

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/H7/177**

<b><u>Applicant</u></b>	The Hong Kong Football Club (HKFC) represented by Wilkinson & Cilley Limited
<b><u>Site</u></b>	The Sportsman's Bar, HKFC, 3 Sports Road, Happy Valley, Hong Kong
<b><u>Site Area</u></b>	About 66.27m <sup>2</sup>
<b><u>Lease</u></b>	<ul style="list-style-type: none"><li>- Inland Lot (I.L.) No. 9033 granted to HKFC under the Condition of Lease Extension No. 20247</li><li>- Lease term is 15 years commencing from 26.12.2011</li></ul>
<b><u>Plan</u></b>	Approved Wong Nai Chung Outline Zoning Plan (OZP) No. S/H7/21
<b><u>Zoning</u></b>	<p>“Other Specified Uses” annotated “Sports and Recreation Club” (“OU(SRC)”)</p> <ul style="list-style-type: none"><li>- For land where no maximum building height (BH) is stipulated on the Plan, any new development, or redevelopment of an existing building (except in-situ redevelopment of an existing building up to its existing BH) requires permission from the Town Planning Board (the Board) under section 16 of the Town Planning Ordinance</li></ul>
<b><u>Application</u></b>	Proposed Private Club

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed private club use to facilitate the proposed extension of kitchen area and electrical and mechanical (E&M) facilities of the existing Sportsman's Bar (the Bar) of the HKFC (the Site), which is zoned “OU(SRC)” on the approved Wong Nai Chung OZP No. S/H7/21 (**Plan A-1**). While ‘Private Club’ use is a Column 1 use under the Notes of the OZP, for land zoned “OU(SRC)” where no maximum BH is stipulated on the Plan, planning permission is required, except in-situ redevelopment of an existing building up to its existing BH. The Site is currently occupied by a full sized mock-up of the proposed extension. According to the applicant, such structure is for the Hong Kong Jockey Club (HKJC) to check the viewings from its camera towers and race day control room.
- 1.2 According to the applicant, the proposed kitchen extension is to enhance the working environment of the kitchen of the Bar and not to increase the capacity of the Bar. The operational hour of the Bar is from 4:00pm to midnight from Monday to Friday; from 4:00pm to 1:00am on Friday, from 11:00am to 1:00am on Saturday and from 11:00am

to midnight on Sundays and public holidays. The layout plan, floor plans, section, elevation and site photos submitted by the applicant are shown at **Drawings A-1 to A-6**. Major development parameters of the proposed extension are as follows:

<b>Major Development Parameters</b>	
Site Area	About 66.27m <sup>2</sup>
Total Floor Area (Non-domestic)	About 66.27m <sup>2</sup>
- Kitchen extension	- About 41.14m <sup>2</sup>
- E&M facilities	- About 15.19m <sup>2</sup>
- Store room and Passage	- About 9.94m <sup>2</sup>
No. of Blocks	1
No. of Storeys	1
BH (Main Roof)	4.05m/ +9.15mPD
Anticipated Completion Year	End 2021

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

- (a) Applicant's letter, application form and supplementary information, including justifications for the proposed development, plans, sections, elevations and site photos, received on 7.1.2021. **(Appendix I)**
- (b) Supplementary information (SI) received on 12.1.2021 providing on the service nature of the proposed development. **(Appendix Ia)**
- (c) Further Information (FI), including supplementary layout plans, received on 10.2.2021 **(Appendix Ib)**
- (d) FIs providing supplementary layout plans received on 19.2.2021 **(Appendices Ic and Id)**
- (e) FI providing clarification on the operating hours received on 23.2.2021 **(Appendix Ie)**  
*[(c) to (e) exempted from publication and recounting requirements]*

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

The justifications put forward by the applicant in support of the application are detailed in the applicant's justification (**Appendix I**), SI (**Appendix Ia**) and FIs (**Appendices Ib to Ie**). They can be summarised as follows:

### Increasing demand of catering facilities of the Bar

- (a) When the current HKFC's configuration was first established in 1995, the Bar was only provided with a very small kitchen where the menu was virtually confined to burgers and chips. In 2002, the back of house premises was reorganised within the existing footprint to provide the current kitchen which is capable of providing a more extensive range of cooked food but in limited quantities. Nonetheless, the Bar has rapidly acquired a following which requested a more comprehensive food service and

the demand on the facility has increased since the current kitchen was formed. In this regard, there were previously some 350 hours per year of the use of Main Pitch, whereas now there are some 3,500 hours of use per year which generated a substantial demand for both food and drinks.

- (b) The Bar serves only the member of HKFC. There are 3,500 active members which with spouses, partners and children, represents over 10,000 regular users. There are in addition 3,530 absent members who use the facilities on a less regular basis.

Deficiency of current facilities resulted in higher staff turnover rate of the Bar

- (c) As the current facilities are inadequate to cater for the demand, it poses a potential risk to the health and safety at work for the staff, particularly during the summer months when the condition can be unbearable. This renders a higher turnover rate of staff of the Bar as compared to the overall figure of the HKFC.

Kitchen extension will provide a better working environment

- (d) HKFC wishes to expand the kitchen area to enhance the working environment. The new layout will have a self-contained preparation area to which direct access can be provided and adjacent to which a walk-in chiller and freezer can be provided. (**Drawing A-1**) This preparation area will serve both the hot and cold kitchens which are in a single line to facilitate service. Dirty dish return and pot wash are provided with direct access from the bar and kitchen respectively but in a separate area.

Discreet configuration of the kitchen extension will not be obtrusive to existing users

- (e) The kitchen extension is enclosed on three sides by the Bar, the existing kitchen as well as the elevated track of the Happy Valley Racecourse (the Racecourse), and hence is only clearly visible from the south side of the extension which faces into the HKFC premises. In this regard, the proposed extension is not visible by the public at large at ground level from the street, and it is not obtrusive to the neighbouring exercise path (**Drawings A-5 to A-6**). A full sized mock-up of the proposed extension was prepared to facilitate HKJC to check the viewings from its camera towers and race day control room. Also, a letter of no objection from the HKJC has been obtained, rendering no objection in principle on the proposed kitchen extension.

Existing systems will be upgraded to minimise impacts

- (f) The existing air conditioning (A/C) equipment of the Bar will be replaced in its entirety with significantly enhance equipment specifically intended to reduce noise impact on the neighbouring uses. The existing extract system will also be replaced by a more modern and quieter system with electrostatic precipitator to remove smells and any possible noxious fumes. Potable and flush water systems will be connected to the existing system within the HKFC. All sinks will be provided grease traps and the drains will be connected to the existing system. The provision will comply with the standard of the Buildings Department (BD) and Drainage Services Department (DSD).

Capacity of the Bar will not be increased which will cause no impact on existing traffic arrangement and pedestrian users

- (g) It is not HKFC's intention to use the extended kitchen to increase the capacity of the Bar, which is already at its full capacity. As a result, there would be no impact on existing traffic arrangement with the HKFC. No impact on pedestrian users of the premises or on the passers-by are expected.

No landscape, drainage and other impacts are anticipated

- (h) The proposed extension is located on a hard-paved patio on which there is no vegetation, and hence no trees will be affected. Also, excavation work will not exceed 300mm in general. The roof of the new extension will be the same as the area of the hard-paved patio that it replaces. As a result, the rainwater run-off will not be increased and connection to the existing stormwater from the proposed roof will be provided. Run-off will create no impact on the existing surface water drainage system. Also, no adverse impact on the foul water drainage system is anticipated.

**3. Compliance with the "Owner's Consent/ Notification" Requirements**

The applicant is the sole "current land owner" of the Site. Detailed information would be deposited at the meeting for Members' inspection.

**4. Background**

The Site was previously zoned "OU(SRC)" with a BH restriction of 5 storeys and a Remark in the Notes requiring planning permission for new development and redevelopment within the zone on the draft Wong Nai Chung OZP No. S/H7/14, which was exhibited for public inspection on 18.1.2008. During the exhibition period of the OZP, among others, HKJC submitted a representation opposing to the proposed BH on the Site as the sports field of HKFC encircled by the race track of the Racecourse, the maximum BH (i.e. 5 storeys) would obstruct the views of the spectators on horse racing on the track. HKFC had also submitted a representation opposing to the BH restriction of the whole HKFC site and the Remark in the Notes requiring planning permission for new development and redevelopment on the grounds that there was no such BH restriction under lease and any such constraint in this regard would affect possible expansion plans to cater for future recreational and sporting needs. Upon consideration of such representations, the Board on 8.8.2008 decided to uphold/partially uphold the representation of HKJC and HKFC by amending the BH restrictions for the existing buildings at the sports field of HKFC from 5 storeys to 2 storeys, deleting the BH restrictions for the remaining parts of the sports field site (including the Site) and amending Remark (3) in the Notes of "OU(SRC)" zone to exempt the existing built-over areas from planning permission requirement. On 29.8.2008, the proposed amendments were published for public inspection under section 6C(2) of the Town Planning Ordinance (the Ordinance). After giving further representations on 14.11.2008, the Board decided not to uphold the further representations and to amend the OZP by the proposed amendments under sections 6F(8) and 6G of the Ordinance. There is no change to the BH restriction and the Remarks of the subject zone since then.

5. **Previous Application**

There is no previous application involved in the Site.

6. **Similar Applications**

There is no similar application for private club development at the “OU(SRC)” zone of the OZP.

7. **The Site and Its Surrounding Areas (Plans A-1 to A-3 and photos on Plans A-4 to A-5)**

7.1 The Site (**Plans A-1 to A-3**) is:

- (a) situated within the southern portion of HKFC (which is divided by the race track of the Racecourse into two portions);
- (b) paved and currently occupied by a full sized mock-up of the proposed development with a temporary structure for storage use;
- (c) located next to the Bar of HKFC; and
- (d) adjacent to the Bar and accessible via an underground tunnel connecting to the main building of HKFC which is situated along Sports Road.

7.2 The surrounding areas have the following characteristics (**Plans A-2 to A-5**):

- (a) to its immediate north and east are the exercise path of the Happy Valley Recreation Ground which is located in the inner rim of the race track of the Racecourse;
- (b) to its immediate south and west is the club premises of HKFC, including the outdoor lawn bowling greens, the Bar and the soccer/ rugby pitch;
- (c) to its further north across the Racecourse is the main building of HKFC and the HKJC Headquarters located along Sport Road;
- (d) to its further east across the Racecourse are the public toilets and public metered parking along Wong Nai Chung Road; and
- (e) to its further south and west are the soccer fields of the Racecourse and HKFC’s hockey pitch respectively.

8. **Planning Intention**

8.1 The planning intention of the “OU(SRC)” zone is primarily to provide/ reserve land for sports and recreation club uses. In this regard, ‘Private Club’ use is always permitted.

- 8.2 According to paragraph 3 of the Remarks of the Notes, for land where no maximum BH is stipulated on the Plan, any new development, or redevelopment of an existing building (except in-situ redevelopment of an existing building up to its existing BH) requires permission from the Board under section 16 of the Town Planning Ordinance.

## 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:

### **Land Administration**

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

- (a) The Site falls within IL9033 which is granted to HKFC under the Conditions of Lease Extension No. 20247.
- (b) The lease term is 15 years commencing from 26.12.2011.
- (c) The proposed kitchen extension is neither shown on the Master Layout Plans (MLPs) approved under Special Condition (SC) (8)(b) (i.e. SC on MLPs) nor regarded as the Existing Structures as referred to in SC(13) (i.e. SC on restriction on development of the lot). Hence, application for consent/ approval under SC(8)(b) and SC(13) is required.
- (d) If the planning application is approved, the lot owner is required to apply to his department for approval/ consent under the concerned SCs. Such application will be considered by his department in the capacity of a landlord at its discretion and there is no guarantee that such application will be approved. If such application is approved by his department, it will be subject to such terms and conditions, including, amongst others, the payment of premium or fee, as considered appropriate by his department.

### **Building Matters**

- 9.1.2 Comments of the Chief Building Surveyor/ Hong Kong East & Heritage Section (CBS/HKE&H), BD:

- (a) She has no in-principle objection under the Buildings Ordinance (BO).
- (b) If gross floor area concession for green/ amenity features and non-mandatory/ non-essential plant rooms and services is applied for the proposed alterations and additions works resulting in a new building, the pre-requisite Sustainable Building Design Guidelines as stipulated in Practice Notes for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-151 and 152 should be complied with.
- (c) Detailed comments on compliance with the BO will be made at building plan submission stage.

### **Traffic Aspect**

#### 9.1.3 Comments of the Commissioner for Transport (C for T):

He has no comments on the application as the proposed extension of kitchen of the Bar is for enhancing the kitchen environment only. The Bar will remain serving the existing members of HKFC and its capacity will not be increased.

### **Visual and Air Ventilation Aspects**

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

- (a) Due to the small scale of the proposed development, it will unlikely to induce significant adverse visual and air ventilation impacts to the surrounding areas.
- (b) The applicant is advised to explore design measures on the façade treatment of the proposed development to enhance the visual interest of pedestrians using the jogging trail to the east of the Site.

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

- (a) The proposed extension consists of 1-storey building at 9.15mPD, which is lower than the adjacent Sportsman's Bar at +11.2mPD, and is located within the HKFC site and close proximity to existing facilities, it is considered that the proposed extension may not be incompatible with the surroundings.
- (b) The applicant is reminded to locate the kitchen exhaust system carefully and exhausting undesirable smell/ exhaust to HKFC users/ public should be avoided.

### **Landscape Aspect**

#### 9.1.6 Comments of CTP/UD&L, PlanD:

- (a) The Site does not fall within landscape sensitive zonings.
- (b) Referred to site photos in the submission (**Drawings 5 and 6**) and aerial photo of 2020 (**Plan A-3**), no existing trees is found within the Site and hence significant landscape impact is not envisaged.

### **Licensing Aspect**

#### 9.1.7 Comments of the Director of Food and Environmental Hygiene (DFEH) and the Chief Officer (Licensing Authority), Home Affairs Department (CO (Licensing Authority), HAD):

- (a) While the Bar does not hold any food licence issued by the Food and Environmental Hygiene Department, the following club liquor licence is issued by the Liquor Licensing Board and currently valid:

Club Name:	Hong Kong Football Club
Club Premises:	Hong Kong Football Club Building, 3 Sports Road, Happy Valley, Hong Kong
Licensee:	Mr PAWLEY Mark Andrew
Licence No.:	5312000041
Expiry Date:	30.9.2021

- (b) Under the Certificate of Compliance (CoC) issued by the Office of Licensing Authority of HAD, the Bar is included within the existing CoC, and hence the club liquor license.
- (c) The alteration and addition works in the licensed area of the premises of HKFC shall comply with the current BO and Regulations and are accepted by the Building Authority (BA). A copy of the acknowledgement letter or occupation permit issued by the BA for the completion of the building works should be submitted to the Office of Licensing Authority of HAD.
- (d) The licensing requirements will be formulated after inspections by HAD's Building Safety Unit and Fire Safety Team upon receipt of the alteration and addition proposal submitted to the Office of Licensing Authority of HAD.

### **Fire Safety Aspect**

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

- (a) He has no objection in principle to the application subject to water supplies for firefighting and fire service installations being provided to his satisfaction.
- (b) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

### **District Officer's Comments**

9.1.9 Comments of the District Officer (Wan Chai), HAD (DO(WC), HAD):

His office has not received any comment on the application.

9.2 The following government departments have no comment on the application:

- (a) Home Affairs Bureau (HAB);
- (b) Commissioner of Police (C of P);
- (c) Chief Engineer/ Construction, Water Supplies Department (CE/Construction, WSD);
- (d) Chief Engineer/ Hong Kong & Islands, DSD (CE/HKI, DSD);

- (e) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (f) Director of Electrical and Mechanical Services (DEMS);
- (g) Director of Environmental Protection (DEP);
- (h) Executive Secretary of Antiquities and Monuments (AMO); and
- (i) Director of Leisure and Cultural Services Department (DLCS).

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

On 15.1.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period, no public comment was received.

## 11. **Planning Considerations and Assessments**

- 11.1 The application is for a proposed kitchen extension and E&M facilities of the Bar of the HKFC. The proposed development involves the development of a 1-storey structure with a BH of 4.05m (main roof at +9.15mPD) connecting to the Bar. According to the Notes of the OZP, ancillary use to 'Private Club' is always permitted within the "OU(SRC)" zone. Nonetheless, for land where no maximum BH is stipulated on the Plan, any new development, or redevelopment of an existing building (except in-situ redevelopment of an existing building up to its existing BH) requires permission from the Board. The proposed development is generally in line with the planning intention of the "OU(SRC)" zone to facilitate the development of private club.
- 11.2 The proposed development is one-storey high with a site area of about 66.27m<sup>2</sup>. It is considered not incompatible with the surrounding developments which consists of exercise path of the Happy Valley Recreation Ground, race track of the Racecourse, club premises of HKFC (including the outdoor lawn bowling greens, the Bar and the soccer/ rugby pitch) and the main building of HKFC and the HKJC Headquarters etc. The Site is adjacent to the race track of the Racecourse and the applicant has already obtain a letter of no in-principle objection from the HKJC (**Appendix I**). Both CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comments from urban design and visual perspectives. However, advisory clauses are recommended in paragraph 12.3 below to remind the applicant to explore design measures to enhance the visual interest of the building and to locate the kitchen exhaust system carefully to avoid exhausting undesirable smell/ exhaust to HKFC users/ public.
- 11.3 The applicant has indicated in the submission that the proposed development is intended for the use of the members of HKFC and the capacity of the Bar will not be increased. The proposed kitchen extension is to address the current deficiency of the existing facilities and to provide a better working environment for the staff, particularly during extreme weather conditions. With the proposed extension of the kitchen facilities, the existing facilities of the Bar, including the A/C equipment and extract systems, will also be upgraded to minimise the impacts to the surrounding. In addition, no impacts on the existing traffic arrangement and pedestrian users are anticipated. Both DEP and C for T have no comment on the application. Other relevant government departments including WSD and FSD have no adverse comment on the application.

- 11.4 There is also no public comments received on the application during the statutory publication period.

## 12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Metro Planning Committee of the Board (the Committee) decided to approve the application on the terms of the application as submitted to the Board, it is suggested that the permission shall be valid until 26.2.2025, 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 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

- 12.3 The recommended advisory clauses are attached at **Appendix II**.
- 12.4 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.
- 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 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>	Applicant's letter, application form and supplementary information received on 7.1.2021
<b>Appendix Ia</b>	SI received on 12.1.2021
<b>Appendix Ib</b>	FI received on 10.2.2021
<b>Appendix Ic</b>	FI received on 19.2.2021
<b>Appendix Id</b>	FI received on 19.2.2021
<b>Appendix Ie</b>	FI received on 23.2.2021
<b>Appendix II</b>	Recommended advisory clauses

<b>Drawing A-1</b>	Layout plan of the Bar and the proposed kitchen
<b>Drawings A-2 to A-3</b>	Floor plans submitted by the applicant
<b>Drawing A-4</b>	Section and elevation submitted by the applicant
<b>Drawings A-5 to A-6</b>	Site photos submitted by the applicant
<b>Plan A-1</b>	Location plan
<b>Plan A-2</b>	Site plan
<b>Plan A-3</b>	Aerial photo
<b>Plans A-4 to A-5</b>	Site photos

**PLANNING DEPARTMENT  
FEBRUARY 2021**