

**APPLICATION FOR RENEWAL OF PLANNING APPROVAL  
FOR TEMPORARY USE OR DEVELOPMENT  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/H18/82**

<b><u>Applicant</u></b>	: Government Property Agency (GPA)
<b><u>Site</u></b>	: Former Government Staff Quarters of Water Supplies Department (WSD), Tai Tam Tuk Raw Water Pumping Station, Tai Tam
<b><u>Site Area</u></b>	: 4,770 m <sup>2</sup> (about)
<b><u>Land Status</u></b>	: Government Land
<b><u>Plan</u></b>	: Approved Tai Tam & Shek O Outline Zoning Plan (OZP) No. S/H18/10
<b><u>Zoning</u></b>	: “Government, Institution or Community (1)” (“G/IC(1)”)  (a) maximum building height (BH) of 20mPD or the height of the existing building, whichever is the greater; and (b) provision for application for minor relaxation of the BH restriction.
<b><u>Application</u></b>	: Renewal of Planning Permission for Temporary ‘House (Conversion of Existing Building)’ Use for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks renewal of the planning permission for temporary ‘House (Conversion of Existing Building)’ use for a further period of 3 years. The application site (the Site) falls within an area zoned “G/IC(1)” on the approved Tai Tam & Shek O OZP No. S/H18/10 (**Plan A-1**). According to the Notes of the OZP, planning permission from the Town Planning Board (the Board) is required for ‘House’ use within the zone.
- 1.2 The Site is the former senior staff quarters of WSD, which comprises two residential buildings (i.e. one 2-storey European-style building and one single-storey building), a garage and the adjoining open area (**Plan A-2**). The total floor area is about 380m<sup>2</sup>. The two residential buildings, together with the adjoining buildings and structures to the west constructed in connection with the Tai Tam Group of Reservoirs, are declared monuments. The Site is the subject of four previous planning applications (No. A/H18/47, A/H18/52,

A/H18/69 and A/H18/74) to use the existing buildings for 'House' use on a temporary basis. Details of these previous planning applications are in paragraph 5 below.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) Application form received on 9.2.2018 (Appendix I)
- (b) Further information received on 13.3.2018 (Appendix Ia)

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the attachments to the application form at **Appendix I** and further information at **Appendix Ia**. They can be summarised as follows:

- (a) the proposed 'House' use conforms to the original residential use as staff quarters and is compatible with the original design of the buildings as well as the land use characteristics of the area;
- (b) the applicant currently lets out the Site as private residence for one single family with a term up to 11.5.2018 and intends to retender the premises for the same private residential use for a further period of 3 years, i.e. from 12.5.2018 to 11.5.2021. The proposed re-letting of the premises can better utilize the premises and generate public revenue;
- (c) the Commissioner for Heritage (CHO), Development Bureau has no objection to the proposed 3-year term tenancy provided that there is a break-clause for early termination of the tenancy after the first two years. Such break clause will be incorporated in the lease conditions for the proposed new tenancy. The approval of the renewal application for a term of 3 years would not frustrate heritage conservation and revitalization of the monument in the future whilst CHO is considering revitalisation proposals for the existing monument buildings at the Site on a long term basis;
- (d) for compliance with the approval condition under the previous application (No. A/H18/74) (i.e. the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Service (D of FS)), the existing lease has required the lessee to observe and comply with any requirements which may be imposed by D of FS in connection with the occupation and use of the Site; and
- (e) same as the existing lease, the future lessee of the proposed lease will be:
  - (i) prohibited to make any alteration and addition to the Site, except with the consent of the Antiquities and Monument Office, Leisure and Cultural Services Department (AMO, LCSD) and the Government;
  - (ii) required to comply with the Conservation Guidelines provided by AMO;
  - (iii) required to allow staff of AMO to gain access for the purpose of any site inspection, improvement or development in connection with the

- monument;
- (iv) required to maintain the Premises in a good and safe condition at his own expense;
- (v) required to obtain written consent of GPA before removing / interfering the trees in the Site (i.e. tree preservation clause); and
- (vi) required to observe and comply with any requirements which might have been imposed by D of FS in connection with the occupation and use of the Site.

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

As the Site involves government land only, 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) is not applicable to the application.

### **4. Town Planning Board Guidelines**

According to Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34B), the criteria for assessing applications for renewal of planning approval are as follows:

- (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
- (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
- (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant government departments within the specific time limits;
- (d) whether the approval period sought is reasonable; and
- (e) any other relevant considerations.

### **5. Previous Applications**

The Site is the subject of four previous planning applications (No. A/H18/47, A/H18/52, A/H18/69 and A/H18/74) submitted by the same applicant for ‘House’ / ‘House (Conversion of Existing Building)’ uses (**Plan A-1**). Applications No. A/H18/47 and A/H18/52 were approved with/without condition by the Committee on 30.7.2004 and 11.5.2007 respectively, both on a temporary basis for a period of 5 years. Subsequently, applications No. A/H18/69 and A/H18/74 for renewal of the approved planning permission were approved with condition(s) by the Committee on 16.3.2012

and 13.3.2015 on a temporary basis for a period of 3 years until 11.5.2015 and 11.5.2018 respectively. Details of the applications are summarised at **Appendix II**.

## **6. Similar Application**

There is no similar application within the “G/IC” zone for ‘House’ use in the area covered by Tai Tam & Shek O OZP.

## **7. The Site and Its Surrounding Areas (Plans A-1 and A-2 and Photos on Plans A-3 and A-4)**

### **7.1 The Site:**

- (a) is situated on a platform overlooking Tai Tam Harbour;
- (b) comprises two residential buildings (i.e. one 2-storey European-style building and one single-storey building), a garage and the adjoining open area. The two residential buildings are declared monuments and can be reached via footpath / staircase from the entrance;
- (c) is currently let out for residential use for one single family; and
- (d) has no direct vehicular access. Vehicles are required to pass through sections of Tai Tam Reservoir Road and area in front of the Tai Tam Tuk Raw Water Pumping Station (**Plan A-2**).

### **7.2 The surrounding areas have the following characteristics:**

- (a) to its immediate west is the existing Tai Tam Tuk Raw Water Pumping Station;
- (b) to its immediate south and further south are the natural hillslopes and the residential developments of Redhill Peninsula; and
- (c) to its further west and north-west along the coast is the Hong Kong International School and the Tai Tam Scout Centre respectively (**Plan A-1**).

## **8. Planning Intention**

The planning intention of the “G/IC” zone is intended primarily for the provision of government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the government, organisations providing social services to meet community needs, and other institutional establishments.

## **9. Comments from Relevant Government Departments**

- 9.1 The following government departments have been consulted and their views on the application are summarised as follows:

### **Preservation Aspect**

#### **9.1.1 Comments of CHO:**

- (a) no objection to the renewal application; and
- (b) there is yet any plan for the long term use of the site. The assessment of the applications for projects under Batch V of the Revitalising Historic Buildings Through Partnership Scheme (R-Scheme) is still in progress and more time is required for the assessment as to whether the Site is suitable and viable for putting under the R-Scheme. In the meantime, we have no objection to the proposal of GPA for leasing the site for suitable use on short term basis provided that a break clause is included in the tenancy agreement to allow the government to have the right of early termination of the lease.

#### **9.1.2 Comments of AMO, LCSD:**

no objection to the renewal application from a heritage conservation perspective subject to the following conditions:

- (a) Tai Tam Tuk Raw Water Pumping Station Senior Staff Quarters, a declared monument under the Antiquities and Monuments Ordinance (Cap. 53) (the Ordinance), falls within the Site. The future lessee should apply for a permit under section 6 of the Ordinance from the Antiquities Authority (i.e. Secretary for Development) through AMO prior to commencement of any works to the Monument; and
- (b) the Monument should be made available to the staff of AMO to gain access for the purpose of any site inspection, improvement or development in connection with the Monument.

### **Fire Safety Aspect**

#### **9.1.3 Comments of D of FS:**

- (a) no objection in principle to the application subject to FSIs and water supplies for firefighting being provided to the satisfaction of his department; and
- (b) as no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by his Department at the present stage. Nevertheless, the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the “Code

of Practice for Fire Safety in Buildings 2011” which is administrated by the Buildings Departments.

**Geotechnical Aspect**

9.1.4 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) the applicant or the future lessee of the Site shall facilitate the carrying out of the slope upgrading works (feature No. 15NW-B/DT11) which are to be carried out by the Architectural Services Department (ArchSD); and
- (b) it is noted that alternation and addition works to the existing buildings and the adjoining open area are unlikely, given the prohibition of such works to the future lessee of the Site as per section 2.3 of the “Background and Justification” appended to the application. However, in case there are proposed works that may affect or be affected by slopes, relevant geotechnical submissions shall be submitted to GEO for checking as stipulated in ETWB TC(W) No. 29/2002.

**Environmental Aspect**

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

- (a) no comment on the application; and
- (b) the applicant is reminded to obtain an environmental permit prior to commencement of any earthworks or building works to the declared monument.

**Electricity Supply Safety Aspect**

9.1.6 Comments of the Director of Electrical and Mechanical Services:

- (a) no comment on the application from electricity supply safety aspect; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned should find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

### **District Officer's View**

9.1.7 Comments of the District Officer (Southern), Home Affairs Department (DO(S), HAD):

- (a) no comment on the application; and
- (b) he did not receive any comment from the public during the public inspection period.

9.2 The following departments have no comment on / no objection to the application:

- (a) District Lands Officer/Hong Kong West & South, Lands Department;
- (b) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (c) Chief Building Surveyor/Hong Kong East & Heritage, Buildings Department;
- (d) Chief Engineer/Development (2), WSD;
- (e) Chief Architect/ Central Management Division 2, ArchSD;
- (f) Chief Highway Engineer/Hong Kong, Highways Department;
- (g) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (h) Commissioner for Transport;
- (i) Commissioner of Police; and
- (j) Director of Agriculture, Fisheries and Conservation.

## **10. Public Comment Received during Statutory Publication Period**

On 20.2.2018, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 13.3.2018, one public comment was received suggesting to use the building for community facilities (**Appendix III**).

## **11. Planning Considerations and Assessment**

11.1 The application is for renewal of the planning permission to continue the use of the existing buildings for 'House' for a further period of 3 years. The current application is the same as the previously approved application No. A/H18/74 in terms of site area/boundary, applied use and the renewal period.

11.2 The renewal application complies with the relevant assessment criteria in TPB PG-No. 34B in that:

- (a) there has been no material change in planning circumstances and the land uses of the surrounding areas since the granting of the last temporary approval on 13.3.2015;
- (b) there is no adverse planning implication arising from the renewal of the planning approval. CHO has no objection to the renewal application

provided that there is a break clause for early termination of the tenancy after the first two years, which has been confirmed by the applicant. As the long term use of the monument together with its adjacent area is yet to be determined, the approval of the application on a temporary basis for a period of 3 years would not frustrate heritage conservation and revitalization of the concerned monument in the future;

- (c) the approval condition under the previous approval with regard to the provision of FSI and water supplies for firefighting has been complied with; and
  - (d) concerned government bureau/departments have no objection to or no adverse comment on the application.
- 11.3 Regarding the public comment, the long term use of the Site is yet to be determined. At this stage, there is no request from the relevant government bureaux/departments to use the Site for GIC or community uses.

## **12. Planning Department's Views**

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a further period of 3 years until 11.5.2021. The following condition of approval and advisory clauses are also suggested for Members' reference:

### Approval Condition

The provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

### Advisory Clauses

The recommend advisory clauses are attached at **Appendix IV**.

- 12.3 There is no strong reason to recommend rejection of the application.

## **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission for renewal of the planning permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission on a temporary basis 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**

<b>Appendix I</b>	Application Form Received on 9.2.2018
<b>Appendix Ia</b>	Applicant's Letter Received on 13.3.2018
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Public Comment
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Site Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 and A-4</b>	Site Photos

**PLANNING DEPARTMENT  
APRIL 2018**