

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

**APPLICATION NO. A/H5/418**

- Applicant** : Yuba Company Limited represented by Townland Consultants Limited
- Site** : 1, 1A, 2 and 3 Hill Side Terrace, 55 Ship Street (Nam Koo Terrace), 1-5 Schooner Street, 53 Ship Street (Miu Kang Terrace), Inland Lot (I.L.) 9048 and adjoining Government Land, Wan Chai, Hong Kong
- Site Area** : About 2,845.7m<sup>2</sup> (including 447.8m<sup>2</sup> (15.7%) government land)
- Lease** : I.L.2140, I.L.1940, I.L.2272 & Ext. I.L.1564, I.L.1669, I.L.2093 R.P. and I.L.2093 s.A R.P., I.L.9048
- (a) Standard non-offensive trades clause (I.L.2140 and I.L.1940);
- (b) Virtually unrestricted except non-offensive trades clause and rate and range clauses (I.L.2272 & Ext., I.L.1564, I.L.1669, I.L.2093 R.P. and I.L.2093 s.A R.P.); and
- (c) Restricted to private residential purposes (I.L.9048)
- Plan** : Approved Wan Chai Outline Zoning Plan (OZP) No. S/H5/31 (currently in force)
- Draft Wan Chai OZP No. S/H5/30 (at the time of submission)
- Zoning** : “Comprehensive Development Area”(“CDA”) – 2,363.35m<sup>2</sup> (83.1%)
- (a) Restricted to a maximum plot ratio (PR) of 5.0 and maximum building height (BH) of 91mPD, or the PR and height of the existing building, whichever is the greater
- (b) A minimum of 2,100m<sup>2</sup> of public open space shall be provided
- (c) The historic building, i.e. Nam Koo Terrace (NKT), shall be preserved in-situ for adaptive reuse
- “Residential (Group C)” (“R(C)”) – 265.79m<sup>2</sup> (9.3%)
- (a) Restricted to a maximum PR of 5.0 and maximum BH of 12 storeys, or the PR and height of the existing building,

whichever is the greater

“Open Space” (“O”) – 68m<sup>2</sup> (2.4%)<sup>1</sup>

“Government, Institutional and Community” (“G/IC”) – 33m<sup>2</sup> (1.1%)<sup>1</sup>

Area shown as ‘Road’ – 115.82m<sup>2</sup> (4.1%)

(The zonings and development restrictions remain unchanged on the current OZP)

**Application** : Proposed Comprehensive Development comprising Residential and Commercial Uses, and In-situ Preservation of NKT

## **1. The Proposal**

- 1.1 The applicant seeks planning permission for a comprehensive development with in-situ preservation of the Grade 1 historic building of NKT and a residential block over public open space (POS) and a 3-storey podium for residential recreational facilities and commercial uses at the application site (the Site). The Site falls mainly within “CDA” and “R(C)” zones and partly within area shown as ‘Road’ on the approved Wan Chai OZP No. S/H5/31 (**Plan A-1**). According to the Notes of the OZP, ‘Flat’ use is always permitted within the “R(C)” zone, while planning permission from the Town Planning Board (the Board) is required for ‘Flat’, ‘Shop and Services’, ‘Eating Place’ and ‘Place of Recreation, Sports or Culture’ uses within the “CDA” zone and area shown as ‘Road’ and a planning application should be supported with a Master Layout Plan (MLP). The Site is currently partly vacant with vegetation and partly occupied by two vacant buildings which are the NKT (a Grade 1 historic building) and the former St. Luke’s College (**Plan A-2**).
- 1.2 The proposed comprehensive development comprises adaptive reuse of the NKT, provision of POS of 2,187m<sup>2</sup> (at least 2,100m<sup>2</sup> within “CDA” zone). The residential block is proposed to be erected within the “CDA” portion of the Site only.
- 1.3 The “CDA” portion of the Site is the subject of a s.12A application (No. Y/H5/5), submitted by the same applicant to rezone the land for the proposed preservation-cum-development project, which was agreed by the Metro Planning Committee of the Board (the Committee) on 13.12.2019 (**Drawings A-10 and A-11**) and was subsequently rezoned to “CDA” on 17.6.2022. Compared with the s.12A application, the current application amalgamates the adjoining “R(C)” site (i.e. I.L.9048) resulting a larger site area for development (residential block would only built on the “CDA” site while only podium would be erected on the “R(C)” site) (**Drawing A-6**). A comparison of the s.12A application and the current application is summarised below:

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<sup>1</sup> Minor portions of the Site fall within “O” and “G/IC” zone. An elevated walkway connecting Hopewell Centre II which is always permitted under the covering Notes of the OZP, is proposed within “O” zone. Also, minor strips of land within “O” zone at the southeast periphery of the Site and within “G/IC” zone at the southwest periphery of the Site, are treated as minor boundary adjustment of the “CDA” zone.

	<b>s.12A Application (No. Y/H5/5) (a)</b>	<b>Current Proposal (b)</b>	<b>Remarks</b>
Site Area <sup>(i)</sup>	2,427.9m <sup>2</sup>	2,845.7m <sup>2</sup> <sup>(ii)</sup>	+417.8m <sup>2</sup> (mainly due to the inclusion of I.L.9048)
Development Site Area	2,427.9m <sup>2</sup>	2,828.8m <sup>2</sup> <sup>(ii)</sup>	+400.9m <sup>2</sup> (mainly due to the inclusion of I.L.9048)
Total Gross Floor Area (GFA) (excluding NKT)	12,139.5 m <sup>2</sup>	14,144 m <sup>2</sup> <sup>(ii)(iii)(vi)(vii)</sup>	+2,004.5m <sup>2</sup>
- Domestic	11,843.5m <sup>2</sup>	13,905.2m <sup>2</sup>	+2,061.7m <sup>2</sup>
- Non-domestic (excluding GFA of NKT <sup>(viii)</sup> )	296m <sup>2</sup>	238.8m <sup>2</sup> <sup>(iii)(iv)</sup>	-57.2m <sup>2</sup>
Total PR (excluding NKT)	5	5 <sup>(ii)(iii)</sup>	Comply with the PR restriction of 5 under “R(C)” and “CDA” zones
- Domestic	4.878	4.916	
- Non-domestic	0.122	0.084 <sup>(iii)(iv)</sup>	
Site Coverage (SC) (excluding NKT)	Not Specified	29.34% (above 15m) <sup>(ii)</sup> 15.58% (below 15m) <sup>(ii)(v)</sup>	-
BH	90.25mPD	91mPD (within “CDA” zone)	Comply with the BH restrictions for “R(C)” (i.e. 12-storey) and “CDA” (i.e. 91mPD) zones
<i>No. of storeys</i>	21	21	
- At or above 34mPD	18	18 (within “CDA” zone only)	
- Below 34mPD	3	3 (within “CDA” “R(C)” and area shown as ‘Road’)	
No. of block (excluding NKT)	1	1	-
No. of unit	221	255	+34
Estimated Population	Not Specified	587 persons	-
Unit size	45.6m <sup>2</sup> (average)	38m <sup>2</sup> to 96m <sup>2</sup>	-
Open space provision	2,100m <sup>2</sup>	Not less than 2,187m <sup>2</sup>	+87m <sup>2</sup> (to be provided outside the “CDA” zone)
- Open-air	1,508m <sup>2</sup>	1,498m <sup>2</sup>	
- Covered landscaped area	592m <sup>2</sup>	689m <sup>2</sup> <sup>(vi)</sup>	
			Comply with minimum 2,100m <sup>2</sup> of POS for “CDA” zone

Notes:

- (i) The exact site area would be subject to further confirmation at the building plan submission stage.
- (ii) According to the applicant, the site area is 2,845.7m<sup>2</sup>, while the development site area is 2,828.8m<sup>2</sup> (exclude the area of the proposed elevated walkway to the Hopewell Centre II). The total GFA and SC are based on the development site area.
- (iii) According to the Notes of the OZP, GFA of the historic building of NKT should not be taken into account in PR calculation.
- (iv) The GFA of toilet, kiosk and lift (Lift ‘A’) (all for public use) are included in the non-domestic GFA calculation.
- (v) Assuming the open space at 34mPD above is exempted from SC calculation.
- (vi) Covered open space on G/F is proposed to be exempted from GFA calculation.

- (vii) According to the applicant, GFA concession/exemption for the ancillary recreation facilities would be applied for upon general building plan (GBP) submission to the Building Authority (BA).
- (viii) According to the applicant, the applicant will provide information on the GFA of NKT for Antiquities and Monuments Office (AMO)'s further consideration at the GBP submission stage.

1.4 The main uses by floor for the proposed development (**Drawings A-2 to A-5**) are summarised as follows:

Floor	Main Uses
L1/F	Residential Entrance Lobby, Residential Recreational Facilities, 'Shop and Services' / 'Eating Place'
L2/F-L3/F	Residential Recreational Facilities, E&M
G/F	NKT ('Shop and Services' or 'Place of Recreation, Sports or Culture' use), POS with Toilet and Kiosk for Public Use, E&M
2/F to 18/F	Flats

- 1.5 Podium setback of 7.8m from Schooner Street (**Drawing A-9**) is proposed to widen Schooner Street from existing 9m to about 16.8m. With the cantilevered podium garden on top, the public passageway will be all-weather protected. A 5m void underneath the residential tower (**Drawing A-9**) is proposed to facilitate air ventilation in the local area and visual penetration for views towards NKT. POS is designed in front of NKT for public enjoyment. The POS would be opened to the public free-of-charge at reasonable hours (06:00 to 23:00). 44 trees within the Site are proposed to be removed and 52 new trees will be compensated within the site boundary. Landscaping (including trees and shrubs) between the proposed residential tower and NKT is proposed (**Drawing A-12**). Toilet and kiosk on the podium will be provided to serve the visitors of the POS.
- 1.6 The Site is not accessible by any vehicular access. Internal transport facilities including carparking spaces and loading/unloading (L/UL) facilities would not be provided in the proposed development. According to the applicant, residents and visitors would make use of the public transport facilities and nearby on-street and off-street car parking spaces as well as L/UL facilities in the vicinity. Also, provision of emergency vehicular access (EVA) is considered impractical due to the topographical feature of the Site. The main entrance of the proposed development will be located at Schooner Street at 19mPD which is accessible from Queen's Road East through pedestrian accesses via St. Francis Street, Sik On Street and Ship Street, and from Kennedy Road through stepped street (**Drawings A-14 and A-15**). The applicant proposes to provide barrier-free access from Kennedy Road and the Queen's Road East to the Site. A 3m wide elevated walkway connecting Lift 'C' (**Drawing A-15**) at the Hopewell Centre II (under construction) which facilitates the connection between Kennedy Road and the Site, will be constructed. The public could also access the Site from Queen's Road East via Ship Street, Lift 'B' and Lift 'A' (**Drawings A-14**). The opening hours will be 06:00-23:00 for Lift 'A', and 24 hours for Lifts 'B' and 'C'. Proper pedestrian signage will be installed at key locations to guide the public.
- 1.7 The applicant will preserve and restore/repair most of the features of NKT, including the main building, pavilion at roof of the main building, annex building, pavilion, fountain and hexagonal plater pot at the garden, the retaining wall, the fence wall, the existing stone plaques (the stone plaques facing Ship Street will be preserved and restored and the stone plaque facing Schooner Street

will be repaired and protected, as well as will be recorded by digital media before the erection of the podium in front of the masonry retaining wall). Key elements of the entrance gateway of NKT will be preserved/restored/replicated/relocated subject to their respective conditions (**Drawing A-8**). Currently, the entrance gate is kept by the applicant and will be reinstated. The applicant will take up the future management and maintenance of NKT.

1.8 The applicant proposes to convert NKT into ‘Shop and Services’ or ‘Place of Recreation, Sports or Culture’ use, such as wedding venue, museum, arts centre, arts gallery, arts studio, rehearsal room for art performance, sale of souvenir, and art and craft for tourists. Out of the uses above, it is considered that wedding venue may have the most impact. Thus, the applicant has submitted technical assessments based on the wedding venue use as the worst-case scenario. The proposed use(s) in NKT including a wedding venue, would be operated on a non-profit making basis. The proposed use is subject to changes upon further study and stakeholder discussion. Guided tour would be arranged to allow public to appreciate the NKT.

1.9 In support of the application, the applicant submitted the following documents:

- (a) Application form received on 7.7.2022 (Appendix I)
  - (b) Supplementary Planning Statement (SPS) received on 7.7.2022
  - (c) Supplementary Information (SI) received on 11.7.2022 (1<sup>st</sup> SI)
  - (d) SI received on 11.7.2022 (2<sup>nd</sup> SI)
  - (e) Further information (FI) received on 1.8.2022 (1<sup>st</sup> FI)\*
  - (f) FI received on 23.8.2022 (2<sup>nd</sup> FI)<sup>#</sup>
  - (g) FI received on 14.11.2022 (3<sup>rd</sup> FI)\*
  - (h) FI received on 20.4.2023 (4<sup>th</sup> FI)\*
  - (i) FI received on 24.4.2023 (5<sup>th</sup> FI)\*
  - (j) FI received on 19.5.2023 (6<sup>th</sup> FI)\*
  - (k) FI received on 19.5.2023 (7<sup>th</sup> FI)\*
- (Appendix Ia<sup>2</sup>)

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<sup>2</sup> A consolidated report containing supplementary information, supporting planning statement, finalised technical assessments and various Responses-to-Comments tables (**Appendix Ia**) submitted by the applicant was received on 2.6.2023, which has consolidated all the previous submissions, thus the relevant FIs as listed from items (b) to (k) are not attached in this Paper.

(l) FI received on 5.6.2023 (8<sup>th</sup> FI)\*

(Appendix Ib)

*#accepted but not exempted from publication requirements*

*\*accepted and exempted from publication requirements*

1.10 On 14.10.2022, the Committee agreed to defer making a decision on the application as requested by the Planning Department (PlanD) in view of part of the Site (i.e. the “CDA” site) is still subject to outstanding adverse representations yet to be considered by the Chief Executive in Council (CE in C) and the substance of the representations are relevant to the subject application. The Committee also agreed that the application would be submitted to the Committee for consideration after the CE in C’s decision on the OZP and the relevant adverse representations. On 20.1.2023, the Board considered the representations and decided not to propose any amendment to the draft OZP to meet the representations. On 2.5.2023, the CE in C under section 9(1)(a) of the Town Planning Ordinance, approved the draft OZP, which was subsequently renumbered as S/H5/31. The approved OZP was gazetted on 12.5.2023 and the application is scheduled for consideration at this meeting.

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

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

### **A sustainable means for the preservation of NKT**

- 2.1 NKT is privately owned. The applicant proposes to develop the Site in association with the preservation and restoration of the historic building of NKT for the benefit of the community and in line with the government policy. The uses and layout of the proposed development are compatible with NKT which will continue to enhance the vitality, image and sense of place of the Wan Chai area. Efforts such as the adaptive reuse of NKT, reconstruction of stone plaques, salvation of bricks and hooks of the iron gate embedded in the pillars are made. The whole façade of NKT and its existing architectural features are preserved and repaired if possible, as long as it is not in a dilapidated state and beyond repair. A digital display of stone plaque of NKT facing Schooner Street will be available for public viewing on the NKT website. The applicant will also consider having a QR code near the original location of the stone plaque subject to detail design.
- 2.2 NKT will be adaptively reused and made available for public appreciation. NKT is on the Wan Chai Heritage Trail which is easily accessible by the public. The proposed POS will be a photo-taking spot and a place where visitors could appreciate the NKT. Regardless of the after use, the non-profit making principle will be maintained and the revenue will only be used for future management and maintenance purposes associated with NKT.
- 2.3 Commissioner for Heritage’s Office, Development Bureau (CHO, DEVB) and AMO support the in-situ preservation of NKT. The applicant will follow the government policy on preservation of heritage buildings and AMO’s key principles for adaptive reuse. The elevated tower design will help to provide a

pedestrian scale environment at the proposed open space at 34mPD and improve the spatial relationship between NKT and the future residential tower.

Efficient use of idle land for community benefit

- 2.4 The proposed comprehensive development is an opportunity to improve the overall environment in the vicinity, expedite the preservation of the historic building of NKT, encourage private developer to participate in urban redevelopment and heritage conservation, implement open space for public use, and act as a catalyst to encourage more urban redevelopment projects and speed up urban renewal in the area.
- 2.5 The proposed development will further enhance the local connectivity from north to south and east to west including the provision of barrier-free access. The proposed pedestrian facilities and open space at the Site have been planned as integral parts of the comprehensive pedestrian system which provides publicly accessible lifts and elevated walkways in various developments owned by the Hopewell Holdings Limited.

In line with housing policy

- 2.6 Not less than 255 flats will be provided on a small plot of land to meet the housing demand in proximity to major employment centres, which would help contribute to the supply target of 130,000 units for the 10-year period from 2022-23 to 2031-32.

Compliance with the planning intention, development restrictions and relevant guidelines

- 2.7 The proposed comprehensive development reflects the planning intention for residential and commercial uses with provision of open space and preservation of the historic building of NKT. The proposed development is also fully in line with the criteria prescribed in the Town Planning Board Guidelines No. 17A for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB PG-No. 17A) which is to facilitate urban restructuring, as well as to phase out incompatible development and non-conforming uses by avoiding planning blight and piecemeal development; to achieve a phased and self-contained development in a comprehensive manner; and to apply GFA only to the “CDA” land in the applicant’s ownership and not adversely affecting any other individual owners’ land and interest.

Improvement on open space and bring positive landscape impact

- 2.8 Not less than 2,187m<sup>2</sup> of open space which is more than the approved s.12A indicative scheme, will be provided. The forecourt including existing pavilion and water feature to the north of NKT, is proposed to be retained and renovated to provide a greening effect. Along with a new proposed open space, the public can look back at NKT and appreciate the historic ambience of the restored historic courtyard.

### Contribution to visual amenity

- 2.9 The façade treatment of the retaining wall of the platform at Miu Kang Terrace and proposed setback at Schooner Street maintains the street characteristics and streetscape of Star Street/Sau Wa Fong, and could avoid creating a blank wall along the entire Schooner Street frontage. The Visual Impact Assessment (VIA) (Appendix 5 of **Appendix Ia**) demonstrates that the proposed scheme will have negligible or no material difference to the visual impact when compared to the approved s.12A indicative scheme.

### Improving the air ventilation of the wider area

- 2.10 The Air Ventilation Assessment (AVA) Initial Study (Appendix 6 of **Appendix Ia**) concluded that the proposed scheme has a similar overall natural ventilation to the surrounding area with the baseline scheme (s.12A scheme with a separate building in I.L.9048).

### No adverse technical impact

- 2.11 Various technical assessments have been conducted and the assessment results show that the proposed development will not result in insurmountable/unacceptable/adverse landscape, traffic, traffic noise, environmental, geotechnical, drainage, sewerage and heritage protection impacts.

### Addressing comments from the s.12A rezoning application

- 2.12 The proposed development will provide a new public lift, an elevated walkway connecting NKT and Hopewell Centre II, additional open-air open space, supporting facilities including toilet and refreshment kiosk, and will incorporate I.L.9048 to the proposed development for open space use to achieve better design to address the Board members' concerns on connectivity, open space and ancillary facilities for public use and air ventilation at pedestrian level in the s.12A rezoning application.

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

The applicant is one of the “current land owners” of the private lots within the Site and has complied with the requirements as set out in the TPB PG-No. 31A on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance by sending notifications to other current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For the portions falling within government land, the “owner’s consent/notification” requirements as set out in the TPB PG-No. 31A are not applicable.

## **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines (TPB PG-No. 18A) for “Submission of MLP under section 4A(2) of the Town Planning Ordinance” are applicable to the application. The main points are summarised as follows:



- (a) all applications for permission in area zoned as “CDA” should be in the form of MLP and supported by other relevant information whilst the format and details of the MLP submission are set out in the guidelines;
- (b) for “CDA” site not under single consolidated ownership, the applicant should be required to demonstrate that the proposed phasing of development has taken due consideration of the development potential of the lots which are not under his ownership, with corresponding GFA and flat number distribution as well as provision of Government, institution and community (GIC), open space and other public facilities in each phase clearly indicated; and
- (c) any subsequently revised MLPs to incorporate the relevant approval conditions imposed by the Board or any proposed amendments to the scheme approved by the Board should also be deposited as soon as practicable. Upon completion of the development, the final version of an approved MLP should be deposited in the Land Registry for public inspection.

## **5. Background**

- 5.1 NKT at 55 Ship Street was built between 1915 and 1921. The Grade 1 status<sup>3</sup> of the NKT was confirmed by the Antiquities Advisory Board on 18.12.2019. It has been owned by the Hopewell Holdings Limited since 1993, and has been left vacated for many years.
- 5.2 Part of the Site zoned “CDA” was previously zoned “O”, “R(C)” and “G/IC”. To facilitate the development comprising residential and commercial uses, and in-situ preservation of NKT, the applicant submitted a s.12A planning application to rezone the aforementioned land to “CDA”. The s.12A application was agreed by the Committee on 13.12.2019.
- 5.3 To take forward the decision of the Committee, the draft OZP No. S/H5/30 incorporating the proposed amendment involving the rezoning of part of the Site to “CDA” zone with BH restriction of 91mPD, maximum PR of 5 and the requirement of provision of minimum of 2,100m<sup>2</sup> POS, was gazetted on 17.6.2022. On 2.5.2023, the CE in C under section 9(1)(a) of the Town Planning Ordinance, approved the draft OZP, which was subsequently renumbered as S/H5/31.
- 5.4 I.L.9048 zoned “R(C)”, was sold by tender in June 2014. The latest GBP of a 11-storey residential development with PR 5 was approved by the BA on 27.8.2021.

## **6. Previous Application**

Part of the Site together with the adjacent land falls within “Other Specified Uses” annotated “Comprehensive Redevelopment Area” (“OU(CRA)”) zone was the subject of a previous application No. A/H5/339 (**Plan A-1**) for the Hopewell Centre II

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<sup>3</sup> By definition, historic buildings accorded with Grade 1 status are buildings of outstanding merit, which every effort should be made to preserve if possible. The grading system is administrative in nature and will not affect the ownership, usage, management, and development rights of the buildings that have been graded. The historic building appraisal, location, extent and grading status of the NKT are available at [www.aab.gov.hk](http://www.aab.gov.hk).

development (which is a proposed hotel and commercial development under construction). On 25.2.2005, the Board rejected the application on review. The Site was then excised from the Hopewell Centre II development and submitted to the Committee (A/H5/408) for consideration. The application was approved with conditions by the Committee on 11.8.2017. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

## **7. Similar Application**

There is no similar application for comprehensive development comprising adaptive reuse of historic building within “CDA” zone on the Wan Chai OZP.

## **8. The Site and its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-4 to A-6)**

### **8.1 The Site is:**

- (a) generally situated on a sloping topography (**Plan A-2**) comprising a few building platforms ranging from 20mPD to 34mPD;
- (b) currently vacant with vegetation and partly occupied by two vacant buildings which are the NKT and the former St. Luke’s College (**Plans A-3 to A-6**);
- (c) bounded by Ship Street to its east, Schooner Street and Sau Wa Fong (**Plan A-2**) to its north; and
- (d) inaccessible by vehicles and is accessible for pedestrian by Queen’s Road East via stepped streets at St. Francis Street and Sik On Street.

### **8.2 The surrounding areas have the following characteristics:**

- (a) to the immediate north and northwest is the Sau Wa Fong, mainly occupied by a mixture of old and new, low to high-rise residential developments with some commercial uses on the lower floors;
- (b) to the east across Ship Street is a proposed hotel and commercial development (i.e. Hopewell Centre II) which is currently under construction;
- (c) several GIC uses and open space are located in the vicinity including the St. Francis’ Canossian School and St. Francis’ Canossian College to its immediate southwest, Hung Shing Temple to its northeast, POS at Ship Street (currently under construction) to its immediate northeast and Kwong Ming Street Children’s Playground to its further northwest; and
- (d) the area is well-served by public transport including tram, buses and minibuses and is about 450m away from the MTR Wan Chai Station.

## **9. Planning Intentions**

- 9.1 The planning intention of the “R(C)” zone is for low to medium-rise residential developments subject to specific PR and BH restrictions to preserve the local character and to avoid adverse visual, air ventilation and traffic impacts from more intensive development.
- 9.2 The planning intention of the “CDA” zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses and in-situ preservation of the historic building of NKT. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.3 According to the Explanatory Statement of the OZP, the Grade 1 historic building, i.e. NKT, shall be preserved in-situ for adaptive reuse and the GFA of the historic building should not be taken into account in PR calculation. Also, the historic building shall be preserved for public use and be integrated with the whole comprehensive development.

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

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

### **Heritage Conservation**

- 10.1.1 Joint comments from CHO and the Executive Secretary (Antiquities and Monuments), AMO:

- (a) appreciate the effort of the applicant to preserve in-situ the NKT, which is a Grade 1 historic building within the Site, and its associated unique features with historic values, including the annex building, the pavilion, water fountain, hexagonal planter, masonry retaining wall, etc., in the proposed development for public appreciation;
- (b) regarding the in-situ preservation of NKT, AMO would further provide comments from the heritage conservation perspective on the works to be carried out at NKT and its associated features, and the proposed mitigation/protective measures for NKT, upon receipt from the applicant, and on any relevant submissions from departmental referrals should the application be approved;
- (c) it is noted that three historic street name plaques “南固臺” and “洋船街” facing Ship Street will be preserved in-situ and repaired for public appreciation on-site. Although the masonry retaining wall underneath NKT facing Schooner Street with street name plaque “南固臺” will also be repaired and protected, it will not be visible to the public after erecting a podium in front of it. From the heritage conservation perspective, due consideration should be given to

reversibility of treatment of the retaining wall, and the applicant is also encouraged to explore the possibility of allowing members of the public to view the preserved retaining wall facing Schooner Street when developing the design of the podium, such as exposing part(s) of the retaining wall and making it visible from the interior of the new podium;

- (d) it is noted that a digital display of street name plaques “南固臺” facing Schooner Street would be presented on the website of NKT. From the heritage conservation perspective, a digital display near the original location of the aforesaid street name plaque at Schooner Street is preferred, and using QR code to show the name plaque near its original location at Schooner Street proposed by the applicant is an acceptable alternative means to facilitate the public to access information of the aforesaid street name plaque;
- (e) it is noted that the applicant proposed to charge entrance fee for visiting the interior of NKT. While their offices understand that entrance fee will be charged to support the future maintenance and management of NKT, for the benefit of the community and to allow the general public’s appreciation of the interior of the Grade 1 historic building, the applicant is advised to consider offering guided tours free-of-charge for certain groups or types of organisations (such as schools, and/or underprivileged or special groups, etc.), and/or offering free admission on special occasions so that the general public would have more chance to appreciate the interior of NKT, a landmark heritage asset enshrining the city’s past development;
- (f) no adverse comment regarding the open space provision as long as the provision of free public access for public appreciation of the exterior of NKT from 06:00 to 23:00 daily remains unchanged;
- (g) DEVB has previously indicated support to include the existing GFA of NKT in the calculation of the PR in s.12A application (Application No. Y/H5/5) for the in-situ preservation of NKT. It is the responsibility of the applicant, or its agent, to take up the future management and maintenance of NKT. CHO and AMO appreciate the applicant’s commitment to taking up the future management and maintenance responsibilities of NKT. Considering the applicant would preserve NKT in-situ, the maintenance responsibility of the NKT is suggested to be specified in the lease document to ensure proper maintenance and in-situ preservation of NKT by the applicant in future; and
- (h) Should the application be approved, the following conditions are proposed for proper protection and recording of NKT:
  - the submission of a Conservation Management Plan (CMP) for the conservation of NKT and all historic features to be preserved as mentioned in the CMP prior to the commencement of any works and implementation of the

works in accordance with the CMP to the satisfaction of the AMO of DEVB or of the Board; and

- the submission of full set of photographic, cartographic, and/or 3D scanning records of NKT, including both the interior and exterior of NKT, prior to the commencement of any works to the satisfaction of the AMO of DEVB or of the Board.

### **Land Administration**

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

- (a) the Site comprises I.L. 2140, I.L.1940, I.L.2272 & Ext., I.L.1564, I.L.1669, I.L.2093 s.A RP, I.L.2093 RP and I.L.9048 and adjoining government land;
- (b) the proposed development does not comply with the lease conditions governing the lots concerned and involves government land (such as adjoining slopes and Yellow Area of I.L.9048). An application for lease modification, which may be effected by way of land exchange, is required. LandsD would process such application in the capacity of a landlord and there is no guarantee that such application will be approved. If the application is approved, it would be subject to such terms and conditions, including but not limited to payment of premium and fees, as may be imposed by LandsD in the capacity of a landlord at its absolute discretion; and
- (c) detailed departmental comments are in **Appendix III**.

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

10.1.3 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; and
- (b) based on the information provided, it is noted that the proposed development mainly consists of preservation of existing Grade 1 historic building of NKT and one tower with BH of 91mPD (21 storeys). The tower mainly involves minor changes in overall massing and BH (increased from 90.25mPD to 91mPD) as compared to the previous approved s.12A indicative scheme.

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

#### *Urban Design/Visual*

- (a) the Site is surrounded by a mix of land uses, including a cluster of low to high-rise residential developments (up to 141mPD) to the immediate north and west, GIC uses such as St. Francis' Canossian

College and St. Francis Canossian School to the immediate southwest (up to 91mPD) and a proposed hotel development (i.e. Hopewell Centre II) (with a BH restriction of 210mPD) to the east across Ship Street;

- (b) according to the Urban Design Proposal (Appendix 2 of **Appendix Ia**) submitted by the applicant, several design measures are proposed including the proposed BH of 91mPD (compliance with the BH restriction as stipulated on the OZP) and PR of 5 generally consistent with developments in the immediate vicinity, refurbishment and adaptive reuse of NKT to ensure compatibility between the heritage structures with the new building, a larger open space due to the extension of the podium of the proposed development by amalgamating I.L.9048, the podium open space (at 34mPD) to create a sense of entry and establish a visual linkage to NKT and enhance the amenity of the area in the Site, introduction of landscape planting as a green buffer between the proposed development and the historic building of NKT to better demarcate the two developments as “old” and “new”, better pedestrian connectivity through a barrier-free access to connect Ship Street, Schooner Street and Hopewell Centre II by the use of public lift and elevated walkway, setback of at least 7.8m from podium levels (1/F to 3/F) to widen Schooner Street to about 16.8m to improve pedestrian environment and introduction of shops or food and beverage and appropriate street furniture at Schooner Street to enhance the street vibrancy (**Drawing A-9**);
- (c) as shown in the submitted VIA (Appendix 5 of **Appendix Ia** and **Drawings A-16** to **A-19**), the proposed development has a comparable result with that of the approved s.12A indicative scheme in terms of visual impact. Taking into account the above design measures and as demonstrated in Viewpoint 9 in the submitted VIA (**Drawing A-19**), the proposed development with amalgamation of I.L.9048 for additional open space can generally enhance pedestrian environment in the area;

#### *Air Ventilation*

- (d) an AVA Initial Study (Appendix 6 of **Appendix Ia**) using computational fluid dynamic modelling has been carried out to compare the pedestrian wind environment in the surroundings of the proposed scheme with that in the Baseline Scheme, which is an indicative layout under a previously approved s.12A application. In both the Baseline Scheme and the proposed scheme, the tower block is elevated from site platform by 5m (except core facilities) would increase the low-level permeability (**Drawing A-9**). Compared to the Baseline Scheme, the proposed scheme has removed the building block (59.3mPD) at the I.L.9048 and instead incorporated a podium with a 7.8m setback along Schooner Street with a cantilevered open space at 34mPD level to enhance the pedestrian wind environment along Schooner Street (**Drawing A-10**); and

- (e) the simulation results show that under both annual and summer conditions, the overall performances of the pedestrian wind environment in the surrounding areas of both the Baseline Scheme and proposed scheme are comparable. Slight enhancement at the immediate vicinity of the Site would be found under the proposed scheme in annual condition.

### **Landscape**

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

- (a) no objection to the application from landscape planning perspective;
- (b) based on aerial photo of 2021, the Site is situated in an area of organic mixed urban landscape character surrounded by existing residential and commercial buildings, GIC uses, and scattered tree groups. With reference to the SPS submitted by the applicant (**Appendix Ia**), the Site is currently occupied by vacant land (i.e. Miu Kang Terrace and I.L.9048), historic building NKT, Hill Side Terrace with vacant and dilapidated school building, and vegetated area. The proposed development involves a 21-storey residential and commercial building, provision of POS and preservation of historic building NKT, which is considered not incompatible with the landscape character of its surroundings;
- (c) with reference to the Tree Preservation and Landscape Proposal submitted by the applicant (Appendix 3 of **Appendix Ia**), 44 existing trees of common species are found within the Site. All of them would be affected by the development and are proposed to be removed. Landscape mitigation measures such as 52 new tree plantings, shrubs/groundcover plantings, lawn etc. are proposed within the Site to mitigate landscape impact arising from the development. Significant adverse landscape impact arising from the application is not anticipated;
- (d) according to the Open Space Plan (**Drawing A-13**), 2,187m<sup>2</sup> POS (including 1,498m<sup>2</sup> of open-air open space and 689m<sup>2</sup> of covered open space) have been proposed by the applicant, which is in line with the OZP requirement (i.e. not less than 2,100m<sup>2</sup>) and the Hong Kong Planning Standards and Guidelines (HKPSG) requirements;
- (e) the applicant is advised that approval of the application does not imply approval of tree works, such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant authority(ies) prior to commencement of the works; and
- (f) should the application be approved, the following condition is proposed:
  - the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Board.

## **Traffic**

### 10.1.6 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 Site is surrounded by private lots and it is impractical to provide vehicular access to the Site due to topographical constraints. According to the Traffic Impact Assessment (TIA) submitted by the applicant (Appendix 4 of **Appendix Ia**), the anticipated trip generation/attraction arising from the proposed development would not be significant and the impact to the surrounding road network would be minimal;
  - (ii) regarding the access to NKT via Sau Wa Fong, it is noted that footpath at Sau Wa Fong is within private lot;
  - (iii) the applicant should liaise with the owner of Hopewell Centre II for the design and submission of the proposed pedestrian signage and traffic management plan to ensure the smooth operation of the pedestrian networks and passenger lifts in post-planning approval stage for further review and approval;
  - (iv) it is understood that an undertaking letter was provided by the lot owner of Hopewell Centre II to allow access to the development through Hopewell Centre II during 06:00 to 23:00 with provision of appropriate pedestrian signage. The applicant should be responsible for liaison with the owner of Hopewell Centre II to ensure the proposed measures are properly implemented; and
- (b) should the application be approved, the following condition is proposed:
  - the design and implementation of the pedestrian connection between Ship Street, NKT, Queen's Road East and Kennedy Road to the satisfaction of C for T or of the Board.

### 10.1.7 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

- (a) no comment on the application from highways maintenance viewpoint; and
- (b) no comment on the 3m elevated walkway linking the proposed development to Hopewell Centre II at this stage provided that it will be designed, constructed, managed and maintained by the applicant at his own cost.



### **Building Matters**

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

no objection to the application subject to the following comments:

- (a) NKT forming part of the Site should be included in the SC and GFA calculations under the Buildings Ordinance (BO). It is noted that the PR will exceed 5 if NKT is included in the GFA calculation<sup>4</sup>. Meanwhile, the applicant is required to demonstrate the proposed development in accordance with Building (Planning) Regulations (B(P)R) 20 & 21 at formal building plans submission stage;
- (b) the applicant is required to provide sufficient documentary proof of ownership or realistic prospect of control of the lands forming the Site upon formal building plans submission. The applicant's attention is also drawn to the BA's Circular Letter dated 20 October 2010 to all Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers on Application for Approval of Building Plans – Proof of Ownership of Land;
- (c) if the applicant intends to apply for GFA exemptions for the green/amenity features and non-mandatory/non-essential plant rooms, the pre-requisites and the sustainable building design guidelines as stipulated in Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-151 and 152 should be complied with; and
- (d) detailed comments on compliance with the BO and allied regulations, including calculations relating to development intensity, provision of lighting and ventilation and non-provision of service lanes, etc., will be given upon formal building plans submission.

### **Fire Safety**

#### 10.1.9 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 GBPs; and
- (c) the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administrated by BD.

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<sup>4</sup> According to the Notes of the OZP, GFA of the historic building of NKT should not be taken into account in PR calculation.

**Others**

10.1.10 Comments of the Director of Leisure and Cultural Services Department (DLCS):

- (a) no particular comment on the application given no tree under Hong Kong East Tree Team/Leisure and Cultural Services Department (LCSD)'s purview is identified to be affected and no future tree maintenance involved LCSD;
- (b) it is noted that 44 trees have been recorded within the Site and are proposed to be removed. 52 new trees will be compensated within the site boundary and maintained by the future management office and individual lot owners of the proposed development; and
- (c) the opening hours of Lift 'B' located within the POS at Ship Street is 24 hours.

10.1.11 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) proper licence/permit issued by her department is required for any food/business/catering service/activities regulated by the DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public; and
- (b) no environmental nuisance should be generated to the surroundings. For any waste generated from the commercial/trading activities, the applicant should arrange its proper disposal at their own expenses.

10.1.12 Comments of the Director of Electrical and Mechanical Services:

- (a) no particular comment from electricity supply safety aspect at this stage; and
- (b) detailed departmental comments are in **Appendix III**.

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

- (a) no objection to the application; and
- (b) detailed departmental comments are in **Appendix III**.

**District Officer's Comments**

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

Her office has not received any comment on the application.

10.2 The following departments have no objection to/comment on the application:

- (a) Director of Environmental Protection (DEP);
- (b) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- (d) Commissioner of Police.

## **11. Public Comments Received During Statutory Publication Periods**

- 11.1 On 15.7.2022 and 30.8.2022 the application and FI were published for public inspection. During the statutory public inspection periods, 603 public comments were received, including 596 supporting the application (of which 588 comments were submitted in 3 standard proforma, samples at **Appendix IVa**, and other supporting comments at **Appendix IVb**), 5 objecting to the application (**Appendix IVc**), 1 expressed their views (**Appendix IVd**) and 1 did not indicate any view on the application (**Appendix IVe**). A full set of public comments received on the application is deposited at the Town Planning Board Secretariat for Members' inspection and reference.
- 11.2 The supporting comments were submitted by 2 private companies and individuals and their major grounds are summarised below:
- (a) the proposed development will upgrade the Wan Chai Area, improve safety and walking environment in the surrounding areas, provide new open space and barrier-free connections which will enhance the accessibility to the surrounding areas;
  - (b) the proposed development would optimise land potential and revitalise the historic building of NKT; and
  - (c) the proposed development would utilise the scarce urban land resources and accelerate the urban renewal process.
- 11.3 The objecting comments were submitted by the Conservancy Association, Kennedy Road Protection Group (submitted 3 comments) and individuals. The major grounds of objection/ main concerns raised are summarised below:

### *Development Intensity*

- (a) the proposed development would increase the development intensity of the Site, and is against the local character and the planning intention of the "R(C)" zone of the Sau Wong Fong area;

### *Pedestrian Access, Safety and Traffic Issues*

- (b) pedestrian access to the Site is difficult, hazardous and inconvenient. There will be access problems for ambulance services and fire-fighting as no EVA will be provided;
- (c) nil car parking spaces, L/UL facilities for the future residents;
- (d) the proposed provision of barrier-free access to the Site is unclear;

*Provision of POS*

- (e) the POS will be inaccessible as it will be controlled by the applicant;
- (f) the design of the proposed POS is non-sense as it has large differences in levels of the Kennedy Road, proposed development, Schooner Street and Ship Street;

*Heritage Conservation*

- (g) NKT should be visible from Queen's Road East, Ship Street and Schooner Street and the visual impact to NKT caused by the proposed residential development and other new structures in the surrounding areas should be minimised;
- (h) the historic value of NKT will be destroyed by the proposed development. No Heritage Impact Assessment has been submitted to support the application. It is noted that the entrance gate of NKT is already removed from its originally location prior to the approval of s.16 planning application;
- (i) object to the extended podium and commercial element in NKT as they are unrespect to the history of the Site that is related to the Japanese occupation of Hong Kong;

*Others*

- (j) the proposed residential block will limit daylight to the classroom block of the St. Francis' Canossian College and will also affect the air ventilation of the surrounding areas; and
- (k) moving goods and furniture, and waste disposal will be difficult for the future residents.

11.4 The public comment providing views was submitted by an individual. It is of the view that the proposed development is a comprehensive plan that optimise the land potential and provide new flat units, open space and barrier-free connections to the elderly in the Wan Chai District.

## **12. Planning Considerations and Assessments**

12.1 The applicant seeks planning permission for a comprehensive development comprising in-situ preservation of the NKT and a residential block over POS and a 3-storey podium for residential recreational facilities and commercial uses at the Site mainly falling within "CDA" and "R(C)" zones. I.L.9048 (zoned "R(C)") is proposed to be incorporated into the proposed comprehensive development for a 3-storey podium for residential recreational facilities with open space atop, as compared with the s.12A application.

Planning Intention and Compliance with Statutory Requirements

- 12.2 The proposed comprehensive development and in-situ preservation of NKT is in line with the planning intention of the “CDA” zone. The applicant has submitted a full list of structures to be preserved, repaired, relocated and/or reused at the Site. CHO and AMO have no in-principle objection to the proposed development.
- 12.3 According to the Notes of the OZP, a minimum of 2,100m<sup>2</sup> of POS at the “CDA” zone, shall be provided. In the current proposal, a POS of not less than 2,187m<sup>2</sup> (including 2,100m<sup>2</sup> in “CDA” zone and 87m<sup>2</sup> outside the “CDA” zone) is proposed. It will be opened free-of-charge at reasonable hours. CTP/UD&L, PlanD has no adverse comments on the Landscape Proposal submitted by the applicant. The proposed development also comply with the PR (i.e. PR 5 for both “CDA” and “R(C)” zones) and BH (i.e. 91mPD for “CDA” zone and 12 storeys for “R(C)” zone) restrictions for both “CDA” and “R(C)” zones on the OZP.

Design Compatibility and In-situ Preservation of the NKT

- 12.4 As compared with the approved s.12A indicative scheme (**Plans A-10 and A-11**), the current scheme has amalgamated I.L.9048 and will provide additional open space and create a larger podium which provide a wider public pedestrian passage with weather protection. No residential tower will be constructed at I.L.9048 which will avoid visual obstruction to NKT from Ship Street, creating a more coherent and open townscape in the area. The proposed residential block has a 5m void above the covered landscape area to facilitate air ventilation and visual penetration for views towards NKT (**Drawings A-9 and A-10**). Moreover, podium setback of 7.8m from Schooner Street (**Drawing A-9**) is proposed to widen Schooner Street from existing 9m to about 16.8m. With the cantilevered podium garden on top, the public passageway at Schooner Street will be all-weather protected and improve the pedestrian environment. A green buffer between the proposed residential block and NKT will be created by introducing landscape elements including trees and shrubs to demarcate the NKT and the proposed residential block (**Drawings A-12**). Supporting facilities such as toilet and refreshment kiosk will be provided on the podium for public use. CTP/UD&L, PlanD commented that with the amalgamation of I.L.9048 and provision of additional open space, the pedestrian environment of the surrounding area will be enhanced. Both CA/CMD2, ArchSD and CTP/UD&L, PlanD have no adverse comment on the architectural and visual aspect of the proposed development.
- 12.5 The NKT is a Grade 1 historic building. The applicant proposes to preserve and restore the NKT, as well as preserve and maintain other key features of NKT including the pavilion at roof of the main building, annex building, pavilion, fountain and hexagonal plater pot at the garden, entrance gateway, retaining wall and fence wall of the NKT, and the stone plaques (**Drawings A-7 to A-9**) to achieve adaptive reusing of the historic building. Digital display will be introduced to capture and virtualise the old street name plaque from the past and reappear to the public for appreciation and additional new signs will be placed along the proposed development to give public directions to the historic building NKT. CHO and AMO appreciate the effort of the applicant to preserve the NKT and its unique features with historic values in-situ. Approval conditions

requiring submission and implementation of a CMP for conservation of NKT and submission of full set of photographic, cartographic and/or 3D scanning records of NKT are recommended in paragraph 13.2(c) and 13.2(d) below.

- 12.6 The applicant proposes to convert NKT into 'Shop and Services' or 'Place of Recreation, Sports or Culture' use, such as wedding venue, museum, arts centre, arts gallery, arts studio, rehearsal room for art performance, sale of souvenir, and art and craft for tourists. Whilst the use of NKT may subject to changes upon further study and stakeholder discussion, the applicant will operate the future use(s) of the NKT on a non-profit making basis. Fee will be required for wedding ceremonies or other non-profit making uses to cover the ongoing preservation and maintenance of NKT. Whilst CHO and AMO understand that entrance fee will be charged to support the future maintenance and management of NKT, the applicant is advised to consider offering guided tours free-of-charge for certain groups or types of organisations (such as schools, and/or underprivileged or special groups, etc.), and/or offering free admission on special occasions. Thus, the general public would have more chance to appreciate the NKT, a landmark heritage asset enshrining the city's past development.

#### Pedestrian Access Arrangement

- 12.7 The Site is not served by any vehicular access. In terms of pedestrian access, the applicant proposes barrier-free access via Lifts 'A', 'B' and 'C' and elevated walkway connecting to Hopewell Centre II to accommodate the level differences between Kennedy Road (63.63mPD) and Queen's Road East via Schooner School (19mPD) and Ship Street (7mPD). This could enhance the accessibility of the surrounding area (**Drawing A-15**). Public will be able to access the Site from Kennedy Road via Lift 'C' and the park of the Hopewell Centre II, from Hopewell Centre II via the proposed elevated walkway and from Queen's Road East via Ship Street, Lifts 'A' and 'B'. The applicant also proposes additional access to NKT via the staircase of Ship Street. It is of the view that this arrangement would benefit the public, especially the visitors to NKT by providing ample access to and from the Site and connection with the Queen's Road East, St Francis Street, Ship Street and Kennedy Road. C for T and CHE/HK, HyD have no objection to/ no adverse comment on the proposed pedestrian connections. Approval condition requiring the design and implementation of the pedestrian connection between Ship Street, NKT, Queen's Road East and Kennedy Road are recommended in paragraph 13.2(e) below, to further monitor the proposed pedestrian access arrangement.

#### Other Technical Considerations

- 12.8 Although all trees within the Site (44 trees) are proposed to be felled, 52 new trees are proposed to be planted within the Site. CTP/UD&L, PlanD has no objection to the application from landscape planning perspective and significant adverse landscape impact arising from the application is not anticipated.
- 12.9 Various technical assessments conducted by the applicant have demonstrated that the proposed comprehensive development would not induce adverse impacts on the surrounding environment such as traffic, traffic noise, air, water supplies, waste management, land contamination, geotechnical, drainage and sewerage aspects. Relevant departments, including C for T, DEP, CE/C, WSD, DEFH,

H(GEO), CEDD and CE/HKI, DSD have no adverse comment on/no objection to the application.

### Public Comments

- 12.10 Regarding the adverse public comments, the planning considerations and assessment in paragraphs 12.1 to 12.9 above and departmental comments in paragraph 10 above are relevant. The applicant has also provided responses to the public comments regarding the impacts on NKT's heritage and architectural value (Appendix 11 of **Appendix Ia**). The applicant reiterated that the associated heritage features of the historic building NKT have not been demolished, the entrance gate will be reinstalled in the future and the proposed open space will open up the view of NKT. Regarding the comment on not respecting the history of NKT and its surrounding areas, as well as the applicant not submitting a Heritage Impact Assessment, the applicant reiterated that wedding venue is only one of the options being considered, other non-profit making uses such as museum, venue for social, cultural and/or community relates services/functions/activities, etc. will also be considered. The after use of the NKT is still subject to further study and liaison with relevant stakeholders and government departments. All suggestions from the public will be considered accordingly. Also, the applicant reassures that a CMP including detailed proposal for in-situ preservation of NKT will be provided prior to commencement and implementation of any works for the consideration of CHO and AMO. Relevant approval conditions are recommended in paragraph 13.2(c) and (d) to address technical requirements of CHO and AMO.

## **13. Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application and MLP under section 16 and section 4A(2) of the Town Planning Ordinance, it is suggested that the permission shall be valid until 9.6.2027, 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 submission and implementation of a revised Master Layout Plan, taking into account approval conditions (b) to (e) below, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission of a Conservation Management Plan (CMP) for the conservation of Nam Koo Terrace (NKT) and all historic features to be preserved as mentioned in the CMP prior to the commencement of any works and implementation of the works in accordance with the CMP to

the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board;

- (d) the submission of full set of photographic, cartographic, and/or 3D scanning records of NKT, including both the interior and exterior of NKT, prior to the commencement of any works to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board; and
- (e) the design and implementation of the pedestrian connection between Ship Street, NKT, Queen's Road East and Kennedy Road to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

#### Advisory Clauses

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

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

the applicant fails to demonstrate that the overall design and layout of the proposed comprehensive development will be able to integrate with the in-situ preservation of the historic building of Nam Koo Terrace.

### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

### **15. Attachments**

<b>Appendix I</b>	Application form received on 7.7.2022
<b>Appendix Ia</b>	Consolidated Report received on 2.6.2023
<b>Appendix Ib</b>	FI received on 5.6.2023
<b>Appendix II</b>	Previous Application covering the Site
<b>Appendix III</b>	Detailed Comments from the Government Departments
<b>Appendices IVa to IVe</b>	Public Comments
<b>Appendix V</b>	Advisory Clauses
<b>Drawing A-1</b>	Master Layout Plan
<b>Drawings A-2 to A-4</b>	Floor Plans



<b>Drawing A-5</b>	Section Plan
<b>Drawing A-6</b>	Development Site Plan
<b>Drawings A-7 and A-8</b>	Illustrations of proposed open space and Plan showing relocation of existing gateway of NKT
<b>Drawing A-9</b>	Key Design Features
<b>Drawings A-10 and A-11</b>	Comparison of the approved s.12A indicative scheme and the proposed scheme
<b>Drawing A-12</b>	Landscape Master Plan
<b>Drawing A-13</b>	Open Space Plan
<b>Drawings A-14 and A-15</b>	Plan showing access routes to/from the Site
<b>Drawings A-16 to A-21</b>	Photomontages

<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4 to A-6</b>	Site Photos

**PLANNING DEPARTMENT  
JUNE 2022**