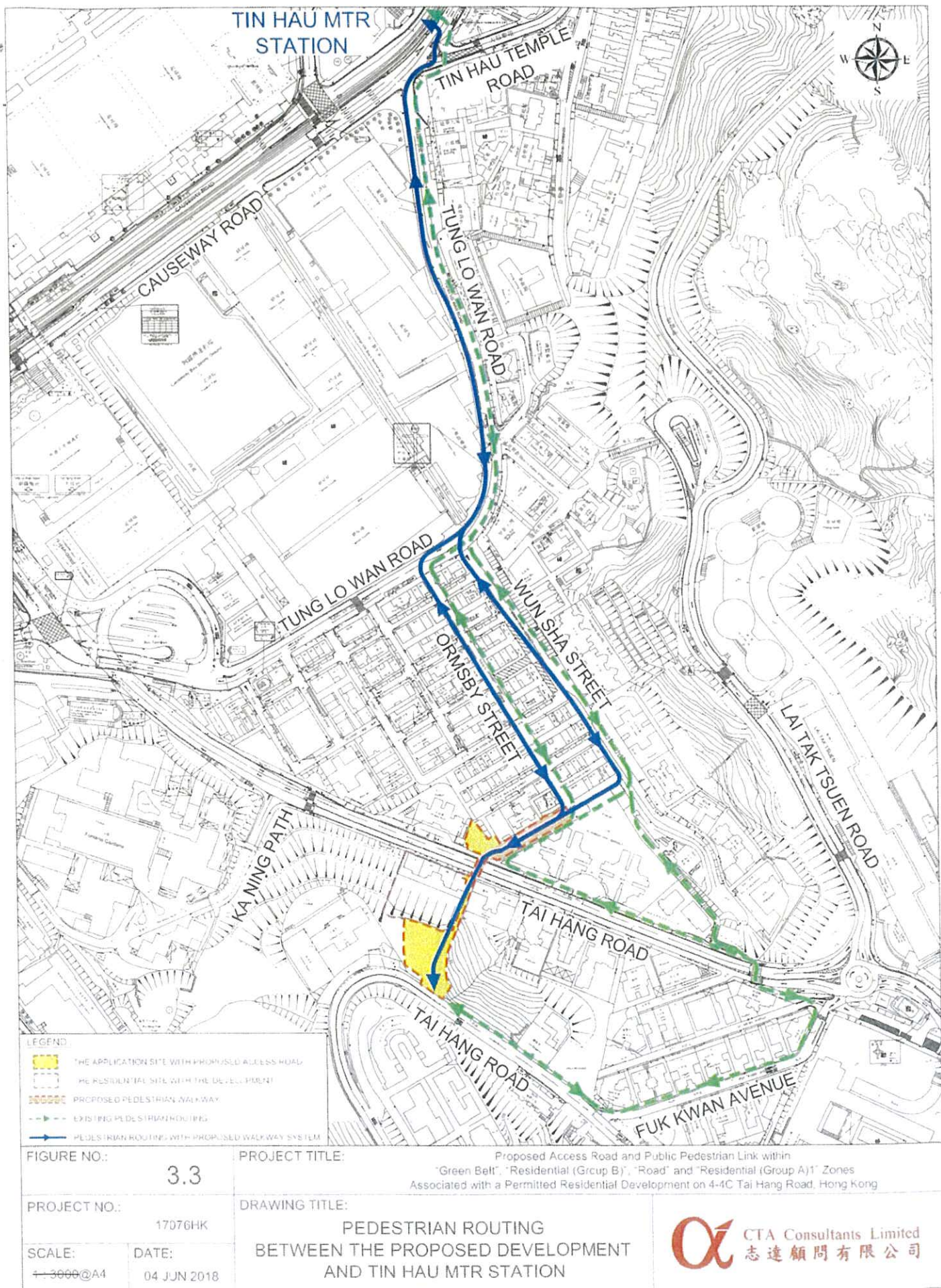


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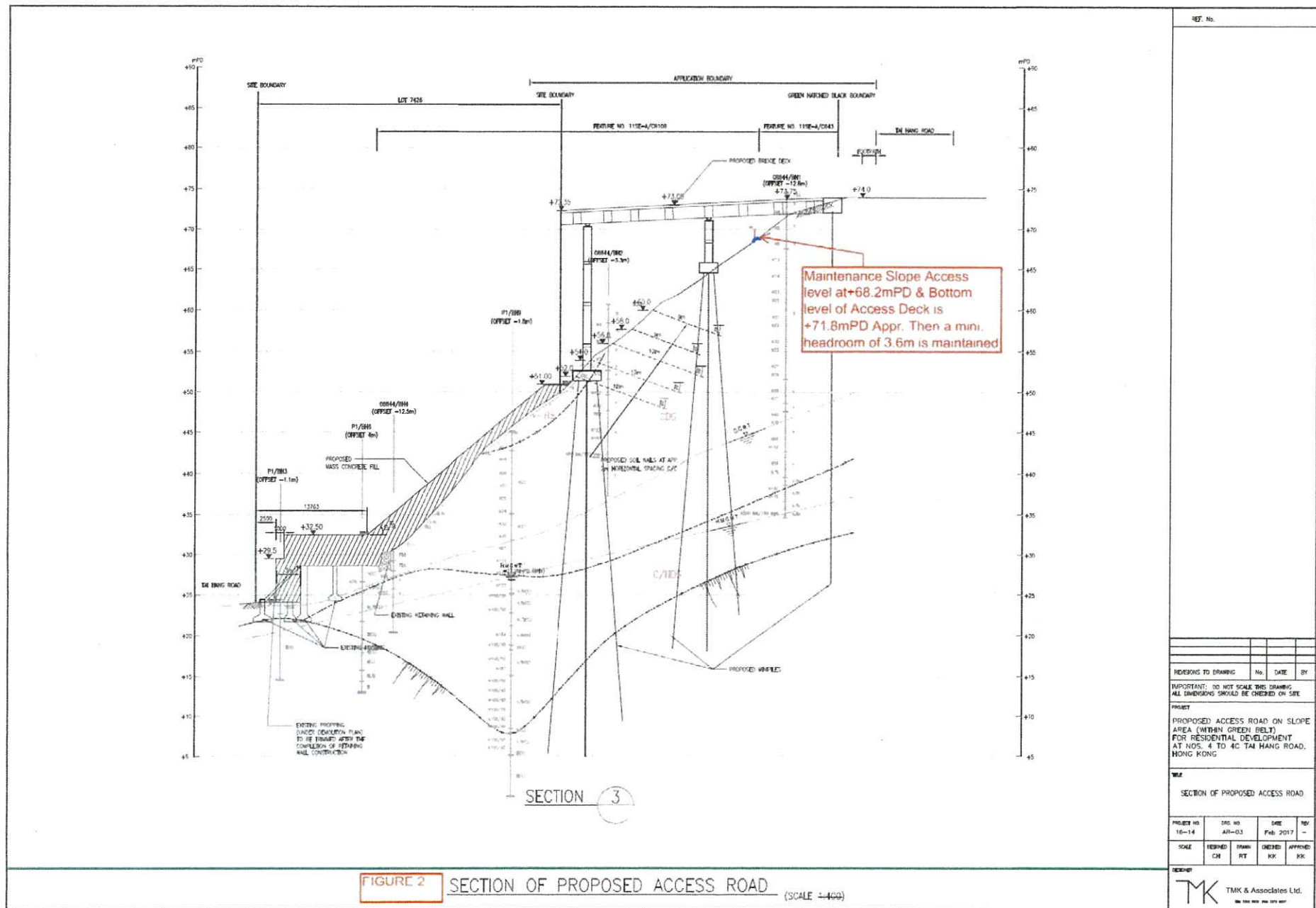
CTA Consultants Limited
志達顧問有限公司



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繪圖
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A - 2d



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繪圖
DRAWING
A - 3



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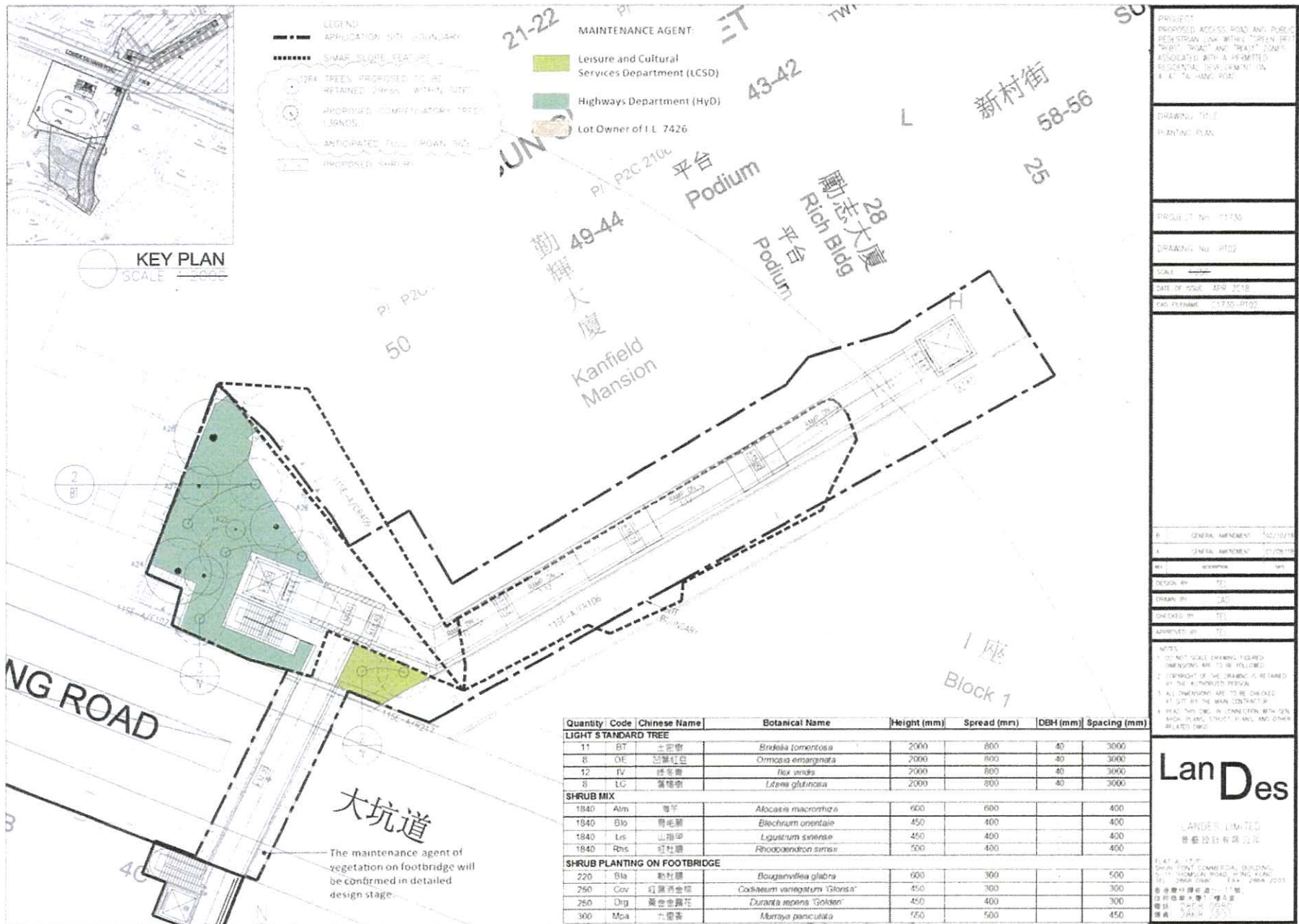
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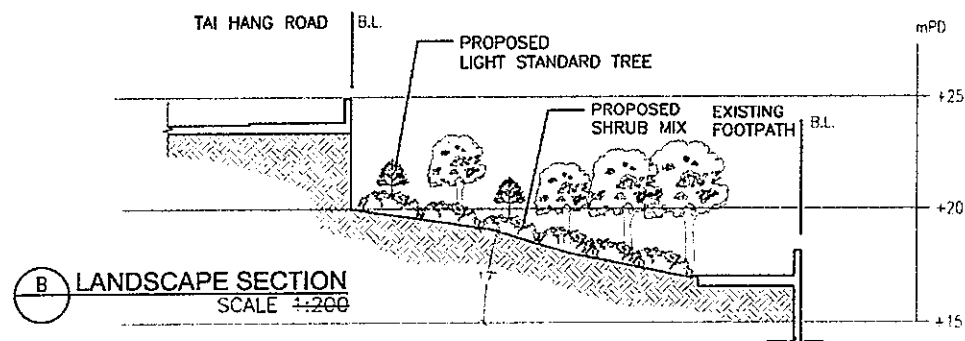
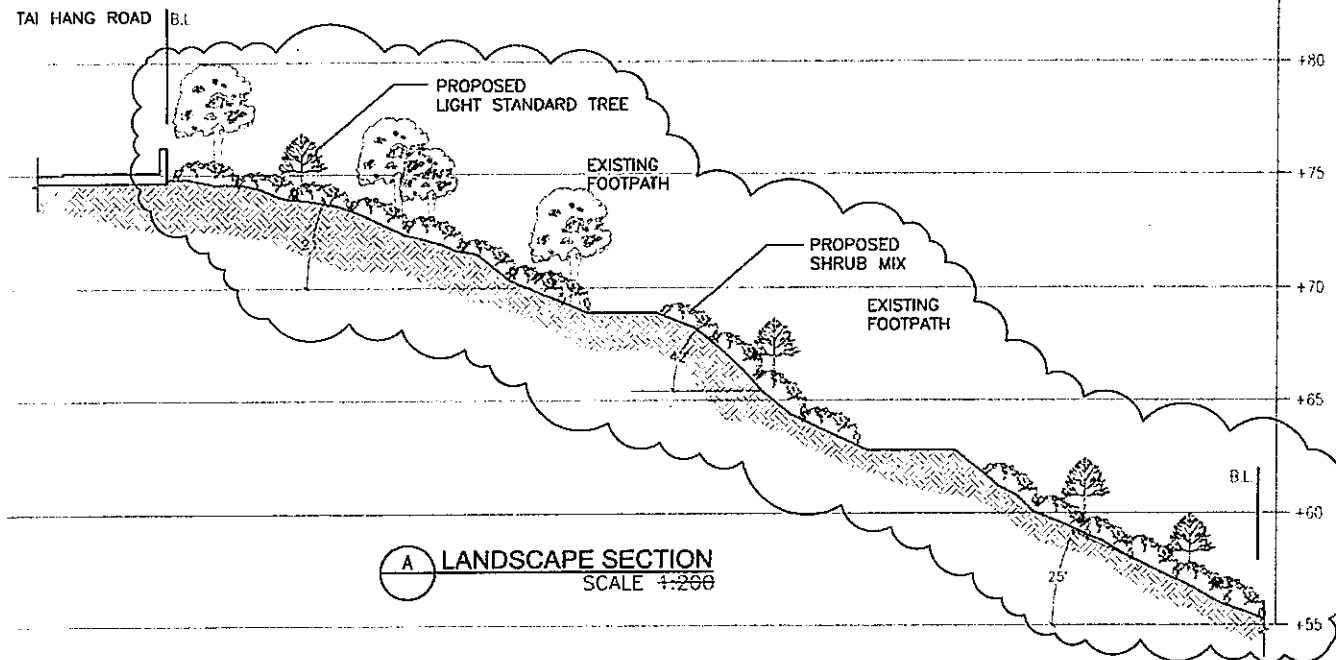
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參考編號
 REFERENCE No.
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繪圖
 DRAWING
 A - 4d



PROJECT :
PROPOSED ACCESS ROAD AND PUBLIC
PEDESTRIAN LINK WITHIN "GREEN BELT"
"R(B)", "ROAD" AND "R(A)" ZONES
ASSOCIATED WITH A PERMITTED
RESIDENTIAL DEVELOPMENT ON
4-10 TAI HANG ROAD

DRAWING TITLE :
LANDSCAPE SECTION

PROJECT No. C1730

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SCALE : 1:200

DATE OF ISSUE : APR 2018

CAD FILENAME : C1730-LD101

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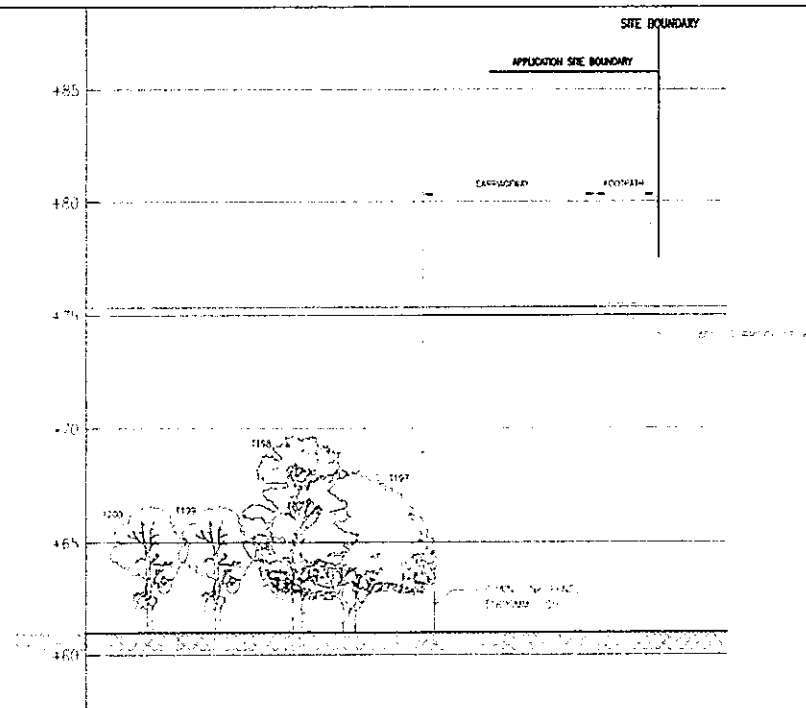
LANDES LIMITED
華樂設計有限公司

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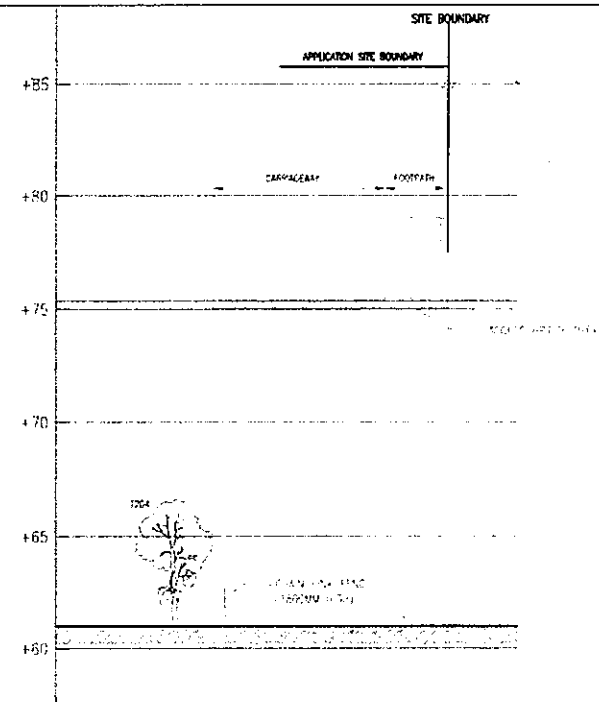
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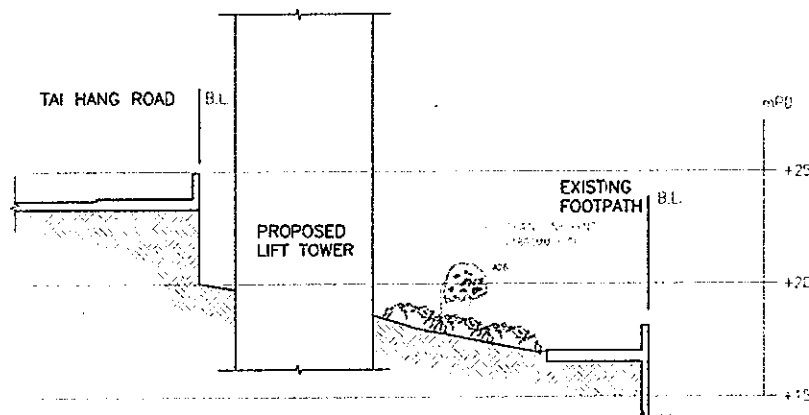
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A - 4e



A LANDSCAPE SECTION
SCALE 1:200



B LANDSCAPE SECTION
SCALE 1:200



C LANDSCAPE SECTION
SCALE 1:200

PROJECT :
PROPOSED ACCESS ROAD AND PUBLIC
PEDESTRIAN LINK WITHIN "GREEN BELT"
"R(B)", "ROAD" AND "R(A)" ZONES
ASSOCIATED WITH A PERMITTED
RESIDENTIAL DEVELOPMENT ON
4-4C TAI HANG ROAD

DRAWING TITLE :
LANDSCAPE SECTION

PROJECT No. C1730

DRAWING No. LD102

SCALE : 1:200

DATE OF ISSUE : APR 2018

CAD FILENAME : C1730-LD102

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CHECKED BY :	TEL	
APPROVED BY :	TEL	

- NOTES :
- DO NOT SCALE DRAWING. DIMENSIONS ARE TO BE FOLLOWED.
 - CONTRIBUTOR OF THE DRAWING IS RETAINED BY THE AUTHORIZED PERSON.
 - ALL DIMENSIONS ARE TO BE CHECKED AT SITE BY THE MAIN CONTRACTOR.
 - READ THIS DWG. IN CONNECTION WITH GEN. WORK PLANS, STRUCT. PLANS, AND OTHER RELATED DWGS.

LanDes

LANDES LIMITED
景豐設計有限公司

FLAT A/17/F,
SHAN FORT COMMERCIAL BUILDING,
3-11 THOUSAND ROAD, HONG KONG
TEL: 2868 0980 FAX: 2868 2203
香港新界新田徑5-11號A座
電話: 2868 0980
傳真: 2868 2203

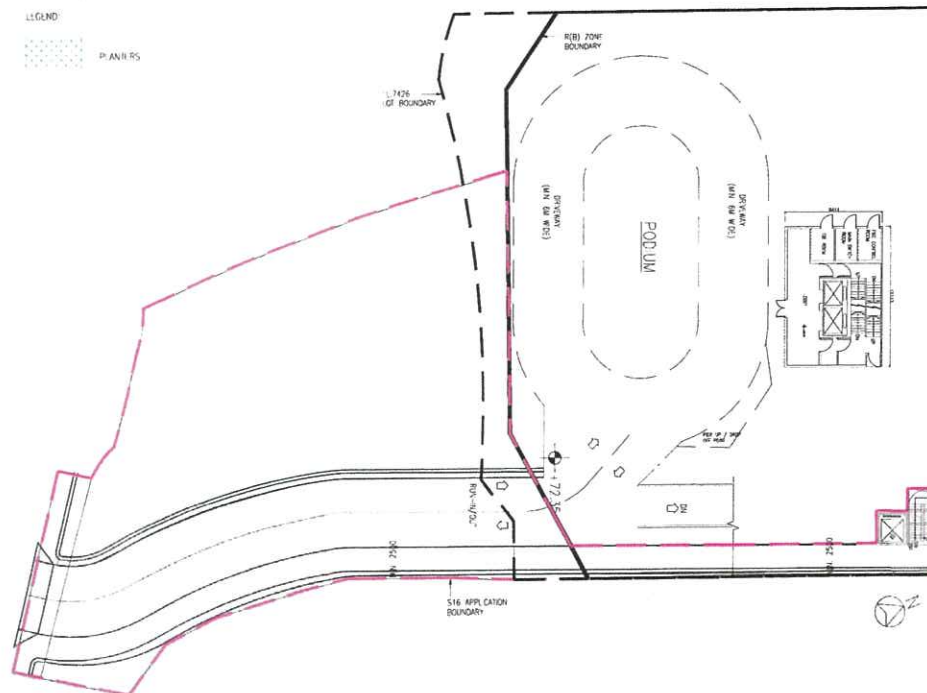
資料來源：由申請人提供
SOURCE : SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 4f

FOR REFERENCE ONLY

LEGEND
PLAN/RS



LOWER TAI HANG ROAD

NOTE: 1. ALL MEASUREMENT MUST BE CHECKED ON SITE
2. DO NOT SCALE DRAWING
3. DRAWING AND COPYRIGHT ARE PROPERTY OF A & D SURVEYORS LTD. SHALL BE RETURNED AT COMPLETION OF WORK.
4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSEDLY CERTIFIED.

DATE: 07/01/2019
REVISION: 19
SCALE: AS SHOWN (A3)
DRAWN BY: CHH
REMARK:

DRAWING NO: P-01

PROJECT:
PROPOSED RESIDENTIAL DEVELOPMENT
AT 44C, TAI HANG ROAD, HONG KONG

DRAWING TITLE:
BLOCK PLAN

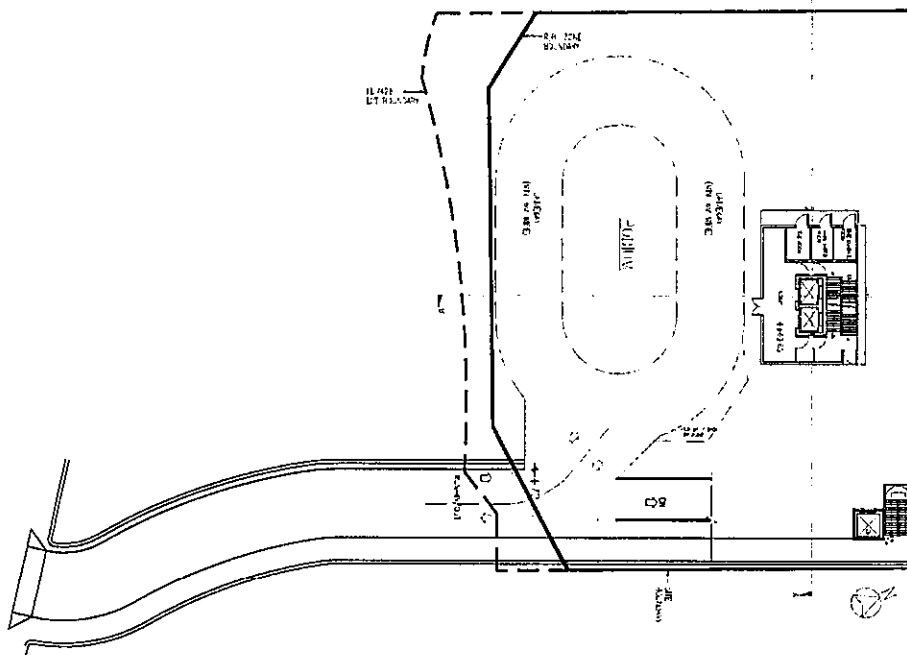
A&D
A & D SURVEYORS LTD.
PROPERTY DEVELOPMENT PROPERTY MAINTENANCE PROJECT MANAGEMENT
LICENCE APPLICATION

資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 5a

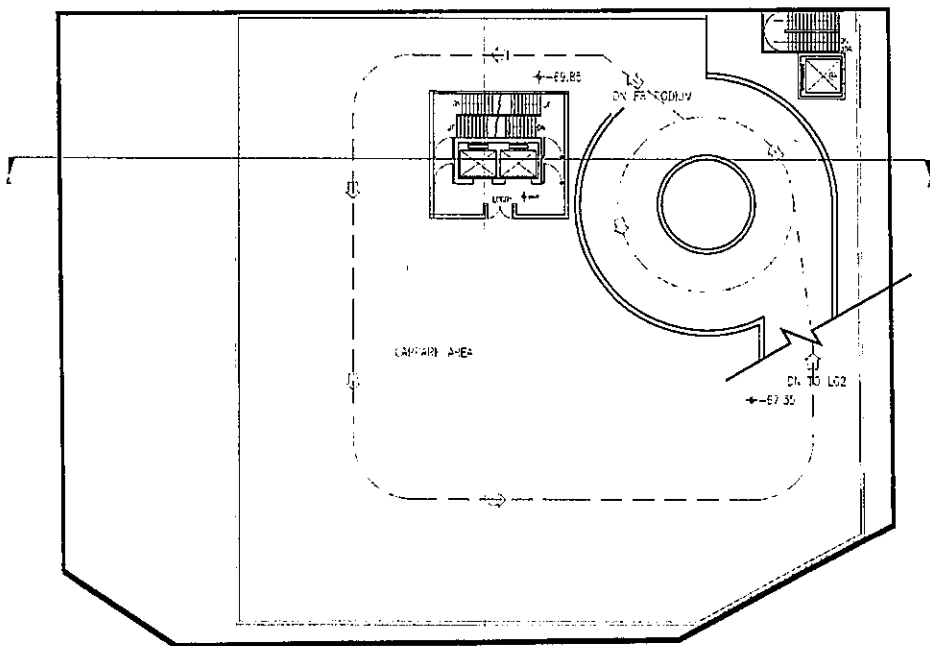
FOR REFERENCE ONLY



LOWER TAI HANG ROAD

PROJECT PROPOSED RESIDENTIAL DEVELOPMENT AT 4-4C, TAI HANG ROAD, HONG KONG	DRAWING TITLE FLOOR PLAN (AT LEVEL +7.35)	 A & D SURVEYORS LTD. <small>PROPERTY DEVELOPMENT PROJECT MANAGEMENT SURVEYING & PLANNING</small>	NOTE 1. ALL MEASUREMENT MUST BE CHECKED ON SITE. 2. DO NOT SCALE DRAWING. 3. DRAWING AND COPYRIGHT ARE PROPERTY OF A & D SURVEYORS LTD. SHALL BE RETURNED AT COMPLETION OF WORK. 4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSLY CONFIRMED.	DATE 21/07/2018 REVISION 1 SCALE AS SHOWN (1:50) DRAWN BY CH REMARK	DRAWING NO. L1-01
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FOR REFERENCE ONLY

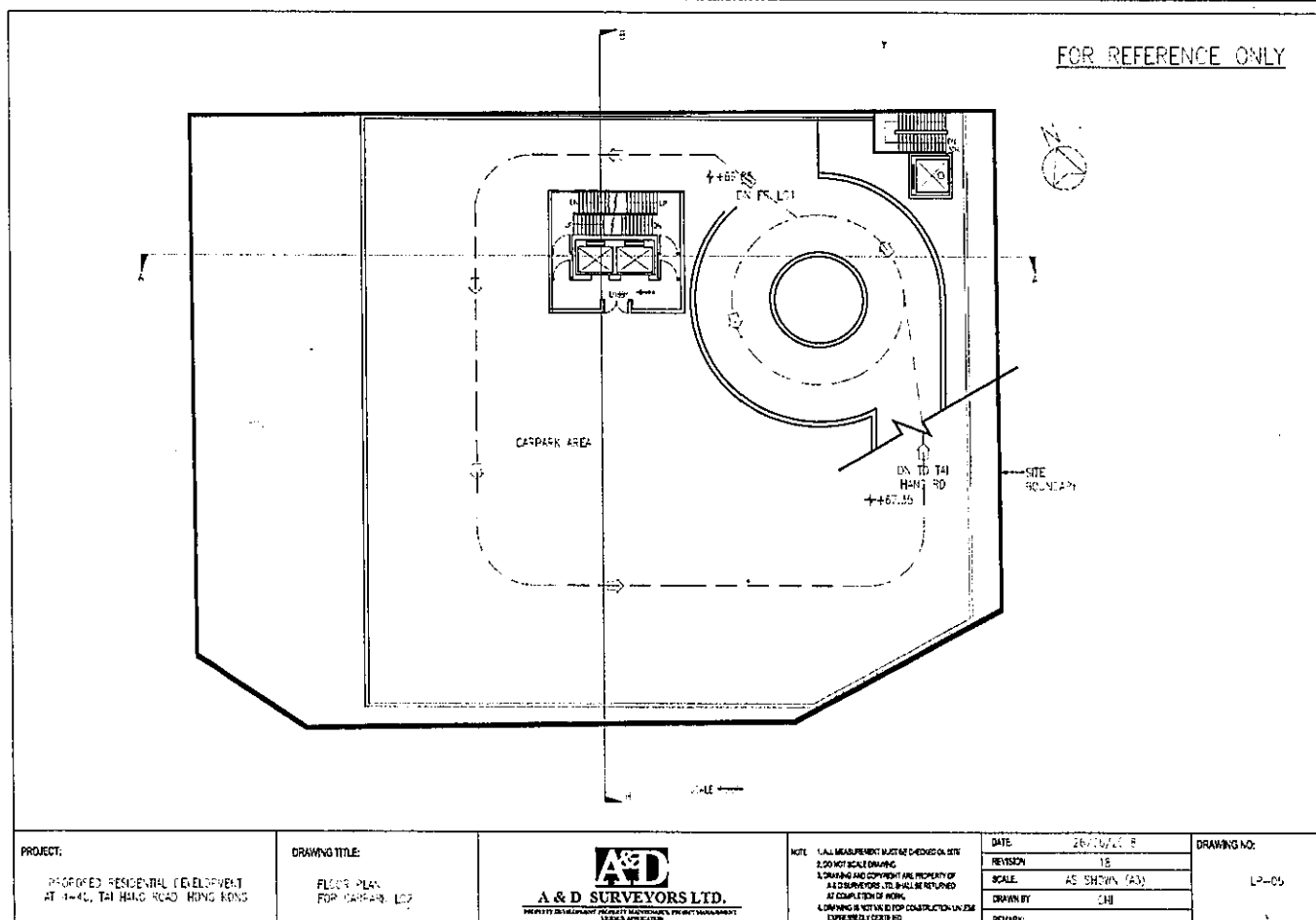
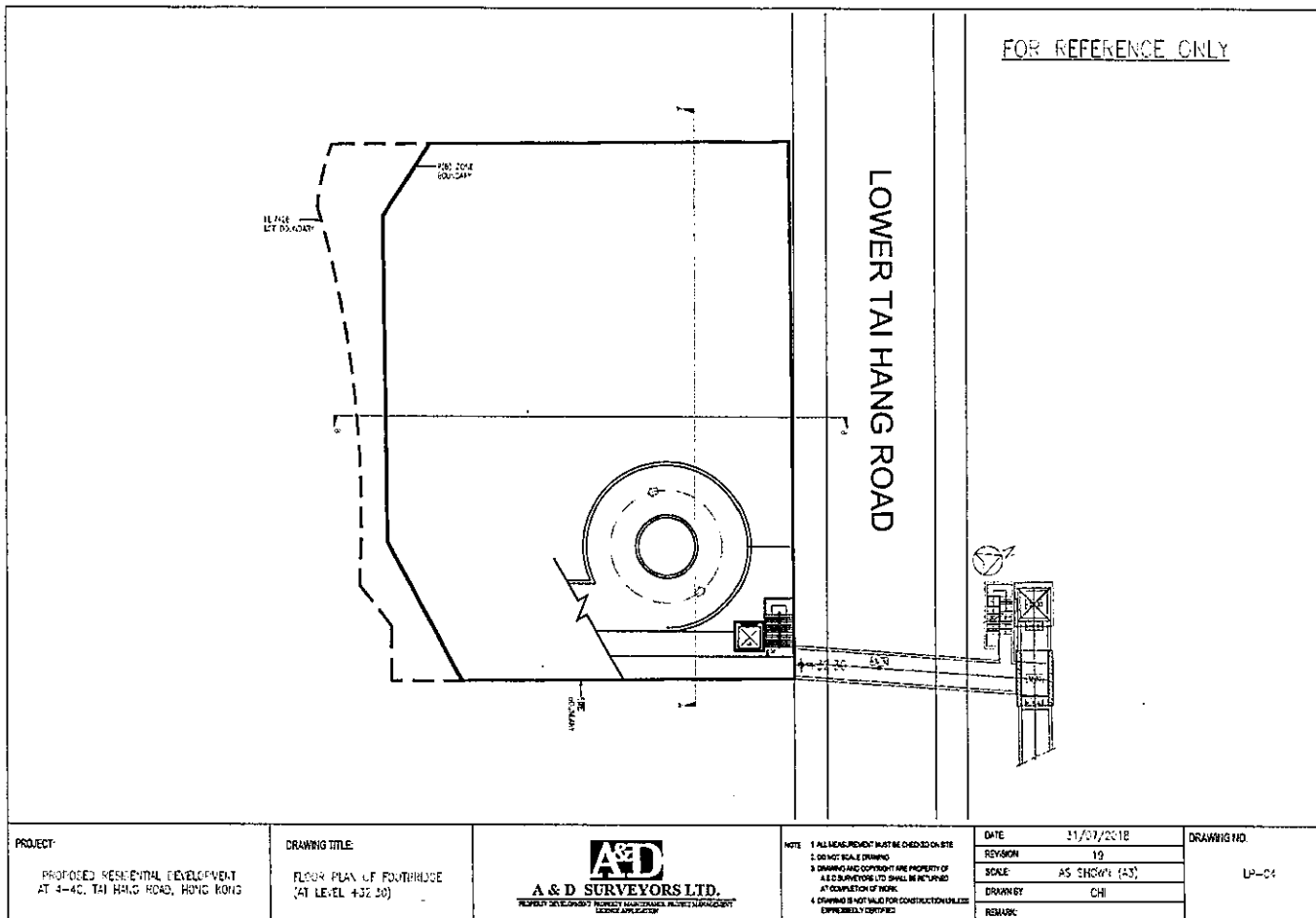


PROJECT PROPOSED RESIDENTIAL DEVELOPMENT AT 4-4C, TAI HANG ROAD, HONG KONG	DRAWING TITLE FLOOR PLAN FOR CARPARK L1	 A & D SURVEYORS LTD. <small>PROPERTY DEVELOPMENT PROJECT MANAGEMENT SURVEYING & PLANNING</small>	NOTE 1. ALL MEASUREMENT MUST BE CHECKED ON SITE. 2. DO NOT SCALE DRAWING. 3. DRAWING AND COPYRIGHT ARE PROPERTY OF A & D SURVEYORS LTD. SHALL BE RETURNED AT COMPLETION OF WORK. 4. DRAWING IS NOT VALID FOR CONSTRUCTION UNLESS EXPRESSLY CONFIRMED.	DATE 26/06/2018 REVISION 1 SCALE AS SHOWN (1:50) DRAWN BY CH REMARK	DRAWING NO. L1-02
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資料來源：由申請人提供
 SOURCE : SUBMITTED BY THE APPLICANT

參考編號
 REFERENCE No.
A/H6/87

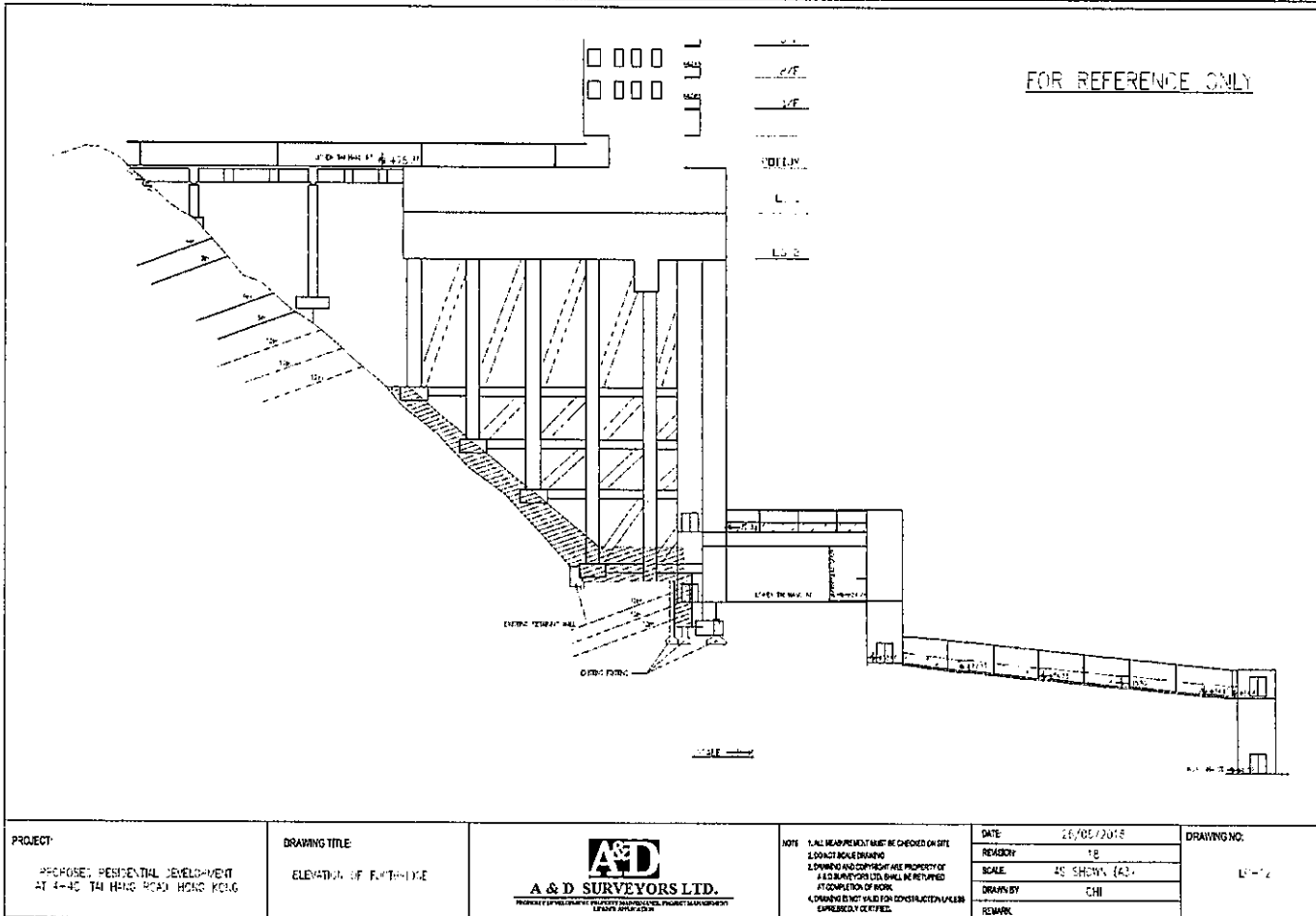
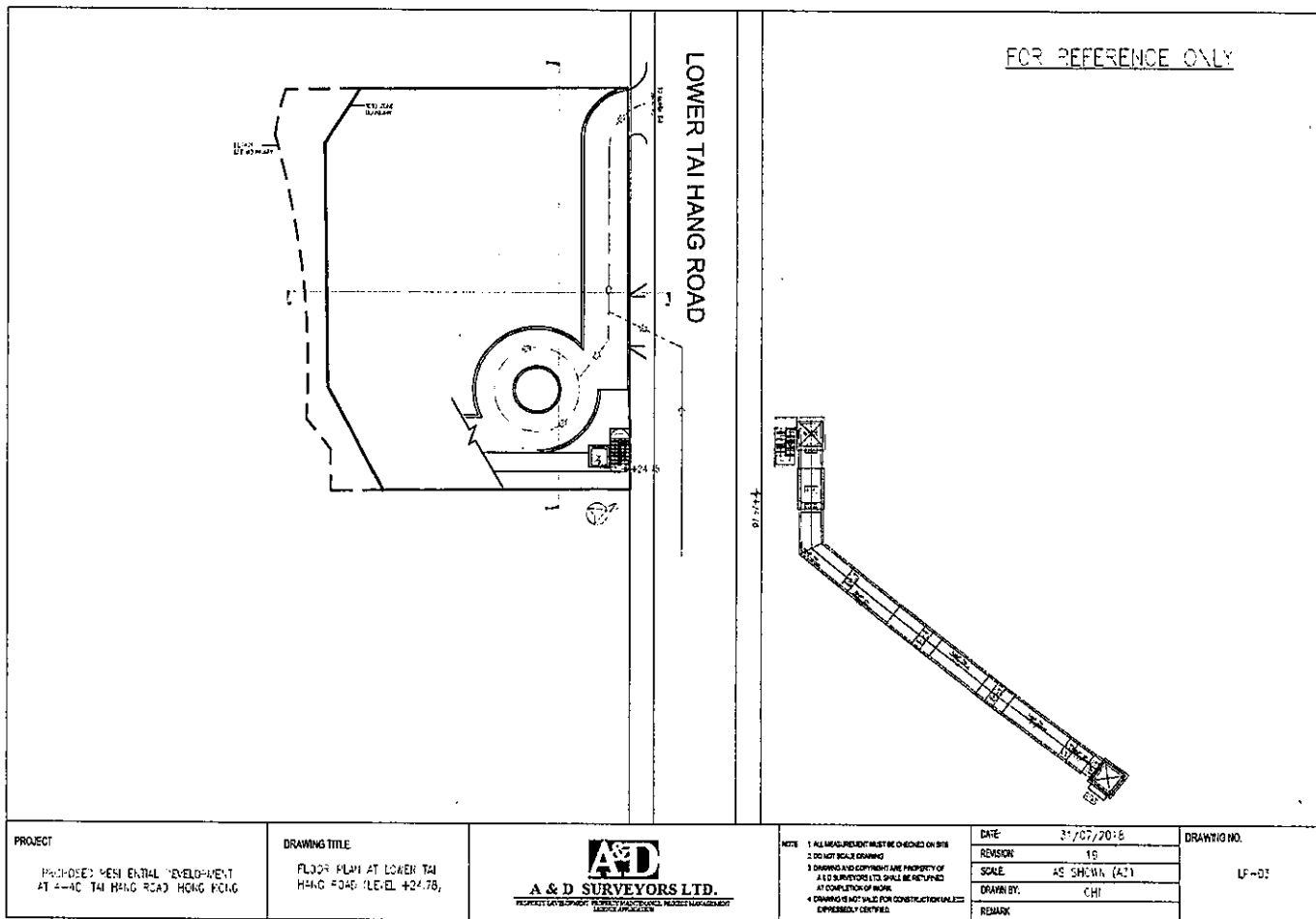
繪圖
 DRAWING
A - 5b



資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 5c



資料來源：由申請人提供
 SOURCE : SUBMITTED BY THE APPLICANT

參考編號
 REFERENCE No.
 A/H6/87

繪圖
 DRAWING
 A - 5d



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link

KTA
Kenneth To & Associates Ltd.
土立基建築師有限公司

Viewpoint 1 – Signalised Pedestrian Crossings near No.1 Tai Hang Road

Proposed Access Road and Public Pedestrian Link
Within "Green Belt", "Residential (Group B)", "Road"
and "Residential (Group A)" Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.1

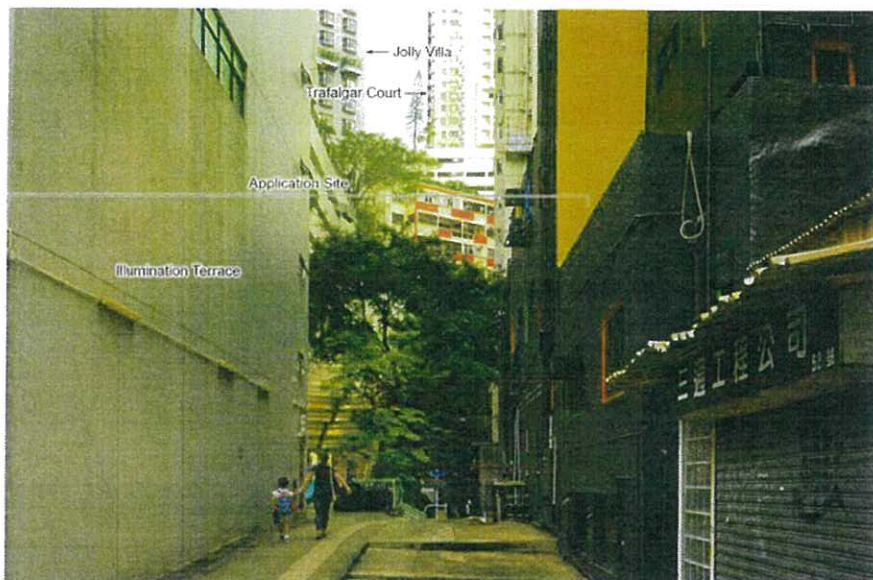
Visual Impact Assessment

Date: 4 June 2018

資料來源：由申請人提供
SOURCE : SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6a



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link

KTA
Kenneth To & Associates Ltd
特立 建築 規劃 工程 有限公司

Viewpoint 2 – Wun Sha Street

Proposed Access Road and Public Pedestrian Link
Within "Green Belt", "Residential (Group B)" "Road"
and "Residential (Group A)1" Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.2

Visual Impact Assessment

Date: 4 June 2018

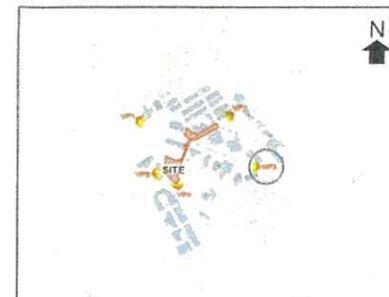
資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6b



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link

KTA
Kenneth To & Associates Ltd
特恩建築師事務所有限公司

Viewpoint 3 – Bus Stop near Illumination Terrace on
Lower Tai Hang Road

Proposed Access Road and Public Pedestrian Link
Within 'Green Belt', 'Residential (Group B)', 'Road'
and 'Residential (Group A)1' Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.3

Visual Impact Assessment

Date: 4 June 2018

資料來源：由申請人提供

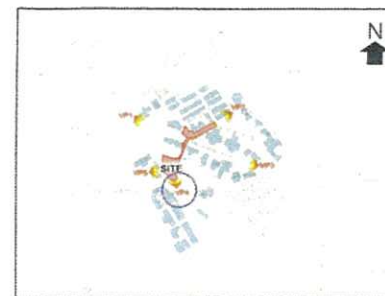
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6c



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link

KTA
Kenneth To & Associates Ltd
Kenneth To & Associates Ltd

Viewpoint 4 – Existing Culvert on Upper Tai Hang Road

Proposed Access Road and Public Pedestrian Link
Within 'Green Belt' Residential (Group B) 'Road'
and Residential (Group A) Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.4

Visual Impact Assessment

Date: 4 June 2018

資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6d



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link

KTA
Kenneth To & Associates Ltd
杜志基建築師有限公司

Viewpoint 6 – Lower Tai Hang Road near Winway Court

Proposed Access Road and Public Pedestrian Link
Within "Green Belt", "Residential (Group B)" Road
and "Residential (Group A1)" Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.6

Visual Impact Assessment

Date: 5 October 2018

資料來源：由申請人提供
SOURCE : SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6e



Existing Condition



Key Plan



With the Proposed Access Road and Public Pedestrian Link



Viewpoint 7 – Lower Tai Hang Road near the Existing Staircase beside Block 1 of Illumination Terrace

Proposed Access Road and Public Pedestrian Link
Within 'Green Belt', 'Residential (Group B)' Road
and 'Residential (Group A1)' Zones
Associated with a Permitted Residential Development
on 4-4C Tai Hang Road, Hong Kong
S16 Planning Application

Figure 6.7

Visual Impact Assessment

Date: 5 October 2018

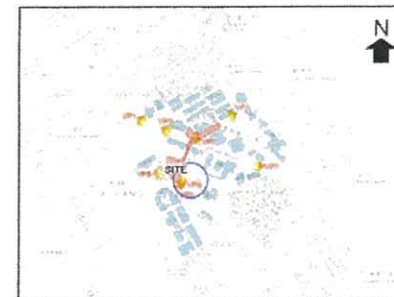
資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 6f



Existing Condition



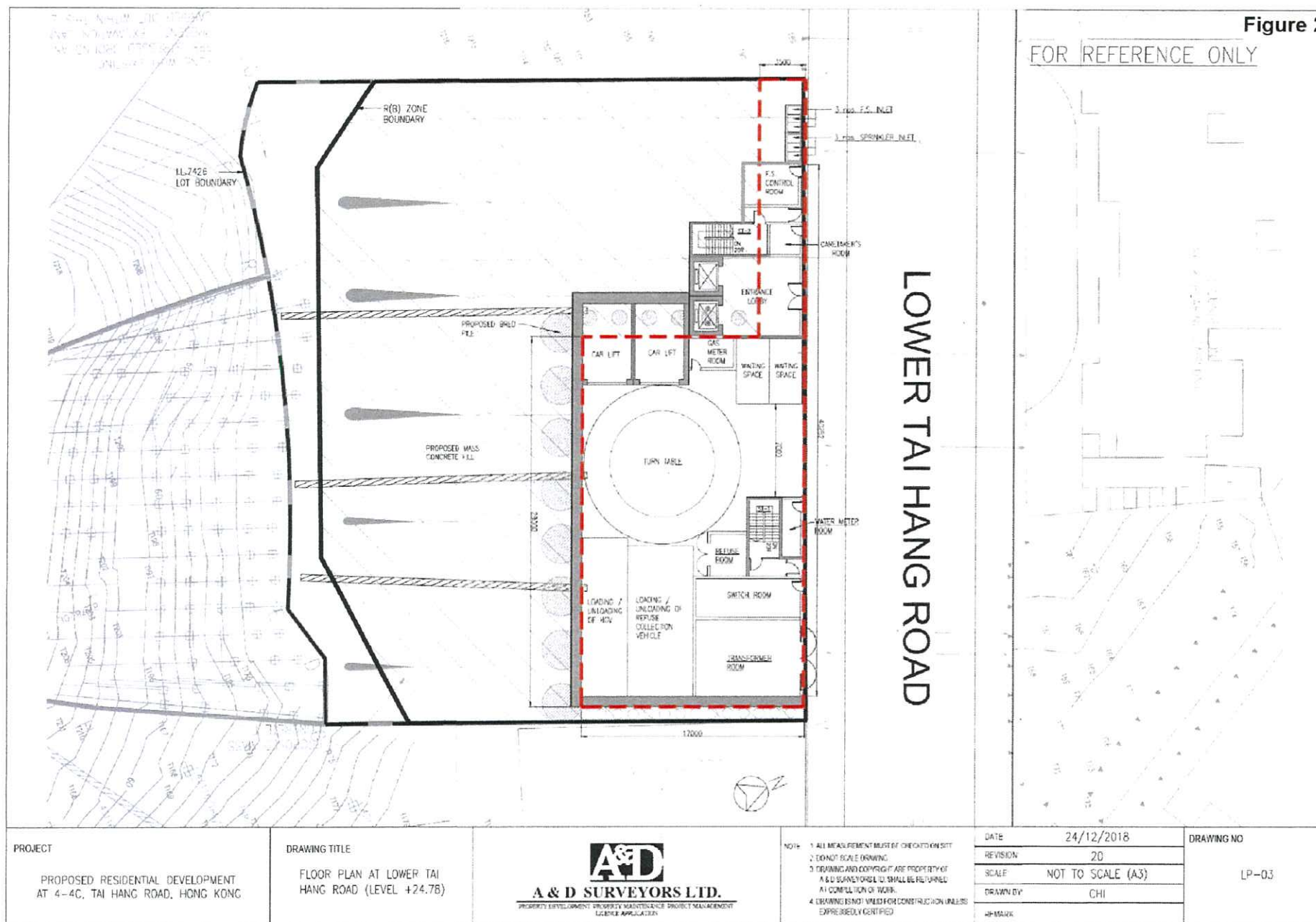
Key Plan



With the Proposed Access Road and Public Pedestrian Link

Figure 2

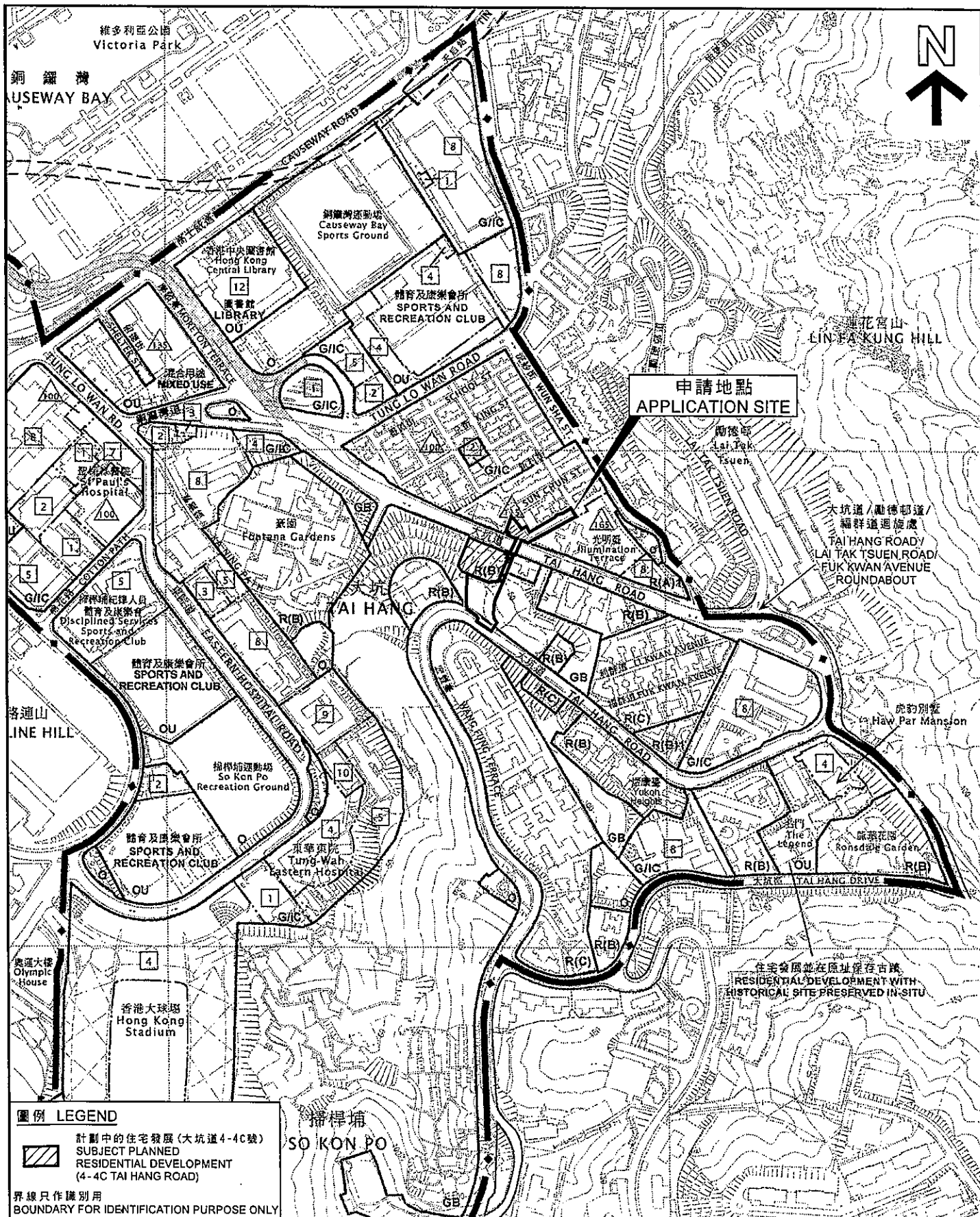
FOR REFERENCE ONLY



資料來源：由申請人提供
SOURCE: SUBMITTED BY THE APPLICANT

參考編號
REFERENCE No.
A/H6/87

繪圖
DRAWING
A - 7



圖例 LEGEND

 計劃中的住宅發展 (大坑道4-4C號)
SUBJECT PLANNED
RESIDENTIAL DEVELOPMENT
(4-4C TAI HANG ROAD)

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT USE' (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

SCALE 1:5 000 比例尺

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METRES

規劃署

PLANNING
DEPARTMENT



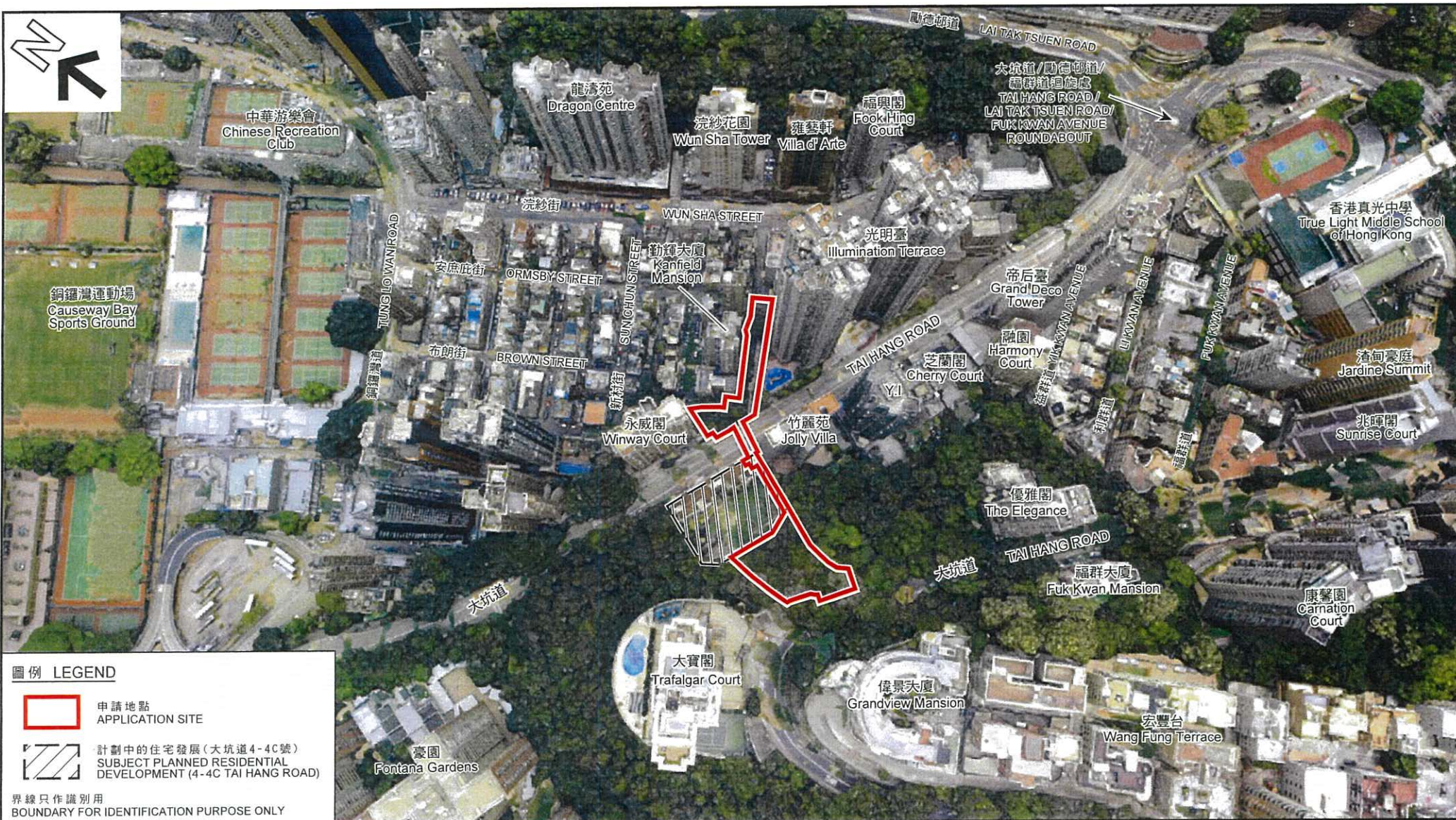
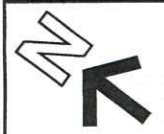
參考編號
REFERENCE No.

A/H6/87

圖 PLAN

A - 1

本摘要圖於2019年1月11日擬備，
所根據的資料為於2018年1月26日
展示的分區計劃大綱編號S/H6/16
EXTRACT PLAN PREPARED ON 11.1.2019
BASED ON OUTLINE ZONING PLAN No.
S/H6/16 EXHIBITED ON 26.1.2018



圖例 LEGEND



申請地點
APPLICATION SITE



計劃中的住宅發展(大坑道4-4C號)
SUBJECT PLANNED RESIDENTIAL
DEVELOPMENT (4-4C TAI HANG ROAD)

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

本圖於2019年1月2日擬備，
所根據的影像摘自三維網格
模型-香港島(2017年3月)

PLAN PREPARED ON 2.1.2019
WITH IMAGE EXTRACTED FROM
3D MESH MODEL - HONG KONG
ISLAND (March 2017)

航攝照片 AERIAL PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 3



從下大坑道東南方向望向申請地點的景觀
SOUTHEASTERN VIEW OF THE APPLICATION SITE FROM LOWER TAI HANG ROAD

界線只作識別用

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 4

本圖於2019年1月2日擬備，
所根據的資料為攝於
2018年6月29日的實地照片
PLAN PREPARED ON 2.1.2019
BASED ON SITE PHOTOS
TAKEN ON 29.6.2018



從安度底街及浣紗街交界望向擬議行人通道的景觀
VIEW OF THE PROPOSED PEDESTRIAN LINK AT THE JUNCTION OF ORMSBY STREET AND WUN SHA STREET

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



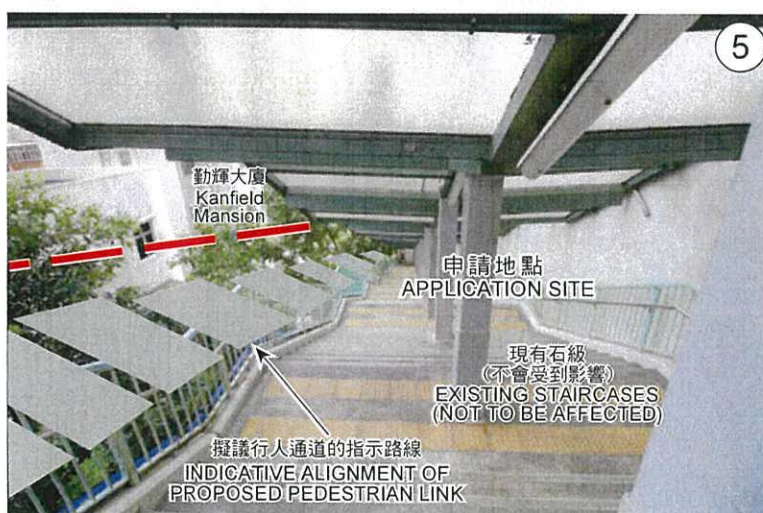
參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 5

本圖於2019年1月2日擬備，
所根據的資料為攝於
2018年3月3日的實地照片
PLAN PREPARED ON 2.1.2019
BASED ON SITE PHOTO
TAKEN ON 3.3.2018



從新村街50號西面方向望向申請地點的景觀
WESTERN VIEW OF THE APPLICATION SITE FROM 50 SUN CHUN STREET



位於浣紗街現有石級通往安底底街的申請地點
THE APPLICATION SITE ALONG THE EXISTING STAIRCASES
ON WUN SHA STREET TOWARDS ORMSBY STREET



從下大坑道西北方向望向申請地點的景觀
NORTHWESTERN VIEW OF THE APPLICATION SITE FROM LOWER TAI HANG ROAD

實地照片 SITE PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



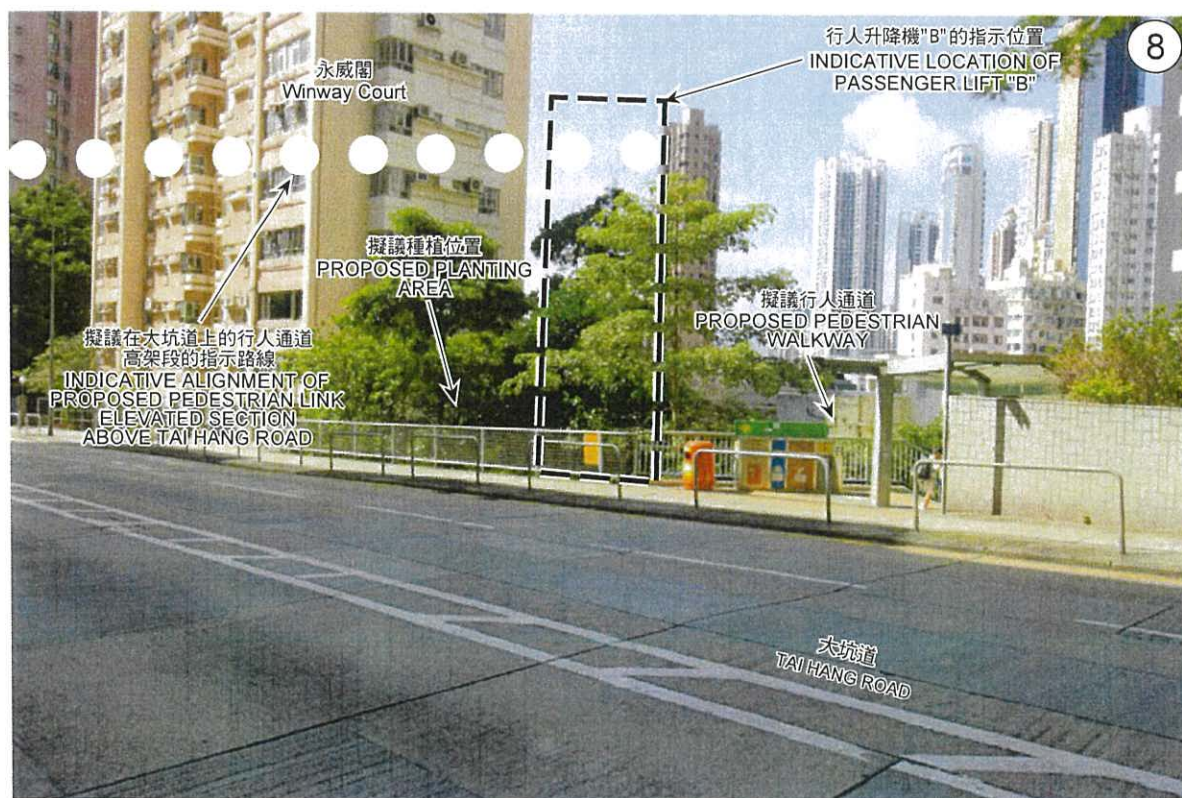
參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 6

本圖於2019年1月2日擬備，
所根據的資料為攝於
2018年6月29日的實地照片
PLAN PREPARED ON 2.1.2019
BASED ON SITE PHOTOS
TAKEN ON 29.6.2018



從下大坑道東北方向望向擬議行人通道的景觀
NORTHEASTERN VIEW OF THE PROPOSED PEDESTRIAN LINK ON LOWER TAI HANG ROAD



從下大坑道西北方向望向擬議行人通道的景觀
NORTHWESTERN VIEW OF THE PROPOSED PEDESTRIAN LINK ON LOWER TAI HANG ROAD

界線只作識別用

BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 7

本圖於2019年1月2日擬備，
所根據的資料為攝於2018年6月29日
及2018年9月4日的實地照片
PLAN PREPARED ON 2.1.2019
BASED ON SITE PHOTOS
TAKEN ON 29.6.2018 AND 4.9.2018



從大坑道路緣西北方向望向申請地點的景觀
NORTHWESTERN VIEW OF THE APPLICATION SITE FROM THE KERB SIDE OF TAI HANG ROAD

實地照片 SITE PHOTO

本圖於2019年1月2日擬備，
所根據的資料為攝於
2018年6月29日的實地照片
PLAN PREPARED ON 2.1.2019
BASED ON SITE PHOTO
TAKEN ON 29.6.2018

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 8



申請人建議的擬議行人通道
PROPOSED PEDESTRIAN LINK BY APPLICANT

- 擬議在大坑道上的高架段
PROPOSED ELEVATED SECTION ABOVE TAI HANG ROAD
- 擬議行人通道
PROPOSED PEDESTRIAN LINK
- 擬議行人升降機(3部)
PROPOSED PASSENGER LIFT (3 nos.)

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議「分層住宅」用途(連接住宅發展的行車通道及行人通道)
香港大坑道4-4C號(部分)及毗連政府土地
PROPOSED 'FLAT' USE (ACCESS ROAD FOR
RESIDENTIAL DEVELOPMENT AND PEDESTRIAN LINK)
4-4C TAI HANG ROAD (PART) AND ADJOINING GOVERNMENT LAND,
TAI HANG ROAD, HONG KONG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/H6/87

圖 PLAN
A - 9

本圖於2019年1月2日擬備，
所根據的影像摘自三維網格
模型-香港島(2017年3月)
PLAN PREPARED ON 2.1.2019
WITH IMAGE EXTRACTED FROM
3D MESH MODEL - HONG KONG
ISLAND (March 2017)

Extract From Minutes Of 620th MPC Meeting Held On 18.1.2019

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/87 Proposed 'Flat' use (access road for residential development and pedestrian link) in "Green Belt", "Residential (Group A) 1" and "Residential (Group B)" Zones and an area shown as 'Road', 4-4C Tai Hang Road (Part) and Adjoining Government Land, Tai Hang Road, Hong Kong

(MPC Paper No. A/H6/87A)

68. The Secretary reported that the application site was located in Tai Hang, Causeway Bay. The following Members had declared interests on the item :

Ms Sandy H.Y. Wong]
] self-occupying a flat in Causeway Bay area; and
 Ms Jacinta K.C. Woo]
 (*The Secretary*)

Mr Martin W.C. Kwan - his close relative owning properties in Causeway Bay area.

69. The Committee noted that Ms Sandy H.Y. Wong had already left the meeting. Since Ms Jacinta K.C. Woo, as the Secretary, would not participate in the discussion of the application and the interest of Mr Martin W.C. Kwan was indirect, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

70. The Secretary reported that a petition letter was received from the Office of Clarisse Yeung District Councillor and a comment was received from Tai Hang Concern Association before the meeting. While views raised by the former had already been covered in the public comment submitted during the publication period and in the Paper, both the petition letter and the comment of the latter were submitted after the expiry of publication period which should be treated as not having been made.

71. With the aid of a PowerPoint presentation, Mr T.W. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed 'Flat' use (access road for residential development and pedestrian link);
- (c) departmental comments -- departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) considered that there was no strong justification for the proposed vehicular access at the upper section of Tai Hang Road (upper Tai Hang Road) as it would not bring overall traffic benefit to the adjacent road network. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) commented that the proposed new access road from upper Tai Hang Road was not the only viable alternative. The Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) considered that the proposed access road would set an undesirable precedent and the proposed footbridge structure running across Tai Hang Road would have significant undesirable visual impact. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the application as the impact on the existing landscape resources imposed by the proposed development remained substantial after mitigation and the overall visual impact was yet to be ascertained. Other

concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 9,229 public comments were received. Among which, 5,693 supportive comments, including 5,689 comments in form of standard letters and/or with the same content, were submitted by residents living in the locality and individuals. The remaining 3,536 objecting comments, including 3,391 standard letters and/or with the same content, were submitted by two Legislative Council members, three Wan Chai District Council (WCDC) members, 19 Incorporated Owners and management offices of nearby residential developments, nearby residents and individuals. Major views were set out in paragraph 10 of the Paper. The District Officer (Wan Chai) conveyed that at the Development, Transport and Planning Committee of the WCDC held on 26.7.2018, WCDC members expressed strong views opposing the application. Their views were set out in paragraph 9.1.16 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed access road falling within an area zoned “Green Belt” (“GB”) would serve exclusively the nearby planned residential development. As there was a general presumption against development in “GB” zone and H(GEO) considered that proposed access road was not the only viable alternative, it was not in line with the planning intention of the “GB” zone. Also, C for T, CA/CMD2, ArchSD and CTP/UD&L, PlanD had reservation or adverse comments on the application. The applicant failed to demonstrate the proposed access road would bring overall traffic benefit and would not cause adverse streetscape, visual and landscape impacts on surrounding areas. As such, it did not comply with the Town Planning Board Guidelines No. 10. Regarding the proposed pedestrian link, its technical feasibility, implementation, management and maintenance arrangements had yet to be satisfactorily established in the submission. Also, no technical assessments on environmental and visual impacts arising from the

proposed pedestrian link had been made in the submission. The applicant failed to demonstrate the benefits and implementability of the proposed pedestrian link. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

72. A Member asked the following questions:

- (a) the ingress/egress point of the existing building at 4 – 4C Tai Hang Road; and
- (b) details of C for T's comments on the proposed access road and pedestrian link as well as their impacts on the surrounding areas.

73. In response, Mr T.W. Ng, STP/HK, made the following main points:

- (a) with reference to a site photo showing the existing building, car parking spaces were located on G/F of the building abutting the lower section of Tai Hang Road; and
- (b) C for T commented that the proposed vehicular access and traffic arrangement would not bring overall traffic benefit to the adjacent road network. Besides, the applicant did not submit any assessment on the utilisation of the proposed pedestrian link in support of the application.

Deliberation Session

74. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for conservation of the natural environment and to safeguard it from encroachment by urban-type development. There is a general presumption against development in “GB” zone, and there is no strong justification for a departure from such

planning intention;

- (b) the applicant fails to demonstrate that the proposed access road is the only viable option in geotechnical terms to serve the planned residential development and that the proposed access road does not result in adverse visual and landscape impacts; and
- (c) the applicant fails to demonstrate the implementability of the proposed pedestrian link and that the proposed link does not result in adverse visual and landscape impacts.”

城市規劃委員會

香港北角渣華道三百三十三號
北角政府合署十五樓

TOWN PLANNING BOARD

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333 Java Road, North Point,
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/H6/87

By Registered Post & Fax (3426 9737)

1 February 2019

Kenneth To & Associates Ltd.
Units E & F, 11/F, Neich Tower
128 Gloucester Road
Wanchai, Hong Kong
(Attn.: Kenneth To / Gladys Ng)

Dear Sir/Madam,

Proposed 'Flat' use (access road for residential development and pedestrian link) in "Green Belt", "Residential (Group A) 1" and "Residential (Group B)" Zones and an area shown as 'Road', 4-4C Tai Hang Road (Part) and Adjoining Government Land, Tai Hang Road, Hong Kong

I refer to my letter to you dated 10.1.2019.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed development is not in line with the planning intention of the "Green Belt" ("GB") zone which is primarily for conservation of the natural environment and to safeguard it from encroachment by urban-type development. There is a general presumption against development in "GB" zone, and there is no strong justification for a departure from such planning intention;
- (b) you fail to demonstrate that the proposed access road is the only viable option in geotechnical terms to serve the planned residential development and that the proposed access road does not result in adverse visual and landscape impacts; and
- (c) you fail to demonstrate the implementability of the proposed pedestrian link and that the proposed link does not result in adverse visual and landscape impacts.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 18.1.2019 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before 22.2.2019). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Mr. Ng Tak Wah of Hong Kong District Planning Office at 2231 4935.

Yours faithfully,



(Raymond KAN)
for Secretary, Town Planning Board

Detailed Comments of Government Departments

1. District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):
 - (a) there is no information on the development parameters of the planned development of 4-4C Tai Hang Road (IL 7426) and the proposed stabilization measures fall outside the aforesaid planned residential development;
 - (b) Transport Department's (TD) advice should be sought if the proposed access at upper Tai Hang Road is genuinely and solely required for the planned residential development and that it is the only viable solution. In this regard, it is noted that TD has already commented that there is no noticeable traffic improvement or effect on vehicular traffic to the overall road network arising from the applicant's proposed access road and traffic management scheme, and there is no strong justification for the proposed vehicular access at upper Tai Hang Road from the traffic point of view; and Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) has also commented that the new access road from upper Tai Hang Road is not the only viable alternative; and
 - (c) it should be noted that the applicant's land is owned by a limited company (its parent company is also a limited company) which could be dissolved under the Company Ordinance (Cap. 622) upon disposal of all the residential units. In such circumstances, all property and rights whatsoever vested in or held on trust for the company immediately before its dissolution would be deemed to be bona vacantia and belong to the government. In such case, relevant government departments have to take up the management and maintenance responsibilities for the proposed pedestrian link if the application is considered acceptable to the relevant government departments.
2. Commissioner for Transport (C for T):
 - (a) the applicant proposed that "the traffic from the uphill section will only allow right turn into the development, but no right turn out from the development" (**Appendix 1e in Annex A**). Appropriate traffic management measures should be proposed to effect this left-turn only arrangement at the vehicular egress at upper Tai Hang Road;
 - (b) the proposed pick-up/drop-off layby for private car and taxi at lower Tai Hang Road within the lot boundary should be opened for public use and this should be reflected in the relevant land documents. Moreover, adequate traffic measures should be provided to effect the 'left-in/left-out' arrangement at lower Tai Hang Road; and
 - (c) despite the technical paper and the responses to comments from government departments (FI-2 & FI-3 in **Annexes E-2 & E-3**) in support of the pedestrian link, detailed justifications for the approach and assumptions of the proposed pedestrian link are yet to be provided by the applicant.

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

- (a) since HyD's road/structures/slopes/facilities/road drains/services and utilities are sensitive to the ground settlement, the allowance settlement limit would be different in different locations and should be reviewed from time to time based on the site observation; and
- (b) in general, HyD will require the lot owner to fulfill the following conditions:
 - (i) the lot owner should exercise extreme care and take adequate measures including any necessary investigations, in order not to damage adjacent HyD's road/structures/slopes/facilities/road drains/services and utilities in the vicinity of the Site. The lot owner shall be responsible for the cost of making good any settlement or damages to the aforementioned properties resulting directly or indirectly from the works. Any such settlement or damages shall be brought to the attention of HyD immediately;
 - (ii) the lot owner should submit his settlement monitoring proposal to HyD. Monitoring points should be installed and the lot owner should closely monitor the works to avoid any adverse impact to adjacent roads and structures; and
 - (iii) upon commencement of the works, the lot owner should submit his monitoring data to HyD for reference. During construction, he should maintain continuous monitoring data and make available for inspection by HyD when necessary.

4. Head (Geotechnical Engineering Office), Civil Engineering and Development Department (H(GEO), CEDD):

- (a) there is no adverse geotechnical comment on the geotechnical feasibility of the proposed access road in the form of elevated deck structure support by rock socketed mini-piles;
- (b) geotechnical comments are as follows:

FI-4 (Annex E-4):

- (i) in general, no in-principle geotechnical objection to the proposal of resisting the lateral soil loads by the proposed building structure, subject to the acceptance by the Building Authority (BA). With the consideration of the specific site settings, the applicant expresses the view in Section 4 of FI-4 that excessive and unreasonable large lateral soil loads would be acted on the proposed building structure at the Site. The applicant considers that such loadings would cause instability to the building and also excessive deflection to the building structures. Comments from BA on this point is relevant;
- (ii) it is noted that the assumption on groundwater levels that adopted in the Plaxis analysis for Schemes 6A to 6F, 7A and 7B is inconsistent

with that presented in Figures 8B, 8C, 9B, 9C, 10B, 10C, 12B, 13B, 14B, 15B and 16B. The applicant shall clarify/justify the assumption on groundwater levels adopted in the Plaxis analyses, noting that the assumed groundwater levels, which are up to 7m above the highest measured groundwater levels as presented in the said figures, are very conservative. The applicant's assessment on such schemes should be reviewed if the Plaxis analyses are revised in view of the above comment;

- (iii) the applicant raised the concern that the induced ground settlement at the back of the proposed bored pile wall would have significant adverse effect on the adjacent slopes in terms of stability and safety. The applicant should elaborate on this point in view of the fact that the upslopes at the back of the bored pile wall are proposed to be upgraded by soil nails as presented in Figures 8B, 8C, 9B, 9C, 10B, 10C, 12B, 13B and 14B;
- (iv) for Schemes 6A to 6F, the applicant considers that the allowable geotechnical limit is exceeded as the induced settlement at the upper Tai Hang Road is estimated to be larger than 25mm. It is not appropriate to treat the settlement limit at upper Tai Hang Road as the geotechnical limit. As a general principle, the owners of the affected facilities/services/structures should have the best knowledge of their facilities and they are in the best position to set the settlement limits;
- (v) the applicant should review the settlement values at upper Tai Hang Road as estimated with reference to the Plaxis analyses. According to the output pages of the Plaxis analyses, the applicant considers the total settlement induced by the surcharge from the existing traffic at upper Tai Hang Road and the proposed site formation and slope stabilization works at the Site. To assess the effect of the proposed works at the Site, it may be more appropriate to consider the settlement induced by the proposed site formation and slope stabilization works only;
- (vi) further elaboration should be given by the applicant regarding his concerns on the buildability of the proposed bored piles for Schemes 6A to 6F, noting that he considers the cantilevered bored pile wall schemes (Schemes 5, 7A and 7B) as feasible options;
- (vii) the applicant presents in Schemes 6B, 6C, 6F and 7B that the proposed pre-stressed tie-back anchors are required to be installed in the Green Hatched Black Area;
- (viii) it is presented in the summary table in Section 5 of FI-4 that Schemes 6A to 6F are considered infeasible due to excessive pile wall movement which is inconsistent with the findings that tabulated in Section 4 of FI-4. According to the summary table in Section 4 of FI-4, the estimated deflection of the proposed bored pile wall is less than 1% of their retained height; and

- (ix) previous geotechnical comments in relation to the applicant's claim that the proposed access is the only viable option and the geotechnical feasibility of the proposed access road and the proposed pedestrian link are still valid;

FI-5 (Annex E-5):

- (x) according to paragraph 5 of the applicant's response, the applicant concluded that Scheme 5 forming a 17m wide excavation zone at lower Tai Hang Road level is a geotechnically feasible scheme. Further sensitivity analyses conducted by the applicant showed that Scheme 7A and 7B forming a 18m to 19m wide excavation zone are also geotechnically feasible. The applicant also agreed in paragraph 6 of the response that such working space is sufficient to accommodate one of the proposed traffic schemes, i.e. one-way access ramp to lower Tai Hang Road. These support his previous comment on **FI-4** that there is at least one feasible alternative scheme which can retain the current vehicular access from lower Tai Hang Road while maintaining the stability of land. Hence, he maintains his view that the applicant's allegation of "new access road from the upper portion of Tai Hang Road is the only viable alternative" is self-contradicting in geotechnical terms;
- (xi) it is noted that the geological model adopted in the slope stability assessment in Annex A of **FI-5** is inconsistent with that adopted in the Plaxis analyses in **FI-4** and **FI-5** for evaluating the feasibility of the proposed site formation schemes. In comparison, the applicant assumed a conservative geological model for the slope stability assessment, in particular against deep-seated slipping failure as concerned by the applicant. The 'C/HDG' and 'rock' layers with better geotechnical properties were not considered. The applicant should provide further justification to support his allegation that the soil nailing scheme (Scheme 2) is not geotechnically feasible, in particular the assumed geological model adopted in the slope stability assessment should be justified/verified with aid of the ground investigation results;
- (xii) in general, no in principle geological objection to the proposal of resisting the lateral soil loads by the proposed building structure, subject to the acceptance by the BA. With the consideration of the specific site settings, the applicant expressed the view in Section 4 of **FI-4** that excessive and unreasonable large lateral soil loads would be acted on the proposed building structure at the subject site. The applicant considered that such loadings would cause instability to the building and excessive deflection to the building structures that render the proposal infeasible. He reiterates that comments from the BA shall be for assessing the feasibility of the proposed scheme by the applicant;
- (xiii) for the assumption on design groundwater levels adopted in the Plaxis analyses in **FI-4** and **FI-5** for evaluating the feasibility of the proposed site formation schemes, it is noted that the applicant considered the possibility of "damming" of groundwater arising from the installation of bored pile wall. He is of the opinion that the assumed groundwater

levels, which are up to 7m above the highest measured groundwater levels, are conservative without consideration of some feasible drainage arrangements behind the bored pile wall e.g. installation of horizontal drains as suggested in Section 11 and Figure 57 of Geoguide I. According to his experience, such drainage arrangements are commonly adopted in the industry;

- (xiv) it is note that applicant estimated the ground movements induced by the proposed site formation works based on the Plaxis analyses adopting a conservation assumption on design groundwater levels in paragraph 3(b)(xiii) above. Hence, the estimated ground movements and the corresponding impacts on the adjacent facilities/services/structures may be reviewed taken into account the comment in paragraph 3(b)(xiii) above to support his allegation that the Schemes 6A and 6F are not geotechnically feasible attributable to the excessive ground settlement induced by the proposed site formation works;
- (xv) it is not appropriate to treat the settlement limit at upper Tai Hang Road as the geotechnical limit. As a general principle, the owners of the affected facilities/services/structures should have the best knowledge of their facilities and they are in the best position to set the settlement limits. Therefore, HyD should be consulted regarding the allowable settlement at upper Tai Hang Road. The applicant also mentioned that there are various underground utilities at upper Tai Hang Road level that may be affected by the proposed works at the Site. Comments from the relevant stakeholders should also be sought accordingly;
- (xvi) the elaboration given by the applicant regarding his concerns on the buildability of the proposed bored piles for Schemes 6A to 6F is still unclear and not logical. The applicant explained that the construction of bored piles for Schemes 6A to 6F requires a high temporary working platform. In this regard, the applicant concerned that the heavy piling rig and crawler crane lifting plant could not be accessed into the site and also unable to manoeuvre into the site and lift up to the immediate slope at 20m above Tai Hang Road. Under such circumstance, the constructability of bored pile would be a problem and considered to be infeasible (p.18 of the "Updated Feasibility Study on Options of Slope Stabilisation Measures" refers). Under the same logic, the same difficulty would also be faced for the construction of bored piles for Schemes 5, 7A and 7B. However, the applicant considered that those schemes are geotechnically feasible. Hence, the applicant should provide further elaboration on this point;
- (xvii) the applicant presented in Schemes 6B, 6C, 6F and 7B that the proposed pre-stressed tie-back anchors are required to be installed in the Green Hatched Black Area. Comments from LandsD shall be sought on this point from the land administration points of view; and
- (xviii) according to Tables 5 and 6 in **FI-5**, the estimated deflection of the proposed bored pile walls is less than 1% of their retained height,

complying the requirements as stipulated in Section 11 of Geoguide 1;
and

- (c) regarding the proposed pedestrian link:
 - (i) the preliminary assessment regarding the potential conflict of the proposed upgrading works (soil nails) at feature no. 11SE-A/CR409 and the foundation of the proposed pedestrian walkway is noted; and
 - (ii) the preliminary assessment of the effects of the proposed pedestrian walkway to the stability of the existing slopes and retaining walls during the construction stage is noted.

5. Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department (CBS/HKE&H, BD):

- (a) Site Formation (Slope Upgrading Works) Plans and their corresponding amendments plans were approved by BD on 21.2.2017 and 19.3.2019 respectively, in which the slope upgrading measures in the form of soil nails, mass concrete wall and mass concrete infill for Feature Nos. 11SE-A/CR109 and 11SE-A/C463(SD1) and an unregistered slope were proposed;
- (b) no objection in principle to the proposal of resisting lateral soil loads by retaining wall provided that all detailed designs are in compliance with the Buildings Ordinance (BO) and allied regulations. Particular attention should be drawn to Regulations 47 & 48 of the Building (Planning) Regulations (B(P)R). Detailed comments on the structural details of the retaining wall under the BO can only be provided at the plan submission stage;
- (c) every building shall be provided with an emergency vehicular access in accordance with Regulation 41D of the B(P)R. The corresponding design and construction requirements are specified in the Code of Practice for Fire Safety in Buildings 2011; and
- (d) subject to demonstrating the proposed pedestrian walkway system/footbridge would enhance public safety/convenience and there is no objection to or support from the relevant government departments, the following modification/exemption under BO would be favourably considered:
 - (i) projection of the proposed pedestrian walkway system/footbridge over street, which is to be constructed wholly or partly within a private lot or gains support from or is connected to a building resting on a private lot, under section 31(1) of BO, as stated in PNAP APP-38;
 - (ii) as part of the proposed pedestrian walkway system/ footbridge is within private land, exemption of certain floor area of the new footbridge (and other associated area) from GFA calculations under B(P)R 23(3)(a) may be granted, as stated in PNAP APP-108; and
 - (iii) other comments under BO can only be provided at the building plan

submission stage.

6. Comments of the 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, the applicant should check the mains record plans before commencement of any road excavation works;
 - (b) there are some existing fresh water mains within the Site and are affected by the proposed development. Free access should be allowed for WSD at any time to carry out operation and maintenance of these water mains;
 - (c) if the applicant considers that diversion of water mains is required, he should study the feasibility and submit proposal for WSD's consideration and approval. Diversion work shall be carried out by the applicant at his own cost to the satisfaction of WSD, who will only carry out the connection works to the existing WSD's water mains and other associated connection cost should be borne by the applicant/ project proponent; 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 Site. The works is scheduled to complete by end November 2019. The applicant should liaise with WSD for any interfacing matter. There is also planned mainlaying works under Contract No. 3/WSD/7 at Lai Yin Street and Second Lane which are within 300m of the Site. The applicant should liaise with WSD for any interfacing matter.

Recommended 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 (HyD) that the applicant should provide a management and maintenance demarcation plan to identify the management and maintenance parties in relation to the proposed pedestrian link for HyD's comment; take up the maintenance responsibility of all relevant slope features being affected; and make submission to the Advisory Committee on the Appearance of Bridges and Associated Structures in accordance with ETWB TCW No. 36/2004.