

TOWN PLANNING BOARD

TPB Paper No. 10316
For Consideration by the
Town Planning Board on 18.8.2017

CONSIDERATION OF FURTHER REPRESENTATIONS
NO. F1 TO F41 ON THE PROPOSED AMENDMENT TO THE
DRAFT SAI YING PUN & SHEUNG WAN OUTLINE ZONING PLAN (OZP) NO. S/H3/30
ARISING FROM THE CONSIDERATION OF REPRESENTATIONS
ON THE DRAFT OZP

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Subject of Further Representations	Further Representers
Support the proposed Amendment Item A	F1 to F33: Individuals
Support the proposed Amendment Item A but Oppose the proposed amendment to the Notes of the OZP	F34 : Tsim Sha Tsui Residents Concern Group
Oppose the proposed Amendment Item A	F35 to F41: Individuals

Note : A full set of all valid further representations is enclosed at **Enclosure VI**. The names of all further representers can be found at **Enclosure V** and at the Board's website at http://www.info.gov.hk/tpb/en/plan_making/S_H3_30.html

1. Introduction

- 1.1 On 21.10.2016, the draft Sai Ying Pun & Sheung Wan OZP No. S/H3/30 involving the rezoning of the Man Mo Temple Compound (MMTC) and ex-Tung Wah Group of Hospitals (TWGHs) Lee Sai Chow Primary School (the site) from "Government, Institution or Community" ("G/IC") to "G/IC(2)" with a maximum building height restriction of 97mPD for the ex-school site and a maximum BH restriction of 1 storey for MMTC was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). Amendments were also made to the Notes to incorporate 'Residential Institution (Hostel only) (on land designated "G/IC(2)" only)' under Column 1 of the Notes of the "G/IC" zone and to replace 'Residential Institution' under Column 2 with 'Residential Institution (not elsewhere specified)'. During the two-month exhibition period, a total of 635 representations were received. On 20.1.2017, the Town Planning Board (the Board) published the representations and, in the first three weeks of the publication period, no comments were received.
- 1.2 After consideration of the representations under section 6B of the Ordinance on 21.4.2017, the Board supported the proposed use of the site as a youth hostel, agreed to adopt a building height restriction of 97mPD for the development, and to require the youth hostel development to be subject to planning permission from the Board to ensure that the building design would be subject to scrutiny. In this regard, the Board decided to amend the draft OZP to partially uphold representations **R2** to **R635** by deleting the 'Residential Institution (Hostel only)(on land designated "G/IC(2)" only)' use from Column 1 under the "G/IC" zone and replacing the 'Residential Institution (not elsewhere specified)' use under Column 2 with 'Residential Institution'. In order to

correspond with such amendments, the site would be rezoned from “G/IC(2)” to “G/IC”. The relevant Town Planning Board Paper and minutes of meeting are at **Enclosures I and II** respectively.

- 1.3 On 12.5.2017, the proposed amendment to the draft OZP was exhibited for public inspection under section 6C(2) of the Ordinance. A copy of the Schedule of Proposed Amendment, Amendment Plan No. R/S/H3/30-A1 and Proposed Amendments to the Notes and Explanatory Statement of the draft OZP is attached at **Enclosure III**. During the first three weeks of the exhibition period, a total of 41 valid further representations (FRs) were received.
- 1.4 On 7.7.2017, the Board decided to hear the valid FRs, **F1 to F41**, collectively in one group. This Paper is to provide the Board with information for the consideration of the valid FRs. A summary of the valid FRs with PlanD’s responses and the list of further representers are at **Enclosures IV and V** respectively and a full set of the valid FRs is at **Enclosure VI**. The location of the valid FRs is shown on **Plan FH-1**.
- 1.5 In accordance with section 6F(3) of the Ordinance, the original representers who have made representations on which the proposed amendment have been made and the further representers **F1 to F41** have been invited to the meeting.
- 1.6 On 18.7.2017, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the Chief Executive in Council (CE in C) for approval for a period of six months from 21.9.2017 to 21.3.2018.

2. The Further Representations

- 2.1 Among the 41 valid FRs, 34 (**F1 to F34**) supported Amendment Item A and 7 (**F35 to F41**) were opposed to the proposed amendments, while one supporting FR (F34) supported the rezoning of the site from “G/IC(2)” to “G/IC” but opposed the inclusion of ‘Residential Institution’ use in either Column 1 or Column 2 of the “G/IC” zone. All the FRs were submitted by individuals except for **F34** which was submitted by the Tsim Sha Tsui Residents’ Concern Group. **F24 to F28** and **F35 to F41** were submitted in a standard format. The grounds and/or proposals of the FRs are summarized as follows:

Supportive FRs

- 2.2 **F1 to F34** supports Amendment Item A on the following main grounds: the proposal makes good use of land resources to provide more housing accommodations for youths, especially those from the lower income group with limited family support; the proposed youth hostel can help ease the housing problems of youths and increase their awareness of heritage conservation; the youth hostel can provide cheap accommodation to youths; the youth hostel is beneficial to society; and building a youth hostel and heritage conservation should not be mutually exclusive.
- 2.3 While **F34** supports the rezoning of the representation site from “G/IC(2)” to “G/IC”, the further representer opposes the inclusion of ‘Residential Institution’ use in either

Column 1 or Column 2 of the “G/IC” zone on the grounds that the proposed youth hostel development will cause damage to MMTC which is located in the Mid-levels Scheduled Area, and the existing school building can be refurbished to provide a number of GIC uses including Visitor’s Centre, educational or library facilities or even a social enterprise.

Adverse FRs

- 2.4 **F35 to F41** opposed Amendment Item A on grounds which are similar to those as raised by the original representers. The opposing grounds mainly include objection to any redevelopment of MMTC; the use of the site for ‘Residential Institution (Hostel only)’ should not be allowed; objection to any increase in allowable building height for the site; and any redevelopment should be restricted to the same height of MMTC, i.e. one-storey.
- 2.5 The FRs propose to include a building height restriction of one-storey at the ex-school site or to restrict the height to that of the existing height of MMTC.

3. Planning Considerations and Assessments

The Further Representation (FR) Site and the Surrounding Areas (Plans FH-1 to FH-4)

- 3.1 The FR site is currently divided into two portions with the vacant 6-storey ex-TWGH Lee Sai Chow Memorial Primary School on the eastern part of the site and MMTC, a declared monument, in the western part of the site. The FR site is adjoined by Ladder Street, also a declared monument, on the west and by Ping On Lane, not a graded historic structure, on the east.
- 3.2 The surrounding area is predominantly residential in nature with a mix of GIC uses. Several high-rise residential buildings are found in the vicinity with building heights ranging from 96mPD to 163mPD. The site is about 300m away from the Sheung Wan MTR Station and is well served by other means of public transportation.

Planning Intention

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

Responses to Grounds of Further Representations and Further Representers’ Proposals

- 3.4 The views of the supportive FRs (**F1 to F34**) are noted.

- 3.5 For the opposing FRs, their views on the proposed use of the FR site as a youth hostel, the building height of the development proposal, converting the existing school building into a youth hostel, and the possible impact of the proposed development on MMTC were already fully deliberated by the Board during the hearing of representations on 21.4.2017. Responses to these views are as follows:

Proposed Youth Hostel Use in the GIC zone

- 3.5.1 In considering the representations, the Board noted that the proposed development of a youth hostel at the FR site is in line with the Youth Hostel Policy¹ to provide hostels for youth which was considered appropriate.
- 3.5.2 By placing ‘Residential Institution’ use in Column 2, the youth hostel development would require planning permission from the Board under s.16 of the Ordinance. The Board could thus ensure that the building design of the proposed development and any impacts generated would be scrutinized before development could proceed.
- 3.5.3 The Secretary for Home Affairs (SHA) reiterated its views that Amendment Item A had their policy support and was essential to the development of a youth hostel at the FR site. TWGH and HAB had consulted the Food, Environment, Hygiene & Works Committee of the Central and Western District Council in July 2014 and secured their support to the project. Besides, the design of the youth hostel, the choice of materials and the construction methods were tailor made to minimise the impact to MMTC and to highlight the temple’s historical importance. SHA would also like to emphasize that as advised by the Department of Justice, the proposed re-development of the ex-school site as a youth hostel fell within the objects of the Man Mo Temple Fund as provided in section 3 of the Man Mo Temple Ordinance (MMTO) (Cap. 154) and the powers conferred on TWGHs under section 3A of Cap. 154. Also, TWGHs’ lawyers provided legal opinion that TWGHs may, as trustee and manager of the Man Mo Temple Fund, develop or re-develop any property belonging to the Fund either by pulling down any existing premises or structures and rebuilding thereon or in any other manner as TWGHs see fit in accordance with section 3(c) of the MMTO, provided that all funds and income derived from the proposed development shall be used for the objects set out under section 3 of MMTO.

Building Height of the Proposal

- 3.5.4 When considering the appropriate building height for the youth hostel, the Board had considered whether it was appropriate to retain the original BH restriction of

¹ In the 2011-2012 Policy Address, the CE in C has stated that the Government was aware of the concern of some NGOs about the aspiration of working youths to have their own living space, and would actively support NGOs’ plan to use part of the land granted to them by the Government for “G/IC” use to build hostels for youths. The YHS would unleash the potential of under-utilized sites and provide an alternative accommodation option for working youths aged 18-30 at the 75th percentile of the monthly employment earnings.

8-storeys, reduce it to 1-storey, or relax it to 97mPD and decided that a BH of 97mPD was appropriate for the FR site as it would allow design flexibility. To facilitate better planning control, the Board decided that the future youth hostel should be subject to planning permission from the Board to ensure that the building design of the future development would be subject to scrutiny.

Conversion of the Existing School Building

3.5.5 The Board has also deliberated on whether it was appropriate to convert the existing school building into a youth hostel but decided against such an option as it would limit the development floor space of the youth hostel. The Board had also considered developing other GIC facilities at the ex-school site but considered that the proposed youth hostel use was most appropriate. Besides, TWGHs had agreed that the G/F of the proposed youth hostel would be used as a heritage bazaar which would have a permanent photo gallery exhibiting the history of MMTC and Sheung Wan district and for special exhibitions on the quarterly festivals of MMTC. Moreover, TWGHs also agreed to explore opportunities to open up the reading rooms/ multi-purpose rooms on 1/F and 2/F of the youth hostel to the local community.

Impact on MMTC

3.5.6 The Board also noted that as the FR site is within the Mid-levels Scheduled Area, any works would be subject to stringent geotechnical controls under the Buildings Ordinance (BO) and should follow the relevant Practice Note (APP-30) to safeguard public safety and ground stability. The issue of the youth hostel causing structural damage to MMTC during construction would be addressed through the building plan processing system.

3.6 Regarding the objection of the FRs to the redevelopment of MMTC, it should be noted that the proposed amendment to the OZP is only concerned with the redevelopment of the ex-TWGHs Lee Sai Chow Primary School and there is no plan to redevelop MMTC.

4. Consultation

4.1 The following government departments have been consulted on the FRs and have no major comment on the FRs:

- (a) Secretary for Development;
- (b) Secretary for Education;
- (c) Commissioner for Heritage;
- (d) Commissioner for Tourism;
- (e) Commissioner for Transport;
- (f) District Lands Officer/ Hong Kong West & South, Lands Department;

- (g) Chief Building Surveyor/ Hong Kong West, Buildings Department;
- (h) District Officer (Central & West), Home Affairs Department (HAD);
- (i) Chief Officer (Licensing Authority), HAD;
- (j) Hong Kong Police Force;
- (k) Chief Highways Engineer/ Hong Kong, Highways Department;
- (l) Director of Environmental Protection;
- (m) Director of Drainage Services;
- (n) Director of Water Supplies;
- (o) Director of Architectural Services;
- (p) Project Manager/ Hong Kong Island & Islands, Civil Engineering and Development Department (CEDD)
- (q) Head of Geotechnical Engineering Office, CEDD
- (r) Director of Fire Services;
- (s) Director of Electrical and Mechanical Services;
- (t) Director of Leisure and Cultural Services;
- (u) Antiquities and Monument Office, LCSD; and
- (v) Director of Social Welfare.

5. Planning Department's Views

- 5.1 The supportive views of **F1 to F33 and F34 (part)** are noted.
- 5.2 Based on the assessment in paragraph 3 above, PlanD does not support the opposing views of **F34 (part)** and **F35 to F41** and considers that the draft OZP should be amended by the proposed amendments for the following reasons:
 - (a) the proposed amendments to the “G/IC” zone under Amendment Item A and the requirement to obtain planning permission for the proposed youth hostel development from the Board would ensure that the design of the proposed development and any impacts generated would be scrutinized before development could proceed;
 - (b) as the further representation site is within the Mid-levels Scheduled Area, any works would be subject to stringent geotechnical controls under BO and should follow the relevant Practice Note (APP-30) to safeguard public safety and ground stability. The issue of the youth hostel causing structural damage to MMTC during construction would be addressed through the building plan processing system; and
 - (c) the building height of the proposed youth hostel is not the subject of the proposed amendments.

6. Decision Sought

The Board is invited to give consideration to the FRs taking into consideration the points raised in the hearing, and decide whether to amend the draft OZP by the proposed amendment(s) as further varied during the hearing.

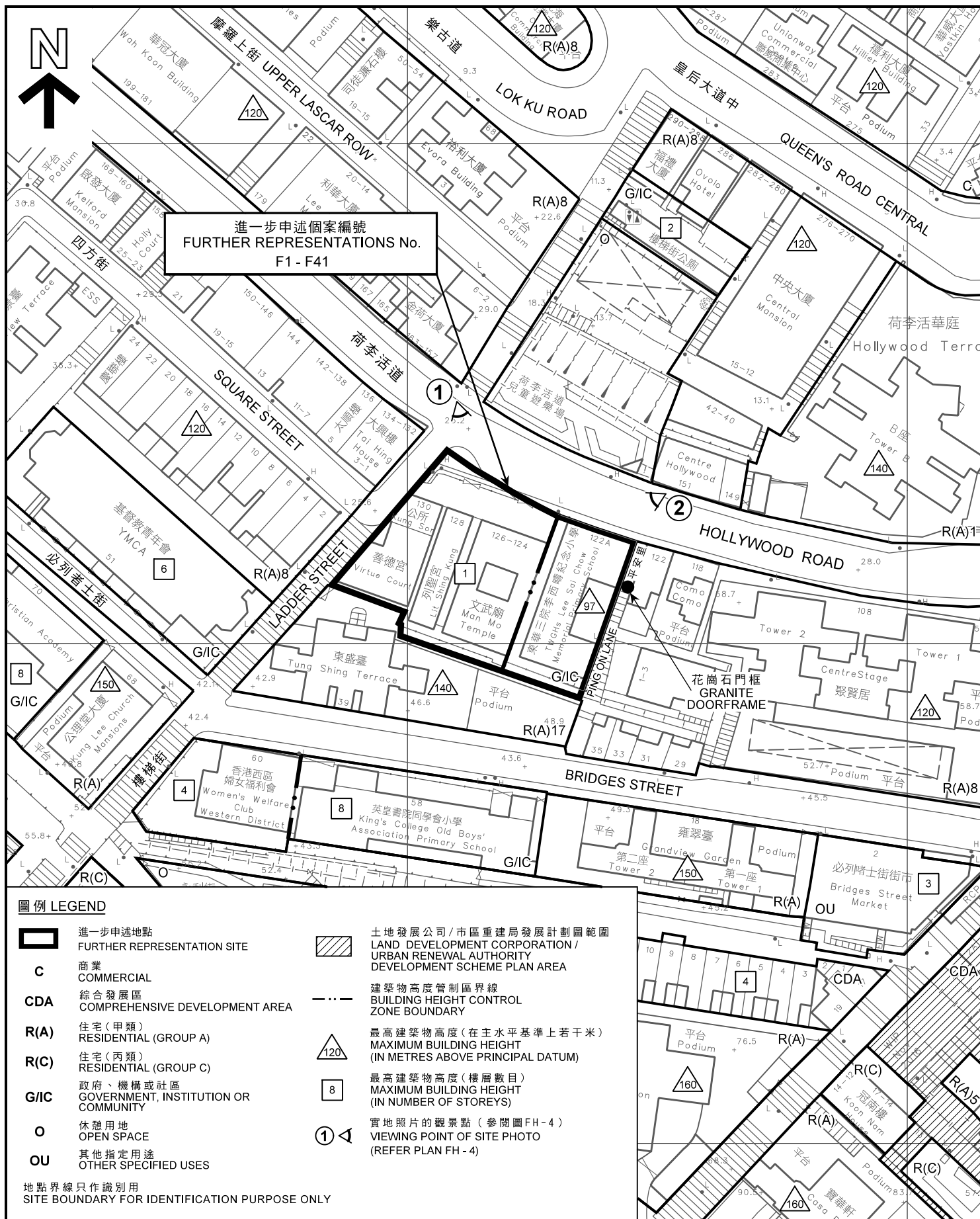
7. Follow-up Action

- 7.1 Should the Board decide to amend the draft OZP by the proposed amendments or the proposed amendment(s) as further varied, such amendment(s) shall form part of the draft Sai Ying Pun & Sheung Wan OZP No. S/H3/30. In accordance with section 6H of the Ordinance, the OZP shall thereafter be read as including the amendment(s). The amendment(s) shall be made available for public inspection until the Chief Executive in Council has made a decision in respect of the draft OZP in question under section 9 of the Ordinance.
- 7.2 Administratively, the Building Authority and relevant government departments will be informed of the decision of the Board and will be provided with a copy/copies of the amendment(s).

Enclosures

Plan FH-1	Location Plan of Further Representations
Plan FH-2	Site Plan of Amendment Item
Plan FH-3	Aerial Photo of Amendment Item
Plan FH-4	Site Photo of Amendment Item
Enclosure I	TPB Paper No. 10268 for consideration of representations in respect of the draft Sai Ying Pun & Sheung Wan OZP No. S/H3/30
Enclosure II	Minutes of the TPB Meeting held on 21.4.2017
Enclosure III	Schedule of Proposed Amendment, Amendment Plan and proposed amendments to the Explanatory Statement of the Draft Sai Ying Pun & Sheung Wan OZP No. S/H3/30
Enclosure IV	Summary of valid further representations and PlanD's responses
Enclosure V	List of further representers
Enclosure VI	Further representations F1 to F41

PLANNING DEPARTMENT
AUGUST 2017



平面圖 SITE PLAN

本摘要圖於2017年7月13日擬備，
所根據的資料為測量圖編號
11-SW-8A及C

EXTRACT PLAN PREPARED ON 13.7.2017
BASED ON SURVEY SHEETS No.
11-SW-8A & C

就西營盤及上環分區計劃大綱草圖編號 S/H3/30 的建議修訂
提出的進一步申述個案編號 F1-F41 作出考慮
CONSIDERATION OF FURTHER REPRESENTATIONS No. F1-F41
TO THE PROPOSED AMENDMENT
TO THE DRAFT SAI YING PUN & SHEUNG WAN
OUTLINE ZONING PLAN No. S/H3/30

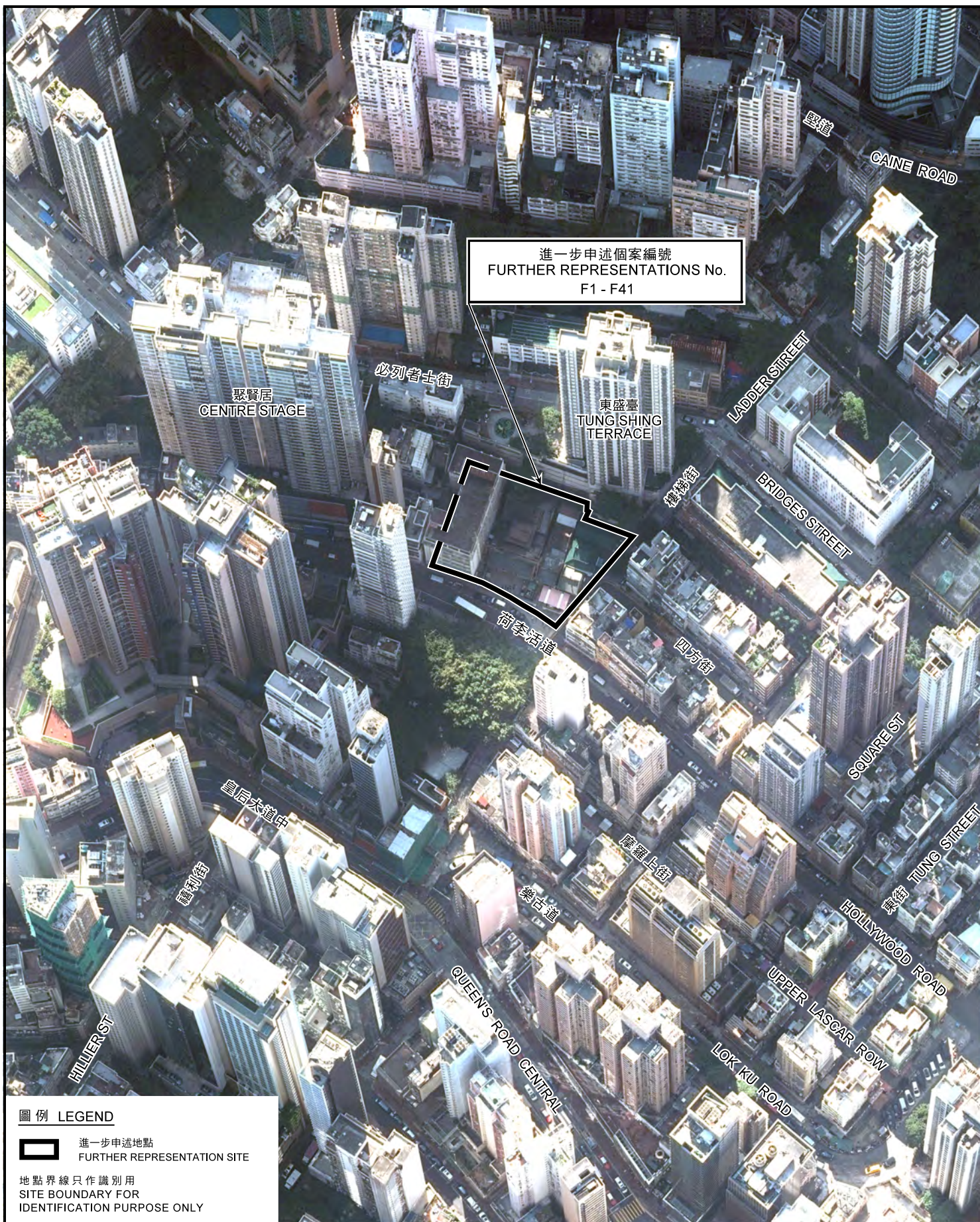
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METRES

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H3/30

圖 PLAN
FH - 2



進一步申述個案編號
FURTHER REPRESENTATIONS No.
F1 - F41

圖例 LEGEND

 進一步申述地點
FURTHER REPRESENTATION SITE

地點界線只作識別用
SITE BOUNDARY FOR
IDENTIFICATION PURPOSE ONLY

航攝照片 AERIAL PHOTO

本摘要圖於2017年7月13日擬備，所根據的資料為地政總署於2017年6月26日拍得的航攝照片編號E011333C
EXTRACT PLAN PREPARED ON 13.7.2017
BASED ON AERIAL PHOTO No.E011333C
TAKEN ON 26.6.2017 BY
LANDS DEPARTMENT

就西營盤及上環分區計劃大綱草圖編號 S/H3/30 的建議修訂
提出的進一步申述個案編號 F1-F41 作出考慮
CONSIDERATION OF FURTHER REPRESENTATIONS No. F1-F41
TO THE PROPOSED AMENDMENT
TO THE DRAFT SAI YING PUN & SHEUNG WAN
OUTLINE ZONING PLAN No. S/H3/30

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
R/S/H3/30

圖 PLAN
FH - 3

進一步申述個案編號
FURTHER REPRESENTATIONS No.
F1 - F41



地點界線只作識別用
SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTOS

本圖於2017年8月10日擬備，所根據的資料為攝於2017年3月6日的實地照片
EXTRACT PLAN PREPARED ON 10.8.2017
BASED ON SITE PHOTOS TAKEN ON 6.3.2017

就西營盤及上環分區計劃大綱草圖編號 S/H3/30 的建議修訂
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規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.

R/S/H3/30

圖 PLAN

FH - 4