

MPC Paper No. A/H6/89A
For Consideration by the
Metro Planning Committee
on 24.4.2020

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

APPLICATION NO. A/H6/89

- Applicant** : Excelsior Hotel (BVI) Limited represented by Masterplan Limited
- Site** : 281 Gloucester Road, Causeway Bay, Hong Kong
- Site Area** : About 4,272m²
- Lease** : Marine Lot (ML) 52 s.G ss.7 & Extension (Ext) and ML 52 s.A ss.1 RP & Ext ("the Lots") -
- (a) virtually unrestricted except non-offensive trade clause and rate and range clause; and
- (b) a licence has been given to permit the trades or business of victualler or tavern-keeper for the Lots on 13.6.1970.
- Plan** : Approved Causeway Bay Outline Zoning Plan (OZP) No. S/H6/17
- Zoning** : "Commercial (1)" ("C(1)") – about 4,055m² (about 95%)
[(a) restricted to a maximum building height (BH) of 135mPD; and
(b) a 8m-wide non-building area (NBA) is designated in the south-western corner of the site.]; and
- Area shown as 'Road' – about 217m² (about 5%)
- Application** : Proposed 'Office', 'Eating Place' and 'Shop and Services' uses

1. The Proposal

- 1.1 The applicant seeks planning permission to develop a 34-storey commercial building, including a 4-storey retail podium and a 3-storey basement for vehicle parking and E/M facilities, with 'Office', 'Eating Place' and 'Shop and Services' uses at 281 Gloucester Road, Causeway Bay (the Site) (**Plan A-1**). While the main part of the proposed commercial building will be located within the "C(1)" zone, a minor portion of the basement (B1/F to B3/F) and podium (1/F, 2/F and the outside seating accommodation of 'eating place' on 3/F) of the proposed building, with an area of about 141m² and 205m² respectively, fall within an area shown as 'Road' on the OZP (**Drawings A-1 to A-3 and A-5**). According to the Notes of the OZP, 'Office', 'Eating Place' and 'Shop and Services' uses are always permitted within "C(1)" zone but require planning permission from the Town Planning Board (the Board) within area shown as 'Road'.

- 1.2 The proposed commercial building will have a total gross floor area (GFA) of about 64,080m², plot ratio (PR) of 15 and BH of 135mPD. A total of 131 vehicle parking spaces and 14 loading/unloading spaces will be provided. Key parameters of the proposed development are summarized below (**Drawings A-1 to A-6**):

Key Development Parameters of the Proposed Development	
Site Area	4,272m ²
GFA	about 64,080m ²
PR	15
Site Coverage	about 75.48%
BH (at main roof)	135mPD
No. of Storeys	34
Eating Place and Shop & Services (G/F-3/F & 35/F)*	10,727m ²
Office (5/F-18/F & 21/F-33/F)*	53,353m ²
Outside Seating Accommodation (OSA)	469m ² @
Vehicle Parking Spaces (B1/F-B3/F)#	131
- Private Car Parking	119
- Motorcycle Parking	12
Loading/Unloading (L/UL) Spaces^^	14
- Light Goods Vehicle (LGV)	11
- Heavy Goods Vehicle (HGV)	3

Remarks:

- * The floor numbering has excluded 4/F, 13/F, 14/F, 24/F & 34/F.
- @ Approximately 205m² of the OSA is located within the area shown as 'Road' on 3/F (**Drawing A-1a**), the rest of the OSA is located on flat roof terraces at 3/F and 35/F of the tower within the "C(1)" zone.
- # Majority of the L/UL activities will be at the 3-storey basement via a vehicular ramp from Gloucester Road. Apart from vehicle parking spaces and L/UL spaces, E/M and ancillary facilities will also be provided within the basement (**Drawing A-2**).
- ^^ 3 HGV spaces accessible from Jaffe Road on G/F will be used occasionally with staff deployed to oversee the operation of the L/UL activities (**Drawing A-5**).

- 1.3 The applicant also proposes a number of design measures at G/F of the proposed development to enhance the pedestrian environment and air ventilation. The building line on the G/F of the proposed development fronting Gloucester Road will be set back from the lot boundary to provide an all-weather area for drop-off and pedestrians, while a 3.5m wide footpath will also be provided along Gloucester Road (**Drawings A-5a & A-6**). With a proposed 1.5m setback from the adjoining residential buildings to the eastern boundary of the Site, a contiguous space will be created for full-time pedestrian access (**Drawing A-5**). A large building gap of about 8m high is also proposed on G/F to enable air flow from Gloucester Road through the landscaped pedestrian area towards Jaffe Road (**Drawings A-4, A-4a & A-5**). The proposed building will not encroach upon the NBA designated in the southwestern corner of the Site (about 90.8m²) (**Drawing A-5 & Plan A-2**).
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 25.10.2019 (Appendix I)
 - (b) Applicant's letter dated 10.10.2019 together with a planning statement (Appendix Ia)

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| (c) | Applicant's letter dated 24.12.2019 providing further information (FI) including responses to Transport Department (TD)'s comments and a geo-technical paper on the feasibility of basement development [FI-1]* | (Appendix Ib) |
| (d) | Applicant's letter dated 5.2.2020 providing drawings for clarification of the proposed development [FI-2] [#] | (Appendix Ic) |
| (e) | Applicant's letter dated 14.2.2020 providing responses to comments from TD and Buildings Department (BD) [FI-3] [#] | (Appendix Id) |
| (f) | Applicant's letter dated 2.3.2020 providing responses to comments from TD and Geotechnical Engineering Office (GEO) including traffic assessments and revised drawings for the proposed development [FI-4]* | (Appendix Ie) |
| (g) | Applicant's letter dated 17.4.2020 providing responses to comments from TD [FI-5] [#] | (Appendix If) |

* *accepted but not exempted from the publication and recounting requirements*

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- 1.5 The application was received on 25.10.2019 and originally scheduled for consideration by the Metro Planning Committee (the Committee) of the Board on 13.12.2019. On 13.12.2019, as requested by the applicant, the Committee decided to defer making a decision on the application for two months pending the submission of FI by the applicant. The applicant subsequently submitted three FIs as detailed in paragraph 1.4 above. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 21.2.2020 for consideration of the application was rescheduled and the Committee agreed to defer consideration of the application. On 2.3.2020 and 17.4.2020, the applicant submitted two FIs (**FI-4 & FI-5**) to address the outstanding departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FIs at **Appendix Ia** to **Appendix If**. They can be summarised as follows:

- (a) the applicant is the owner of the Site, general building plan approvals have been obtained for commercial development totally falling within the "C(1)" zone, the current proposed development will enable full utilization of the Site, achieve a better building design with various planning gains for pedestrian, and resulting in additional parking spaces, i.e. 18 for private car and 2 for motorcycle as compared with the previously approved building plan schemes;

- (b) after consulting both TD and Highways Department (HyD), it has been confirmed that the government has no plan for widening of Gloucester Road, and therefore the applicant's land is not required for public road project;
- (c) with good public transport facilities nearby and proximity to MTR station and the site constraints due to its narrow configuration and proximity to surrounding buildings, flexibility should be allowed for the proposed car parking provision for the proposed development in meeting the Hong Kong Planning Standards and Guidelines (HKPSG). The proposed parking provision for retail use meets the lower end requirement of HKPSG, and only relaxation to the office car parking is needed. The proposed car parking provision is considered optimal in comparing with nearby and other office developments with good public transport. The proposed car parking provision is an improvement as compared to the proposal with the approved building plans;
- (d) to minimize back queuing onto Gloucester Road, drop-off lay-bys have been incorporated into the proposed layout to cater for pick-up/drop-off activities for the proposed development, in addition, ingress traffic to the carpark will enter the ramp before reaching drop-off area, ingress traffic and pick-up/drop-off traffic will be separated (**Drawing A-5a**);
- (e) L/UL activities will be time-managed and taken place during non-peak hours to maximize operational efficiency, staff will be deployed to monitor the internal traffic movement including no waiting at the pick-up/drop-off area during peak hours, and car parking vacancy sign will be installed;
- (f) further excavation beyond the proposed 3-storey basement or 17.5m is impractical as it will likely cause ground movement, vibration and noise to adjacent old buildings most of which were completed back in 1960s;
- (g) the building set back on G/F fronting Gloucester Road from the area shown as 'Road' with the podium above will create an all-weather pedestrian entrances and vehicular drop-off to the proposed building, and a 3.5m wide footpath along Gloucester Road will be maintained to minimize vehicle-pedestrian conflict (**Drawings A-5a & A-6**);
- (h) the 1.5m setback at the eastern boundary will create a full-time pedestrian access as well as increase building separation between adjoining residential buildings for better light penetration and air ventilation. The proposed setback can complements the adjacent open space resulting in varying width from 3.5m to 11m (**Drawing A-5**);
- (i) the building gap (about 8m headroom) fronting Gloucester Road (**Drawings A-4 & A-5**) and a clear headroom of not less than 4.7m under the footbridge on 1/F of the proposed development connecting to World Trade Centre will allow a large separation between the proposed building and the adjoining World Trade Centre, and facilitate air flow from the harbour to the landscaped pedestrian area and Jaffe Road;

- (j) the part of the proposed development falling within area shown as 'Road' is similar to that of the former Excelsior Hotel (Photos 1 to 3 in **Appendix Ia**), and in visual terms, it is also similar; and
- (k) the cumulative public planning gains from the proposed development will significantly improve building design for a higher quality urban environment.

3. **Background**

- 3.1 Part of the Site falls within area shown as 'Road' which was designated on the first Causeway Bay OZP No. LH6/22 gazetted in 1968 and, since then, it has remained unchanged. The Site is owned by the applicant under unrestricted lease. The Site was used as a godown before redevelopment to the Excelsior Hotel which started operation in 1973. The portion of the Site falling within area shown as 'Road' was used as circulation space, parking and landscaping area of the Excelsior Hotel, and part of the hotel podium also protruded into the area shown as 'Road'. The Excelsior Hotel has ceased operation since March 2019.
- 3.2 Before the Excelsior Hotel ceased its operation, a set of building plans for a proposed commercial development with PR of 15 and BH of 135mPD at the Site was approved by the Building Authority (BA) on 3.9.2018. As compared with the current application, the scheme in the approved building plans falls entirely within the "C(1)" zone (**Drawing A-5c**) with fewer parking spaces (i.e. 18 private car and 2 motorcycle parking spaces less) and without the 1.5m setback from the adjoining residential buildings (**Drawing A-5b**).

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

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

5. **Previous Application**

There is no previous application in respect of the Site.

6. **Similar Applications**

There are three similar planning applications for commercial developments within area shown as 'Road' in the Causeway Bay area (**Plan A-1**). One of them (Application No. A/H6/12) was for proposed shops in the 2nd basement pedestrian link under East Point Road which was approved with condition by the Board on 18.5.1984. The other two were Applications No. A/H6/78 and No. A/H6/79 for underground vehicular tunnel connecting Lee Garden (LG) One/Sunning Plaza/Sunning Court Redevelopment and LG One/LG Two respectively, which were approved with conditions by the Committee on 24.6.2016.

7. **The Site and Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) occupied by the former Excelsior Hotel, a 34-storey building over 1 basement level which is current under demolition;
- (b) elongated in shape and located near the waterfront adjacent to the Causeway Bay Typhoon Shelter; and
- (c) abutting Gloucester Road/Victoria Park Road to the north, and linking Jaffe Road to the south.

7.2 The surrounding areas have the following characteristics:

- (a) to the north is the Gloucester Road, and the Causeway Bay Typhoon Shelter waterfront open space/promenade where the Noon Day Gun is located;
- (b) areas to the east and west are characterised with an intermixed of residential and commercial developments including World Trade Centre, Rivera Mansion, Prospect Mansion and Miami Mansion, etc. which have accommodated a range of retail outlets and restaurants; and
- (c) highly accessible and well served by public transport including buses, mini-buses, tramway and MTR train services.

8. **Planning Intention**

The area shown as 'Road' is reserved for road purpose. Uses such as amenity planting, open space, rain shelter, bus/tram/public light bus stop or lay-by, on-street vehicle park, etc. are always permitted according to the covering Notes of the OZP.

9. **Comments from Relevant Government Bureau and Departments**

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

Land Administration Aspect

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

- (a) the government lease for ML 52 governing the Lots is virtually unrestricted except the standard non-offensive trade clause and rate and range clause. A licence to permit the trades/business of a victualler or tavern-keeper for the Lots was granted on 13.6.1970; and
- (b) no comment on the proposed commercial development within the Lots subject to the following:

- (i) there are existing private easements and right of way within the Lots which are private agreements among lot owners without government involvement. The applicant should liaise with the concerned private lot owners to sort out any issue relating to the easements and right of way to facilitate the proposed commercial development; and
- (ii) regarding the proposed dedicated passage for public access at ground level in front of World Trade Centre (**Drawing A-5**), lease modification may be required to reinforce the proposed dedication if BD was entering into a Deed of Dedication with the owner of the Lots.

Traffic Aspect

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

objection to the application and the key comments as follows:

- (a) no planned road widening works at the portion of the Site shown as 'Road' on the OZP at this stage;
- (b) there are, in general, shortfalls of car parking spaces and L/UL facilities in Wan Chan district, especially in the vicinity of the core commercial areas. The HKPSG sets out the general guidelines and requirements on which the future development should provide its own sufficient internal transport facilities to accommodate the future operation of the proposed commercial development without reliance on the on-street public facilities;
- (c) compared with its original use as hotel, the redevelopment is expectedly generate/attract considerable traffic, in particular in consideration of its advantageous location of abutting Gloucester Road, a major traffic corridor leading to other districts and the evolution of a high quality pedestrian space with improved pedestrian connectivity and provision of pedestrian street. The proposed internal transport facilities do not meet the HKPSG requirements. Under the proposed scheme, only 119 car parking spaces and 14 L/UL spaces are to be provided for the proposed development at the Site with a total GFA of 64,080m² (consisting of 53,353m² office GFA and 10,727m² retail GFA), which is significantly lower than the HKPSG requirements as shown below:
 - proposed car parking provision: only 49.8% of the lower end requirement of HKPSG (239 nos.) and 34.4% of the higher end requirement of HKPSG (346 nos.); and
 - proposed L/UL provision: only 51.9% of the lower end requirement of HKPSG (27 nos.) and 34.1% of the higher end requirement of HKPSG (41 nos.);

- (d) in view of the strong demand for car parking spaces and L/UL facilities in the vicinity and a significant shortfall in meeting the HKPSG requirements, the applicant should conduct appropriate review (such as traffic impact assessment (TIA)) to assess the traffic need and support the proposed provision of internal transport facilities in accordance with the requirements as stipulated in the HKPSG at a level towards the high side of the requirements in order to accommodate the future operation of the proposed commercial development;
- (e) to mitigate the shortfall on car parking spaces and L/UL facilities and taking into consideration of the views from relevant departments, the applicant should carefully consider the opportunity for allowing more parking spaces in the extra basement levels, unless the infeasibility of such could be justified;
- (f) the applicant should justify with a comprehensive TIA that the traffic generated/attracted for the proposed development would not cause adverse traffic conditions along Gloucester Road, Jaffe Road and Cannon Street, etc. Furthermore, pedestrian flow and pattern due to the proposed commercial development would be largely deviated from the original hotel development. Assessment for pedestrian accesses/passageways, level of services and facilities and effect from close proximity to MTR stations, etc. should be conducted in the aforesaid TIA;
- (g) the applicant has suggested measures to prevent back queuing of vehicles on Gloucester Road. However, the effectiveness and performance of these measures should be quantified under a systematic approach (e.g. as part of the TIA) in order to assess if adverse traffic conditions could be avoided or mitigated;
- (h) the adequateness of manoeuvring and frequency of vehicles including HGV through the access via Jaffe Road would need to be assessed with supporting documents at the later stage; and
- (i) other detailed comments are at **Appendix II**.

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

no specific comment on the application, nonetheless, the developer should take note of any requirement to notify/apply permit from relevant government departments in respect of any possible road works, L/UL on the street, etc.

Highways Aspect

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

- (a) no comment on the application from highways maintenance viewpoint; and

- (b) there is no planned road widening works at the portion of the Site that is shown as 'Road' on the OZP. Comment from TD should be sought.

Building Aspect

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

no objection to the application subject to the following:

- (a) in accordance with the government's committed policy to implement building design to foster a quality and sustainable built environment, the sustainable building design (SBD) requirements (including building separation, building setback and greenery coverage) should be included, where possible, in building developments;
- (b) the applicant should demonstrate compliance with the SBD requirements for the proposed commercial building to the satisfaction of BD at the building plans submission stage;
- (c) the project Registered Structural Engineer (RSE)/Registered Geotechnical Engineer (RGE) should demonstrate the viability of the proposed Excavation and Lateral Support (ELS) system in the contexts of the margins of safety against instability of the system at each stage of construction sequence, the structural adequacy of structural elements, and the assessment on the effects on the adjoining buildings, structures, lands, streets, utility services, slopes and retaining walls be affected by the proposed ELS works;
- (d) there is no particular requirement on the limitation of excavation depth, but the main concern to the retaining height of the proposed ELS system is the adequacy of margin of safety. Requirements in detail may refer to the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADV-33 published by BD; and
- (e) other detailed comments are at **Appendix II**.

Geotechnical Engineering Aspect

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

- (a) no geotechnical comment on the analysis results as stated in the technical paper (FI-1) which is based on construction of the proposed 3-level basement. However, the estimated ground movements and the corresponding impacts on the adjacent buildings/structures/services are under the jurisdiction of BD and/or other relevant government departments/authorities;

- (b) the induced ground movement associated with any excavation will depend on the type of the temporary retaining structures and the layout of the strut. Hence, it is considered that construction of 4-level basement may be feasible. The statement that the construction of a 4-level basement is not feasible should be further justified with support of technical details and options considered. It is noted that in **FI-4**, the applicant had not provided any technical details and options to evaluate the technical feasibility of a 4-level basement scheme; and
- (c) no geotechnical objection in principle to the proposed development and the General Building Plan submitted by the Authorized Person dated 30.9.2019 to BD was accepted by this Office on 25.10.2019.

Fire Safety Aspect

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

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

Architectural and Visual Aspects

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

- (a) the proposal is to develop a commercial building of 135mPD with a PR of 15 at the Site which mainly falls within the "C(1)" zone and partly within area shown as 'Road' on the OZP. While the proposal requires planning permission with inclusion of the 'Road' portion (about 5m in width at 1/F and 2/F, similar to the frontage of the former Excelsior Hotel), the proposed development is within the maximum BH restriction of 135mPD under the OZP. It is not anticipated the proposal would bring upon significant adverse visual impact;
- (b) the applicant has provided an OZP compliant scheme (Figures 3 and 4 in **Appendix Ia**) falling entirely within the "C(1)" zone in the planning statement, and states that there would be improvement in greenery/landscaping and air ventilation, provision of all-weather area for pedestrians, additional car parking spaces and building setback in the current proposed scheme as compared to the OZP compliant scheme;
- (c) the current scheme proposes shared use of vehicular and pedestrian access at ground floor with podium extended above providing an all-

weather area with a headroom of 4.7m to 8m (**Drawings A-3 & A-4**). It is noted the OZP compliant scheme also adopts similar design and access arrangement on ground floor within the “C(1)” zone. Besides, though some landscaping is provided, it is not certain that a quality and safe pedestrian environment can be ensured at this location with shared use of space for vehicles and pedestrians;

- (d) the footpath created by setting back the proposed building of 1.5m from the eastern boundary of the Site would, to a certain degree, enhance accessibility, nonetheless, consideration should be given to provide a more active frontage to improve the vitality and safety of the footpath as most of the frontage may be affected by the proposed vehicular ramp to the basements; and
- (e) improvement in air ventilation terms resulting from the building gap created by setting back the proposed building of 1.5m from the eastern boundary of the Site would be limited (**Drawing A-5**). Whilst the proposed 8m high void between the proposed building and the adjoining World Trade Centre is aligned with the northerly wind and sea breeze (**Drawings A-4, A-4a & A-6**), improvement in air ventilation terms would not be significant.

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

- (a) the design and layout of the proposed building, including its footprint/disposition and building services, is considered acceptable;
- (b) the applicant’s planning statement (**Appendix Ia**), which states that the extended podium which would create an all-weather vehicular drop-off and also pedestrian access across the Site (**Drawing A-5a**); landscaping will be provided to improve the aesthetics of the area and make it more pedestrian friendly; the double height void in the podium (**Drawings A-4 & A-4a**) which allows more wind to flow into Causeway Bay from the harbour at the pedestrian level through the building gap between the proposed development and the World Trade Centre; and the building setback of 1.5m from the eastern lot boundary (**Drawing A-5**) for improved pedestrian access, air ventilation and natural lighting), is considered valid; and
- (c) no comment on the proposed design/measures adopted in the proposed development.

Landscape Aspect

9.1.10 Comments of CTP/UD&L, PlanD:

the Site is occupied by the former Excelsior Hotel, with medium to high-rise residential and commercial buildings found in the vicinity. The existing building is currently being demolished and no significant vegetation is found.

Significant change or disturbance arising from the proposed uses to the existing landscape character and resource are not envisaged.

Environmental Aspect

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

- (a) the applicant proposes to develop a new commercial building comprising office, eating place and shops and services uses in the former Excelsior Hotel site at Causeway Bay. The proposed commercial development involving office is normally provided with central air conditioning system and the applicant/Authorized Persons should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact; and
- (b) given the above, he has no objection to the application subject to the following comments if the application is approved by the Committee:
 - (i) approval conditions for the submission of sewerage impact assessment (SIA) to the satisfaction of DEP and implementation of local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of Director of Drainage Services (DDS) are required; and
 - (ii) the applicant should be advised to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works; and to properly locate and design all fixed noise sources to comply with the relevant noise requirements in Chapter 9 of the HKPSG.

Drainage Aspect

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

- (a) DEP is the planning authority of sewerage infrastructure, his comments on the application should be sought; and
- (b) apart from merely estimating the sewage generation from the proposed development, the applicant shall assess the proposed sewerage impact on the existing sewerage system due to the proposed development and ensure the adequacy of the relevant sewerage system upon completion of the proposed works. The SIA shall be submitted to DEP and DDS for consideration. The requirement for submission of the SIA should be stipulated as an approval condition if the application is approved by the Committee.

Water Supply Aspect

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

- (a) no objection to the application; and
- (b) other detailed comments are at **Appendix II**.

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

- (a) Director of Leisure and Cultural Services; and
- (b) District Officer (Wan Chai), Home Affairs Department.

10. Public Comments Received During Statutory Publication Period

10.1 During the statutory public inspection periods of the application, a total of 7 public comments from individuals were received (**Appendix III**).

10.2 Of the 7 public comments received, an individual who is a resident in Tin Hau area submitted two comments during the first publication of the application and on **FI-4** supporting the proposed development for the reason that it will improve the environment and facilitate sustainable development while the PR and BH of the proposed building will remain unchanged to that of the former building on site. The remaining 5 comments expressed their concerns on the proposed development, which are summarised below:

- (a) traffic passing through the narrow Jaffe Road will cause traffic gridlock; alternative design should be adopted with access from Gloucester Road, no information to resolve traffic and pedestrian conflict at Jaffe Road;
- (b) no information to demonstrate how a more pedestrian and visually friendly development would be provided, and how to upgrade the pedestrian connection to adjoining developments i.e. at Paterson Street and Fashion Walk;
- (c) no information to demonstrate compliance with the SBD guidelines with greening and landscape planting;
- (d) development will have light and glare impacts on neighbouring residential developments (i.e. Chee On Building and Paterson Building);
- (e) affecting the harbourfront area and should consult those involved in harbour planning studies or the Harbourfront Commission;
- (f) prevent further narrowing of waterfront walkway especially the narrowest section at the Noon Day Gun, and there is a need to widen the harbourfront walkway; and
- (g) no community gain and no strong justification for the proposed development.

11. Planning Considerations and Assessment

- 11.1 The application is for a 34-storey commercial development with a PR of 15, GFA of about 64,080 sq.m. and BH of 135mPD. While the main part of the proposed building is located within the "C(1)" zone, a minor portion of the proposed development (including part of the basement and part of the podium) falls within area shown as 'Road' (about 217m² or 5% of the site area) on the OZP where planning permission for retail/commercial uses is required. It is noted that a set of building plans for a similar commercial development at the Site, falling entirely within the "C(1)" zone, with the same PR and BH of the proposed scheme in the current application was approved by the Building Authority (BA) on 3.9.2018.

Planning Intention

- 11.2 The area shown as 'Road' is mainly to depict the road network for vehicular traffic. As confirmed by TD and HyD, there is no planned widening of Gloucester Road. The concerned area is therefore not required for any road works.
- 11.3 Under the proposed scheme, the building line on G/F fronting Gloucester Road will be set back to create an all-weather drop off/pick up and pedestrian entrance with a clear height of about 4.7m (**Drawing A-3**) and with the provision of a footpath of 3.5m along Gloucester Road (**Drawing A-5a**). As mentioned in paragraph 3.1 above, the concerned area was used as circulation space, parking and landscaping area of the former Excelsior Hotel. The proposed traffic arrangement on G/F fronting Gloucester Road in the current application is similar to that of the former Excelsior Hotel. Given the concerned area at ground level will remain to be used for vehicular and pedestrian access, it is not considered as a departure from the purpose of depicting the area shown as 'Road'.

Traffic and Parking Provision

- 11.4 TD objects to the proposed development for reasons that the proposed internal transport facilities do not meet the HKPSG requirements. TD considers that compared with the previous hotel use at the Site, the proposed development is expected to generate/attract considerable traffic and pedestrian access/passage, and a comprehensive TIA would be required to demonstrate that the proposed development would not cause adverse traffic impacts on the adjoining road and pedestrian networks. In addition, the applicant has not provided sufficient justification for its current provision of internal transport facilities for the proposed development.
- 11.5 If the proposed parking provision is to meet the HKPSG requirement, the applicant claims that further basement development would be required. There would be a significant risk to the adjoining buildings for excavation extending beyond the proposed 3-storey basement or 17.5m in structural and geotechnical point of views. Excavation work will also likely generate ground movement, vibration and noise. Hence, the applicant considers that further excavation is impractical. H(GEO), however, considers that the applicant has not provided technical details and options to demonstrate that construction of 4-level basement at the Site is not feasible. BD also considers that there is no particular limitation to excavation depth as the main concern is the adequacy of margin of safety.

Visual and Urban Design

- 11.6 The Site is subject to a number of constraints including narrow and elongated L-shape (**Plan A-2**) with main vehicular access from Gloucester Road, proximity to adjoining residential buildings and private right of ways. In order to enhance air ventilation and pedestrian environment through the proposed development, the applicant proposes a setback of 1.5m from the boundary of the Site with the adjoining residential buildings, and a large building gap of about 8m high on G/F (**Drawings A-4 & A-5**). As a result, the podium is required to be extended to area shown as 'Road', which could also create an all-weather pedestrian entrance and vehicular drop-off area. According to the applicant, the proposed setback together with the proposed 3.5m wide footpath along Gloucester Road would in general improve pedestrian circulation, landscape and amenity of the area. From visual and urban design perspectives, CTP/UD&L, PlanD is of the view that the proposed building disposition for G/F to 2/F is similar to the frontage of the former Excelsior Hotel and the proposed development is in line with the BH and NBA restrictions on the OZP. It is not anticipated that the proposal would bring upon significant visual impact. CA/CMD2, ArchSD also considers the design and layout of the proposed building acceptable.

Other Aspects

- 11.7 As mentioned above, a set of building plans for a similar commercial development at the Site falling entirely within the "C(1)" zone (i.e. an OZP compliant scheme), with the same PR and BH of the proposed scheme in the current application, was approved by BA in 2018. Compared with the approved building plans, the proposed scheme in the current application will provide an additional 18 car and 2 motorcycle parking spaces. Further, a 1.5m setback from the eastern boundary of the Site will be provided to create a full-time pedestrian access and increase the building separation with the adjoining residential buildings.
- 11.8 Other relevant government departments consulted have no objection to/no adverse comments on the application. To address DEP's technical concerns, relevant approval conditions on the submission of SIA and implementation of relevant local sewerage upgrading/sewerage connection works are recommended in paragraphs 12.2 (b) & (c) below, should the application be approved by the Committee.

Public Comments

- 11.9 As highlighted in paragraph 10 above, a total of 7 public comments were received. There is one supporting view and the remaining are expressing concerns on the proposed development. The above assessments and the departmental comments in paragraph 9 above are relevant. As for the public concern on the Noon Day Gun, the proposed development is located only at the landward side of Gloucester Road and would not affect the waterfront walkway near the Noon Day Gun.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, PlanD does not support the application for the following reason:
- the applicant fails to demonstrate that the proposed development will not result in adverse traffic impact on the surrounding areas.
- 12.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 24.4.2024, 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 suggested for Members' reference:

Approval Conditions

- (a) the submission of a traffic impact assessment, and implementation of the improvement measures identified therein, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a sewerage impact assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached 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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 13.3 Alternatively, 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.

14. Attachments

Appendix I	Application form received on 25.10.2019
Appendix Ia	Applicant's letter dated 10.10.2019 and the planning statement
Appendix Ib	Applicant's letter dated 24.12.2019 (FI-1)
Appendix Ic	Applicant's letter dated 5.2.2020 (FI-2)
Appendix Id	Applicant's letter dated 14.2.2020 (FI-3)
Appendix Ie	Applicant's letter dated 2.3.2020 (FI-4)
Appendix If	Applicant's letter dated 17.4.2020 (FI-5)
Appendix II	Detailed comments of government departments
Appendix III	Public Comments
Appendix IV	Advisory Clauses
Drawings A-1 to A-6	Layout plans of the proposed commercial development
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 and 4	Site Photos

PLANNING DEPARTMENT

APRIL 2020

Detailed Comments of Government Departments

1. Commissioner for Transport (C for T):

- (a) it is a general planning principle and an overall intention of the Hong Kong Planning Standards and Guidelines (HKPSG) to ensure that, except in special circumstances, future commercial developments should have sufficient on-site parking and L/UL facilities to match manifest operational requirements;
- (b) the proposed redevelopment locates at the core commercial area and aims at developing into a new landmark retail/commercial development. Concerns/comments on the shortfall of provision of car parking spaces and L/UL facilities in meeting the HKPSG requirements were conveyed to the Authorized Person (AP) via BD's letter dated 3.9.2018 when the AP submitted their major revision of the General Building Plans from a 4-level basement redevelopment to a 3-level basement redevelopment;
- (c) the former Excelsior Hotel utilized the vehicular access at Jaffe Road for its L/UL vehicles. This section of Jaffe Road at the southwestern corner of the Site is a highly congested dead-ended road. Manoeuvring of vehicles is difficult. Traffic condition was even worsened in the past from the L/UL vehicles using the vehicular access through Jaffe Road. It is noted in the illustrations in **FI-1** regarding the future limited and occasional usage of Jaffe Road only by vehicles to 3 heavy goods vehicles (HGV) bays in the Site;
- (d) it is noted that the construction of a 4-level basement, if feasible, would open up potential opportunities for provision of additional parking spaces. Whilst it is outside the expertise of TD on determining the reasonableness of the arguments illustrated by the applicant on the feasibility of a 4 level basement, we, however, note the following comments from the relevant departments on this issue:
 - (i) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

“it is considered that construction of 4-level basement may be feasible ... the construction of a 4-level basement is not feasible should be further justified with support of technical details and options considered.”; and
 - (ii) CBS/HKE&H, BD:

“... with regard to the technical issues of provision of basement, in general, the ... RSE/RGE should demonstrate the viability of the proposed ELS system in the contexts of the margins of safety against ... There is no particular requirement on the limitation of excavation depth, but the main concern to the retaining height of the

proposed ELS system is the adequacy of margin of safety.”

Whilst the applicant opines that the risk to the neighbouring buildings of deeper excavation as being too great, we note relevant departments with necessary expertise has yet to align with the applicant’s view on the same;

- (e) regarding **FI-4**, the applicant’s current parking provision is derived by assuming parking provision for retail portion of the development meeting the lower end of the HKPSG requirements whereas the parking provision for the office portion deducing from parking demand observed from similar office buildings in Central in around 2014. However, as mentioned before, future commercial developments should have their sufficient on-site parking and L/UL facilities to match the manifest operational requirements. The applicant should demonstrate how the lower end provision of car parking could meet the operation requirement for the proposed future retail provision at the Site, and the characteristics of office buildings in Central may not be likewise applicable to the subject case in Causeway Bay; and
 - (f) taking the example of Lee Garden Two (LG2) with a very similar nature of the subject case, it locates in the same region as the Site and possesses similar close proximity to high capacity public transport system such as MTR, bus stop nodes, GMB and taxi stands, etc. It also consists of similar GFA provision (total GFA of 58,200m² consisting of 45,600m² office GFA and 12,600m² retail GFA). However, LG2 has provided 162 nos. parking spaces (nearly 40% more than the parking provision as proposed in the Site), despite its elongated site configuration. Nevertheless, over-capacity of the usage of car parking and traffic queue during the peak hours such as lunch/dinner times are still observed at LG2 which has induced occasional traffic impact in the adjacent road section (i.e. Pennington Street). The applicant shall holistically revisit the provision of internal traffic facilities to be provided in the proposed development taking into consideration the high-end HKPSG requirements.
2. Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):
- (a) as gross floor area (GFA) concession will be applied for green/amenity features and non-mandatory/non-essential plant rooms and services, compliance with the pre-requisites as stipulated in Practice Note for Authorized Persons, Registered Structural Engineers (RSE) and Registered Geotechnical Engineers (RGE), PNAP APP151 Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 Sustainable Building Design Guidelines in are required, in particular that:
 - (i) compliance with the building separation requirements for building;
 - (ii) compliance with the building setback requirements if the width of Gloucester Road that the site abuts is less than 15m; and
 - (iii) compliance with the site coverage for greenery requirements;

- (b) 100% GFA concession may be granted for the proposed underground carpark if the relevant criteria under PNAP APP-2 Calculation of Gross Floor Area and Non-accountable Gross Floor Area - Building (Planning) Regulation 23(3)(a) and (b) are complied with;
- (c) covered area under projecting/overhanging structures/features may be accountable for GFA calculation, unless the criteria for disregarding them from GFA calculation as stipulated in paragraphs 6 and 7 of PNAP APP-19 Projections in relation to Site Coverage and Plot Ratio Building (Planning) Regulations 20 & 21 have been fulfilled;
- (d) if the open area outside the restaurant premises at 3/F is for alfresco dining, requirements under the Buildings Ordinance (BO) and the licensing authority should be complied with;
- (e) detailed checking for compliance with BO will be made at building plan submission stage; and
- (f) comments on **FI-1** are as follows:
 - (i) according to the previous approved general building plan dated 24.4.2018 involving 4-level basement, basement 1 was proposed to be used as shops while basements 2 to 4 were proposed to be used as loading/unloading (L/UL) bays and car parking spaces. The number of car parking spaces under the said scheme were 101 nos. for motor vehicles (including 2 nos. for disabled motor vehicles), 10 nos. for motorcycles and 14 nos. for goods vehicles (L/UL); and
 - (ii) a statutory plan submission prepared by RSE/RGE for Excavation and Lateral Support (ELS) works for the construction of the 3-level of basement (with proposed excavation depth of approximately 17.23m at maximum below the existing ground level) at the subject Site was received by BD on 17.12.2019. The plan was also referred to the Geotechnical Engineering Office, Highways Department, Drainage Services Department and Railway Development Office for comments. For the acceptance of this ELS plan submission, the project RSE/RGE shall be notified within the statutory period (i.e. 60 days) for processing of plan.

3. Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

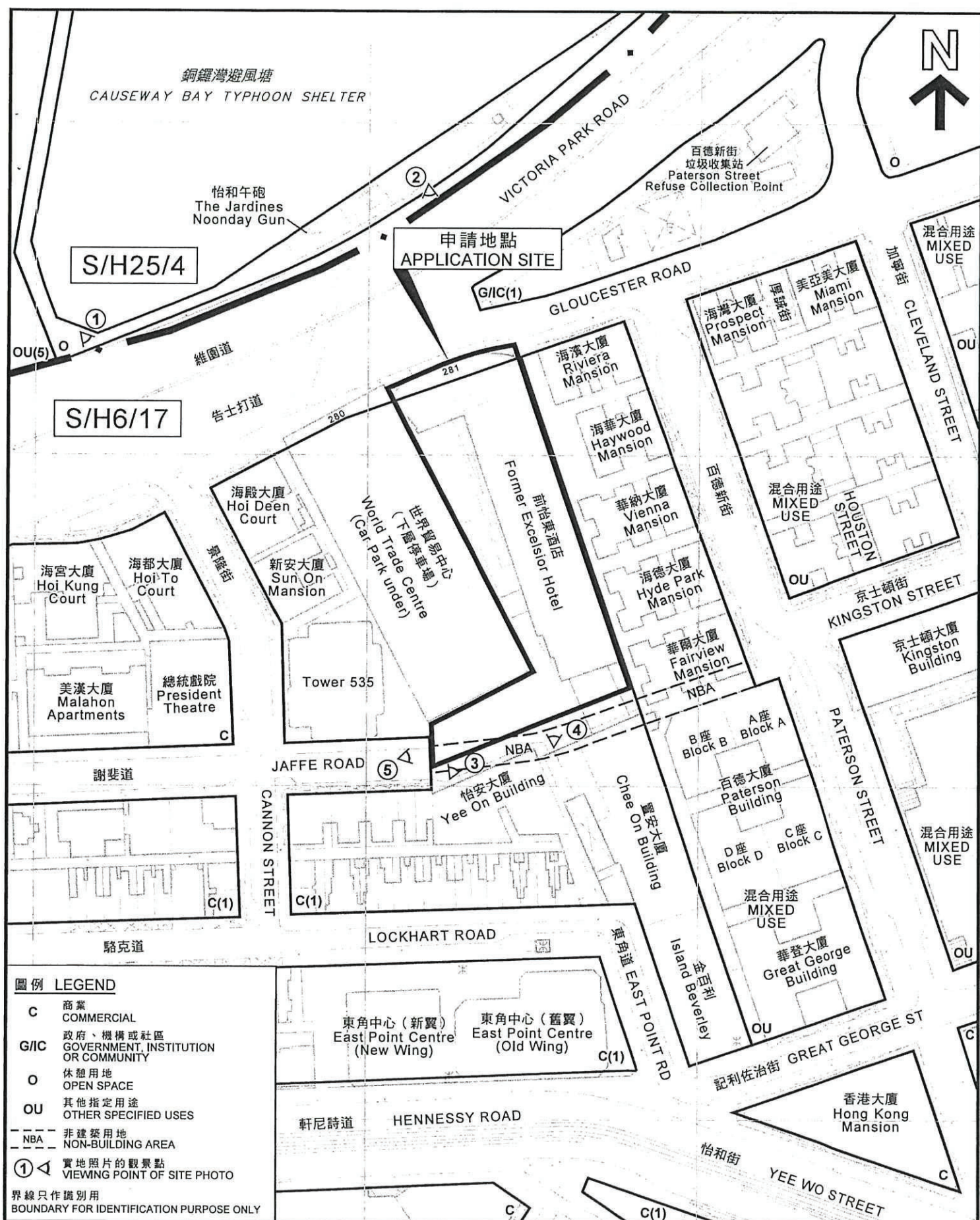
- (a) the applicant should make reference to the mains record plans showing the existing water mains in the vicinity of the Site, in which the alignments of the water mains are indicative only. The exact lines and levels of the water mains should be established by hand dug trial pits on-site if they are of significance to the proposed works by the applicant. The applicant should take note of the fact that some changes might have been made to the information shown on the drawings of the record plans in the course of time and that digging of trial holes to ascertain the exact alignment and depth of

water mains will still be necessary before any road excavation; and

- (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. In case the project proponent considers that diversion of these water mains is required, they should study the feasibility of diverting these water mains. If diversion is considered feasible, the project proponent should submit their proposal for WSD's consideration and approval. The water mains diversion work shall be carried out by the project proponent at their own cost to the satisfaction of WSD. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by the project proponent. Moreover, a 3m-wide Water Reserve is proposed for the water mains within the Site.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East to liaise with the concerned private lot owners to sort out issues relating to the private easements and rights of way to facilitate the proposed commercial development; and on the need for lease modification for the proposed dedicated passage on ground level of the proposed development upon Buildings Department (BD) enters into the Deed of Dedication with the owner of the application site;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, BD regarding the compliance of the proposed commercial development with the sustainable building design requirements as per the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) regarding Building Design to Foster a Quality and Sustainable Built Environment (PNAP APP-151), Sustainable Building Design Guidelines (PNAP APP-152) and Projections in relation to Site Coverage and Plot Ratio Building (Planning) Regulations 20 & 21(PNAP APP-19);
- (c) to note the comments of the Director of Environmental Protection to prepare and submit the sewerage impact assessment as early as possible for implementation of any required sewerage works; and to comply with the relevant noise requirements in Chapter 9 of the Hong Kong Planning Standards and Guidelines;
- (d) to note the comments of the Director of Fire Services to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD; and
- (e) to note the comments of the Director of Water Supplies on the 3-m wide water reserve and the diversion requirements of existing water mains within the application site and the maintenance requirements of existing water mains in the vicinity of the application site.



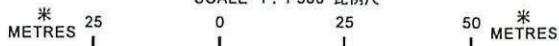
平面圖 SITE PLAN

本摘要圖於2020年3月27日擬備，
所根據的資料為測量圖編號
11-SW-10D

EXTRACT PLAN PREPARED ON 27.3.2020
BASED ON SURVEY SHEET No.
11-SW-10D

擬議「辦公室」、「食肆」及「商店及服務行業」用途
香港銅鑼灣告士打道281號
PROPOSED 'OFFICE', 'EATING PLACE' AND 'SHOP AND SERVICES' USES
281 GLOUCESTER ROAD, CAUSEWAY BAY, HONG KONG

SCALE 1 : 1 500 比例尺



規劃署
PLANNING
DEPARTMENT

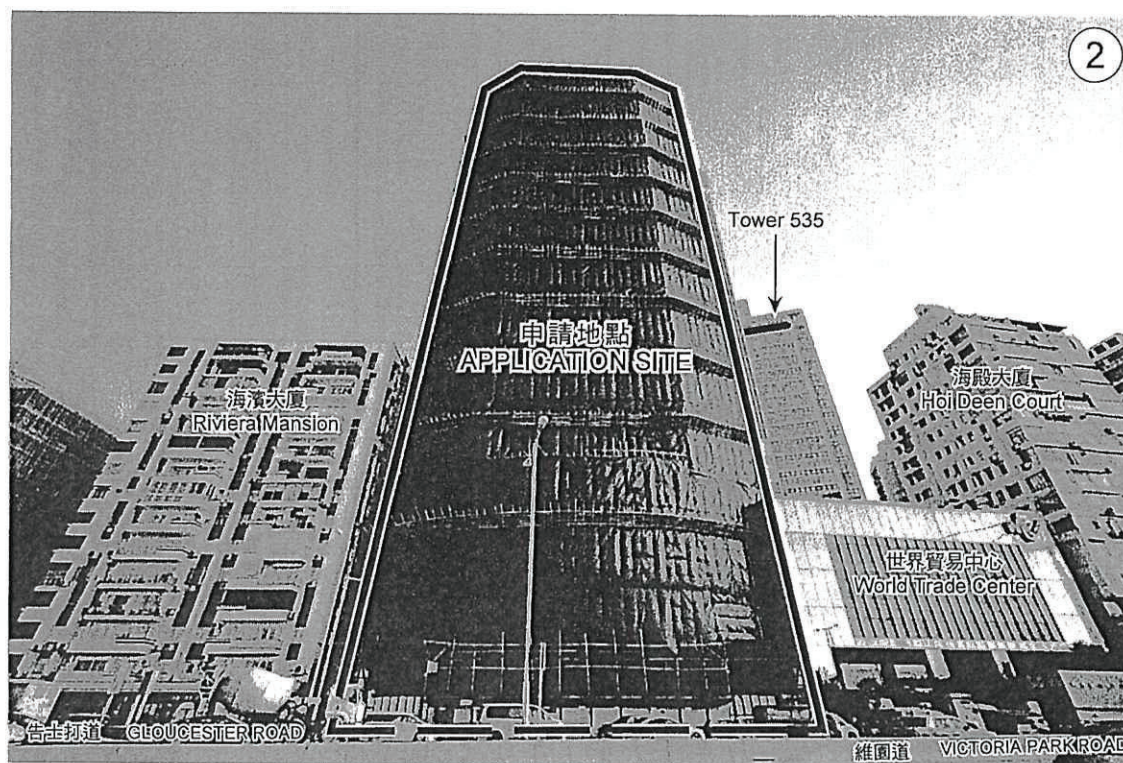


參考編號
REFERENCE No.
A/H6/89

PLAN
A - 2



從維園道東南方向望向申請地點的景觀(近怡和午炮)
SOUTHEASTERN VIEW OF THE APPLICATION SITE FROM VICTORIA PARK ROAD (NEAR NOONDAY GUN)



從維園道正面方向望向申請地點的景觀
FRONT VIEW OF THE APPLICATION SITE FROM VICTORIA PARK ROAD

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSES ONLY

本圖於2020年3月27日擬備，
所根據的資料為攝於
2019年11月1日及
2020年1月10日的實地照片
PLAN PREPARED ON 27.3.2020
BASED ON SITE PHOTOS
TAKEN ON 1.11.2019 & 10.1.2020

實地照片 SITE PHOTO

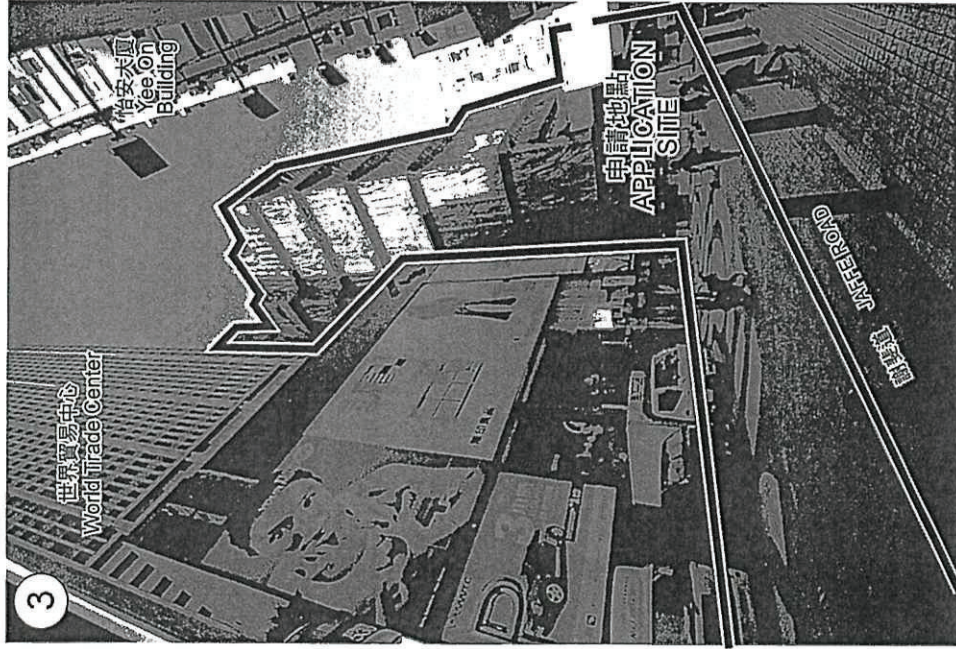
擬議「辦公室」、「食肆」及「商店及服務行業」用途
香港銅鑼灣告士打道281號
PROPOSED 'OFFICE', 'EATING PLACE' AND 'SHOP AND SERVICES' USES
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規劃署
PLANNING
DEPARTMENT

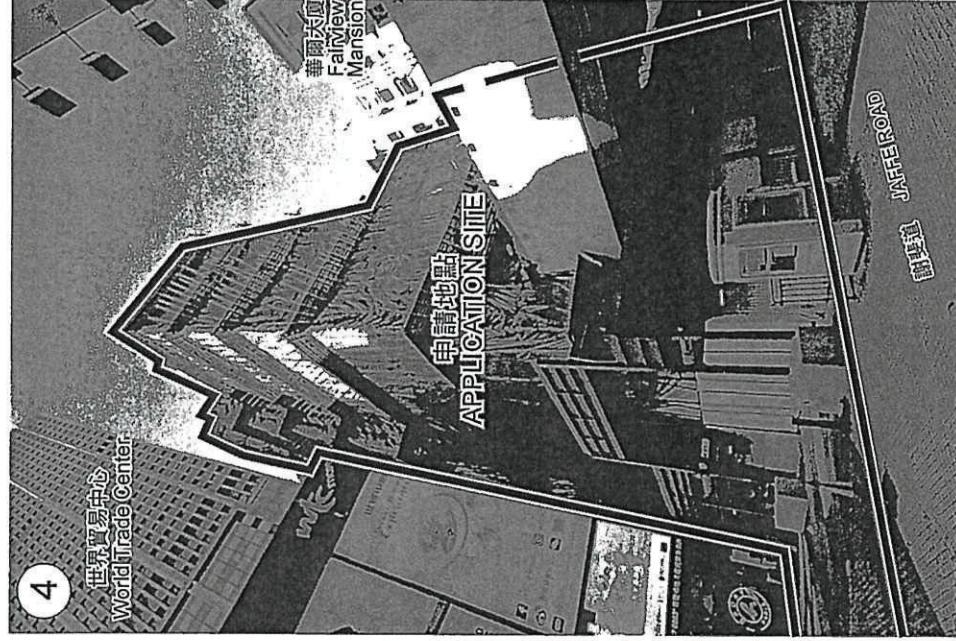


參考編號
REFERENCE No.
A/H6/89

圖 PLAN
A - 3



從謝斐道東北方向望向申請地點的景觀
NORTHEASTERN VIEW OF THE APPLICATION SITE FROM
JAFFE ROAD



從毗鄰置安大廈望向申請地點的景觀
VIEW OF THE APPLICATION SITE FROM ADJOINING
CHEE ON BUILDING



從謝斐道東方向望向申請地點的景觀
EASTERN VIEW OF THE APPLICATION SITE FROM
JAFFE ROAD

界線只作識別用
BOUNDARY FOR IDENTIFICATION PURPOSES ONLY

本圖於2020年4月1日擬備，
所根據的資料為攝於
2019年11月1日及
2020年1月10日的實地照片
PLAN PREPARED ON 1.4.2020
BASED ON SITE PHOTOS
TAKEN ON 1.11.2019 & 10.01.2020

實地照片 SITE PHOTO

擬議「辦公室」、「食肆」及「商店及服務行業」用途
香港銅鑼灣告士打道281號
PROPOSED 'OFFICE', 'EATING PLACE' AND 'SHOP AND SERVICES' USES
281 GLOUCESTER ROAD, CAUSEWAY BAY, HONG KONG

規劃署
PLANNING
DEPARTMENT

參考編號
REFERENCE No.
A/H6/89



圖 PLAN
A - 4

be approved as it was a renewal application and the applied use was temporary in nature. The long-term use of the application site taking into account the changing planning circumstances should be considered when the s.12A application (No. Y/TWW/5) was presented to the Committee.

30. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 28.5.2020 to 27.5.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the existing fire service installations implemented on the site being maintained in efficient working order at all times; and
- (b) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

[The Chairman thanked Mr Ng Kar Shu, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr Ng Tak Wah, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Hong Kong District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/89 Proposed Office, Eating Place and Shop and Services Uses in
“Commercial (1)” Zone and area shown as ‘Road’, 281 Gloucester Road,
Causeway Bay, Hong Kong
(MPC Paper No. A/H6/89A)

31. The Secretary reported that the application site was located in Causeway Bay. The application was submitted by Excelsior Hotel (BVI) Limited (Excelsior), with Jardines Group Companies (JG) and Hongkong Land Limited (HKL) as affiliated companies of Excelsior. MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|--|---|
| Mr Wilson Y.W. Fung
(Vice-chairman) | - being an ex-employee of JG; |
| Mr Thomas O.S. Ho | - having current business dealings with HKL, MVA and RLP, and his firm having current business dealings with MVA; |
| Mr Alex T.H. Lai | - his former firm had business dealings with JG, HKL, MVA and RLP; and |
| Ms Sandy H.Y. Wong | - being an ex-employee of Maxim's Group Companies, an associate company of JG, and self-occupying a flat in Causeway Bay. |

32. As the interest of Mr Thomas O.S. Ho was direct and the Vice-chairman was previously involved in the project related to the application, the Committee agreed that they should be invited to leave the meeting temporarily for the item. Since Ms Sandy H.Y. Wong and Mr Alex T.H. Lai had no involvement in the application, and the property of Ms Wong had no direct view of the application site, the Committee agreed that they could stay in the meeting.

[The Vice-chairman left the meeting temporarily and Mr Thomas O.S. Ho left the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office, eating place and shop and services uses;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of seven public comments, with two supporting comments from a resident in Tin Hau area and five other comments expressing concerns from individuals, were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Whilst the area shown as 'Road' was mainly to depict the road network for vehicular traffic, no road widening works had been planned as confirmed by the Transport Department (TD) and the Highways Department (HyD). The applicant proposed to use the area for vehicular and pedestrian access similar to the former Excelsior Hotel (former hotel), and such use was not considered as a departure from the purpose of depicting an area shown as 'Road'. Notwithstanding the above, TD objected to the proposed development on the grounds that the proposed internal transport facilities including car parking spaces did not meet the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) and the applicant had failed to provide a traffic impact assessment (TIA) to demonstrate that the proposed development would not result in adverse traffic impact on the surrounding areas. The Head of Geotechnical Engineering Office of the Civil Engineering and Development Department considered that the applicant had not provided technical details or options to demonstrate that construction of a 4-level basement at the application site to accommodate more internal transport facilities was not feasible while the Buildings

Department (BD) also considered that there was no particular requirement on the limitation of excavation depth. Other concerned government departments had no objection to or no adverse comment on the application from visual, urban design and environmental aspects. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

34. Mr Ng Tak Wah, STP/HK, in response to a query from the Chairman, clarified that office, eating place, and shop and services uses were always permitted within “Commercial (1)” (“C(1)”) zone according to the Notes of the Causeway Bay Outline Zoning Plan (OZP). While the main part of the proposed building would be located within “C(1)” zone, a minor portion of the basement (B1/F to B3/F) and podium (1/F, 2/F and outside seating accommodation on 3/F) fell within an area shown as ‘Road’ on the OZP and hence required planning permission from the Town Planning Board (TPB). If the proposed building did not protrude into the area shown as ‘Road’ on the OZP and fell entirely within “C(1)” zone, planning permission from the TPB was not required.

35. Some Members raised the following questions:

- (a) background of the application site being shown as ‘Road’ on the OZP;
- (b) whether the lot owner was responsible for providing facilities in compliance with the planning intention of area shown as ‘Road’ on the OZP and maintaining those facilities thereafter;
- (c) whether the basement of the former hotel had protruded into the area shown as ‘Road’ on the OZP;
- (d) noting that the proposed development required planning permission as a minor portion of the proposed building fell within an area shown as ‘Road’, and TD had raised objection to the proposed development, whether the assessment of the application should only focus on the part of the building which fell within the area shown as ‘Road’;

- (e) since a set of general building plans (GBP) for a proposed commercial development that fell entirely within the “C(1)” zone at the application site was already approved by the Building Authority (BA) in 2018, whether TD’s comments on the subject application would affect the implementation of the approved GBP scheme;
- (f) the comparison between the approved GBP scheme and the current scheme, and whether the protrusion into the area shown as ‘Road’ was the applicant’s attempt to maximize the plot ratio (PR) and building height (BH) restrictions at the application site;
- (g) the floor to floor height of the proposed commercial building;
- (h) whether there was any difference in terms of the internal traffic arrangement and associated traffic impacts between the former hotel development and the proposed commercial development;
- (i) whether a shelter-like feature protruding into the area shown as ‘Road’ on the OZP required planning permission from the TPB;
- (j) whether the entrance of the underground tunnel to the Noonday Gun at the Causeway Bay Typhoon Shelter was located within the application site;
- (k) the site boundary and the building footprint of the proposed development and the World Trade Centre, which was adjacent to the proposed development; and
- (l) whether the proposed development could be accessed by vehicles on Jaffe Road and whether the applicant had proposed any traffic enhancement measure to address the potential traffic impact.

36. In response, Mr Ng Tak Wah, STP/HK, made the following main points:

- (a) part of the site was designated as 'Road' on the first Causeway Bay OZP No. LH6/22 gazetted in 1968 and such designation had remained unchanged since then. That portion of the application site together with a wider reclamation area along the then Causeway Bay Typhoon Shelter were designated as 'Road' to facilitate the construction of the Cross Harbour Tunnel and Gloucester Road. The application site was located at the waterfront before reclamation and was used as godown before redevelopment into the Excelsior Hotel which came into operation in 1973;
- (b) if private land was resumed for public road widening works by the Government, relevant government departments would be responsible for the subsequent construction and management of the public road. There was no planned road widening works at the subject site. The applicant intended to use the part of the site shown as 'Road' for vehicular and pedestrian access to the proposed commercial development and would construct and manage the access and associated facilities;
- (c) the former hotel had only one basement level, which accommodated a bar (former Dicken's Bar) and hotel supporting facilities such as storage and E&M rooms. Although part of the basement of the former hotel had protruded into the area shown as 'Road', any redevelopment would have to comply with the development restrictions stipulated on the OZP;
- (d) the proposed development required planning permission as part of it fell within area shown as 'Road'. The Committee might assess the application on the basis of a commercial development proposal as a whole;
- (e) the applicant could implement the approved GBP scheme despite TD's comment on the current application that the internal transport facilities did not meet the car parking requirements under the HKPSG;
- (f) the proposed development parameters under the approved GBP scheme and the current scheme were largely the same. The slight increase in site area

and GFA under the current scheme was a result of the setting out of the site boundary, rather than the inclusion of the area shown as 'Road'. Both schemes had attained the same maximum PR under the Building (Planning) Regulations and the BH of the proposed building under the current scheme was only 131mPD which was below the maximum BH of 135mPD under the OZP. According to the applicant, the current scheme could achieve a better building design including widening footpath along Gloucester Road, setback from adjoining residential buildings, and providing additional parking spaces, i.e. 18 for private car and 2 for motorcycle, as compared to the approved GBP scheme. However, TD considered the proposed provision of car parking spaces failed to meet the HKPSG requirements;

- (g) the floor to floor height of the proposed building varied between different portions of the building but the BH of the proposed building did not exceed the BH restriction under the OZP;
- (h) vehicles would access the drop-off area and the basement carpark of the proposed development from Gloucester Road while pedestrian entrance and a 3.5m wide footpath would also be provided on the G/F along Gloucester Road under the current scheme. The arrangement was fairly similar to that of the former hotel which had car parking spaces on G/F. Regarding the potential traffic impact, TD advised that the redevelopment would generate and attract considerable vehicular and pedestrian traffic, and a TIA should be conducted by the applicant to assess the traffic impacts;
- (i) an all-weather area for drop-off and pedestrians was included in both the approved GBP scheme and the current scheme, only that a minor portion under the current scheme would protrude into an area shown as 'Road'. In the area shown as 'Road', all uses or developments, except those permitted in the covering Notes of the OZP, required permission from the TPB;
- (j) the entrance to the tunnel leading to the Noonday Gun was located next to the application site at World Trade Centre;

- (k) the application site boundary was indicated in Plan A-2, and the northern part of the proposed development fronting Gloucester Road encroached into an area shown as 'Road' on the OZP. Similarly, the northern part of World Trade Centre fronting Gloucester Road also encroached into an area shown as 'Road' on the OZP; and
- (l) heavy goods vehicles (HGVs) would access the proposed development at Jaffe Road where three loading/unloading (L/UL) spaces for HGV were designated. The applicant advised that staff would be deployed to oversee the future operation of the L/UL spaces. TD advised that the main vehicular access should be at Gloucester Road rather than at Jaffe Road which was a narrow road where vehicular activities should be kept at the minimal.

37. Mr Michael H.S. Law, Assistant Commissioner for Transport (Urban) of TD, supplemented that the parking requirements under the HKPSG for the proposed development ranged from a lower end provision of 239 to a higher end provision of 346 parking spaces. Having considered that the proposed office and retails uses would attract considerable traffic, and that illegal on-street parking in the area was a prominent traffic problem, TD had suggested the applicant to provide parking spaces towards the higher end of the HKPSG requirement. The provision of 119 parking spaces under the proposed development, however, could not meet the lower end of the HKPSG requirement.

Deliberation Session

38. Some Members did not have objection to the application. One Member stated that the increase in site area and GFA as compared to those of the approved GBP scheme was not significant and was only a result of setting out of the site boundary. The same Member noted the proposed scheme was the applicant's attempt to revise the building design while the protrusion to the area shown as 'Road' at the basement level and at the podium, in fact, did not obstruct the road function at-grade. Besides, the applicant could take forward the approved GBP scheme regardless of TD's request for substantial increase in the provision of car parking spaces. Another Member opined that the area shown as 'Road' was private land and it was fair for the applicant to take account of it in the design of its redevelopment plan

noting that the government had no plan to undertake any public road widening works there.

39. A Member noted that if the proposed commercial development would not encroach onto area shown as 'Road' and therefore not requiring planning permission, TD would neither be in a position to request for additional car parks nor undertaking of a TIA. In addition, more car parking spaces (i.e. 119) were provided in the current scheme than the approved GBP scheme (i.e. 101). As PlanD's recommendation to reject the application was mainly based on TD's objection to the application, the Member had doubt on whether there was strong ground to reject the application. The Chairman said that planning permission was required because part of the proposed commercial development encroached onto area shown as 'Road' on the OZP. The Chairman further elaborated that in view of the shortfall in meeting the HKPSG requirement on provision of car parking and L/UL facilities, TD had objection to the application and considered that the applicant should conduct a TIA to assess the traffic need and support of the proposed provision of internal transport facilities in accordance with the HKPSG requirements at a level towards the high end requirement. In response to the Chairman's question, Mr Michael H.S. Law confirmed TD's objection to the application as detailed in the Paper.

40. Some other Members considered that the application should be assessed on its own merits, regardless of the approved GBP scheme. They were of the view that the application should be rejected because the applicant failed to address TD's objection relating to the provision of parking spaces to meet HKPSG requirement and demonstration of no adverse traffic impacts on the surrounding areas. With regard to the provision of car parking spaces, a Member said that the applicant had not provided sufficient technical details to demonstrate that the construction of a 4-level basement to accommodate more parking spaces at the application site was not feasible. Another Member remarked that TD's request for parking provision towards the higher end requirements under the HKPSG might not be in line with the Government's policy to encourage the use of public transport rather than reliance on private vehicles.

41. Referring to the planning assessment in the Paper, a Member sought clarification on why approval conditions were suggested for Members' reference when PlanD did not support the application. In response, the Chairman said it was the prevailing practice that approval conditions were suggested for the Committee's consideration in the event that it

decided to approve the application.

42. Since there were divergent views among Members on whether the application should be approved, a vote was taken. A majority of Members were in support of rejecting the application.

43. After deliberation, the Committee decided to reject the application. The reason was :

“the applicant fails to demonstrate that the proposed development will not result in adverse traffic impact on the surrounding areas.”

[The Chairman thanked Mr Ng Tak Wah, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[The Vice-chairman returned to join the meeting at this point.]

Kowloon District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K18/335 Proposed Minor Relaxation of Building Height Restriction to Allow for One Storey of Basement for Permitted House Use in “Residential (Group C) 1” Zone, 14 Kent Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/335)

44. The Secretary reported that the application site was located in Kowloon Tong. The following Members had declared interests on the item:

Dr Lawrence W.C. Poon - living in the quarters of the City University
of Hong Kong in Kowloon Tong; and

Detailed Comments of Government Departments

1. Commissioner for Transport (C for T):

the scope of the Traffic Management Plan shall include but not limited to the items listed below:

1. implement off-peak loading/unloading strategy for inbound vehicles including goods vehicles. Develop and maintain online reservation platform to effect such strategy;
2. provide valet parking services at G/F with online reservation platform for users requiring prolonged parking or loading/unloading (including goods vehicles) during peak hours;
3. allow overnight commercial vehicles parking at the loading/unloading bays;
4. maintain separate traffic lanes at G/F for traffic accessing car park at B1/F to B3/F and drop-off traffic at G/F. The above area at G/F and B1/F to be properly manned to provide necessary guidance to the traffic and to achieve blockage-free vehicular accesses;
5. implement smart “No Stop” ticket gate at B2/F;
6. implement one-way traffic operation and controlled access of the development from Jaffe Road;
7. locate entry barrier to carpark at B2/F for providing a queuing length of minimum 16 cars;
8. implement parking vacancy information system for display at the proposed development and disseminate parking information to public via government’s “DATA.GOV.HK”. Implement advanced Causeway Bay area-wide parking vacancy sign;
9. implement flexible time management on utilizing office/retail parking spaces and loading/unloading bays;
10. adopt centralized water filtration system to eliminate loading/unloading activities associated with logistics of bottled drinking water; and
11. upon commissioning of the proposed development, arrange continual monitoring of the traffic conditions and arrange monthly submission of report on the same, in format agreeable to TD for a minimum period of 2 years, and arrange implementation of improvement measures deems necessary to address adverse traffic impacts arising from the proposed development.

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

- (a) as gross floor area (GFA) concession will be applied for green/amenity features and non-mandatory/non-essential plant rooms and services, compliance with the pre-requisites as stipulated in Practice Note for Authorized Persons, Registered Structural Engineers (RSE) and Registered Geotechnical Engineers (RGE), PNAP APP151 Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 Sustainable Building Design Guidelines are required, in particular that:
 - (i) compliance with the building separation requirements for building;
 - (ii) compliance with the building setback requirements if the width of Gloucester Road that the site abuts is less than 15m; and
 - (iii) compliance with the site coverage for greenery requirements;
- (b) 100% GFA concession may be granted for the proposed underground carpark if the relevant criteria under PNAP APP-2 Calculation of Gross Floor Area and Non-accountable Gross Floor Area - Building (Planning) Regulation 23(3)(a) and (b) are complied with;
- (c) covered area under projecting/overhanging structures/features may be accountable for GFA calculation, unless the criteria for disregarding them from GFA calculation as stipulated in paragraphs 6 and 7 of PNAP APP-19 Projections in relation to Site Coverage and Plot Ratio Building (Planning) Regulations 20 & 21 have been fulfilled;
- (d) if the open area outside the restaurant premises at 3/F is for alfresco dining, requirements under the Buildings Ordinance (BO) and the licensing authority should be complied with;
- (e) detailed checking for compliance with BO will be made at building plan submission stage; and
- (f) according to the previous approved general building plan dated 24.4.2018 involving 4-level basement, basement 1 was proposed to be used as shops while basements 2 to 4 were proposed to be used as loading/unloading (L/UL) bays and car parking spaces. The number of car parking spaces under the said scheme were 101 nos. for motor vehicles (including 2 nos. for disabled motor vehicles), 10 nos. for motorcycles and 14 nos. for goods vehicles (L/UL).

3. Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):
 - (a) the applicant has provided an OZP compliant scheme (Figures 3 and 4 in Appendix Ia of **Annex A**) falling entirely within the “C(1)” zone, and states that there would be improvement in greenery/landscaping and air ventilation, provision of all-weather area for pedestrians, additional car parking spaces and building setback in the current proposed scheme as compared to the OZP compliant scheme; and
 - (b) the current scheme proposes shared use of vehicular and pedestrian access at ground floor with podium extended above providing an all-weather area with a headroom of 4.7m to 8m. It is noted the OZP compliant scheme also adopts similar design and access arrangement on ground floor within the “C(1)” zone.
4. Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):
 - (a) the applicant should make reference to the mains record plans showing the existing water mains in the vicinity of the Site, in which the alignments of the water mains are indicative only. The exact lines and levels of the water mains should be established by hand dug trial pits on-site if they are of significance to the proposed works by the applicant. The applicant should take note of the fact that some changes might have been made to the information shown on the drawings of the record plans in the course of time and that digging of trial holes to ascertain the exact alignment and depth of water mains will still be necessary before any road excavation; and
 - (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. In case the project proponent considers that diversion of these water mains is required, they should study the feasibility of diverting these water mains. If diversion is considered feasible, the project proponent should submit their proposal for WSD’s consideration and approval. The water mains diversion work shall be carried out by the project proponent at their own cost to the satisfaction of WSD. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by the project proponent. Moreover, a 3m-wide water reserve is proposed for the water mains within the Site.

Recommended Advisory Clauses

- (a) to note the comments of Commissioner for Transport (C for T) that the detailed requirements in relation to the approval conditions imposed:
- (i) the design and provision of 30 parking spaces for private cars in addition to the provisions under General Building Plan approved by the Building Authority on 3.9.2018 to the satisfaction of the C for T or the Town Planning Board (the Board). The 30 parking spaces shall comprise 18 parking spaces in B2/F and B3/F of the proposed development (as proposed under s16 planning application) and 12 parking spaces at B1/F through conversion of 4 goods vehicle loading/unloading bays (as proposed under s17 review application). For the 12 parking spaces at B1/F, implement a pilot scheme adopting Advance Parking System to accommodate 12 pairs of parking spaces by trial use of puzzle-type Advance Parking System, subject to the approval of installation and operation by relevant government departments;
 - (ii) the design and provision of 10 goods vehicle loading/unloading bays within the proposed development, with 3 numbers provided at G/F for heavy good vehicles, and 7 numbers provided at B1/F for light good vehicles;
 - (iii) the design and provision of a double-line pick-up/drop-off layby of length and width about 30 m (measures along the centre line of run-in and run-out) and 9 m respectively at Gloucester Road side of the proposed development; and
 - (iv) the scope of the Traffic Management Plan shall include but not limited to the items listed below:
 - 1. implement off-peak loading/unloading strategy for inbound vehicles including goods vehicles. Develop and maintain online reservation platform to effect such strategy;
 - 2. provide valet parking services at G/F with online reservation platform for users requiring prolonged parking or loading/unloading (including goods vehicles) during peak hours;
 - 3. allow overnight commercial vehicles parking at the loading/unloading bays;
 - 4. maintain separate traffic lanes at G/F for traffic accessing car park at B1/F to B3/F and drop-off traffic at G/F. The above area at G/F and B1/F to be properly manned to provide necessary guidance to the traffic and to achieve blockage-free vehicular accesses;
 - 5. implement smart “No Stop” ticket gate at B2/F;
 - 6. implement one-way traffic operation and controlled access of the development from Jaffe Road;
 - 7. locate entry barrier to carpark at B2/F for providing a queuing length of minimum 16 cars;
 - 8. implement parking vacancy information system for display at the proposed development and disseminate parking information to public via government’s “DATA.GOV.HK”. Implement advanced Causeway Bay area-wide parking vacancy sign;

9. implement flexible time management on utilizing office/retail parking spaces and loading/unloading bays;
 10. adopt centralized water filtration system to eliminate loading/unloading activities associated with logistics of bottled drinking water; and
 11. upon commissioning of the proposed development, arrange continual monitoring of the traffic conditions and arrange monthly submission of report on the same, in format agreeable to TD for a minimum period of 2 years, and arrange implementation of improvement measures deems necessary to address adverse traffic impacts arising from the proposed development.
- (b) to note the comments of the District Lands Officer/Hong Kong East to liaise with the concerned private lot owners to sort out issues relating to the private easements and rights of way to facilitate the proposed commercial development; and on the need for lease modification for the proposed dedicated passage on ground level of the proposed development upon Buildings Department (BD) enters into the Deed of Dedication with the owner of the Site;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, BD regarding the compliance of the proposed commercial development with the sustainable building design requirements as per the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) regarding Building Design to Foster a Quality and Sustainable Built Environment (PNAP APP-151), Sustainable Building Design Guidelines (PNAP APP-152) and Projections in relation to Site Coverage and Plot Ratio Building (Planning) Regulations 20 & 21(PNAP APP-19);
- (d) to note the comments of the Director of Fire Services to observe the requirements of emergency vehicular access as stipulated in 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 Director of Water Supplies on the 3-m wide water reserve and the diversion requirements of existing water mains within the Site and the maintenance requirements of existing water mains in the vicinity of the Site;
- (f) to note the comments of the Director of Environmental Protection to prepare and submit the sewerage impact assessment as early as possible for implementation of any required sewerage works; and to comply with the relevant noise requirements in Chapter 9 of the Hong Kong Planning Standards and Guidelines; and
- (g) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that apart from merely submitting the estimation of the sewage generation from the proposed development, the project proponent shall assess proposed sewerage

impact on the existing sewerage system due to the proposed development and ensure that the adequacy of the relevant sewerage system upon the completion of the proposed works. In estimating the impact on the existing sewerage system, the project proponent should consider overall existing sewerage inflows generated from the related sub-catchments. Moreover, the downstream sewers should also be reviewed to check whether any pipes will be surcharge due to the flow from the proposed development. If necessary, the project proponent shall propose mitigation measure to rectify such. The Site falls within the Harbour Area Treatment Scheme (HATS) Sewage Tunnel Protection Area, all works/development should comply with the requirements in the Environment, Transport and Works Bureau Technical Circular (Works) No. 28/203 or the Practice Note for AP, RSE and RGE No. APP-62 issued by the BD. The HATS Protection Area should be clearly shown on the drainage layout plan for ease of reference.