

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

**APPLICATION NO. A/H5/417**

<b><u>Applicant</u></b>	: Lands Department (LandsD), the Government of the Hong Kong Special Administrative Region
<b><u>Site</u></b>	: 269 Queen's Road East, Wan Chai, Hong Kong
<b><u>Site Area</u></b>	: About 1,227m <sup>2</sup>
<b><u>Land Status</u></b>	: Government land
<b><u>Plan</u></b>	: Approved Wan Chai Outline Zoning Plan (OZP) No. S/H5/29
<b><u>Zoning</u></b>	: "Residential (Group E)" ("R(E)")  (a) restricted to a maximum domestic plot ratio (PR) of 6.5 and maximum non-domestic PR of 1 and a maximum building height (BH) of 100mPD, or the PR and height of the existing building, whichever is the greater  (b) provision for application for minor relaxation of PR and BH restrictions
<b><u>Application</u></b>	: Proposed Residential cum Commercial Development with Minor Relaxation of Domestic PR and BH Restrictions

**1. The Proposal**

- 1.1 The applicant<sup>1</sup> seeks planning permission for a residential cum commercial building with minor relaxation of domestic PR restriction from 6.5 to 7.8 (+1.3 or +20%) and BH restriction (BHR) from 100mPD to 110mPD (+10m or +10%) at the application site (the Site). The Site falls within "R(E)" zone on the approved Wan Chai OZP No. S/H5/29 (**Plan A-1**). According to the Notes of the OZP for the "R(E)" zone, 'Flat' use is a Column 2 use requiring planning permission from the Town Planning Board (the Board), while 'Shop and Services' and 'Eating Place' uses are always permitted on the lowest three floors of a building, taken to include basements, excluding floors containing wholly or mainly car parking, loading/unloading (L/UL) bays and/or plant room. Minor

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<sup>1</sup> The proposal is under the purview by two individual sections of LandsD. The Land Supply Section is responsible for the application and land sale programme of the proposal, while the District Lands Office, Hong Kong East is responsible for comment on the proposal from land administration perspective.

relaxation of the PR and BH restrictions within the “R(E)” zone may also be considered by the Board on its individual merits. The Site is currently occupied by a 8-storey (including a basement floor) building known as Lui Kee Education Service Centre, for temporary government uses (**Plan A-3**).

- 1.2 The Site is included in the 2021-22 Land Sale Programme for disposal. The proposal of relaxing the PR and BH restrictions for the Site is to maximise utilisation of land resources, increase flat production, provide design flexibility, in particular for incorporation of appropriate traffic emission and noise mitigation measures.
- 1.3 A notional scheme with proposed layout design for the proposed development has been prepared to demonstrate the possible effects of the proposal (**Drawings A-1 to A-10**). According to the applicant, the exact number of flat units, open space provision, parking provision, floor-to-floor height and site coverage (SC) of the proposed development are subject to detailed design. A comparison of the proposed development parameters of the proposed development against the OZP compliant baseline scenario is as follows:

	<b>OZP Compliant Baseline Scheme (a)</b>	<b>Proposed Scheme (b)</b>	<b>Difference (b) – (a)</b>
Site Area	About 1,227m <sup>2</sup>	About 1,227m <sup>2</sup>	No change
Maximum gross floor area (GFA) <sup>(1)</sup>			
• Domestic	7,976m <sup>2</sup>	9,571m <sup>2</sup>	+1,595m <sup>2</sup> (+20%)
• Non-domestic	1,227m <sup>2</sup>	1,227m <sup>2</sup>	No change
<b>Total</b>	<b>9,203m<sup>2</sup></b>	<b>10,798m<sup>2</sup></b>	<b>+1,595m<sup>2</sup>(+17%)</b>
Maximum PR			
• Domestic PR	6.5	7.8	+1.3 (+20%)
• Non-domestic PR	1.0	1.0	No change
<b>Total</b>	<b>7.5</b>	<b>8.8</b>	<b>+1.3 (+17%)</b>
Maximum BH (at main roof) <sup>(2)</sup>			
• Overall (mPD)	+100	+110	+10 (+10%)
• Net (m)	89.3	99.3	+10.0 (+11%)
No. of Storeys above ground			
• Residential	22	25	+3 (+14%)
• Communal Recreational Uses	2	2	No change
• Commercial	2	2	No change
<b>Total</b>	<b>26</b>	<b>29</b>	<b>+3 (+12%)</b>
No. of Basement Levels	0	2	+2
SC			
• Not exceeding 15m	82.3%	82.3%	No change
• Exceeding 15m	34.7%	36.6%	+1.9% (+5%)
No. of Block	1	1	No change
No. of Units	159	191	+32 (+20%)
Average Flat Size	50m <sup>2</sup>	50m <sup>2</sup>	No change
Design Population <sup>(3)</sup>	363	436	+73 (+20%)

	<b>OZP Compliant Baseline Scheme (a)</b>	<b>Proposed Scheme (b)</b>	<b>Difference (b) – (a)</b>
Car Parking Space Provision			
• Private Car Parking Spaces (including Visitors' Parking Spaces)	0	26	+26
• Motorcycle Parking Spaces	0	3	+3
L/UL Bay Provision	3	3	No change
Open Space Provision	Not less than 363m <sup>2</sup>	Not less than 436m <sup>2</sup>	+73 (+20%)
Greenery Ratio <sup>(4)</sup>	23.3%	23.3%	No change

Remarks:

- (1) The footprint adopted in the proposed block layout plan includes generally 15% concessionary GFA. The communal recreational uses on 2/F with assumed GFA not more than 5% of the domestic GFA of respective scheme would be exempted from GFA calculation subject to the Buildings Authority's approval.
- (2) Building height is measured from the ground level (+10.7mPD) to the main roof. The height for the non-domestic portion (including a 2.5m thick transfer plate) of both schemes would be identical of 21.1m high. The floor to floor height for a domestic floor is assumed to be 3.1m under the Baseline Scheme and 3.1m to 3.4m under the Proposed Scheme.
- (3) Based on the By-Census 2016 data, the average household size is about 2.28 persons per flat, which is adopted for estimation of the design population of the proposed development.
- (4) According to the Sustainable Building Design Guidelines, the minimum SC of greenery for the Site is 20% in which a minimum of 10% of SC of greenery should be provided in the primary zone (i.e. ground level near pedestrian footpath). Both schemes would provide greenery SC of 12% on G/F and 11.3% on 2/F (**Plans A-5 and A-7**) which comply with the guidelines.

1.4 The main uses by floor for the proposed development (**Drawing A-2**) are summarised as follows:

<b>Floor</b>	<b>Main Uses</b>
B1/F and B2/F	Car park and E&M facilities
G/F	L/UL bay, Retail/Eating Place and E&M facilities
1/F	Retail/Eating Place and E&M facilities
2/F	Clubhouse
3/F	Covered Landscape Area
4/F to 28/F	Flats
R/F	Refuge Floor

1.5 Based on the submitted proposed layout (**Drawing A-5**), the vehicular access is proposed at the southwestern corner of the Site abutting Kennedy Street and the entrance for residents and visitors would be at the northern boundary facing Queen's Road East. For the purpose of addressing the possible traffic emission and noise impacts from the surrounding carriageways, 10m and 5.9m setbacks from the road kerbs of Queen's Road East and Kennedy Street respectively are proposed in the proposed scheme (**Drawing A-12**). Besides, the proposed development would provide two gardens with a total area of about 530m<sup>2</sup> and a covered landscape area would be provided on the 2/F and 3/F respectively for future residents' enjoyment (**Drawings A-7 and A-8**). Acoustic window and acoustic balcony are proposed in the flats with estimated noise levels exceeding 70dB(A) (**Drawing A-13**).

- 1.6 Despite the Explanatory Statement (ES) of the OZP for “R(E)” zone states that ‘car parking spaces should not be provided in the future development to avoid additional traffic burden on the capacity of the existing road network in the area’, owing to the changes in parking space provision policy since 2019, the Transport Department (TD) advised that the proposed development should provide car parking spaces following as far as possible the higher end of the parking standards under the Hong Kong Planning Standards and Guidelines (HKPSG) according to the applicant. A 2-basement level conventional car park for a total of 26 private car parking spaces and 3 motorcycle parking spaces is therefore proposed for the proposed scheme.
- 1.7 In support of the application, the applicant submitted the following documents:
- (a) Application form received on 15.12.2021 (Appendix I)
  - (b) Planning Statement including Traffic Assessment (TA) and Environmental Review (ER) received on 15.12.2021 (Appendix Ia)
  - (c) Supplementary Information (SI) received on 16.12.2021 clarifying typos in the Executive Summary (Appendix Ib)
  - (d) Further information (FI) received on 21.1.2022 providing responses to public comments (Appendix Ic)

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

The justifications put forth by the applicant in support of the application are detailed in Section 2 of the supporting planning statement and FI at **Appendices Ia and Ic**. They are summarised as follows:

### **In line with Government Policy on Housing and Land Supply**

- 2.1 Addressing insufficient housing supply is one of the key policy priorities of the Government. Being one of the measures to increase housing supply in the short to medium term, the Government demands for making more optimal use of the developed areas in the existing urban areas, new towns, as well as the nearby land in the vicinity of existing infrastructures, through increase of development intensity where planning terms permit. Having strike balance amongst the various considerations including site constraints, land use compatibility and infrastructure capacity in the area etc., the proposed composite development with minor relaxation of the domestic PR and BH restrictions under the OZP by 20% from 6.5 to 7.8 and 10% from 100mPD to 110mPD respectively is considered appropriate to maximise the utilization of the Site which is in line with the government policy.

### **In Line with the Planning Intention of “R(E)” Zone on the OZP**

- 2.2 The proposed composite development, mainly for ‘flat’ use, is in line with the planning intention of the “R(E)” zone, which is to encourage the redevelopment of the Site for residential use on application to the Board. The minor relaxation of the maximum domestic PR and BH restrictions is proposed to make more

optimal use of the Site for residential purpose and to allow greater design flexibility for incorporation of traffic noise mitigation measures in accordance with the results of the preliminary ER and the TA (Appendices 1 and 2 of **Appendix Ia**).

#### Compatible with the surrounding context

- 2.3 The Site is located immediate next to a predominantly residential neighborhood which is zoned “Residential (Group A)” (“R(A)”) which subject to BHR of 110mPD on the OZP. To the immediate east of the Site is the newly redeveloped Methodist International Church (+109.6mPD) which is also subject to BHR of 110mPD on the OZP. The proposed development is considered compatible with the surrounding context in terms of land use and BH.

#### No Significant Adverse Impacts from the Proposed Development

- 2.4 In support of the subject application, TD and Civil Engineering and Development Department (CEDD) were invited to conduct a TA and an ER respectively on the proposed composite development (Appendices 1 and 2 of **Appendix Ia**). The findings of the various assessments demonstrate that the proposed development with relaxation of the maximum domestic PR and BH restrictions at the Site would commensurate with the infrastructural capacity in the area and would not result in unacceptable adverse traffic, environmental, visual and infrastructural impacts on the surrounding area. Relevant government departments have been consulted and they have expressed no objection to the proposal.

#### Provision of Government, institution or community (GIC) Facilities and open space in Wan Chai

- 2.5 The Site is in close proximity to a number of major open space and GIC development including Hong Kong Jockey Club Garden, Wan Chai Park, St. James’ Settlement True Light Home for the Aged, Freni Care and Attention Home, hospital, polyclinic, public swimming pool and schools etc. Further, based on the proposed scheme, adequate open space and greenery site coverage have been provided in accordance with the HKPSG and the Sustainable Building Design Guidelines respectively. As such, the existing provision of open space and GIC facilities are sufficient enough to meet the local demand.

### **3. Compliance with the “Owner’s Consent/Notification” Requirements**

As the Site 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 Sections 12A and 16 of the Town Planning Ordinance (the Ordinance) (TPB PG-No. 31) is not applicable to the application.

### **4. Background**

- 4.1 The Site was zoned “Government, Institution or Community” (“G/IC”) on the first draft Wan Chai OZP No. LH 5/29 in 1968.

- 4.2 As a measure to increase housing land supply, the Government had undertaken reviews of “G/IC” sites and proposed to rezone some of the under-utilised “G/IC” sites for residential use, provided that the proposed residential use would be compatible with its surrounding land uses and the existing GIC facilities on these sites would be reprovioned to serve the local community. The Site was identified as one of the possible “G/IC” sites for rezoning in 2012 as the existing facility at the Site would be relocated and there was no GIC requirement identified thereon by government departments. Also, it was considered that the Site was located immediate next to a predominantly “R(A)” cluster on the OZP, and was compatible in terms of land use for residential use. However, Environmental Protection Department advised that the Site would be affected by the possible traffic noise from Kennedy Road and Queen’s Road East. It was therefore agreed to rezone the Site to “R(E)” to ensure that appropriate noise mitigation measures would be identified and implemented. Moreover, in order to avoid additional traffic burden on the junction of Kennedy Road and Queen’s Road East, a maximum domestic PR of 6.5 and a maximum non-domestic PR of 1 were imposed on the Site. In addition, as advised by TD in the zoning amendment, no car parking space would be provided in the future development to minimise its traffic impact, yet, L/UL facilities should be properly provided in the future development. The Site was rezoned to “R(E)” on the draft Wan Chai OZP No. S/H5/27 which was exhibited under section 7 of the Ordinance on 3.8.2012.

## **5. Previous Application**

The Site is not the subject of any previous application.

## **6. Similar Application**

There is no similar application for ‘Flat’ use and minor relaxation of PR and BH restrictions within “R(E)” zone on the Wan Chai OZP.

## **7. The Site and its Surrounding Areas (Plans A-1 and A-2, site photos on Plans A-3)**

7.1 The Site is:

- (a) bounded by QRE and Kennedy Street to its north and west;
- (b) currently occupied by a 8-storey building known as Lui Kee Education Service Centre which is built in early 1960s. The building was originally occupied by the School Place Allocation Section of the Education Bureau which has been moved out and is now mainly used for temporary government uses which can be unconditionally terminated by 2-month notice without reprovioning; and
- (c) well served by different modes of public transport and the nearest entrance of Wan Chai MTR Station is about 450m from the Site.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north is the existing electric sub-station which would be decommissioned and demolished. Further north across Queen's Road East is the Hong Kong Jockey Club Garden;
- (b) to the immediate east and southeast are some GIC facilities, including the Methodist International Church (+109.6mPD) and the Wan Chai Polyclinic (+29.3mPD);
- (c) to the south and southwest are primarily medium to high density residential development with BH ranging from of about 19.8mPD to 94.5mPD including Brilliant Court (+94.5mPD) and King Sing House (+71.7mPD). To the southwest of the Site, there is an area bounded by Stone Nullah Lane, Hing Wan Street and King Sing Street with a group of typical early 20<sup>th</sup> century tenement houses of three to four storeys, which includes four Grade 1 buildings and four Grade 3 buildings; and
- (d) to the west and northwest are some medium to high density residential developments including Kwan Lee Mansion (+44mPD), One Wanchai (+156.9mPD) and The Zenith (+146.7mPD to +157.9mPD).

## **8. Planning Intention**

- 8.1 The planning intention of the "R(E)" zone is to encourage the redevelopment of this area for residential use on application to the Board. The zoning is to facilitate appropriate planning control over the development scale, design and layout of the development, taking into account of various environmental, traffic and other infrastructural constraints.
- 8.2 According to the ES of the OZP, to provide incentive for developments/ redevelopments with planning and design merits and to cater for circumstances with specific site constraints, minor relaxation of BHR under section 16 of the Ordinance will be considered on its own merits and the relevant criteria for consideration of such application are as follows:
  - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
  - (b) accommodating the bonus PR granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;
  - (c) providing better streetscape/good quality street level public urban space;
  - (d) providing separation between buildings to enhance air and visual permeability;
  - (e) accommodating building design to address specific site constraints in achieving the permissible PR under the OZP; and
  - (f) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to

townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

## **9. Comments from Relevant Government Departments**

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

### **Land Administration**

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

- (a) No comment on the application.
- (b) The Site has been allocated to the Education Bureau under GLA-HK 150 and could be handed back to LandsD subject to 3 months' notice.

### **Traffic**

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

- (a) No objection to the application from traffic engineering perspective subject to the following comments:
  - (i) It is noted that the traffic assessment was conducted based on a reference scenario (i.e. the proposed scheme) only and the future development mix is unknown at this stage, the future developer is required to submit a traffic review report on the development in compliance with the land sale conditions.
  - (ii) In view of the Site adjoins Queen's Road's East which is a busy and major route, the future developer should submit the proposed access arrangement for construction vehicles and assess the construction traffic impact with consideration of other known projects in the vicinity during demolition and construction stages. Construction traffic generated should preferably be limited to non-peak hours to minimise the adverse traffic impact.
  - (iii) Views on the public comments are detailed at **Appendix II**.
- (b) Should the application be approved, the following conditions are required:
  - the inclusion of the requirements of submission of a traffic review report and implementation of mitigation measures identified therein in the lease conditions of the Site to the satisfaction of the Commissioner for Transport or of the Board;



- the design and provision of parking spaces, L/UL facilities and access arrangement for the proposed development to the satisfaction of the Commissioner for Transport or of the Board; and
- the submission of Construction Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Board.

### **Environment**

#### 9.1.3 Comments of the Director of Environmental Protection (DEP):

- (a) No objection to the application from environmental planning perspective.
- (b) Based on the findings of noise impact assessment in the ER submission (Appendix 2 of **Appendix Ia**) in the application, it is noted that practicable mitigation measures such as acoustic balcony and acoustic window are required to be adopted to mitigate traffic noise impact on the development.
- (c) Should the application be approved, the following conditions are required to ensure proper implementation of the noise mitigation measures:
  - the submission of an updated Traffic Noise Impact Assessment and implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Board.
- (d) Since the works would involve demolition of existing building and excavation for construction of the new residential building, the applicant is advised to minimise the generation of construction and demolition (C&D) materials, reuse and recycle the C&D materials on-site as far as possible, and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development.
- (e) Sewerage Impact Assessment (SIA) in the ER submission (Appendix 2 of **Appendix Ia**) has identified that a sewer segment of approximately 12m long will be upgraded from 150mm diameter to 225mm diameter. The SIA has been adequately completed and a further SIA is not required.

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

- (a) No comment on the application from sewerage viewpoint. The application should be subject to the view and agreement of the Environmental Protection Department as the planning authority of sewerage infrastructure.

- (b) No comment on the application from drainage planning viewpoint as no additional drainage impact is anticipated to the existing public drainage system due to the development.
- (c) Should the application be approved, the following condition is required:
  - the implementation of sewer connection and the upgrading works identified in the SIA to the satisfaction of the Director of Drainage Services or of the Board.

### **Urban Design, Visual and Air Ventilation**

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

- (a) No comment from architectural and visual impact point of view.
- (b) Based on the information provided, it is noted that the proposed composite development comprises 31 storeys with BH of 110mPD, which is 10% higher than the BHR of 100mPD. The BHR of adjacent developments are ranging from 94.5mPD to 156.9mPD.
- (c) It is noted that some of the flats are facing west, solar control devices should be considered to reduce solar heat gain and avoid glare as far as practicable.
- (d) The applicant is suggested to consider measures such as providing canopy/covered space, vertical green along the building façade to enhance street environment and microclimate of the area.

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

##### *Urban Design/Visual*

- (a) The Site is located inland near Wan Chai Gap. It is mainly surrounded by high-density residential developments and GIC uses with mixed BHRs up to 110mPD. The proposed composite building with a BH of not more 110mPD is identical to the existing BHRs of the adjoining residential developments and the Methodist International Church. According to the Visual Appraisal conducted by the applicant, the proposed development would generally blend in well with its surrounding built-up and high-rise urban development and would not cause any major visual obstruction to its surrounding visual context.

##### *Air Ventilation*

- (b) No comment on paragraphs 5.2.4 and 5.2.5 of the planning statement in **Appendix Ia** in relation to air ventilation.

## **Landscape**

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

- (a) No objection to the application from landscape planning perspective.
- (b) According to aerial photo of 2021 and with reference to Section 2 of the ER (Appendix 2 of **Appendix Ia**), the Site is occupied by an existing 8-storey building, namely Lui Kee Education Service Centre, situated in an area of organic mixed urban landscape character surrounded by buildings and roads. No landscape resource is observed within the Site; hence, adverse landscape impact arising from the proposed development is not anticipated.
- (c) The Site is in operation for temporary government uses and is surrounded by existing buildings, the proposed development is considered not incompatible with landscape character of its surrounding environment.
- (d) With reference to Table 3.2 in the ER (Appendix 2 of **Appendix Ia**) and the proposed development layout for baseline/proposed scheme (Appendices JJ and KK of Appendix 2 of **Appendix Ia**), open space provision meeting the HKPSG requirements is proposed.
- (e) It is noted under remarks of Table 3.2 in the ER (Appendix 2 of **Appendix Ia**) that 'the exact number of flat units, open space provision ..... are subject to detailed design'. The applicant is reminded to ensure open space requirements as stipulated in the HKPSG could be met despite any future changes/updates to the proposed layout in detail design stage.
- (f) The applicant is advised that approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Tree removal applications should be submitted direct to relevant authority(ies) for approval.

## **Building Matters**

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

- (a) No objection to the application.
- (b) No comments on the relaxation of domestic PR from 6.5 to 7.8 which does not exceed the limits as stipulated in the First Schedule of the Building (Planning) Regulations (B(P)R).
- (c) Technical comments on the application are detailed at **Appendix II**.

## **Fire Safety**

### 9.1.9 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 the satisfaction of D of FS.
- (b) Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.
- (c) The applicant is advised to observe the requirements of Emergency Vehicular Access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by BD.

## **Others**

### 9.1.10 Comments of the Director of Electrical and Mechanical Services:

- (a) No particular comment from electricity supply safety aspect at this stage as far as electricity supply safety is concerned.
- (b) In the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising, supervising and conducting any activity near the underground cable or overhead line under the mentioned application should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. The applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

### 9.1.11 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (AMO):

- (a) No adverse comment on the application provided that the works arising from the proposed development, if approved by the Board, will not cause any adverse impacts on the following historic items in the vicinity:
  - Old Wan Chai Market (Grade 3)
  - No. 72, 72A, 74 & 74A Stone Nullah Lane (4 buildings) (Grade 1)
  - No. 2, 4, 6 & 8 Hing Wan Street (4 buildings) (Grade 3)
  - The Hong Kong Tuberculosis, Chest and Heart Diseases Association (Grade 3)
  - Boundary Stones Bearing Inscriptions ‘Inland Lot 86’ at Queen’s Road East, Wan Chai, Hong Kong

- (b) Noting that the application is submitted by LandsD and the Site has been included in the land sale programme (April 2021 to March 2022), the future developer of the Site should provide AMO with the details of the works arising from the development for comment through departmental referrals of relevant building plans, protective/mitigation measures, etc.
- (c) It is noted that Lui Kee Education Service Centre situated on the Site was built in 1960 and may have potential heritage value, the applicant is recommended to conduct photographic recording if in-situ preservation of the building is considered not feasible for the proposed development.
- (d) The applicant/ future developer is required to inform AMO immediately when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance (Cap. 53) are discovered in the course of works.
- (e) Other comments are detailed at **Appendix II**.

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

##### 9.1.12 Comments of the District Officer (Wan Chai), Home Affairs Department:

His office received a reply from a member of the Wan Chai West Area Committee who gave no comment on the application.

##### 9.2 The following departments has no objection/comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Highway Engineer/Hong Kong, Highways Department; and
- (c) Commissioner of Police.

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

- 10.1 On 21.12.2021 the application was published for public inspection. During the first three weeks of the statutory public inspection period, a total of 97 public comments were received, including 2 supporting the application (**Appendix IIIa**) and 52 objecting to the application (samples at **Appendix IIIb**), and 43 expressed their views/concerns on the application (samples at **Appendix IIIc**). A full set of public comments received on the application is deposited at the Town Planning Board Secretariat for Members' inspection and reference.
- 10.2 Two supporting comments submitted by individuals were received without stating reason.
- 10.3 The objecting comments were submitted by various parties, including a Wan Chai District Council (WCDC) member, the Building Manager of One Wanchai, Old District Autonomous Advancement Group, Lui Kee Concern Group and locals/individuals. The major grounds of objection/main concerns raised are summarised below:

*Pedestrian and Traffic Impact*

- (a) The proposed development would worsen the traffic congestion along Queen's Road East and increases vehicle-pedestrian conflicts in the surrounding streets which are narrow in general.
- (b) There are excessive car parking provisions after taking considerations of the existing traffic congestions and narrow streets near the Site.

*Provision of GIC facilities and Open Space*

- (c) Provisions of GIC facilities should be included in the proposed development.
- (d) The proposed development should include the provisions of public open space.

*Environmental Concerns and Visual Impact*

- (e) The construction of the proposed development will generate substantial air and noise pollution to the neighbourhood. Relaxation of BHR would aggravate air ventilation in the area which is already crowded and create wall effect.
- (f) The applicant should consider further setback of the proposed development to reduce the blockage of sunlight and adverse air ventilation to the adjacent building.
- (g) The Site falls within a high-density zone and the proposed development would affect the views of the neighbouring developments.

*Others*

- (h) The proposed development is tailor-made for private developers to gain profits rather than ease the urgent housing needs of the citizens. The housing prices of the proposed development are unaffordable among the citizens.
- (i) There is insufficient flood discharge capacity to cope with high drainage demand during the rainy season.
- (j) Lui Kee Education Service Centre should be preserved.

- 10.4 The public comments providing views/concerns were submitted by individuals, commented on the proposal that the increase of PR for private developers without provision of public facilities is not reasonable; there are excessive commercial development in the surrounding neighborhood which creates noise and light pollutions; and the cost of living and rent in the neighborhood will be increased after the proposed development is implemented.

## 11. Planning Considerations and Assessments

- 11.1 The application is to facilitate a residential cum commercial development at the Site to be disposed by LandsD. The application is for seeking planning permission for the proposed development with minor relaxation of domestic PR and BHR from PR 6.5 to PR 7.8 (+1.3 or +20%) and 100mPD to 110mPD (+10m or +10%) respectively at the Site which is mainly zoned “R(E)” on the OZP. As a result, the GFA of the Site will increase from 9,203m<sup>2</sup> to 10,798m<sup>2</sup> and the estimated number of units will increase from 159 to 191 (+32 units).

### Policy Aspect

- 11.2 The Government has been adopting a multi-pronged approach to increase housing land supply to meet the pressing needs of the society. Among others, the Government has been optimising existing land resources through various measures which include increasing the development intensity of scarce urban land. To increase development intensity through minor relaxation of development restrictions of the Site is a practical solution to increase the housing land supply without compromising the original planning intention. The application has the merits of better utilisation of limited land resources in the urban area to provide additional 32 flats to meet the imminent needs of the community. The application is in line with the Government’s overall policy of increasing housing land supply and hence, increase the provision of private housing units in the urban area.

### Planning Intention

- 11.3 The proposed development complies with the planning intention of the “R(E)” zone for encouraging redevelopment of the area for residential use and to facilitate appropriate planning control over the development scale, design and layout of the development, taking into account of various environmental, traffic and other infrastructural constraints. The proposed development with 20% increase in domestic PR is submitted based on the TA (Appendix 1 of **Appendix Ia**) and ER (Appendix 2 of **Appendix Ia**) which demonstrates that the proposal is technically feasible and its impacts are acceptable without compromising the original planning intention.

### Traffic Emission and Noise Impacts

- 11.4 In the zoning amendment of the Site in 2012, the Environmental Protection Department advised that the Site would be affected by the possible traffic noise from Kennedy Road and Queen’s Road East. It was therefore proposed to rezone the site to “R(E)” instead of “R(A)” to ensure that appropriate noise mitigation measures would be identified and implemented. To alleviate the potential road traffic noise impact and traffic emission to the future residents, a number of measures have been proposed in the proposed scheme, including 10m and 5.9m setbacks from the road kerb of Queen’s Road East and Kennedy Street (**Drawing A-12**); adoption of further setback of the residential portion (i.e. 4/F and above) from the building lines of Queen’s Road East and Kennedy Street together with elevation of the residential portion by 4-storey of non-domestic structure including 2-storey commercial podium to maximise the separation between the carriageways and the residential premises (**Drawing A-2**); noise

tolerant by podium, acoustic window and acoustic balcony at specific locations will be implemented to comply with the required noise criteria (**Drawing A-13**).

- 11.5 The applicant has submitted a EA which includes Air Quality Impact Assessment and Noise Impact Assessment to demonstrate the air quality and noise impacts, it was concluded that no adverse air pollution impact to the proposed development is anticipated during the operation phase and noise impact during the construction phase and operation phased can be controlled to acceptable level with appropriate mitigation measures. DEP has no objection to the application from environmental planning perspective subject to approval condition on noise aspect stated in paragraph 12.2 below.

#### Traffic Aspect and Parking Provision

- 11.6 In respect of the nil provision of car parking space to avoid additional traffic burden on the capacity of the existing road network in the area as stated in the ES, the applicant stated in the TA (Appendix 1 of **Appendix Ia**) that it is the latest Government's intention to address the shortage of parking spaces in the territory. Also, it is noted that the "2020 Policy Address Supplement" has remarked that the Government is reviewing the standards on the provision of parking spaces and L/UL bays in housing developments stipulated in HKPSG to increase the provision of parking spaces and the latest parking standards under HKPSG have been promulgated in August 2021. The applicant's proposal to provision parking spaces is considered to be in line with the Government's prevailing policy. The TA (Appendix 1 of **Appendix Ia**) conducted by the applicant has also demonstrated that the total trip generation and attraction flows arising from the proposed development would not be significant. C for T has no objection to the application from traffic engineering perspective subject to approval condition on car parking and L/UL facilities and submission of construction traffic impact assessment as stated in paragraph 12.2 below.

#### Minor Relaxation of BH

- 11.7 The Site is located at a predominantly residential neighbourhood with a mixture of medium to high-rise residential developments and several GIC developments (**Plan A-2**). The proposed development is considered not incompatible with the surrounding developments. Regarding the proposed minor relaxation of the BHR of 10m from 100mPD to 110mPD, it is noted that the adjacent GIC use, i.e. the Methodist International Church, is +109.6mPD with BHR of 110mPD on the OZP and a Visual Appraisal (Appendix 2 of **Appendix Ia**) is submitted by the applicant with photomontages from 4 vantage points (VPs), including 2 VPs at Queen's Road East and a VP at Hong Kong Jockey Club Garden to demonstrate the visual impact of the proposed development (**Drawings A-14 to A-17**). The visual impacts of all the VPs were assessed to be slightly adverse to negligible. According to the Visual Appraisal, the proposed development would generally blend in well with its surrounding built-up and high-rise urban development and would not cause any major visual obstruction to its surrounding visual context. CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comments from visual point of view.



### Minor Relaxation of PR

- 11.8 Various assessments have been conducted at the ER (Appendix 2 of **Appendix Ia**), including assessments on waste management, land contamination, SIA and Drainage Impact Assessment to demonstrate that the proposal which involves minor relaxation of domestic PR of 20% (i.e. an addition of about 32 flats) is technically feasible in terms of infrastructural capacity and environmental aspects. Relevant government departments, including DEP, CE/HK&I, DSD and CE/C, WSD have no adverse comments on these aspects. Should the application be approved by the Board, relevant approval conditions as suggested by CE/HK&I, DSD are recommended in paragraph 12.2 below.

### Public Comments

- 11.9 Regarding the adverse public comments received as mentioned in paragraph 10.2 above, the planning considerations and assessments in paragraph 11.1 to 11.8 and the departmental comments in paragraph 9 above are relevant. The applicant has also provided responses to the public comments regarding GIC facilities and traffic in FI received on 21.1.2022 (**Appendix Ic**). Regarding suggestion on including GIC facilities and public open space in the proposed development, based on the amended HKPSG requirements, the planned provision for GIC facilities within Wan Chai OZP area is generally adequate to meet the demand of the planned population, except for the shortfall in Residential Care Homes for the Elderly (RCHE). However, according to the HKPSG, in general, for an RCHE with 100 places, a net operating floor area of 1,354m<sup>2</sup> is required. The proposed non-domestic GFA (1,227m<sup>2</sup>) may not be sufficient to accommodate a RCHE with reasonable scale. Moreover, the HKPSG requirements for social welfare facilities are a long-term goal and the actual provision would be subject to the consideration of relevant bureaux/departments in the planning and development process as appropriate, and as detailed design proceeds. The open space provision in the Wan Chai area is also generally adequate to meet the demand of the planned population. Regarding the public comment on preserving the Lui Kee Education Service Centre, AMO has no adverse comments on the proposed development and the existing building on site is not a graded historic building.

## **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 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 until 28.1.2026, 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 also suggested for Members' reference:

### Approval Conditions

- (a) the inclusion of the requirements of submission of a traffic review report and implementation of mitigation measures identified therein in the lease

conditions of the Site to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (b) the design and provision of car parking spaces, L/UL facilities and access arrangement for the proposed development to the satisfaction of Commissioner for Transport or of the Town Planning Board;
- (c) the submission of Construction Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the submission of an updated Traffic Noise Impact Assessment and implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or the Town Planning Board; and
- (e) the implementation of the sewer connection and upgrading works identified in the Sewage Impact Assessment to the satisfaction of the Director of Drainage Services or the Town Planning Board.

#### Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

insufficient planning and design merits to justify the minor relaxation in domestic PR and BH restrictions sought.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

<b>Appendix I</b>	Application form received on 15.12.2021
<b>Appendix Ia</b>	Planning Statement including TA and ER received on 15.12.2021
<b>Appendix Ib</b>	SI received on 16.12.2021
<b>Appendix Ic</b>	FI received on 21.1.2022

<b>Appendix II</b>	Detailed Comments from the Government Departments
<b>Appendices IIIa to IIIc</b>	Public Comments
<b>Appendix IV</b>	Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Section Plan
<b>Drawings A-3 to A-10</b>	Floor Plans
<b>Drawing A-11</b>	Comparison of Schematic Section Plan
<b>Drawing A-12</b>	Proposed Building Setback and Buffer Distance
<b>Drawing A-13</b>	Mitigation Measures for Traffic Noise
<b>Drawings A-14 to A-17</b>	Photomontages
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Site Photos

**PLANNING DEPARTMENT  
JANUARY 2022**