

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H4/97

- Applicant** : Hutchison Telephone Company Limited represented by JEG Engineering Company Limited
- Premises** : 3/F and R/F, Central Pier No. 6, Hong Kong
- Total Floor Area of the Premises**: About 1.67553m²
- Land Status** : Government Property
- Plan** : Draft Central District Outline Zoning Plan (OZP) No. S/H4/17
- Zoning** : “Comprehensive Development Area (2)” (“CDA(2)”)

 [Maximum gross floor area of 55,740m² for retail shops, offices and hotels]
- Application** : ‘Public Utility Installation (Telecommunications Radio Base Station)’

1. The Proposal

- 1.1 The applicant seeks planning permission for installation of telecommunications radio base station at the application premises on 3/F and R/F of Central Pier No. 6 (the Premises). The Premises falls within an area zoned “CDA(2)” on the draft Central District OZP No. S/H4/17 (**Plans A-1 and A-2**). According to the Notes of the OZP, telecommunications radio base station, which is regarded as ‘Public Utility Installation’ use, requires planning permission from the Town Planning Board (the Board).
- 1.2 The telecommunications radio base station under application comprises eight outdoor antennae and a Base Transceiver Station (BTS) cabinet with BTS equipment and remote radio units, all of which are already in operation without valid permission. The details of the installations are shown in the table below and at **Drawings A-1 to A-4**.

Items		Size (mm) (each)	Location
Outdoor antennae	3 antennae	398(W) x 195(D) x 850(H)	R/F
	2 antennae	370(W) x 120(D) x 860(H)	
	3 antennae	300(W) x 130(D) x 600(H)	

Items		Size (mm) (each)	Location
BTS Cabinet	4 BTS equipment	600(W) x 450(D) x 900(H)	3/F
	2 Remote Radio Unit (RRU)	300(W) x 100(D) x 400(H)	
	2 RRU	285(W) x 170(D) x 485(H)	

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

Application form with attachments received on 18.2.2021 (Appendix I)

2. Justifications from the Applicant

The justification put forth by the applicant in support of the application is detailed in Part 10 of the Application Form at **Appendix I**. It is summarized as follows:

The telecommunications radio base station would enhance the coverage of mobile network at Central Pier No. 6.

3. Compliance with the ‘Owner’s Consent/Notification’ Requirements

As the Premises involves Government land only, the ‘owner’s consent/notification’ requirements as set out in the Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

4. Previous Applications

- 4.1 The Premises is part of the application premises of a previous s.16 application and a subsequent s.16A application (No. A/H4/90 and A/H4/90-1) (**Plan A-1**) submitted by a different applicant for comprehensive development of Central Pier Nos. 4, 5 and 6 and the adjacent inland area.
- 4.2 Application No. A/H4/90 for proposed construction of one and a half additional commercial floors above Central Pier Nos. 4 to 6, conversion of the existing upper decks at Central Pier Nos. 4 and 6 for various ‘Shop and Services’, ‘Eating Place’ and ‘Public Convenience’ uses, ‘Pier’ use at lower decks of Central Pier Nos. 4 to 6 and upper deck of Central Pier No. 5, and ‘Public Utility Installation (Telecommunications Radio Base Station)’ use at the landside of the rooftop at Central Pier Nos. 4 to 6, was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 3.5.2013. Application No. A/H4/90-1 for extension of time for commencement of development under Application No. A/H4/90 was approved with conditions by the Director of Planning under the delegated authority of the Board on 27.4.2017. The planning permission under Application No. A/H4/90-1 is valid until 3.5.2021.

5. **Similar Applications**

- 5.1 There are three similar applications (No. A/H4/75, 80 and 86) involving telecommunications radio base station within the subject “CDA(2)” zone. Application No. A/H4/75 for various ‘Shop and Services’ and ‘Public Utility Installation (Telecommunications Radio Base Station)’ uses at Central Pier No. 4 was approved with condition by the Committee on 29.7.2005. Application No. A/H4/80 for various ‘Shop and Services’, ‘Eating Place’ and ‘Public Utility Installation (Telecommunications Radio Base Station)’ uses at Upper Decks and Rooftops of Central Pier Nos. 4, 5 and 6 was partially approved with conditions on a temporary basis for a period of 3 years by the Committee on 22.6.2007. Application No. A/H4/86 for various ‘Shop and Services’, ‘Eating Place’ and ‘Public Utility Installation (Telecommunications Radio Base Station)’ uses at Upper Decks of Central Pier Nos. 4, 5 and 6 was approved with conditions on a temporary basis for a period of 4 years by the Committee on 2.9.2011. The ‘Public Utility Installation (Telecommunications Radio Base Station)’ use under these applications was approved mainly on the reasons that such installations would enhance the mobile phone services in Central and they would unlikely have significant visual impact on the surrounding areas in view of their small scale.
- 5.2 In addition, there are five similar applications (Nos. A/H4/84, 85, 91, 95 and 98) for the same applied use at the adjacent piers within the “Other Specified Uses” annotated “Pier” (“OU(Pier)”) zone on the same OZP. Application No. A/H4/84 for ‘Public Utility Installation (Telecommunications Radio Base Station and Associated Facilities)’ use at Central Government Pier was approved with condition by the Committee on 4.3.2011. Application Nos. A/H4/85, A/H4/91 and A/H4/95 for temporary ‘Public Utility Installation (Telecommunications Radio Base Station)’ use at Central Pier No. 2 were each approved with condition for a period of five years by the Committee on 20.5.2011, 3.5.2013 and 18.3.2016 respectively. These applications were all approved mainly for the proposed use was not incompatible with the existing pier use; would not cause adverse impacts on the operation of the existing ferry services, ferry passengers or users of existing roof-top open space; and would unlikely have significant visual impact on the surroundings in view of its small scale.
- 5.3 Application No. A/H4/98 for renewal of temporary approval for ‘Public Utility Installation (Telecommunications Radio Base Station)’ use at Portions of Roof Floor, Western Berth of 1/F and G/F of Central Pier No. 2 is scheduled for consideration by the Committee at the same meeting.
- 5.4 Details of the similar applications are at **Appendix III** and the locations are shown on **Plan A-1**.

6. The Premises and the Surrounding Areas
(Plans A-1 and A-2 and photos on Plans A-3 and A-4)

6.1 Central Pier No. 6, where the Premises are located, is:

- (a) one of the ten piers on the Central harbourfront and is accessible via the waterfront promenade along Man Kwong Street; and
- (b) a three-storey pier. The western and eastern berths of the Lower Deck are used for embarkation/disembarkation for the ferry services between Central and Ping Chau operated by Hong Kong & Kowloon Ferry Holdings Limited, and for the ferry services between Central and Mui Wo operated by Sun Ferry Services Company Limited (formerly New World First Ferry Services Limited) respectively. The Upper Deck is currently vacant, and 3/F is a mezzanine floor comprising electrical & mechanical rooms and a staff room.

6.2 The surrounding areas have the following characteristics:

- (a) the subject pier is located among the existing row of piers at the Central waterfront. To the immediate west and east are Central Pier No. 5 and Central Pier No. 7 (Star Ferry) respectively;
- (b) to the north is Victoria Harbour; and
- (c) to the south across Man Kwong Street, Man Po Street and Finance Street are the MTR Hong Kong Station and Two International Finance Centre.

7. Planning Intention

The “CDA(2)” site comprises Central Pier Nos. 4, 5 and 6 and the adjacent inland area. The purpose of the “CDA” zone is to encourage and ensure development/redevelopment of the area in a comprehensive manner.

8. Comments from Relevant Government Departments

8.1 The following government departments have been consulted and their views on the application and the public comment are summarized as follows:

Harbour Planning

8.1.1 Comments of the Harbour Office, Development Bureau:

The application has been circulated to Members of the Harbourfront Commission's Task Force on Harbourfront Developments on Hong Kong Island, no comment from Members has been received.

Land Administration

8.1.2 Comments of the Government Property Administrator (GPA):

- (a) GPA has no particular comment on the application.
- (b) The subject pier is under the management of the Transport Department (TD). TD is statutorily empowered to give consent under the Ferry Services Regulations (Cap. 104) to sublet surplus space of the pier for purposes other than the operation of licensed ferry services during the validity period of ferry service licence. GPA acts as the leasing facilitator to prepare and execute the tenancy agreement in accordance with TD's requirements for leasing out the pier.
- (c) If the Committee approves the application, under the tenancy requirements the Tenant (i.e. the applicant) shall submit the application to GPA for commercial concession. Such application, if received, would be circulated to relevant government departments for consideration and any approval to be given would be subject to the terms and conditions based on the comments received.
- (d) As for D of FS' concern on the provision of fire service installations, GPA's approval letter would include standard clauses covering the provision of fire service installations. Unless GPA receive other comment from D of FS during circulation, such clauses shall normally be covered in the application of commercial concession(s) of the piers.

Architectural Aspect

8.1.3 Comments of the Assistant Director (Property Services), Architectural Services Department (AD(PS), ArchSD):

- (a) The applicant and his appointed suitably qualified person(s) shall be responsible for the design, construction and future maintenance of the proposed works.
- (b) The applicant shall appoint a Registered Structural Engineer (RSE) to prepare and submit structural design drawings and calculation with his / her endorsement for checking and approval by the Government. The appointed RSE shall ensure that the design and supervision requirements set out under the Buildings Ordinance and the subsidiary legislation made thereunder and any amendments thereto are complied with in the design and construction of the structural works. The appointed RSE shall also verify the actual site conditions against the design assumptions prior to the construction, and shall certify that the completed works are carried out in accordance with the design and, in his opinion, structurally safe.

Visual Aspect

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

Given the telecommunications radio base station is of small scale, she has no adverse comment on the application from urban design and visual perspectives.

Fire Safety Aspect

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

He has no objection in principle to the application subject to fire service installations being provided to the satisfactory of the Fire Services Department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

8.2 The following government departments have no objection to or no comment on the application:

- (a) Director-General of Communications (DG of Communications);
- (b) District Lands Officer/Hong Kong West & South, Lands Department;
- (c) Commissioner for Transport (C for T);
- (d) Chief Highway Engineer/Hong Kong, Highways Department;
- (e) Director of Environmental Protection;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (h) Director of Electrical and Mechanical Services;
- (i) Commissioner of Police; and
- (j) District Officer (Central and Western), Home Affairs Department.

9. Public Comments Received During Statutory Publication Period

On 26.2.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 19.3.2021, no public comment was received.

10. Planning Considerations and Assessment

10.1 The application is to seek planning permission for using the Premises for telecommunications radio base station to improve the coverage of mobile network within Central Pier No. 6. The Premises fall within an area zoned “CDA(2)” on the draft Central District OZP No. S/H4/17. According to the Notes of the OZP for “CDA(2)” zone, ‘Public Utility Installation (Telecommunications Radio Base Station)’ is a Column 2 use which requires planning permission from the Board.

10.2 The applied use includes a BTS cabinet with two BTS equipment and four RRUs,

and eight outdoor antennae. All of which are already in operation without valid planning permission. The BTS cabinet is located at 3/F of the subject pier which is inaccessible to the public, whilst all outdoor antennae are mounted onto existing structures of the pier facing the waterfront promenade. Given the small scale of the installations, they would unlikely cause adverse impacts on the operation of the existing ferry services nor have significant visual impact on the surrounding areas. The applied use is also considered not incompatible with the existing pier use. Relevant government departments, including DG of Communications, C for T, AD(PS), ArchSD and CTP/UD&L, PlanD, have no objection to or no adverse comment on the application. As for D of FS' concern on the provision of fire service installations, since the relevant requirement would be specified under GPA's commercial concession agreement, it is considered not necessary to impose an approval condition in this regard and D of FS has no specific comment on this arrangement.

- 10.3 The Premises falls within an area zoned "CDA(2)", which is to encourage and ensure development/redevelopment of the area in a comprehensive manner. In order not to frustrate the comprehensive development of the subject site in the long term, and in view of the planning permission granted under application No. A/H4/90-1 for a comprehensive development to be constructed above Central Piers Nos. 4 to 6, it is recommended that temporary approval of five years, instead of permanent permission sought, could be granted for monitoring the site condition and allowing flexibility to review the development progress of the "CDA(2)" zone.
- 10.4 As mentioned in paragraph 5 above, there are seven similar applications (Nos. A/H4/75, 80, 84, 85, 86, 91 and 95) involving telecommunications radio base stations at various piers at the Central harbourfront approved by the Committee since 2005. Taking into account that the planning circumstances of the piers at the Central waterfront have remained similar over the years, approval of the current application on a temporary basis is generally consistent with the Committee's previous decisions.
- 10.5 No public comment was received on the application.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10, PlanD has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years up to 16.4.2026. The following advisory clauses are suggested for Members' reference:

Advisory clauses

The recommended advisory clauses are attached at **Appendix III**.

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application Form with attachments received on 18.2.2021
Appendix II	Similar Applications
Appendix III	Recommended Advisory Clauses
Drawings A-1 to A-4	Location Plan and Technical Drawings submitted by the applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 and A-4	Site Photos

**PLANNING DEPARTMENT
APRIL 2021**