

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H4/98

- Applicant** : Park Island Transport Company Limited
- Premises** : Portions of Roof Floor, Western Berth of 1/F and G/F of Central Pier No. 2, Central, Hong Kong
- Total Floor Area of the Premises** : About 5m²
- Land Status** : Government Property
- Plan** : Draft Central District Outline Zoning Plan (OZP) No. S/H4/17
- Zoning** : “Other Specified Uses” annotated “Pier” (“OU(Pier)”)
- Application** : Renewal of Planning Approval for Temporary ‘Public Utility Installation (Telecommunications Radio Base Station)’ Use for a Period of Five Years

1. The Proposal

- 1.1 The applicant seeks renewal of planning approval under Application No. A/H4/95 to continue using the application premises at portions of Roof Floor, Western Berth of 1/F and G/F of Central Pier No. 2 (the Premises) for temporary ‘Public Utility Installation (Telecommunications Radio Base Station)’ use for a period of five years. The Premises falls within an area zoned “OU(Pier)” on the draft Central District OZP No. S/H4/17 (**Plans A-1 and A-2**). According to the Notes of the OZP for “OU(Pier)” zone, ‘Public Utility Installation (Telecommunications Radio Base Station)’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Premises is the subject of two previous applications (Nos. A/H4/85 and A/H4/95) for the same temporary use submitted by the same applicant which were approved with condition by the Metro Planning Committee (the Committee) of the Board on 20.5.2011 and 18.3.2016 respectively. The last planning permission (under Application No. A/H4/95) is valid until 20.5.2021.
- 1.3 The telecommunications radio base station under application comprises a stainless steel cabinet with two split air conditioning units, eight outdoor antennae, four remote radio units, three indoor antennae, and associated cables. These installations remain the same as those under the last approved application

No. A/H4/95. The details of the installations are shown in the table below and at **Drawings A-1 to A-8**.

Items	Size (each)	Location
Stainless Steel Cabinet (including two split air conditioning units)	2,200mm (width) x 1,000mm (depth) x 2,200mm (height)	Inside the ventilation structure at Roof Floor
8 Outdoor Antennae	155mm (width) x 69mm (depth) x 662mm (height)	4 inside the ventilation structure at Roof Floor
		4 at Roof Floor
4 Remote Radio Unit (RRU)	383mm (width) x 169mm (depth) x 636mm (height)	1/F (Western Berth)
3 Indoor Antennae	205mm (diameter) x 67mm (height)	G/F (Western Berth)

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

- (a) Application Form received on 23.2.2021 **(Appendix I)**
- (b) Supplementary Planning Statement **(Appendix Ia)**
- (c) Further Information received on 23.3.2021 providing responses to departmental comments **(Appendix Ib)**
(*accepted and exempted from publication and recounting requirements*)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in sections 4 and 5 of the supporting Planning Statement at **Appendix Ia**. They are summarized as follows:

- (a) The installation of the telecommunications radio base station at Central Pier No. 2 would resolve the reception problem for mobile phones along Central harbourfront and the surrounding areas.
- (b) The applied use would bring about the much needed non-farebox revenue to the existing ferry services operator at Central Pier No. 2 (i.e. Park Island Transport Company Limited).
- (c) Approval letter from Government Property Agency for commercial concession for sub-leasing the pier area for telecommunications radio base station has been obtained.
- (d) The facilities would not cause adverse impact on the operation of existing ferry services nor inconvenience to the ferry passengers or users of the existing roof-top open space.

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

As the Premises involve 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. Town Planning Board Guidelines

The Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34C) is relevant to the application. The relevant assessment criteria for renewal of planning approval are summarized as follows:

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

5. Previous Applications

The Premises is the subject of two previous applications (Nos. A/H4/85 and A/H4/95) (**Plan A-1**) submitted by the same applicant for the same temporary use (i.e. telecommunications radio base station) which were approved with condition for a period of five years by the Committee on 20.5.2011 and 18.3.2016 respectively mainly for the reasons that 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. The approval condition under Applications No. A/H4/85 and A/H4/95 relating to the provision of fire service installations had been complied with. The planning permission under Application No. A/H4/95 is valid until 20.5.2021.

6. Similar Applications

- 6.1 There are two similar applications (Nos. A/H4/84 and 91) within the subject “OU(Pier)” zone.
- 6.2 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. Another application (No. A/H4/91) for the ‘Public Utility Installation (Telecommunications Radio Base Station)’ use at different locations in Central Pier No. 2 was approved with condition by the Committee on 3.5.2013 on a temporary basis for a period of five years. Both applications were approved mainly for the reasons that the proposed uses would unlikely have significant visual impact on the surroundings in view of its small scale and were considered not incompatible with the existing pier use.
- 6.3 In addition, there are four similar applications (Nos. A/H4/75, 80, 86 and 97) at the adjacent piers within the “Comprehensive Development Area (2)” (“CDA(2)”) zone on the same OZP. Among which, Application No. A/H4/97 for ‘Public Utility Installation (Telecommunications Radio Base Station)’ use on 3/F and R/F of Central Pier No. 6 is scheduled for consideration by the Committee at the same meeting.
- 6.4 Details of the similar applications are at **Appendix II** and the locations are shown on **Plan A-1**.

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

- 7.1 Central Pier No. 2, 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 two-storey pier. The western berth of G/F is currently used for embarkation/disembarkation for the ferry services between Central and Ma Wan (i.e. Park Island). The western and eastern berths of 1/F are currently occupied by the ancillary offices of Park Island Transport Company Limited (the applicant) and Hong Kong & Kowloon Ferry Holdings Limited respectively. There is a landscaped garden on the southern portion of the Roof Floor for public use, and a ventilation structure is at the northern end of the Roof Floor which is restricted from public access.
- 7.2 The surrounding areas have the following characteristics:
 - (a) the subject pier is located near the western end of the existing row of piers at the Central harbourfront. To the immediate west and east are Central Pier Nos. 1 and 3 respectively which are also zoned “OU(Pier)” on the OZP, and to the further east are Central Pier Nos. 4 to 6 which are zoned

“CDA(2)” on the OZP;

- (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 International Finance Centre.

8. Planning Intention

The “OU(Pier)” zone is intended primarily for pier use.

9. Comments from Relevant Government Departments

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

Harbour Planning

- 9.1.1 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

- 9.1.2 Comments of the Government Property Administrator (GPA):

- (a) The subject pier is under the purview of the Transport Department (TD). TD is statutorily empowered to give consent to the ferry operators under Regulation 15 of Ferry Services Regulations (Cap. 104A) to sublet surplus space of the piers for purpose other than the operation of a licensed service during the validity period of their ferry service licences. GPA is only the leasing facilitator of TD and has prepared and executed the tenancy agreement in accordance with the instruction from TD with the Tenant (i.e. the applicant) for the purposes of passenger ferry terminal for the embarkation and disembarkation of passengers using the Central to Ma Wan ferry services operated by the Tenant.
- (b) Under the tenancy agreement No. GPA H598, the Tenant may sublet part of the pier by way of commercial concession for purposes other than the above ferry services use with GPA’s approval upon receipt of no objection or adverse comment from relevant departments.
- (c) If the Committee approves the current application, the Tenant shall submit its application for commercial concession for GPA’s consideration under the mechanism in the existing tenancy to implement this proposal. Such application, if received, will be

circulated to relevant government departments for consideration and any approval to be given will be subject to terms and conditions based on the comments received.

- (d) As for D of FS' concern on the provision and maintenance of fire service installations and equipment, the conditions relating to the provision and maintenance of fire service installations and equipment are standard conditions and would be imposed on the approval letter for commercial concession application.

Architectural Aspect

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

He has no adverse comment on the subject application for renewal of planning permission from building maintenance point of view. The applicant is reminded that they shall not permit any addition or alteration works on the subject pier without separate consent from the Government.

Visual Aspect

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

Given that the existing 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

- 9.1.5 Comments of the Director of Fire Services (D of FS):

He has no objection in principle to the application subject to fire service installations and equipment being provided to the satisfactory of this Department. The existing FSIs implemented on the site should be maintained in efficient working order at all times.

Health Aspect

- 9.1.6 Comments of the Director of Health (D of H):

According to the World Health Organization (WHO), with compliance with the relevant international guidelines (e.g. the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines), exposure to radiofrequency fields, such as those generated by telecommunication facilities would not pose significant adverse health effects. The respective regulatory authority should ensure the project proponent would comply with the relevant guidelines or international standards.

District Officer's Comments

9.1.7 Comments of the District Officer (Central and Western), Home Affairs Department:

He has not received any comment nor enquiry about the application. He trusts that the Board would take all public views received into account when deliberating on the subject application.

9.2 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) Director of Environmental Protection;
- (d) Commissioner for Transport (C for T);
- (e) Chief Highway Engineer/Hong Kong, Highways Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (h) Director of Electrical and Mechanical Services; and
- (i) Commissioner of Police.

10. Public Comments Received During Statutory Publication Period

On 2.3.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 23.3.2021, two public comments from members of the public were received (**Appendix III**). One commenter supports the application without providing reasons, while the other commenter raises concern on the possible public health implications of the telecommunication radio base station, especially on workers at the pier and operators of refreshment outlets nearby and whether the base station could be located at other more “out-of-the-way” sites.

11. Planning Considerations and Assessment

11.1 The application seeks renewal of the planning approval to continue the use of the Premises for telecommunications radio base station for a period of five years. Compared with the latest approved application (No. A/H4/95), the current application has no change in terms of development parameters, layout and location of the facilities. The existing telecommunications radio base station was first approved on 20.5.2011 and has been in operation since then. The latest approval under Application No. A/H4/95 is valid until 20.5.2021.

11.2 The Premises falls within an area zoned “OU(Pier)” which is intended primarily for pier use. The applied use comprises a stainless steel cabinet with two split air conditioning units, eight outdoor antennae, four RRUs, three indoor antennae, and the associated cables. The stainless steel cabinet is located inside the ventilation structure on the roof floor which is inaccessible to the public; whilst all RRUs, antennae and associated cables are mounted onto existing structures. According to the applicant, the installation of telecommunications radio base

station would improve the reception of mobile phones at the subject pier and the surrounding areas along Central harbourfront. The installations are considered not incompatible with the existing pier use. Also, in view of their small scale, they would unlikely cause adverse impacts on the operation of the existing ferry services, ferry passengers or users of the existing roof-top open space, nor impose adverse visual impact on the surrounding areas. Relevant departments, including DG of Communications, C for T, AD(PS), ArchSD and CTP/UD&L, PlanD, have no objection to or no comment on the application. As for D of FS' concern on the provision and maintenance of fire service installations, since the relevant requirements 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.

- 11.3 The application is generally in line with TPB PG-No. 34C in that there has been no material change in planning circumstances since the last temporary approval was granted and no adverse planning implication arising from the renewal. The approval condition under the previous application in relation to the provision of fire service installations had been complied with, and the approval period sought is considered reasonable and of the same timeframe as the previous approval.
- 11.4 Given that two previous approvals for the same temporary use (i.e. telecommunications radio base station) have been granted to the Premises and similar applications within the adjacent piers have also been approved by the Committee before, approval of the current application is in line with the Committee's previous decisions.
- 11.5 There are two public comments received on the application during the statutory publication period as summarized in paragraph 10 above. The planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years and be renewed from 21.5.2021 to 20.5.2026. The following advisory clauses are suggested for Members' reference:

Advisory clauses

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

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

13. Decision Sought

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

14. Attachments

Appendix I	Application Form received on 23.2.2021
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Further Information received on 23.3.2021 providing responses to departmental comments
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-4	Layout Plans
Drawings A-5 to A-8	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plans A-3 to A-6	Site Photos

**PLANNING DEPARTMENT
APRIL 2021**