

Table A

Responses-to-Comments

、 Table A Applicant's Responses to Departmental Comments

Departmental Comments		Applicant's Responses	
A.	Urban Design and Landscape, Planning Department		
	Landscape Section:		
	Having reviewed the supplementary information, please note our comments below from landscape planning perspective:		
1.	Trees T7, T10 and T64 in the “Green Belt” zone were proposed to be retained in the previously approved s.16 application (A/SK-TLS/56) but they are proposed to be felled in this submission by the same Applicant. With reference to the tree felling plan, those trees are not in direct conflict with the proposed development layout. Please review if those trees can be retained on site instead of felling.	1.	T7 on previous Tree Preservation and Removal proposal (TPRP) 2020 which is proposed to be retained is no longer found in the new survey and thus not included in the TPRP 2024. The T7 in the TPRP 2024 is a newly surveyed tree and have no previous recommendation. It is proposed to be felled due to cracks around tree ring, located on slope, canopy and roots will be affected by construction works and have a risk of failing.
		2.	T10 - It is proposed to be felled due to poor structural condition, wound on trunk, in conflict with fence, severe leaning, located on slope, canopy and roots will be affected by construction works and have a high risk of failing.
		3.	T64 - It is proposed to be felled due to poor structural condition large decayed wound on base trunk, located on slope, canopy and roots will be affected by construction works and have a high risk of failing.
		The above Trees No. T7, T10 and T64 have been reflected in the latest TPRP which was approved by the Lands Department. Please find the copy of the Self-Certification of Compliance for the latest TPRP approved by Lands Department on 23 April 2024 (Attachment A) for your reference.	
2.	According to the Tree Felling Plan Comparison (Dwg. No. SMC1-TR02), the drawing on the right is titled “Tree Felling Plan from Approved TRPR (Approval Date 23 April 2024)”. Please clarify the approving authority of the TPRP.	The Self-Certification of Compliance for the TPRP dated 23 April 2024 was deemed approved by Lands Department. Please find Attachment A for your reference.	
3.	It is noted that the “vertical green” along eastern boundary of the site in Greenery Calculation Plan (Dwg. No. SMC1_GP02) is not reflected in the Landscape Master Plan (Dwg. No. SMC-LMP01).	Please find the revised Dwg. No. SMC1-LMP01 and SMC1-LMP02.	

Departmental Comments		Applicant's Responses
	Advisory Remarks to Applicant	
4.	The Applicant should note that approval of the s.16 application under TPO does not imply approval of the trees works such as pruning, transplanting and/ or felling under lease. The Applicant is reminded to approach relevant authority/ government department(s) direct to obtain necessary approval on tree works.	Noted.
B.	Buildings Department	
1.	Carpark at LG/F with 4.8m headroom design will be favorably considered under the Buildings Ordinance upon submission of relevant justifications at general building plans submission stage.	Noted. Justification would be submitted at General Building Plans Submission Stage.
2.	Detailed comments will be given during GBP submissions stage.	Noted.

RECEIVED

25 APR 2024

地政總署

LANDS DEPARTMENT

發展監管組

Development Control Section



我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.

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27/F., CDW BUILDING, 382-392 CASTLE PEAK ROAD,
TSUEN WAN, NEW TERRITORIES

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電郵地址 Email: projspb13@landsd.gov.hk

本署檔號 Our Ref: (8) in LM(6) to DLO/SK 181/SLT/59

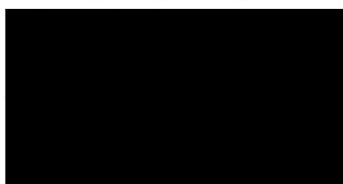
來函檔號 Your Ref.: SMC1/TO/2483/240212LT

覆函請註明本署檔號

Please quote our reference in response to this letter.

By Fax & By Post
(Fax No. 3123 1290)

Double One Limited



23 April 2024

Dear Sir/Madam,

Lot No. : The Remaining Portion of Lot No. 1109 in Demarcation District No. 253
Address : No. 8 Ka Shue Road, Sai Kung, New Territories

Self-Certification of Compliance of
Submission of Tree Preservation and Removal Proposal ("TPRP")

I refer to the "Form 5" dated 16 April 2024 ("the Form") signed by Mr. Timothy John Osborne (Registration No. R-262), your appointed or authorized Registered Landscape Architect ("RLA"), and the document(s) referred to therein, submitted to the Lands Department certifying compliance of the TPRP submission ("the Submission").

2. Please be advised that your case is not selected for compliance checking in accordance with Lands Department Lands Administration Office Practice Note No. 6/2023 ("the PN"). I hereby acknowledge receipt of the Submission. In accordance with the PN, the TPRP is deemed to be approved and the prior written consent of the Director of Lands under the tree preservation clause in Special Condition No. 30 of the lease under which the captioned lot is held ("the Prior Written Consent") for removal of or interference with trees is deemed to be given.

3. On the basis of the certifications and confirmations given by your RLA in the Form, the contents of the TPRP submitted with the Form have not been checked or verified by the Lands Department. It should be noted that the deemed approval of the TPRP and the Prior Written Consent shall have effect only in relation to the trees within the lot and should not be construed as an acknowledgement that anything indicated in the approved TPRP is in all respects in compliance with the lease conditions. Further, they shall not in any way prejudice or affect any rights of the Government under lease or otherwise including the right to reject building plans or any other plans or submissions which are consistent with the approved TPRP but inconsistent with any lease condition, and the right to take enforcement

action in respect of any breach or failure to observe any lease condition which may exist at the date of this letter.

4. You are reminded that no tree removal works under the approved TPRP shall be commenced and conducted before the approval by the Buildings Department of the Foundation Plans and Site Formation Plans, including Excavation and Lateral Support Plans (if required to be submitted) attached to the TPRP. Approval of the same should be provided to this office for record purpose. In case of any subsequent plan submissions affecting any of the tree removal works and transplanting, compensatory landscaping or replanting under the approved TPRP, an amendment TPRP should be submitted to the Lands Department for approval. The Prior Written Consent is also subject to completion of tree removal works and transplanting, compensatory landscaping or replanting under the approved TPRP.

5. Please complete and return the attached Undertaking within 2 weeks hereof.

Yours faithfully,



(Bonny YU)
for Chief Estate Surveyor / Development Control
Building Plan Unit
Lands Department

c.c. (By Post)



(Attn: Mr. Timothy John Osborne)

c.c. (By Fax)

SLA/LT, LandsD

(Attn: Mr. George HO)

2412 4488

SS/Sai Kung, LACO

2537 7348

DLO/Sai Kung, LandsD

(Attn: Ms. Kimberley WONG)

2792 0706

UNDERTAKING

IN CONSIDERATION of the approval to the Tree Preservation and Removal Proposal ("TPRP") given by the Director of Lands (hereinafter referred to as "the Director") in the letter dated 23 April 2024, WE, Double One Limited, hereby agree and undertake that :

(i) We shall implement in all respects to the satisfaction of the Director the tree removal works and the transplanting, compensatory landscaping or replanting in accordance with the TPRP shown on Drawing Nos. SCM1-TR1 and SCM1-TP1 (All Rev. 0), and approved by the Director on 23 April 2024 before the completion of the redevelopment/ development at The Remaining Portion of Lot No. 1109 in Demarcation District No. 253;

(ii) In the event of the non-fulfillment of our obligation under sub-paragraph (i) above, the Director may carry out the necessary works at our expense and we shall pay to the Government on demand a sum equal to the cost thereof, such sum shall include supervisory and overhead charges, to be determined by the Director whose determination shall be final and shall be binding upon us; and

(iii) No tree removal works under the approved TPRP shall be commenced and conducted before the approval by the Buildings Department of Foundation Plans and Site Formation Plans, including Excavation and Lateral Support Plans (if required to be submitted).

IN WITNESS whereof we have caused the Common Seal of the Company affixed hereunto the _____ day of _____ 2024.

SEALED with the Common Seal of _____)
Double One Limited and _____)
signed by Dr. Chan Wai Man Raymond)
in the presence of Miss. Claudia Tang Hoi Wai)



[Handwritten signature]

Claudia