

This document is received on 13 JUL 2022.
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

Form No. S16-I
表格第 S16-I 號

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF
THE TOWN PLANNING ORDINANCE
(CAP.131)**

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to proposals not involving or not only involving:
適用於建議不涉及或不祇涉及:**

- (i) **Construction of “New Territories Exempted House(s)”;**
興建「新界豁免管制屋宇」;
- (ii) **Temporary use/development of land and/or building not exceeding 3 years in rural areas; and**
位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) **Renewal of permission for temporary use or development in rural areas**
位於鄉郊地區的臨時用途或發展的許可續期

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.info.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:
https://www.info.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

2201739 1/7 by hand

Form No. S16-I 表格第 S16-I 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/45/419
	Date Received 收到日期	13 JUL 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>)。亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Board Profit Limited and Come First Limited

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構)

Townland Consultants Limited

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Nos. 33-35 Kennedy Road, Wan Chai, Hong Kong Inland Lot 1923 S.C. ss1 and Inland Lot 1923 S.C. ss2
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 715.7 sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 5,725 sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	..... NIL sq.m 平方米 <input type="checkbox"/> About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Draft Wan Chai Outline Zoning Plan No. S/H5/30
(e) Land use zone(s) involved 涉及的土地用途地帶	"Residential (Group B)" (with minor portion falling within area shown as 'Road')
(f) Current use(s) 現時用途	Under Construction for Foundation Works of Residential Development (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner"^{##} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{##} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"^{##} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{##} (請夾附業權證明文件)。
- ☐ is not a "current land owner"^{##}.
並不是「現行土地擁有人」^{##}。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of "current land owner(s)"^{##}.
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」^{##}。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of "current land owner(s)"^{##}.
已取得 名「現行土地擁有人」^{##}的同意。

Details of consent of "current land owner(s)" ^{##} obtained 取得「現行土地擁有人」 ^{##} 同意的詳情		
No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified "current land owner(s)"[#]
已通知 名「現行土地擁有人」[#]。

Details of the "current land owner(s)"[#] notified 已獲通知「現行土地擁有人」[#]的詳細資料

No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on 11/07/2022 (DD/MM/YYYY)[&]
於 11/07/2022 (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於 _____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

- ☐ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☒ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☒ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置所用途，請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分		sq.m 平方米 <input type="checkbox"/> About 約
	Non-domestic part 非住用部分		sq.m 平方米 <input type="checkbox"/> About 約
	Total 總計		sq.m 平方米 <input type="checkbox"/> About 約
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

(ii) For Type (ii) application 供第(ii)類申請

(a) Operation involved 涉及工程	<input type="checkbox"/> Diversion of stream 河道改道	
	<input type="checkbox"/> Filling of pond 填塘	
	Area of filling 填塘面積	sq.m 平方米 <input type="checkbox"/> About 約
	Depth of filling 填塘深度	m 米 <input type="checkbox"/> About 約
	<input type="checkbox"/> Filling of land 填土	
	Area of filling 填土面積	sq.m 平方米 <input type="checkbox"/> About 約
	Depth of filling 填土厚度	m 米 <input type="checkbox"/> About 約
	<input type="checkbox"/> Excavation of land 挖土	
	Area of excavation 挖土面積	sq.m 平方米 <input type="checkbox"/> About 約
	Depth of excavation 挖土深度	m 米 <input type="checkbox"/> About 約
(Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍))		
(b) Intended use/development 有意進行的用途/發展		

(iii) For Type (iii) application 供第(iii)類申請

(a) Nature and scale 性質及規模	<input type="checkbox"/> Public utility installation 公用事業設施裝置												
	<input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置												
	Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度												
	<table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱/種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米)(長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米)(長 x 闊 x 高)									
	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米)(長 x 闊 x 高)										
(Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)													

(iv) For Type (iv) application 供第(iv)類申請

- (a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –
請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction From 由 to 至
地積比率限制
- ☐ Gross floor area restriction From 由sq. m 平方米 to 至sq. m 平方米
總樓面面積限制
- ☐ Site coverage restriction From 由% to 至 %
上蓋面積限制
- ☒ Building height restriction From 由m 米 to 至 m 米
建築物高度限制
From 由 120 mPD 米 (主水平基準上) to 至 129.95mPD 米 (主水平基準上)
From 由 storeys 層 to 至 storeys 層
- ☐ Non-building area restriction From 由m to 至 m
非建築用地限制
- ☐ Others (please specify)
其他 (請註明)

(v) For Type (v) application 供第(v)類申請

(a) Proposed
use(s)/development
擬議用途/發展

Proposed Residential Development

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

(b) Development Schedule 發展細節表

Proposed gross floor area (GFA) 擬議總樓面面積	..... 5,725 sq.m 平方米	<input checked="" type="checkbox"/> About 約
Proposed plot ratio 擬議地積比率	..... 7.999	<input checked="" type="checkbox"/> About 約
Proposed site coverage 擬議上蓋面積	Podium: not more than 42.13% Tower: not more than 33.33%	<input checked="" type="checkbox"/> About 約
Proposed no. of blocks 擬議座數	..... 1	
Proposed no. of storeys of each block 每座建築物的擬議層數	..... 28 storeys 層	
	<input type="checkbox"/> include 包括..... storeys of basements 層地庫	
	<input type="checkbox"/> exclude 不包括..... storeys of basements 層地庫	
Proposed building height of each block 每座建築物的擬議高度	..... 129.95 mPD 米(主水平基準上)	<input checked="" type="checkbox"/> About 約
	..... m 米	<input type="checkbox"/> About 約

☒ Domestic part 住用部分

GFA 總樓面面積 5,725 sq. m 平方米 ☒ About 約
 number of Units 單位數目 max. 75
 average unit size 單位平均面積 60 sq. m 平方米 ☒ About 約
 estimated number of residents 估計住客數目

☐ Non-domestic part 非住用部分GFA 總樓面面積

☐ eating place 食肆 sq. m 平方米 ☐ About 約
☐ hotel 酒店 sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目)

☐ office 辦公室 sq. m 平方米 ☐ About 約

☐ shop and services 商店及服務行業 sq. m 平方米 ☐ About 約

☐ Government, institution or community facilities (please specify the use(s) and concerned land
 政府、機構或社區設施 area(s)/GFA(s) 請註明用途及有關的地面面積／總
 樓面面積)

.....

☒ other(s) 其他

(please specify the use(s) and concerned land
 area(s)/GFA(s) 請註明用途及有關的地面面積／總
 樓面面積)

Clubhouse: 243sqm (exempted from GFA
 calculation)

.....

☐ Open space 休憩用地

(please specify land area(s) 請註明地面面積)

☐ private open space 私人休憩用地 sq. m 平方米 ☐ Not less than 不少於

☐ public open space 公眾休憩用地 sq. m 平方米 ☐ Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
1	R/F	E/M
	1-25/F	Residential Flat
	G/F	Lobby, Clubhouse
	LG1/F	E/M
	LG2/F	Lobby, L/UL, Parking Space, E/M

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

7. Anticipated Completion Time of the Development Proposal
擬議發展計劃的預計完成時間

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例：2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

End of 2024

8. Vehicular Access Arrangement of the Development Proposal

擬議發展計劃的行車通道安排

<p>Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))</p> <p style="text-align: center;">Kennedy Road</p> <p><input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)</p> <p><input type="checkbox"/></p>
<p>Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Private Car Parking Spaces 私家車車位 _____</p> <p>Motorcycle Parking Spaces 電單車車位 _____ 2</p> <p>Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____</p> <p>Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____</p> <p>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/></p>
<p>Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Taxi Spaces 的士車位 _____</p> <p>Coach Spaces 旅遊巴車位 _____</p> <p>Light Goods Vehicle Spaces 輕型貨車車位 _____ 1</p> <p>Medium Goods Vehicle Spaces 中型貨車車位 _____</p> <p>Heavy Goods Vehicle Spaces 重型貨車車位 _____</p> <p>Others (Please Specify) 其他 (請列明) _____</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/></p>

9. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁表示可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是 No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input checked="" type="checkbox"/></p>																													
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是 No 否</p>	<p><input checked="" type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 m 米 <input type="checkbox"/> About 約</p> <p><input checked="" type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積.....295. sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of excavation 挖土深度5.5.m 米 <input checked="" type="checkbox"/> About 約</p> <p><input type="checkbox"/></p>																													
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 <input type="checkbox"/></td> <td>No 不會 <input checked="" type="checkbox"/></td> </tr> </table> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>	On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On traffic 對交通	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On water supply 對供水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On drainage 對排水	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	On slopes 對斜坡	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Affected by slopes 受斜坡影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Landscape Impact 構成景觀影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Tree Felling 砍伐樹木	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Visual Impact 構成視覺影響	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>	Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>
On environment 對環境	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													
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Others (Please Specify) 其他 (請列明)	Yes 會 <input type="checkbox"/>	No 不會 <input checked="" type="checkbox"/>																													

10. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

Please see attached Supplementary Planning Statement.



11. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in an application to the Board and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature
簽署


Cindy Tsang

Name in Block Letters
姓名（請以正楷填寫）



☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Director

Position (if applicable)
職位（如適用）

Professional Qualification(s)
專業資格

☒ Member 會員 / ☐ Fellow of 資深會員

☒ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會 /

☒ RPP 註冊專業規劃師

Others 其他 RPP No. 244

on behalf of
代表

Townland Consultants Limited

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

12/07/2022

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in an application to the Board and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

(a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該骨灰安置所內，總共最多可安放多少份骨灰。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and deposited at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及存放於規劃署規劃資料查詢處以供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	Nos. 33-35 Kennedy Road, Wan Chai, Hong Kong Inland Lot 1923 S.C. ss1 and Inland Lot 1923 S.C. ss2 香港灣仔堅尼地道 33 至 35 號 內地地段第1923 號C分段第1小分段及第2小分段		
Site area 地盤面積	715.7 sq. m 平方米 <input checked="" type="checkbox"/> About 約 (includes Government land of 包括政府土地 sq. m 平方米 <input type="checkbox"/> About 約)		
Plan 圖則	Draft Wan Chai Outline Zoning Plan No. S/H5/30 灣仔分區計劃大綱草圖編號 S/H5/30		
Zoning 地帶	"Residential (Group B)" and area shown as 'Road' 「住宅(乙類)」及顯示為「道路」的地方		
Applied use/ development 申請用途/發展	Proposed Minor Relaxation of Building Height Restriction for Permitted Residential Development 擬議略為放寬建築物高度限制，以作准許的住宅發展用途		
(i) Gross floor area and/or plot ratio 總樓面面積及/或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	5,725 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	7,999 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	1	
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 <input type="checkbox"/> (Not more than 不多於)
		129.95 mPD 米(主水平基準上) <input checked="" type="checkbox"/> (Not more than 不多於)
		28 Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input checked="" type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 3 <input checked="" type="checkbox"/> Podium 平台)
	Non-domestic 非住用	m 米 <input type="checkbox"/> (Not more than 不多於)
		mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途	<input type="checkbox"/> m 米 <input type="checkbox"/> (Not more than 不多於)
		mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
		Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	Podium: not more than 42.13% Tower: not more than 33.33% <input checked="" type="checkbox"/> About 約	
(v) No. of units 單位數目	Max. 75	
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數	2
	Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____	2
	Total no. of vehicle loading/unloading bays/lays-bys 上落客貨車位／停車處總數	1
	Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____	1

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件

	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Block plan(s) 樓宇位置圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floor plan(s) 樓宇平面圖	<input type="checkbox"/>	<input type="checkbox"/>
Sectional plan(s) 截視圖	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elevation(s) 立視圖	<input type="checkbox"/>	<input type="checkbox"/>
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	<input type="checkbox"/>	<input type="checkbox"/>
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>

Reports 報告書

Planning Statement/Justifications 規劃綱領/理據	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Visual impact assessment 視覺影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Landscape impact assessment 景觀影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Tree Survey 樹木調查	<input type="checkbox"/>	<input type="checkbox"/>
Geotechnical impact assessment 土力影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Drainage impact assessment 排水影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Sewerage impact assessment 排污影響評估	<input type="checkbox"/>	<input type="checkbox"/>
Risk Assessment 風險評估	<input type="checkbox"/>	<input type="checkbox"/>
Others (please specify) 其他 (請註明)	<input type="checkbox"/>	<input type="checkbox"/>

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。



KRFTW

SITE LOCATION PLAN
SCALE 1 : 500

A/H5/419



TOWNLAND CONSULTANTS LTD.

URBAN AND REGIONAL PLANNING, DEVELOPMENT CONSULTANCY, MASTER PLANNING, URBAN DESIGN, ARCHITECTURE,
LANDSCAPE ARCHITECTURE, PROJECT MANAGEMENT AND SOCIAL DEVELOPMENT

Our Ref KRFWT/KELVINC/02
Date 11 July 2022

By HAND & EMAIL

Secretary, Town Planning Board
c/o Planning Department
15/F North Point Government Offices
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD,
WAN CHAI, HONG KONG**

We are instructed by the Applicants, Board Profit Limited and Come First Limited, to seek the BOARD's permission for the captioned Application under Section 16 of the Town Planning Ordinance.

Please find enclosed 1 copy of the Section 16 Planning Application Form duly completed, together with 70 copies of the Supplementary Planning Statement (SPS) for Government Departmental circulation and distribution to Members of the BOARD.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Kelvin Chui.

Yours faithfully
FOR AND ON BEHALF OF
TOWNLAND CONSULTANTS LIMITED

Cindy Tsang
Director

CT/KELVINC

Enc Application Form – 1 copy
SPS – 70 copies

cc Client / Team

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2022年 7月 13日

此文件在 收到。城市規劃委員會
只會在收到所有必要的資料及文件後才正式確認收到
申請的日期。

This document is received on 13 JUL 2022
The Town Planning Board will formally acknowledge
the date of receipt of the application only upon receipt
of all the required information and documents.

ASSOCIATED COMPANIES :

TOWNLAND CONSULTANTS (INTERNATIONAL) LIMITED (International)

TOWNLAND CONSULTANTS (SHENZHEN) LIMITED (China)

TOWNLAND CONSULTANTS PVT. LIMITED (India)

PT TOWNLAND INTERNATIONAL (Indonesia)

HOWARD & SEDDON PARTNERSHIP (United Kingdom)



ISO 9001:2015
Certificate No.: CC844

SECTION 16 PLANNING APPLICATION TOWN PLANNING ORDINANCE (CAP. 131)

**PROPOSED MINOR RELAXATION OF BUILDING HEIGHT RESTRICTION FOR
PERMITTED RESIDENTIAL DEVELOPMENT AT NOS. 33-35 KENNEDY ROAD,
WAN CHAI, HONG KONG**

- Supplementary Planning Statement -

TOWNLAND CONSULTANTS LIMITED

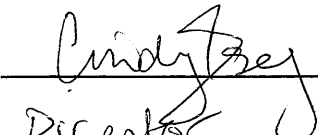
**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED
RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD,
WAN CHAI, HONG KONG**

SECTION 16 PLANNING APPLICATION

Supplementary Planning Statement

Applicant	Board Profit Limited and Come First Limited
Planning Consultant & Submitting Agent	Townland Consultants Limited
Architect	P&T Architects and Engineers Limited
Landscape Consultant	Urbis Limited
Traffic Consultant	LLA Consultancy Limited

File Reference: KRFWT

For and on behalf of Townland Consultants Limited	
Approved by :	
Position :	Director
Date :	8 July 2022

8 July 2022

CONTENTS

EXECUTIVE SUMMARY

1. INTRODUCTION

2. SITE CONTEXT

- 2.1 Site Location and Surrounding Uses
- 2.2 Land Status
- 2.3 Existing / Uses
- 2.4 Accessibility

3. PLANNING CONTEXT

- 3.1 Statutory Planning Context
- 3.2 Non-Statutory Planning Context
- 3.3 Planning History

4. THE DEVELOPMENT PROPOSAL

- 4.1 The Proposed Development
- 4.2 Design Merits and Public Planning Gains
- 4.3 Technical and Accommodation Schedule
- 4.4 Internal Transport Arrangement

5. PLANNING JUSTIFICATIONS

- 5.1 In Line with the Planning Intention of the “R(B)” Zone Addressing TPB’s Concern on the Previous Scheme
- 5.2 Accommodating the Permissible GFA
- 5.3 Public Planning Gain
- 5.4 Improving the Pedestrian Realm/Environment
- 5.5 Greening Initiatives and No Adverse Landscape Impact
- 5.6 Floor to Floor Height up to Market Standard
- 5.7 Increase Supply of Housing Units
- 5.8 Compatible with Surrounding Building Height Profile
- 5.9 No Adverse Visual Impact
- 5.10 Transport Consideration

6. CONCLUSION

APPENDICES

Appendix 1	Architectural Drawings
Appendix 2	Spring Garden Lane Steps Improvement Proposal
Appendix 3	Swept Path Diagrams
Appendix 4	Examples of New Residential Developments in the Past 5 Years

EXECUTIVE SUMMARY

This Section 16 Planning Application is submitted on behalf of Board Profit Limited and Come First Limited (the “**Applicants**”) to seek permission from the TOWN PLANNING BOARD (“**TPB**”/the **BOARD**) for Minor Relaxation of Building Height (“**BH**”) Restriction for Permitted Residential Use (“**Proposed Development**”) at Nos. 33-35 Kennedy Road, Wan Chai, Hong Kong (“**Application Site**”).

The Application Site is zoned “Residential (Group B)” (“**R(B)**”) on the Draft Wan Chai Outline Zoning Plan (the “**OZP**”) No. S/H5/30 (“**Draft OZP**”). ‘Flat’ is a Column 1 use always permitted. The Application Site is subject to a maximum BH Restriction of 120 metres above Principal Datum (“**mPD**”). Minor relaxation of the stipulated restriction may be permitted on application to the TPB.

This Section 16 Application seeks permission for Proposed Minor relaxation of BH restriction from 120mPD to 129.95mPD (+8.29%) for permitted residential use. The Proposed Development comprises of a 28-storey Residential Tower (including a 3-storey Podium consisting of clubhouse, lobby and E&M facilities). A total Gross Floor Area (“**GFA**”) of approx. 5,725m² (PR of 7.999 approx.) is proposed that can fully utilize the Permissible PR of 8. A Floor-to-Floor (“**FTF**”) height of 3.15m is adopted for typical residential storeys which shall provide a better quality of living space for residents up to current market expectation.

The Proposed Minor Relaxation is necessary to accommodate all permissible GFA within the footprint of the approved General Building Plans (2020) (which occupies the maximum permitted site coverage) for which foundation works are already under construction and to achieve a typical residential floor-to-floor height of 3.15m which meets current market standards. The Proposed Development has incorporated various planning and design merits for a more pleasant pedestrian environment including landscaping and greening opportunities at street level. The Applicant has also proposed to upgrade the Spring Garden Lane steps as a Public Planning Gain (“**PPG**”) which will improve the safety, comfort and appearance of the street environment serving the local residents and students attending local educational establishments. The Proposed Development has incorporated 1 LGV L/UL space and 2 motorcycle parking spaces to avoid off-site L/UL activities and improve the safety at the ROW to help accommodate food delivery services.

The Proposed Development is also justified on the following grounds:

- It is in line with the Planning Intention of the “R(B)” zone and addresses the Town Planning Board’s grounds for rejection of a previously submitted Application with similar development parameters;
- The Applicants propose to improve the Spring Garden Lane steps by repairing and beautifying the paving, railings, lamp post(s), installation of slip-prevention device, grab rail for children, newly designed railing along Kennedy Road, as well as a new sitting bench along the steps. The Improvement proposal shall improve the safety, comfort and appearance of the street environment serving the local residents and students;
- The Proposed Development will allow for a more pleasant pedestrian environment, viz increased landscaping and greening opportunities along Kennedy Road, beautification of the Right of Way, and refurbishment of the Spring Garden Lane steps;
- Compared to the 2020 Approved Building Plans, the Proposed Development will provide max. 6 additional housing units by fully utilising the development potential;
- The minimum 3.15m FTF height shall provide a better quality of living space for residents;
- The relaxation of BH restriction is considered minor in nature and deemed acceptable and is compatible with the surrounding area in terms of land use, building height and development intensity;
- The Proposed Development has incorporated 1 LGV L/UL space and 2 motorcycle parking spaces to avoid off-site L/UL activities and improve the safety at the ROW
- No adverse visual, air ventilation, landscape and traffic impacts are anticipated.

Based on the above justifications and as detailed in this Supplementary Planning Statement (“**SPS**”), we respectfully request the BOARD to give favourable consideration to this Application.

行政摘要

(內文如有差異，以英文版本為準)

根據城市規劃條例第十六條，我司代表 **Board Profit Limited** 及 **Come First Limited** (下稱「申請人」) 向城市規劃委員會 (下稱「城規會」) 呈交規劃申請書，要求略為放寬灣仔堅尼地道 33 至 35 號 (下稱「申請地點」) 的建築物高度限制作准許的住宅發展用途。

申請地點座落於〈灣仔分區計劃大綱草圖編號 **S/H5/30**〉(下稱「大綱草圖」) 中的「住宅(乙類)」地帶。大綱草圖中「分層住宅」是第一欄經常准許的用途。申請地點的建築物高度限制為主水平基準以上 120 米，城規會如接獲根據《城市規劃條例》提出的申請，可考慮略為放寬建築物高度限制。

此第十六條申請擬議略為放寬申請地點的建築物高度限制，從主水平基準以上 120 米增加至 129.95 米 (+8.29%) 作准許的住宅發展用途。擬議發展包括一座 28 層高的住宅大樓 (包括 3 層平台用作住客會所、大堂及機電設施用途)。項目擬議的總樓面面積為 5,725 平方米 (地積比率約 7.999)，將可盡用准許的 8 地積比率。項目擬議的一般住用樓層的樓面高度為 3.15 米，將可為住戶提供較佳的居住環境，符合現時市場的期望。

擬議略為放寬申請地點的建築物高度限制有必要性，以盡用申請地點根據 2020 年核准的一般建築圖則中准許的總樓面面積 (已盡用其可建的上蓋面積)，以及達到一般住用樓層 3.15 米的樓面高度以滿足現時市場的標準，該建築圖則批准的地基工程已在進行中。擬議發展包括不同的規劃及設計優點，包括街道層的園境設計及綠化措施以提供宜人的行人環境。申請人亦擬議改善位於春園街的階梯作為公眾規劃增益，以改善行人環境的安全、舒適度及美觀，讓當區居民及在當區學校就讀的學生得益。擬議發展亦提供一個輕型貨車的上落客貨位及兩個電單車車位，將能避免項目地點外的上落客貨活動，改善通行權的道路安全，以及協助食品速遞服務。

擬議發展具備以下充分理據的支持：

- 擬議發展符合「住宅(乙類)」地帶的規劃意向，其發展參數與先前提交的申請相近，並回應了城規會對先前提交的申請的反對理由；
- 申請人擬議翻新位於春園街的階梯，包括修補及美化路面、欄杆、電燈柱、加設防滑物料、兒童扶杆、沿堅尼地道新設計的欄杆、以及沿階梯提供新的座椅。擬議翻新工程將改善行人環境的安全、舒適度及美觀，讓當區居民及學生得益。
- 擬議發展將透過在堅尼地道的園境設計及綠化措施、美化通行權的道路以及翻新位於春園街的階梯，提供更宜人的行人環境；
- 相比於 2020 年核准的一般建築圖則，擬議發展能額外提供最多 6 個住宅單位，以盡用項目地點的發展潛力；
- 最少 3.15 米的樓面高度能為住戶提供質素更佳的居住環境；
- 擬議略放寬申請地點的建築物高度限制為輕微及可接受，與周邊環境的土地用途、建築物高度及發展密度相符；
- 擬議發展提供一個輕型貨車的上落客貨位及兩個電單車車位，將能避免項目地點外的上落客貨活動，並改善通行權的道路安全；及
- 擬議發展將不會造成負面視覺、通風、交通和環境影響。

基於上述支持理據及此補充規劃文件內的詳述資料，懇請城規會委員對是項申請作出正面的考慮。

Reference: KRFWT/KELVINC/01
Date: 8 July 2022

TO THE TOWN PLANNING BOARD:

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD,
WAN CHAI, HONG KONG**

1. INTRODUCTION

- 1.1 We are instructed by Board Profit Limited and Come First Limited (the “**Applicants**”), to submit this Section 16 (“**S16**”) Planning Application to seek permission from the Town Planning Board (“**TPB**”/ the “**BOARD**”) for Minor Relaxation of the Building Height Restriction (“**BHR**”) from 120mPD to 129.95mPD for Permitted Flat Use (“**Proposed Development**”) at Nos. 33-35 Kennedy Road, Wan Chai, Hong Kong (the “**Site**” / “**Application Site**”).
- 1.2 The Application Site is zoned “Residential (Group B)” (“**R(B)**”) on the Draft Wan Chai Outline Zoning Plan (the “**OZP**”) No. S/H5/30 (“**Draft OZP**”). ‘Flat’ use is a Column 1 Use always permitted. The Application Site is subject to a maximum BHR of 120mPD and minor relaxation of the stipulated restriction may be permitted on application to the TPB.
- 1.3 This Supplementary Planning Statement (“**SPS**”) provides relevant information on the Application to facilitate the BOARD’s consideration. The following Sections will provide a description of the Application Site and its surroundings, the planning context, details of the Proposed Development and justifications in support of the Application.

2. SITE CONTEXT

2.1 Site Location and Surrounding Uses

2.1.1 The Application Site is located at Nos. 33-35 Kennedy Road, in the southern part of Wan Chai District. It is bounded by Kennedy Road to the south, Phoenix Court to the north and Wing Way Court to the west. The Site is situated on a +36.9mPD building platform. An existing sunken area is located to the northeast portion of the Site. (**Figure 2.1** refers).

2.1.2 The Application Site is part of a predominantly medium-to high density residential area mixed with high-density commercial uses. A summary of the surrounding development context is provided below (**Figure 2.2** refers):

- Medium-to-high rise residential developments namely Phoenix Court (+71.4mPD) and Wing Way Court (+143.1mPD) are located to the immediate north and west respectively. High-rise Residential developments namely Amber Garden (max. 153.2mPD) and Bamboo Grove (+160.1mPD to +181.2mPD) are located to the southeast across Kennedy Road, all located within the same cluster of "R(B)" zone. The Fujiya Mansion within the "Residential (Group A)" ("R(A)") zone (max. 140mPD) is located to the west of the Site;
- High rise Commercial developments namely Wu Chung House (+137.5mPD), Hopewell Centre (+220.2mPD) and Hopewell Centre II under construction (max. 210mPD) are located to the north and northwest of the Site down to the Queen's Road East. The high-density residential area of Wan Chai (max. 110mPD) is located to the further north of the Site. The Wan Chai MTR Station is located approx. 330m north of the Site.
- Low-rise GIC uses including the Hong Kong Tang King Po College (+68.7mPD), the Church of Christ in China Wanchai Church (+32.2mPD) and Wanchai Church Kindergarten (+32.7mPD) are located to the west and northwest of the Site respectively;
- A green hillslope is located south of the Site across Kennedy Road. Open Spaces e.g. Wan Chai Gap Road Playground and Stone Nullah Lane Garden are located to the east of the Site.

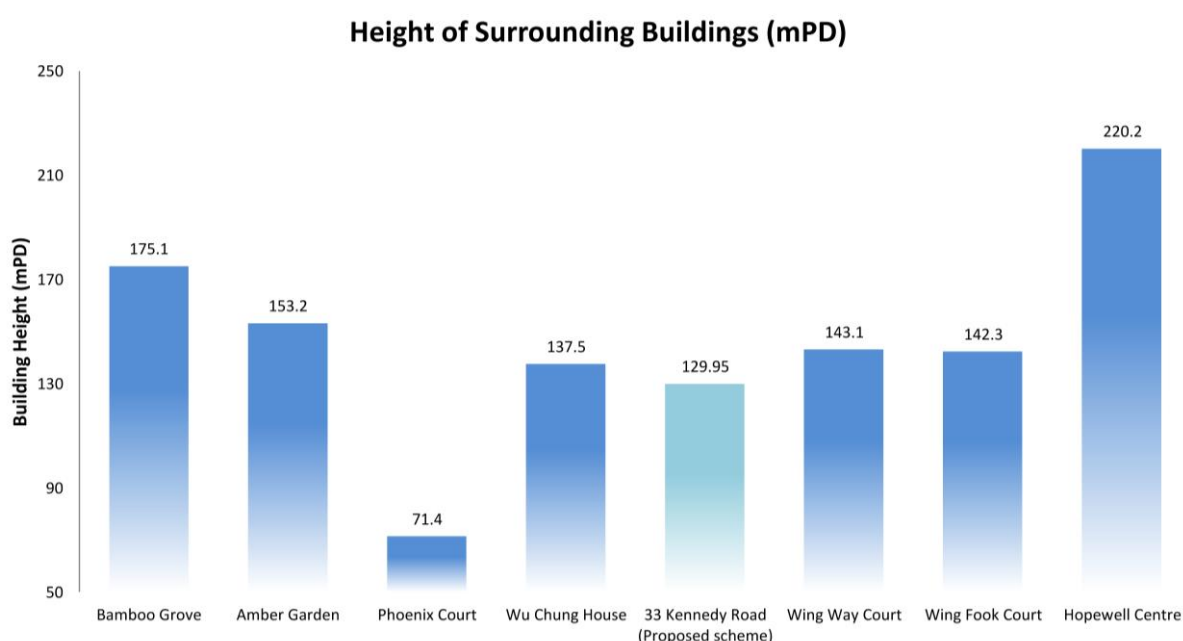


Diagram 1: Height of Surrounding Buildings (mPD)

2.2 Land Status

- 2.2.1 The Application Site is located on Inland Lot (“IL”) 1923 S.C ss1 and IL 1923 S.C. ss2 with a registered land area of approx. 715.7m². The Site is wholly owned by the Applicants.
- 2.2.2 There is an existing Right-of-Way (“ROW”) shown as “Private Road” which passes through the Application Site to provide vehicular access from Kennedy Road to Wing Wai Court and Phoenix Court with pedestrian connection to the Spring Garden Lane steps. The ROW is covered by a Deed of Covenant and Mutual Grant of Rights of Way (Deed of ROW) registered in the Land Registry under Memorial No. 198862 dated 29 June 1955. According to the Approved General Building Plans (“GBP”) dated 21.8.2020, the ROW *“is not [to be] built over, under, or upon and maintained as a passageway during the lifetime of the development”*.

2.3 Existing / Permitted Uses

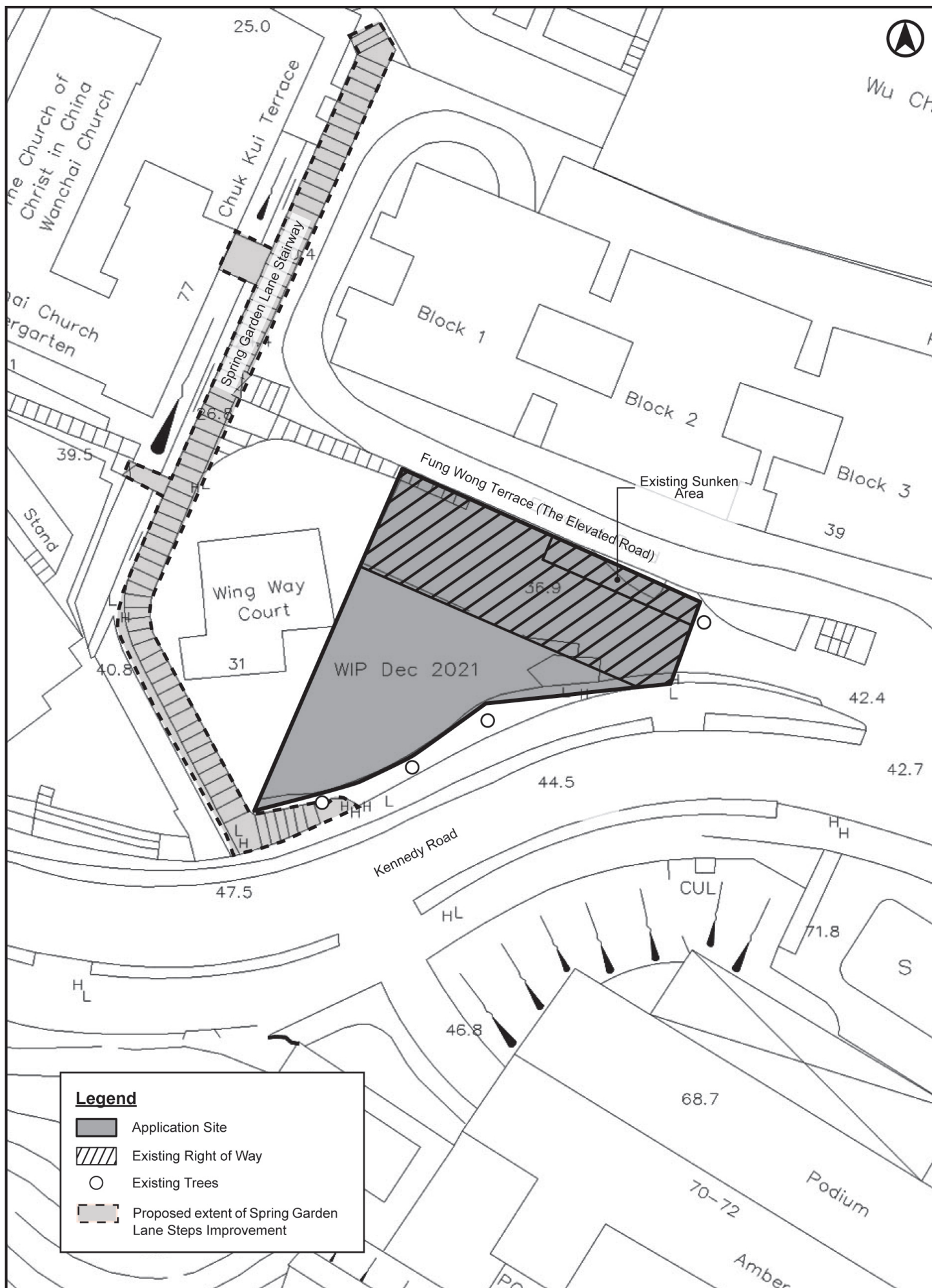
- 2.3.1 The Application Site is under construction for the foundation work permitted under the Approved General Building Plans (“**Approved GBP**”) first approved on 21.8.2020 (latest approval on 19.5.2022) for residential redevelopment with total domestic GFA of 5,472.869m², Domestic Plot Ratio of 7.647, Building Height of 120mPD and 69 no. of units.
- 2.3.2 The foundations have been designed to accommodate the minor relaxation of building height.

2.4 Existing Landscape Condition

- 2.4.1 There is no existing tree located within the Site and Four nos. of existing trees are located adjacent to the Site boundary i.e. at the sloping area along Kennedy Road and to the northeast near Phoenix Court (**Figure 2.1** refers). No Old and Valuable Tree, mature tree, or rare and protective species could be found.

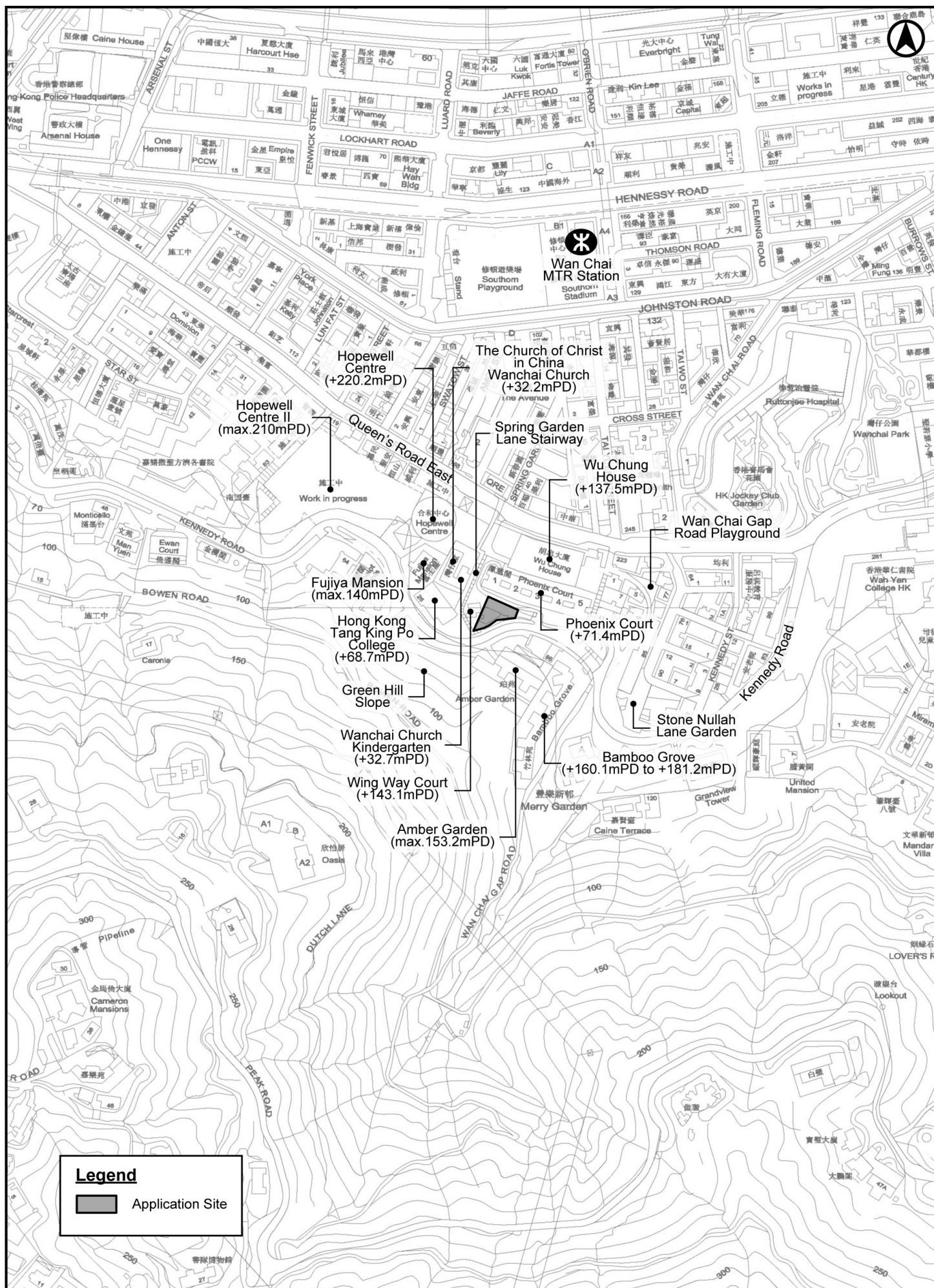
2.5 Accessibility

- 2.5.1 The only vehicular access to the Site is through the ROW which connects to Kennedy Road.
- 2.5.2 A variety of public transport services are located in the vicinity. The Wan Chai MTR Station is situated approx. 350m north of the Site.
- 2.5.3 Numerous bus routes and minibus services are available on Queen’s Road East and Johnston Road. In addition, tram services are available along Johnston Road. For pedestrian access, the Application Site can be accessed from Kennedy Road and from the Spring Garden Lane stairway to the west of the Site. All public transport services mentioned are within walking distance, i.e. within 100-300m.



KRFWT

FIGURE 2.1 SITE LOCATION PLAN
SCALE 1 : 500



3. PLANNING CONTEXT

3.1 Statutory Planning Context

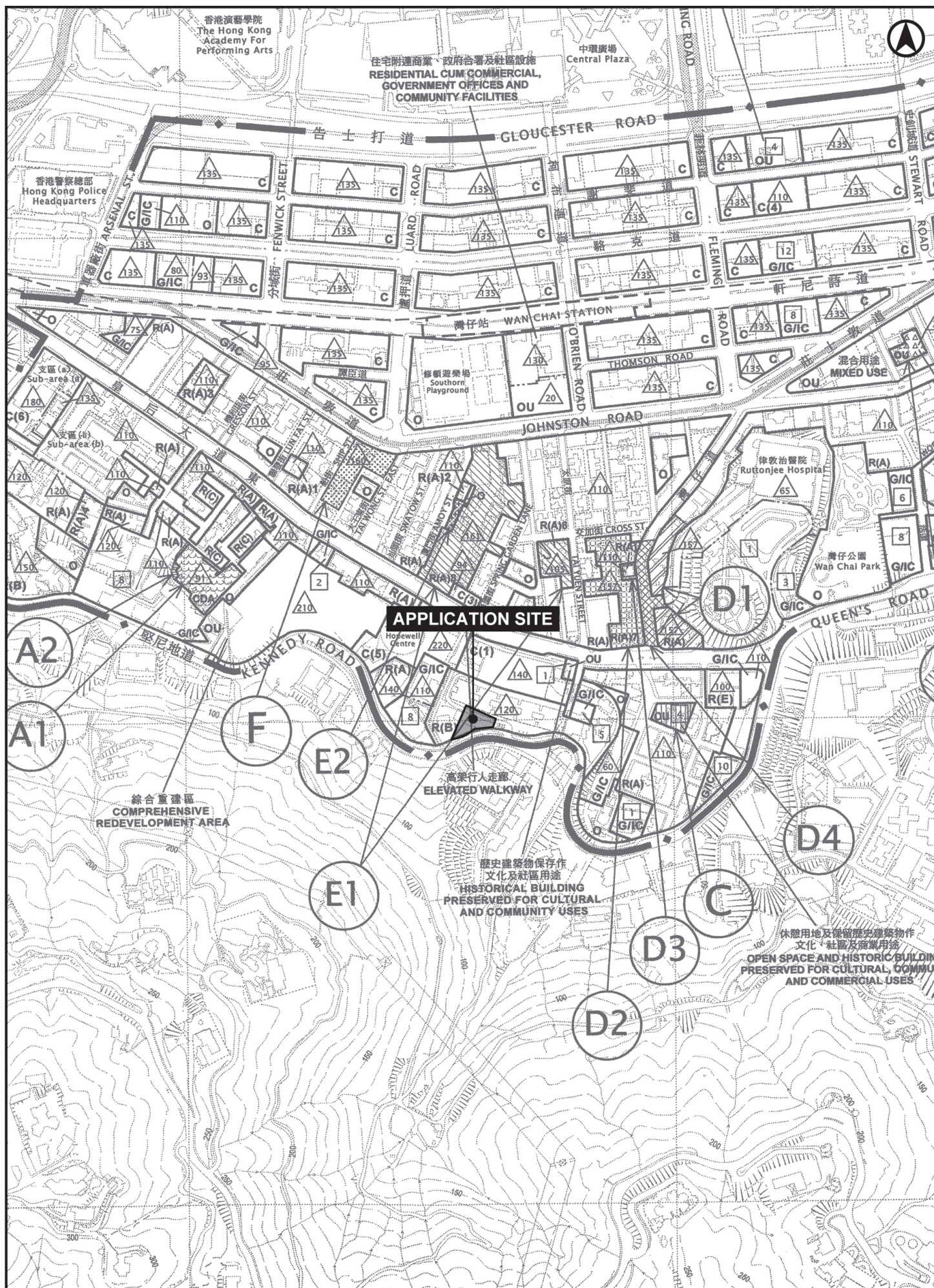
Draft Wan Chai Outline Zoning Plan No. S/H5/30

- 3.1.1 The Application Site is zoned “R(B)” on the Draft Wan Chai OZP No. S/H5/30 gazetted on 17.06.2022 (**Figure 3.1** refers). This zone is intended “*primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board*”. ‘Flat’ is a Column 1 Use always permitted within the “R(B)” Zone (**Figures 3.2** refer).
- 3.1.2 The Application Site is subject to a maximum BHR of 120mPD. As indicated in the Statutory Notes of the Draft OZP, based on the individual merits of a development or redevelopment proposal, minor relaxation of the development restriction may be considered by the TPB.

3.2 Non-Statutory Planning Context

Explanatory Statement (“ES”) of the Draft OZP

- 3.2.1 The ES specifies the following criteria for consideration of applications for Minor Relaxation of the BHR (*para. 7.8 of the ES refers*):
- “(a) Amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) Accommodating the bonus plot ratio 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 ventilation and visual permeability;
 - (e) Accommodating building design to address specific site constraints in achieving the permissible plot ratio under the Plan; 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, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.”



KRFWT

FIGURE 3.1 DRAFT WAN CHAI OUTLINE ZONING
PLAN NO. S/H5/30 (EXTRACT)
SCALE 1 : 5,000

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Market Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services Social Welfare Facility Training Centre

Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) A minimum setback of 1m from the lot boundary at 39 and 41 Kennedy Road fronting Yen Wah Steps shall be provided.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (4) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirement stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

3.3 Planning History

- 3.3.1 The Site is subject to a previous S16 Planning Application (TPB ref. A/H5/414) and S17 Planning Review (TPB ref. A/H5/414B) for Proposed Minor Relaxation of BHR from 120mPD to 129.95mPD for permitted flat use. Compared to the 2020 Approved Building Plans, the Proposed Development Scheme sought to increase the residential floor-to-floor ("**FTF**") height from 3.05m to 3.15m (1-22/F & 25/F) and 3.5m (23-24/F) with setback terrace at the two topmost floors (24-25/F). Due to site constraints, including preservation of the ROW, only one disabled car parking space was proposed.

S16 Planning Application No. A/H5/41

- 3.3.2 At the S16 stage, the Proposed Minor Relaxation of BHR was justified on the grounds that the Proposed Development met the criteria for Minor Relaxation of BHR set out in para. 7.8 of the ES of the Draft OZP, the proposed FTF heights fall within current market norms and will allow sufficient natural light and air ventilation, and importantly, it is not possible to incorporate all of the permissible GFA in the scheme with the proposed FTF height without the proposed Minor Relaxation of BHR. A Visual Impact Assessment demonstrated that there will be no adverse visual impact resulting from the minor increase in BH of the Proposed Scheme compared to the approved GBPs as the height of the Proposed Development would still be much lower than that of almost all of the surrounding buildings even after the relaxation of the BHR. Both the Urban Design Unit of Planning Department and Architectural Services Department had no adverse comments on the application from the visual perspective.

- 3.3.3 The S16 Planning Application was rejected by the Board on 13 August 2021 on the ground that *"the applicants fail to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction"*. According to the Minutes of Meeting, the Board considered there to be a lack of substantial planning gains for the general public which could not be justified by the terrace setback at the top two floors, increase in number of flats due to smaller flat size or disabled parking space (667th Metro Planning Committee Meeting Minutes refers) .

S17 Planning Application No. A/H5/414B

- 3.3.4 A Section 17 Review was subsequently submitted for the Application No. A/H5/414 and was rejected by the TPB on 21 January 2022.
- 3.3.5 Compared to the S16 Planning Application Scheme, additional greenery was proposed at LG 2/F in the form of a landscaped terrace; lighting was proposed within the ROW and staircase within the Application Site for pedestrians and drivers; and new paving was proposed for the ROW. (Para 1.3 of the TPB paper No. A/H5/414B refers)
- 3.3.6 The Application was rejected on the same ground that *"the applicants fail to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction"*. Specifically, the Board considered that the applicants had not made their best effort to offer planning and design merits. The street-level landscaped podium with setback from the road was considered insignificant and the setback area was not accessible by the public. The adoption of the FTF height of 3.15m could not be regarded as a public benefit. (Para 37 of 1263th TPB Meeting Minutes refers)

4. THE DEVELOPMENT PROPOSAL

4.1 The Proposed Development

- 4.1.1 Having reviewed the grounds for rejection, this Section 16 Application seeks to relax the BH restriction from 120mPD to 129.95mPD (+8.29%) for the permitted residential use with incorporation of additional design merits and planning gains.
- 4.1.2 As construction works for the foundation are already underway, the Proposed Development adopts the footprint and layout of the 2020 Approved Building Plans. In line with comment from the Building Authority¹, no development is proposed over, under or upon the ROW. The minor relaxation of BHR will enable the addition of 2 domestic storeys within the tower footprint to use up the domestic GFA not yet realised by the Approved GBPs including 2 levels of special units at the top. The result is a 28-storey Residential Tower (including a 3-storey Podium consisting of clubhouse, lobby and E&M facilities). A total GFA of approx. 5,725m² (+252.131m² compared to Approved GBPs) at PR of 7.999 approx. is proposed to fully utilize the Permissible PR of 8. Two entrances will be provided including one from LG2/F at 36.95mPD connecting the staircase at Spring Garden Lane; and the second from G/F at 45.7mPD connecting Kennedy Road. The ROW will be retained to allow access for surrounding developments.
- 4.1.3 Similar to the scheme subject of the previous S16 Planning Application/S17 Review ("**Previous Scheme**"), a FTF height of 3.15m is adopted for typical residential storeys which shall provide a better quality of living space for residents up to current market expectations. However, 24/F-25/F will have a FTF height of 3.5m to accommodate special units at the topmost floors - a common feature of many newer developments. It is noted that whilst a higher typical FTF height of 3.15m was not accepted as a public benefit at the S17 Review, there was no objection to the argument that a higher FTF height could allow future residents to enjoy a better internal living space. (Paras. 25 and 26 of 1263th TPB Meeting Minutes refers)
- 4.1.4 Compared to the Previous Scheme, the current proposal ("**Proposed Development**") will also replace the disabled carparking space with one (1) on-site loading/unloading ("**L/UL**") bay for Light Goods Vehicle ("**LGV**") (7m x 3.5m) with sufficient turning radius so that vehicles do not need to back-out of the ROW to exit (per the existing situation). The L/UL bay will also cater for on-site refuse collection which is a far superior solution than the current practice of refuse collection vehicles parking along Kennedy Road with refuse manually pushed up the ROW for collection and potentially causing road congestion. Two (2) motorcycle parking spaces will also be provided at LG2/F to help accommodate food delivery services.
- 4.1.5 The Architectural Drawings of the Proposed Development are provided at **Appendix 1**.
- 4.1.6 Opportunity to incorporate other Public Planning Gains ("**PPG**") within the Site is constrained by the small site area of only 715.7m², the presence of the ROW which occupies approx. half of the site area, and the strip of sloping Government land that separates part of the Site from Kennedy Road. Therefore, to improve the environment for the wider community, the Applicants propose to enhance the Spring Garden Lane steps, including repair and beautification of the paving, adding of slip-prevention device, repainting and installing child-friendly railings, repairing of existing street lamps, and providing a new sitting bench along the staircase to serve the students and residents in the local area. The Applicant will be responsible for the cost and implementation of the refurbishment works and will return the ownership to the government for management. Landscape Drawings and Street level perspectives in **Figure 4.1** and **Appendix 2** illustrate the improvement proposal of the Stairway.

¹ According to comment from the Building Authority dated 21 Aug 2020 in relation to Building (Planning Regulation) 23(2)(a) to permit the existing right of way to be included in site area in the Approved GBPs, the right of way is not to be built over, under or upon and maintained as a passageway during the lifetime of the development.

4.2 Design Merits and Public Planning Gains

4.2.1 Compared to the 2020 Approved Building Plans, the design merits offered by the Minor Relaxation of BH Restriction to 129.95mPD are summarised as follows:

- (i) Reducing Podium Footprint and providing setback back from Kennedy Road to improve visual quality and permeability;
- (ii) Provision of greenery at the site boundary along Kennedy Road to enhance the Streetscape;
- (iii) Upgrade railings at Kennedy Road;
- (iv) Provision of landscaped area and planters at LG2/F to improve the amenity of the ROW linking to Spring Garden Lane Steps;
- (v) Repaving and provision of lighting to improve the pedestrian environment at the ROW;
- (vi) Provision of on-site L/UL bay for LGV;
- (vii) Provision of 2 on-site parking spaces for motorcycles; and
- (viii) Repairing, beautification and improving the safety of the Spring Garden Lane steps.

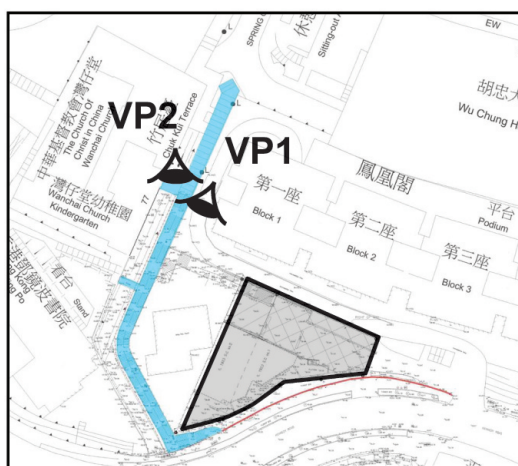
4.2.2 The on-site planning and design merits of the Proposed Development are highlighted in **Figure 4.2**.

VIEW POINT 1

Current Condition



Proposed Scenario



KEY PLAN

Proposed extent of Spring Garden Lane Stairs Improvement

Application Site

VIEW POINT 2

Current Condition



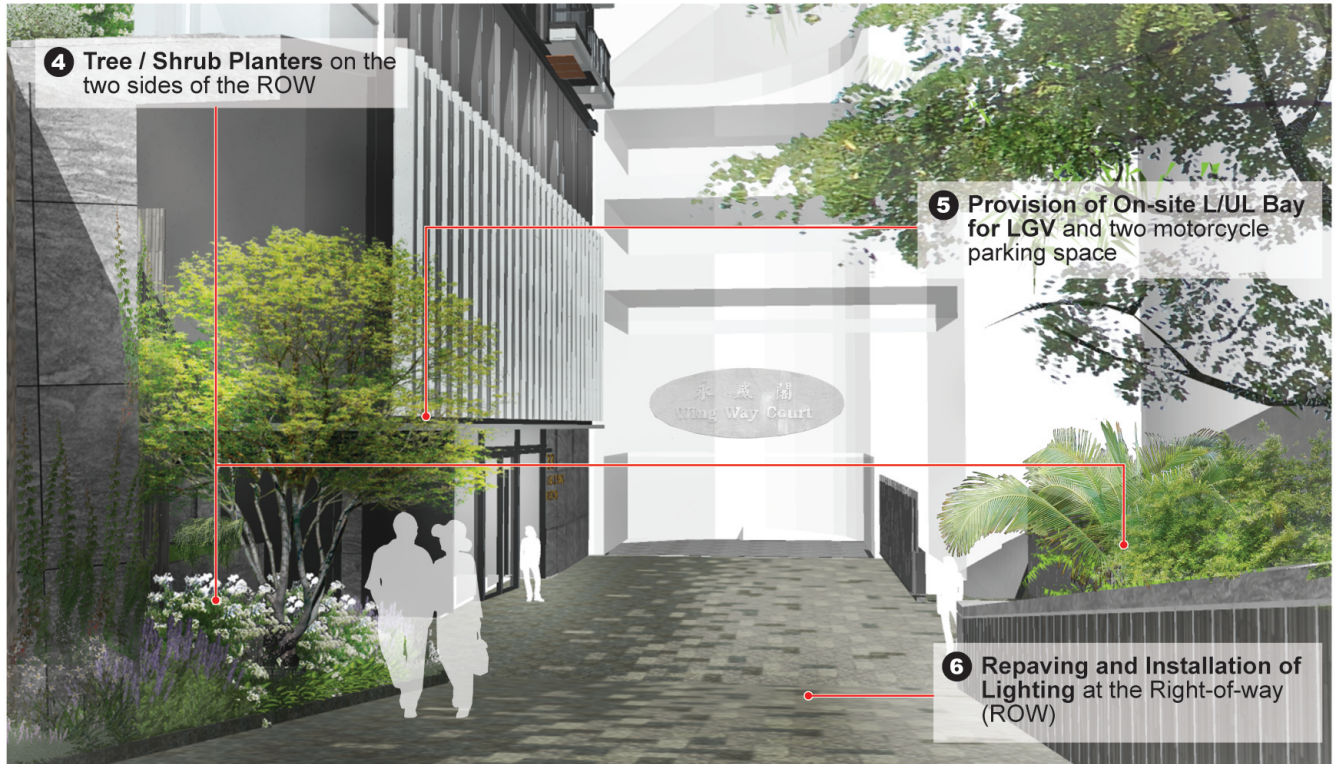
Proposed Scenario



Street Perspective (view from Kennedy Road)



Street Perspective (view from Right-of-Way)



4.3 Technical and Accommodation Schedule

4.3.1 The Technical and Accommodation Schedule at **Table 4.1** summarizes the major development parameters of the Proposed Development compared to the 2020 Approved Building Plans:

Table 4.1 Technical and Accommodation Schedule

TECHNICAL SCHEDULE		
	2022 Approved GBPs	Proposed Development
Site Area	Approx. 715.7 m ²	Approx. 715.7 m ²
Proposed Domestic Plot Ratio	7.647	7.999
Proposed Domestic GFA	5,472.869m ²	Approx. 5,725m ²
Proposed Site Coverage		
Tower: 1/F – 25/F	33.33%	33.33%
Podium: G/F	35.605%	35.582%
Podium: LG1/F	41.729%	42.13%
Podium: LG2/F	42.059%	42.13%
No. of Blocks	1	1
No. of Storeys	23-residential storeys over 3-storey podium	25-residential storeys over 3-storey podium
Building Height (Main Roof Level)	120mPD	129.95mPD
No. of Units	69	Max. 75
Average Flat Size	-	About 60m ²
Floor-to-Floor Height		
1/F-23/F	3.05m	3.15m
24/F – 25/F	N/A	3.5m
Podium: G/F	4.7m	4.8m
Podium: LG1/F	3.33m	4.75m
Podium: LG2/F	5m	4m
Clubhouse Area	243.225m ²	243m ²
Internal Transport Provision	NIL	1 L/UL Bay for LGV 2 Motorcycle parking
ACCOMMODATION SCHEDULE		
LG2/F	Lobby, E&M, Covered Landscape Garden	Lobby, L/UL, Parking Space, E&M
LG1/F	E&M, Clubhouse	E&M
G/F	Lobby, Clubhouse	Lobby, Clubhouse
1/F – 25/F	Residential Flat (1–F - 23/F only)	Residential Flat
R/F	E&M	E&M

4.4 Internal Transport Arrangement

- 4.4.1 The Site is greatly constrained by the very limited Site Area with only 715.7m² under a triangular site configuration. 50% of the site area is occupied by the ROW which is non-buildable area to provide vehicular access from Kennedy Road to Wing Wai Court and Phoenix Court with pedestrian connection to the Spring Garden Lane steps. After accommodating the necessary lifts, lobby, fire escape stairs and E&M facilities at the LG2/F, there is only a limited corner space remaining which was designed as a covered landscape garden in the Approved GBPs and was converted into a Disabled Parking space in the Previous Scheme.
- 4.4.2 With detailed re-configuration of the structural columns and detailed architectural layout based on input from structural engineer and architect, the Current Scheme has fully utilized the remaining space at LG2/F to provide one (1) standard L/UL Bay (7m x 3.5m) for LGV. A swept path diagram for the L/UL Bay is provided in **Appendix 3**. Utilizing the available corner space at the LG2/F, two (2) Motorcycle Parking Spaces will also be provided. **Appendix 3** also demonstrates the space required for a L/UL Bay (11m x 3.5m) for Medium/Heavy Goods Vehicle. The space required, including the turning area, would occupy the central part of the Site, which must be reserved for the main structural core of the building and cannot be relocated to other parts of the Site area. As a result, the provision of one L/UL Bay (11m x 3.5m) for Medium/Heavy Goods Vehicle is not feasible for the Site.
- 4.4.3 The function of the L/UL bay will not only serve the general L/UL activities of the residential building but also regular daily refuse collection. It is noted that goods vehicles sometimes may have a dimension slightly longer than 7.0m. Under such circumstances, the vehicle can still make use of the L/UL bay with part of the vehicle occupying the ROW. The management staff can provide assistance to ensure the traffic safety of bypassing vehicles and pedestrians. Similarly, the refuse collection vehicle may have a vehicle length longer than 7.0m. Since refuse collection will occur on a regular daily basis, the collection will be arranged at non-peak hours of the ROW, such as 8:00 pm to 9:00 pm. The management staff can provide assistance during visit of the refuse collection vehicle. **Appendix 3** also includes the swept path of a 9m RCV vehicle. Last but not the least, convex mirrors will be provided at the ROW to enhance road safety.

5 PLANNING JUSTIFICATIONS

5.1 In Line with the Planning Intention of the “R(B)” Zone and Addressing TPB’s Concern on the Previous Scheme

- 5.1.1 The Proposed ‘Flat’ use is a Column 1 use always permitted in “R(B)” zone and is fully in line with the statutory Planning Intention of the “R(B)” zone.
- 5.1.2 Without prejudice to the ongoing S17B Appeal for A/H5/414, this application focuses on demonstrating Applicant’s effort to provide additional public planning and design merit which directly addresses the TPB’s sole rejection ground for the Previous Scheme. We note that despite outstanding concern from Transport Department on the Previous Scheme (now addressed with the newly added L/UL for LGV and 2 motorcycle parking spaces), there was no technical reason for rejection.
- 5.1.3 The Applicants propose various shrub planting and greenery along Kennedy Road and the ROW. The ROW will be beautified with repaving, lighting and greenery for users. Together with the proposed refurbishing of Spring Garden Lane, the proposed development will provide *better streetscape/ good quality street level public urban space* not only for future residents but for the surrounding community to enjoy.
- 5.1.4 Considering the limited site area and room for providing additional public planning gain on Site, the Applicant has also proposed to refurbish the Spring Garden Lane steps as a major Public Planning Gain (“PPG”) as part of the Proposed Development. The Applicants propose to improve the Spring Garden Lane steps by repairing and beautifying the paving, railings, lamp post(s), with installation of slip-prevention device, grab rail for children, new designed railing along Kennedy Road, as well as a new sitting bench along the steps. The Improvement proposal shall improve the safety, comfort and appearance of the street environment serving the local residents and students as a major planning gain for the community at nearby educational establishments.

5.2 Accommodating the Permissible GFA

Unable to Increase Tower Coverage

- 5.2.1 As shown in the 2020 Approved Building Plans (foundations under construction), it is not possible to fully accommodate the permissible GFA (-approx. 252m²) within the 120mPD BH restriction, even with a less desirable FTF height of 3.05m, as the tower coverage has been maximized at 33.33%. Two additional residential storeys are necessary which will take the BH above 120mPD.

Unable to Reduce Podium Bulk / Height

- 5.1.2 As for the Podium Portion, the ROW has occupied approx. 50% of the site area such that the podium area cannot fully occupy the permissible site coverage under B(P)R. Hence, it is also impossible to reduce the height or bulk of the podium which is already highly constrained in terms of providing lobby and circulation, Clubhouse, E&M, MOE and other ancillary requirements.

5.3 Public Planning Gain

- 5.2.2 The Spring Garden Lane steps currently serve the residents in the Kennedy Road area and students from Hong Kong Tang King Po College and Wan Chai Church Kindergarten. However, the condition of the stairs is considered less than ideal with rough and uneven paving, old and damaged railings / lamp(s), lack of slip prevention device, and lack of seating along the staircase.
- 5.3.1 The Applicants propose to repair and beautify the Spring Garden Lane steps as a PPG which proposal is detailed in **Appendix 3**. Proposed improvement includes:
- upgrading the pebble wash steps to stone cladding;
 - inserting additional slip-prevention installations;
 - modifying / repairing the cracks by adding the granite stone accent;
 - refurbishing landing floor finishes;

- New railing with rhythmic pattern along Kennedy Road;
- Repairing and re-painting railing along the Spring Garden Lane Steps;
- Installing additional grab rail on existing railing for children's use;
- Replacing damaged lamp post(s);
- Installing a new sitting bench along the steps to create a resting place for elderly and children

5.3.2 The Applicant will be responsible for the cost and implementation of the improvement works and will return the ownership to the government for management. The Proposed improvement works can substantially improve the safety, comfort and appearance of the street environment, as a major PPG for the local residents and students.

5.4 Improving the Pedestrian Realm/Environment

5.4.1 Aside from the PPG, the Applicant has strived to improve the Scheme to incorporate additional planning and design merits on Site.

5.3.2 Kennedy Road is the major pedestrian route interfacing with the Site. The Applicants propose to reduce the podium footprint at G/F, giving up permissible site coverage to setback from Kennedy Road and to utilize the area for roadside shrub planting. The podium setback can improve the visual openness along the road and the proposed shrub planting can integrate with the existing road side trees to improve the pedestrian environment at Kennedy Road. The proposed new designed railings with rhythmic pattern will also add more vibrant identity to the street environment.

5.4.2 The ROW on the other side of the Site is a pedestrian passageway that not only serves as the vehicular access to the adjacent Wing Way Court and Phoenix Garden, but is also a pedestrian passageway that connects Kennedy Road to the Spring Garden Lane steps. The Applicant proposes to beautify the ROW with repaving and addition of lighting. Tree and shrub planting is also proposed along the two sides of the ROW within the existing sunken area and to the south of the ROW next to the Building Podium.

5.5 Greening Initiatives and No Adverse Landscape Impact

5.5.1 Due to the small site area of less than 1,000m², the Proposed Development is exempted from SBDG requirement for site coverage of greenery. Despite that, the Applicant has demonstrated effort to provide greening initiatives along Kennedy Road and the ROW. Roadside vegetation will be provided in the building setback area along Kennedy Road. One (1) new tree and a number of planters are provided at the ROW level, and the vegetation within the sunken area will be maintained. The trees located at the surroundings of the Site will not be affected. As illustrated in **Figure 4.2** and in **Appendix 1**, the Proposed greenery initiatives at G/F and LG2/F will improve the pedestrian environment along Kennedy Road and the ROW connecting the Spring Garden Lane Stairs.

5.6 Floor to Floor Height up to Market Standard

5.6.1 The Proposed FTF height of at least 3.15m for each residential floor and 3.5m for the special units will be comparable with the market standard for modern healthy residential buildings. It will allow sufficient natural light and air ventilation for modern residential buildings to meet the needs for better quality housing and ventilation in the post-Covid era.

5.6.2 Practical Notes by BD and Lands Department ("**LandsD**") indicate that a the proposed FTF heights of 3.15m (typical floors) and 3.5m (special floors) is within the acceptable range from a minimum of 2.5m to maximum of 3.5m. (*Para 7 of Lands Department Lands Administration Office Practice Note No.4/2014* refers).

5.6.3 Moreover, 40 new residential buildings (houses excluded) completed in the last 5 years on Hong Kong Island were surveyed in the previous S17 Review (No. A/H5/414B) to investigate the modern standard for FTF heights (**Appendix 4** refers). The survey illustrates that 80% of the sampling residential buildings have a typical FTF height of 3.15m or above.

5.6.5 The Proposed increase in FTF Height is on top of the minimum BH required for accommodating all permissible GFA within the current building layout/footprint (which is approx. 125.5mPD if a 3m FTF height is adopted). The Proposed increase from 3m to 3.15m (typical floors) and 3.5m (special floors) will induce an additional 4.45m overall BH up to 129.95mPD. The degree is considered minor and the building height is compatible with the surrounding built environment. No adverse visual and air ventilation impact is anticipated as a result of this minor increase as was the case for the Previous Scheme.

5.6.6 The special units at the two topmost storeys (24/F-25/F) are proposed to provide a diversity of units within the development. The provision of special units at upper floors is commonly seen in residential developments in the territory (**Appendix 4** refers). 28 out of 40 new residential developments in the past 5 years have included units of FTF height at 3.5m or above (up to 4.55m). The special units will have insignificant impact to the overall BH and technical impacts.

5.7 Increase Supply of Housing Units

5.7.1 CE's Policy Addresses in recent years have indicated that housing supply should be increased to address Hong Kong's acute shortage of housing.

5.7.2 The Proposed Development will utilize the scarce land resources in the metro area to provide max. 75 flats (compared to 69 units in the Approved GBPs) which would help contribute to the supply target for the 10-year period from 2022-23 to 2031-32. The Application Site will help meet the housing demand in close proximity to major employment centres including Wan Chai, Admiralty and Causeway Bay.

5.8 Compatible with Surrounding Building Height Profile

5.8.1 The Proposed 129.95mPD BH is compatible with the surrounding buildings. The proposed minor relaxation of 9.95m (+ 8.29%) will not result in an out-of-context building in the neighbourhood. The Proposed BH is comparable to the building height of the immediate surroundings e.g. Phoenix Court (+71.4mPD) and Wing Way Court (+143.1mPD) which are located to the immediate north and west and Fujiya Mansion (max. 140mPD) is located to the west of the Site. The Proposed Development is also lower in height than the high-rise residential developments further up the slope namely Amber Garden (max. 153.2mPD) and Bamboo Grove (+160.1mPD to +181.2mPD) to the southeast across Kennedy Road, as well as the high-rise commercial developments, Wu Chung House (+137.5mPD), Hopewell Centre (+220.2mPD) and Hopewell Centre II under construction (max. 210mPD) to the north and northwest of the Site down to the Queen's Road East (**Diagram 1** refers).

5.9 No Adverse Visual Impact

5.9.1 A Visual Impact Assessment ("VIA") was conducted in support of the previous Planning Application (No. A/H5/414) for Minor Relaxation of Building Height to 129.95mPD. All assessed VPs demonstrate that the visual impact of the Proposed Minor Relaxation is considered to be negligible. The degree of visual change is minor as the site is surrounded by a dense built environment. The VIA concludes that the Proposed Development will be compatible with the surrounding area and will not induce adverse visual impact. The greenery will also bring about enhancement to the visual resources and positive visual effect to public viewers.

5.9.2 Urban Design and Landscape Section of Planning Department and Architectural Services Department confirmed in the TPB Paper No. A/H5/414 that the proposed Minor Relaxation of BHR to 129.95mPD will not induce significant adverse impacts to the surrounding area (*Para 9.14 of TPB paper No. A/H5/414B refers*).

5.9.3 The Proposed Development has the same BH of 129.95mPD as the previous Scheme. The conclusion of the VIA should remain valid for the Proposed Development.

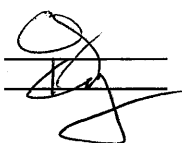
5.10 Transport Consideration

- 5.10.1 The 2020 Approved Building Plans has nil provision of on-site transport facilities while the Previous Scheme had one disabled parking space. Following discussions with Transport Department, the Applicant now proposes to replace the disabled parking space with one (1) LGV L/UL space to cater for home removals, daily refuse collection and for logistics / delivery vehicles and to avoid the undesirable arrangement of on-street vehicle parking at Kennedy Road. Sufficient turning space is provided for LGV's driving into the ROW, that would otherwise have to drive backwards, creating safety issue at the ROW which is shared use by pedestrian and vehicles. Swept Path diagram is provided for the LGV at B2/F. Utilizing the remaining corner space at the LG2/F, two (2) Motorcycle Parking Spaces will also be provided.
- 5.10.2 The Traffic Technical Note in the previous Section 16 Application (No. A/H5/414) has assessed the traffic impact of the Proposed Development. According to the findings, the Proposed Minor Relaxation will only increase the traffic flow by 1-2 pcu/hr for both AM peak and PM peak as compared to the 2020 Approved GBP Scheme. The small increase in traffic generation and attraction shall not cause any additional adverse traffic impact to the local road network.
- 5.10.3 Meanwhile the Site is highly accessible, within 350m walking distance from the Wan Chai MTR Station, and is served by various bus routes at Queens Road East and Johnston Road. Metered Parking Space and Hourly Parking Spaces are also available within 300m walkable distance in Bamboo Grove, Hopewell Centre, Wu Chung House, The Avenue, 248 Queen's Road East, The Zenith and Hopewell Centre II under construction.
- 5.10.4 Having considered the proximity of the Application Site to various modes of public transport including the Wan Chai MTR Station, the minor increase in pcu/hour of the Proposed Minor Relaxation, availability of parking space in the vicinity and the site constraint restricting the provision of internal transport facilities, special circumstances have been demonstrated to support under provision of on-site transport facilities.

6 CONCLUSION

- 6.1 This Section 16 Planning Application seeks planning permission for Proposed Minor Relaxation of Permitted Residential Development on the Application Site. Having considered the TPB's rejection grounds of the Previous Scheme (TPB ref. A/H5/414), the Applicants have made every effort to incorporate additional planning and design merits through on and off-site initiatives including the incorporation of one on-site LGV L/U bay and 2 motorcycle parking spaces to avoid on-street L/UL activities and to improve safety along the ROW; and proposed improvement of the Spring Garden Lane steps to improve the safety, comfort and appearance of the street environment serving the local residents and students.
- 6.2 Other justifications for the Previous Scheme remain valid, including the utilization of permissible GFA with a minimum 3.15m FTF height to provide a better quality of living space for residents up to current market expectation; provision of max. 6 additional flats above the 2020 Approved Building Plans; compatibility with the surrounding area in terms of land use, building height and development intensity; and no anticipated adverse visual or traffic impact.
- 6.3 In light of the justifications and planning merits put forth in this SPS, we sincerely request the BOARD to give favourable consideration to this Application.

Edited &
Approved by: Cindy Tsang
Prepared by: Kelvin Chui

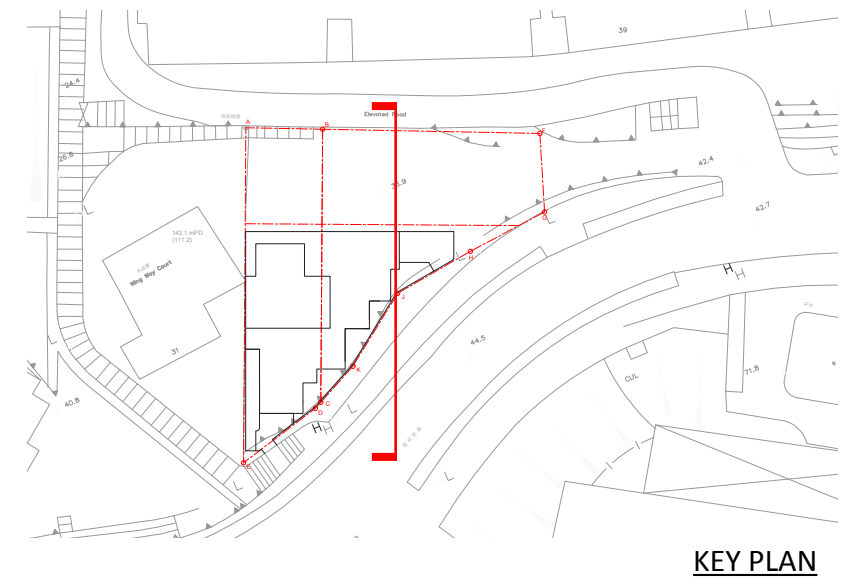
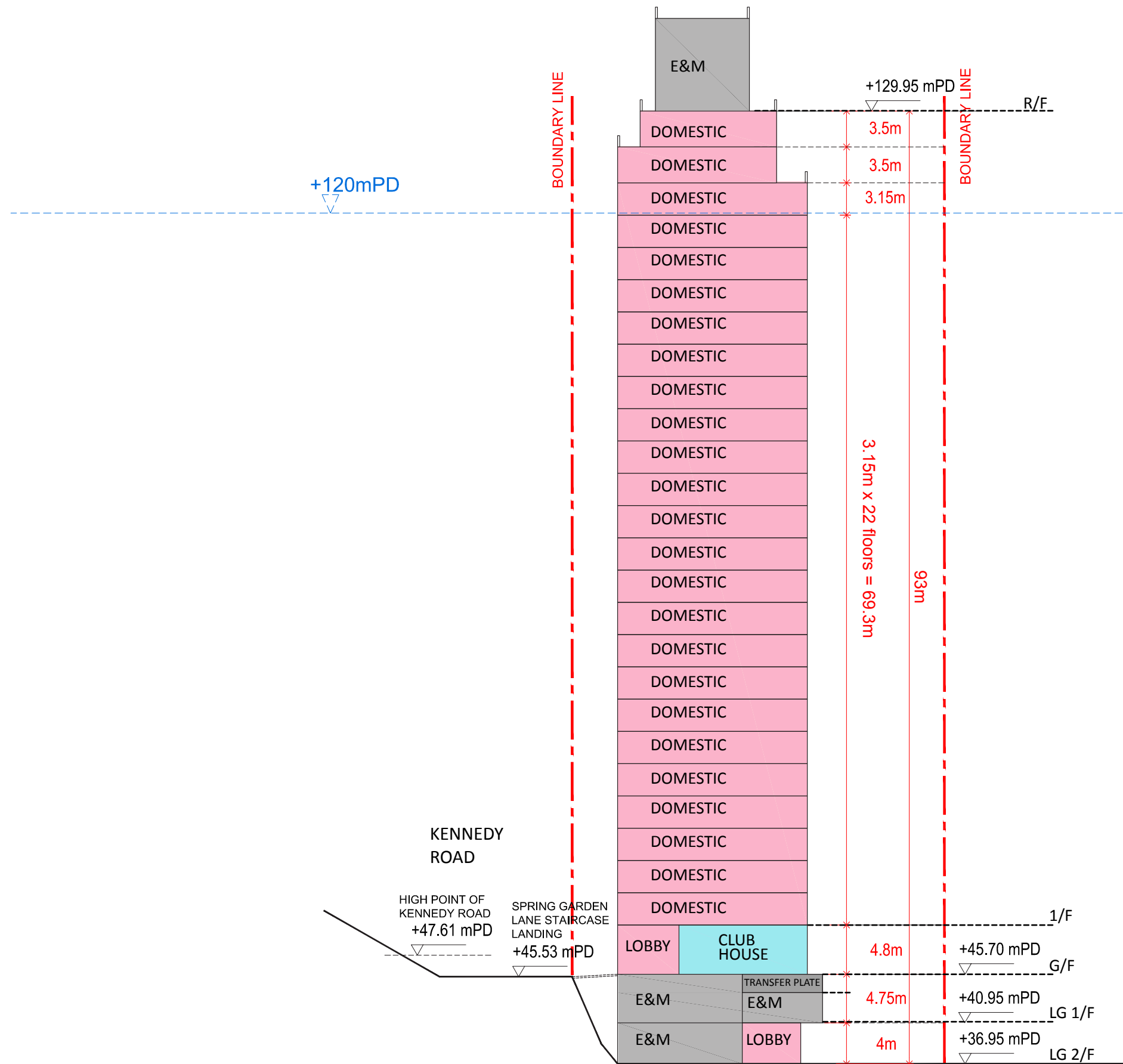


Date: 8 July 2022
File Ref: KRFWT




Appendix 1

ARCHITECTURAL DRAWINGS

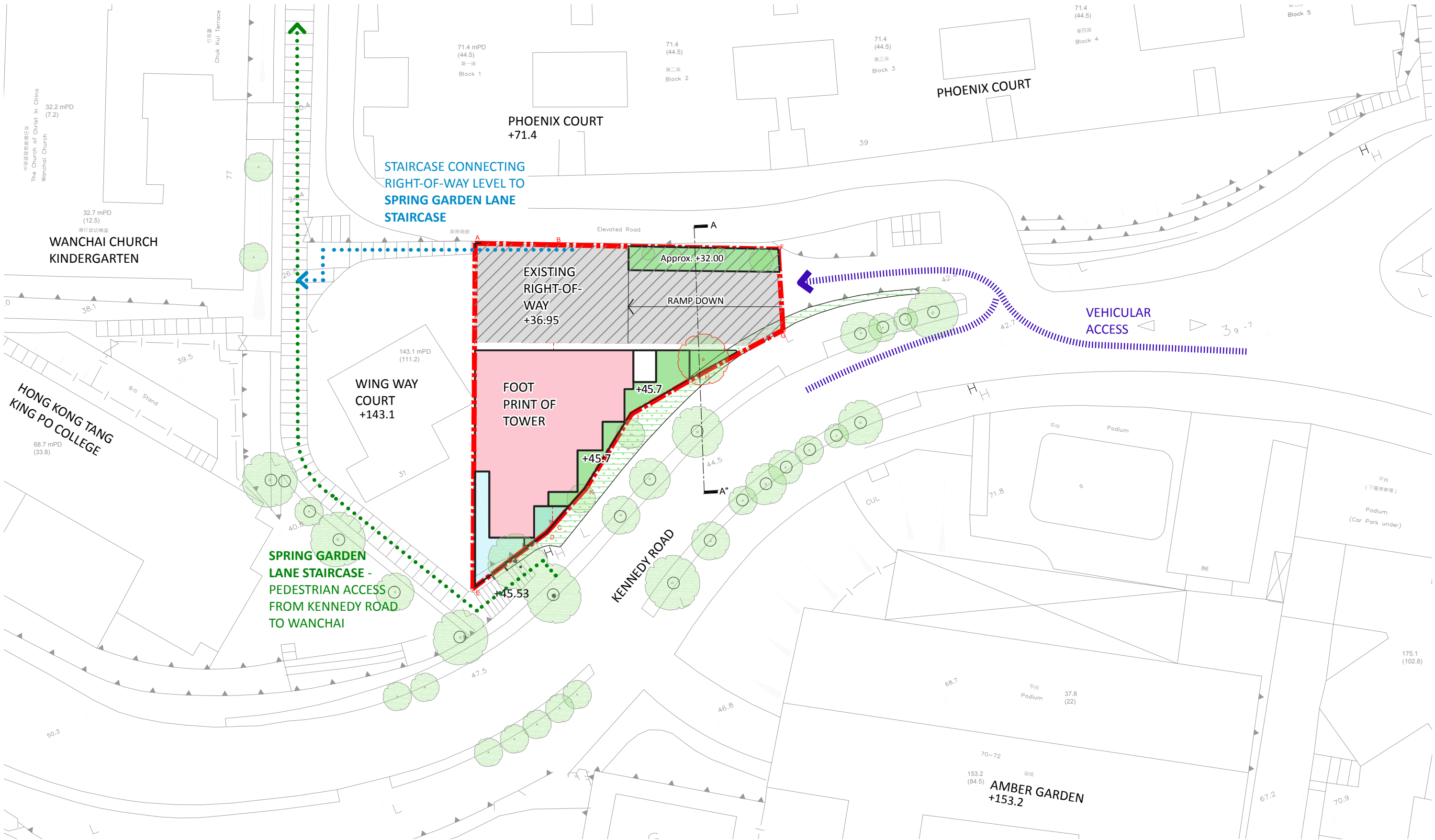
SECTION



LEGEND

-  EXISTING RIGHT-OF-WAY
 RESIDENTIAL TOWER
 LANDSCAPE AREA/ PLANTER LOCATION
 SITE BOUNDARY

MASTER LAYOUT PLAN



LG 2/F PLAN



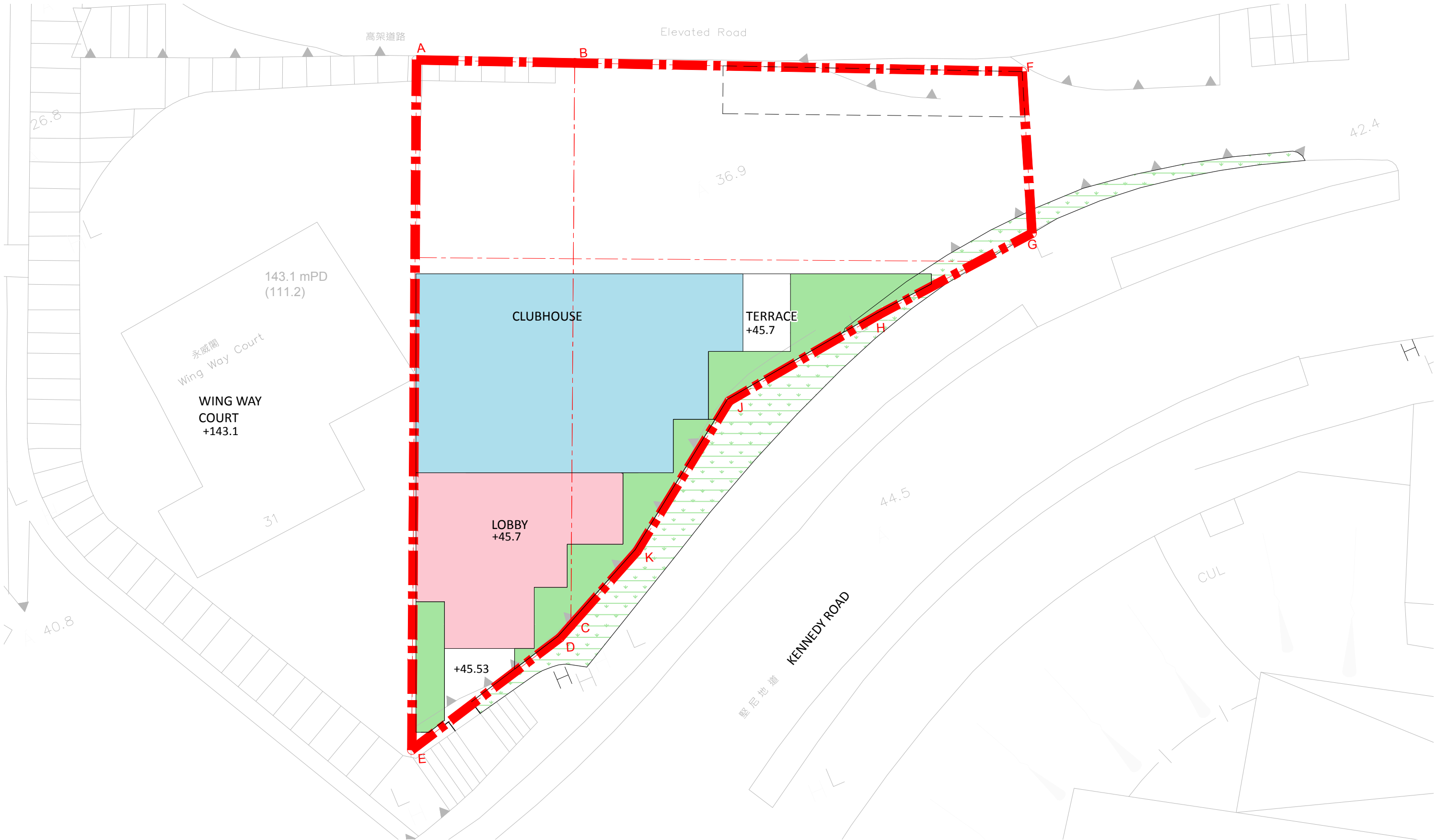
- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA/ PLANTER LOCATION
 - SITE BOUNDARY

LG 1/F PLAN



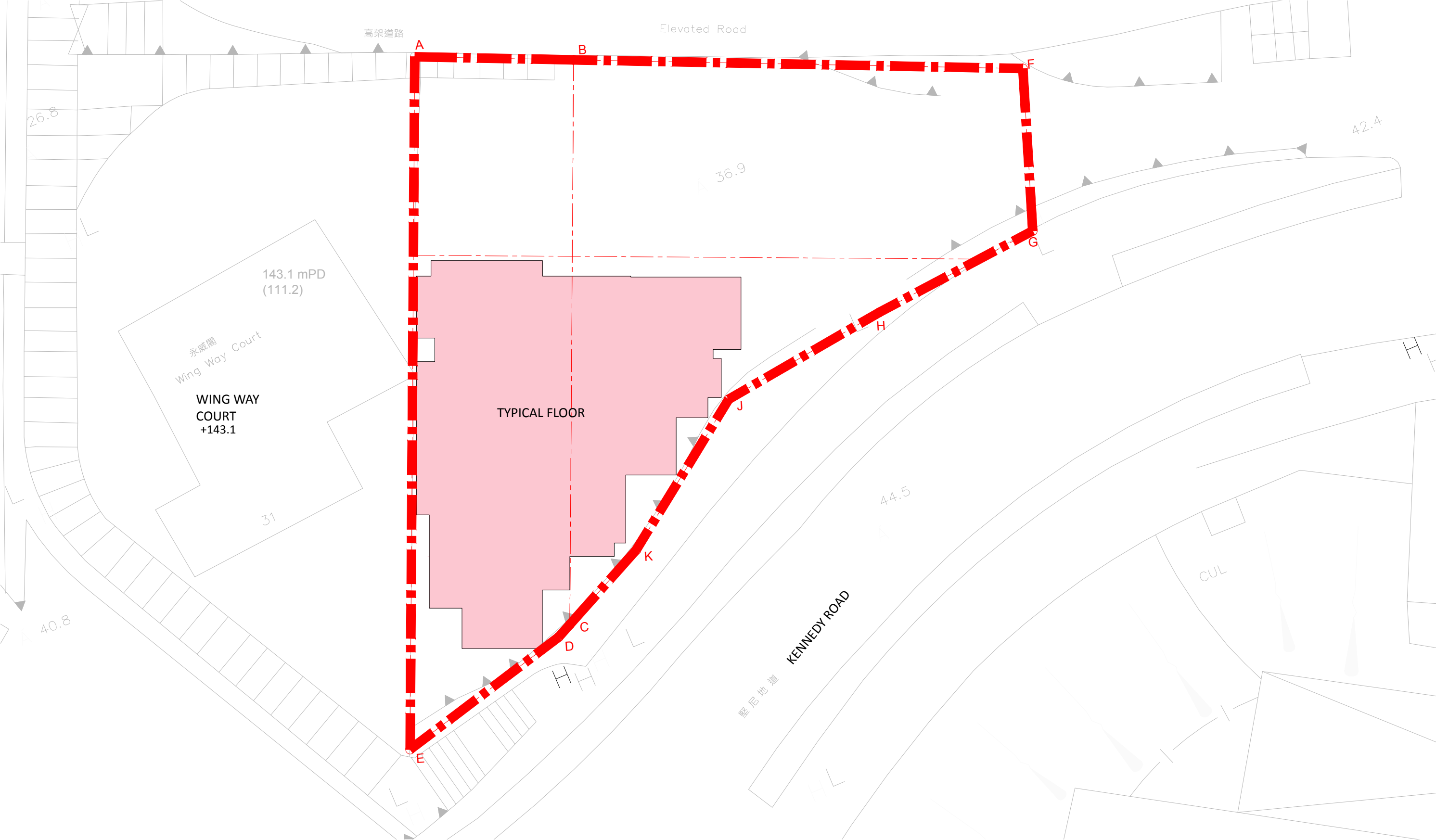
- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY

G/F PLAN



- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY

TYPICAL FLOOR PLAN - 1/F TO 23/F



- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY



SPECIAL UNIT FLOOR PLAN - 24/F

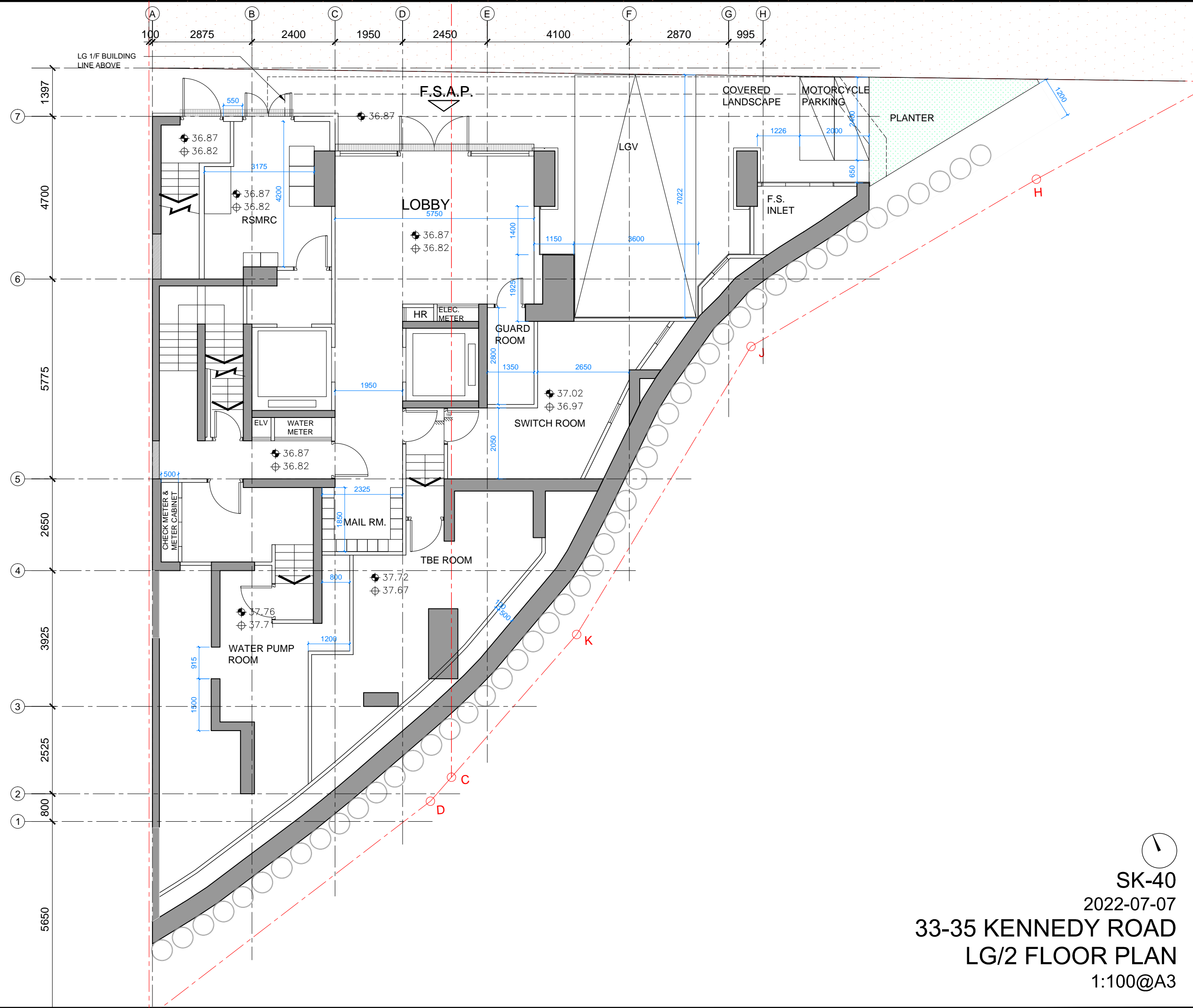


- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY

SPECIAL UNIT FLOOR PLAN - 25/F



- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY



SK-40
2022-07-07
33-35 KENNEDY ROAD
LG/2 FLOOR PLAN
1:100@A3

Appendix 2

SPRING GARDEN LANE STAIRCASE
IMPROVEMENT PROPOSAL



Proposed Residential Development at 33-35 Kennedy Road,
Wan Chai, Hong Kong

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

29 JUN 2022

Prepared by:
URBIS Limited

Client:
**Broad Profit Limited & Come First Limited c/o
The Development Studio Limited**

SCOPE OF WORKS

FIG.1 Proposed Extent of Enhancement Works

EXISTING CONDITIONS

FIG.2 Circulation Diagram
 FIG.3a Existing Conditions (Spring Garde Lane Staircase)
 FIG.3b Existing Conditions (Spring Garde Lane Staircase)
 FIG.3c Existing Conditions (Spring Garde Lane Staircase)
 FIG.3d Existing Conditions (Spring Garde Lane Staircase)
 FIG.3e Existing Conditions (Kennedy Road Railing)
 FIG.4a Existing Utilities (Lamp & Lamp Post)
 FIG.4b Existing Utilities (Manhole)
 FIG.4c Existing Utilities (Fire Hydrant)
 FIG.4d Existing Utilities (Street Sign)

DESIGN ENHANCEMENT PROPOSAL

FIG.5a Design Enhancement Proposal (Steps Finishes)
 FIG.5b Design Enhancement Proposal (Steps Finishes)
 FIG.5c Design Enhancement Proposal (Steps Finishes)
 FIG.5d Design Enhancement Proposal (Steps Landing Platform)
 FIG.5e Design Enhancement Proposal (Handrails)
 FIG.5f Design Enhancement Proposal (Handrails)
 FIG.5g Design Enhancement Proposal (Kennedy Road Railing)
 FIG.5h Design Enhancement Proposal (Street Lamp Post)
 FIG.5i Design Enhancement Proposal (Additional Public Seating)

RENDERINGS

FIG.6a Section A
 FIG.6b Section B
 FIG.7a Photo Montage A
 FIG.7b Photo Montage B
 FIG.7c Photo Montage C
 FIG.7d Photo Montage D
 FIG.7e Photo Montage E
 FIG.7f Photo Montage F
 FIG.7g Photo Montage G
 FIG.7h Photo Montage H
 FIG.7i Photo Montage I
 FIG.7j Photo Montage J
 FIG.7k Photo Montage K
 FIG.7l Photo Montage L
 FIG.8a Perspective A
 FIG.8b Perspective B





SCOPE OF WORKS

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

LEGEND:

Extent of WORKS at
Spring Garden Lane Staircase



Extent of WORKS at
Kennedy Road

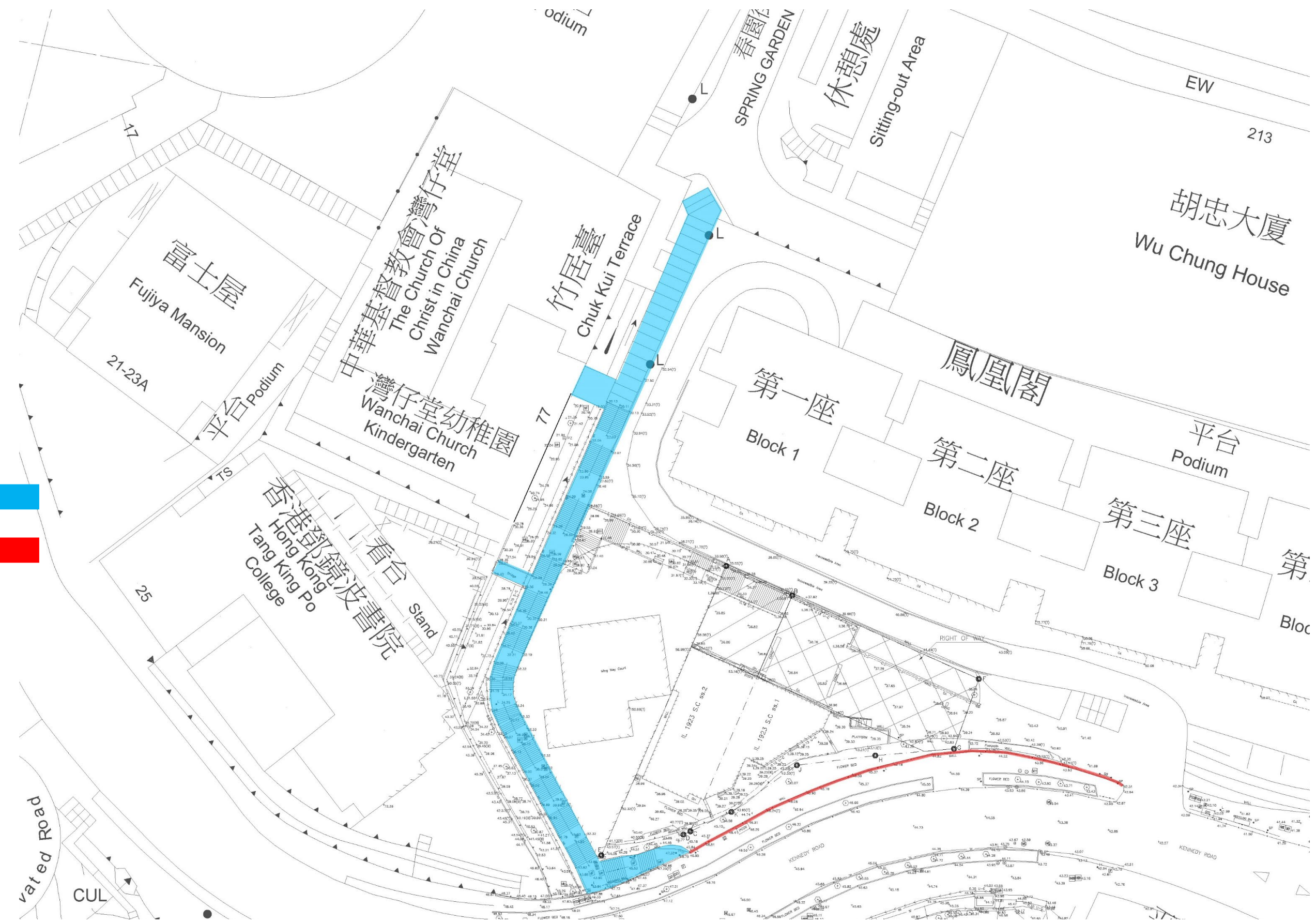


FIG.1 PROPOSED EXTENT OF ENHANCEMENT WORKS



EXISTING CONDITIONS

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

LEGEND:

- Main thoroughfare
- From Hopewell Center (L1)
- Phoenix Court Side Entry
- To Chuk Kui Terrace/Kinder Garten
- Wing Way Court Door Access
- From Kennedy Road

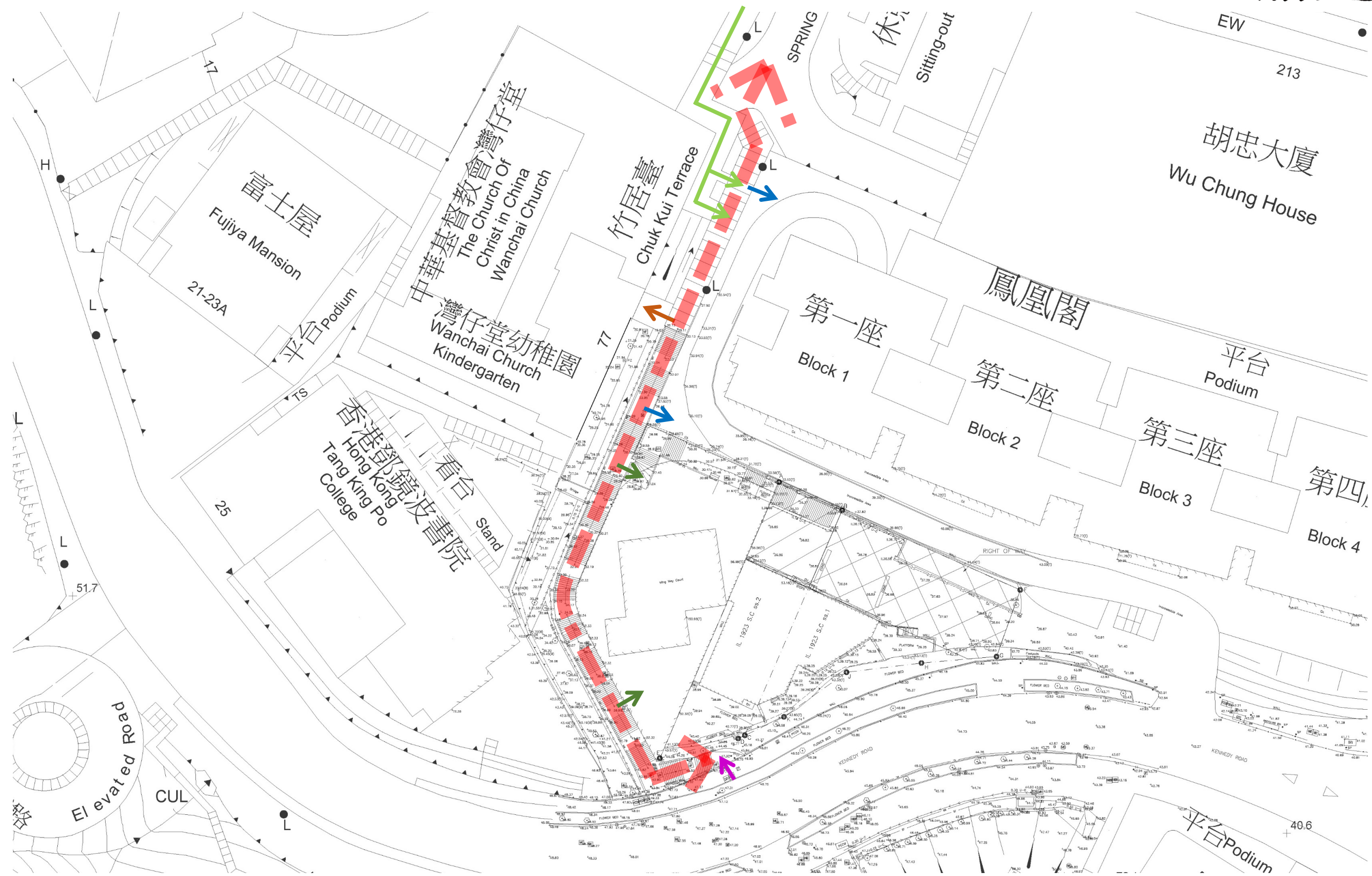
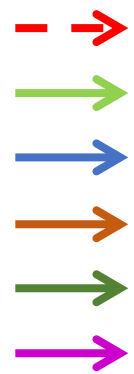


FIG.2 CIRCULATION DIAGRAM

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

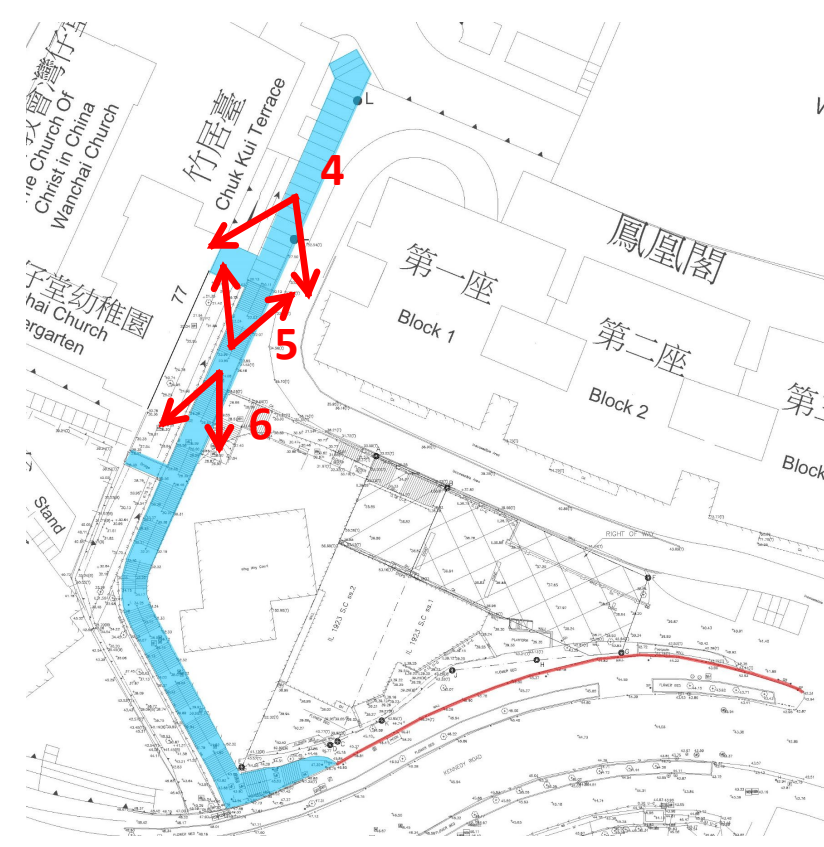


FIG.3b EXISTING SITE CONDITIONS (Spring Garden Lane Staircase)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

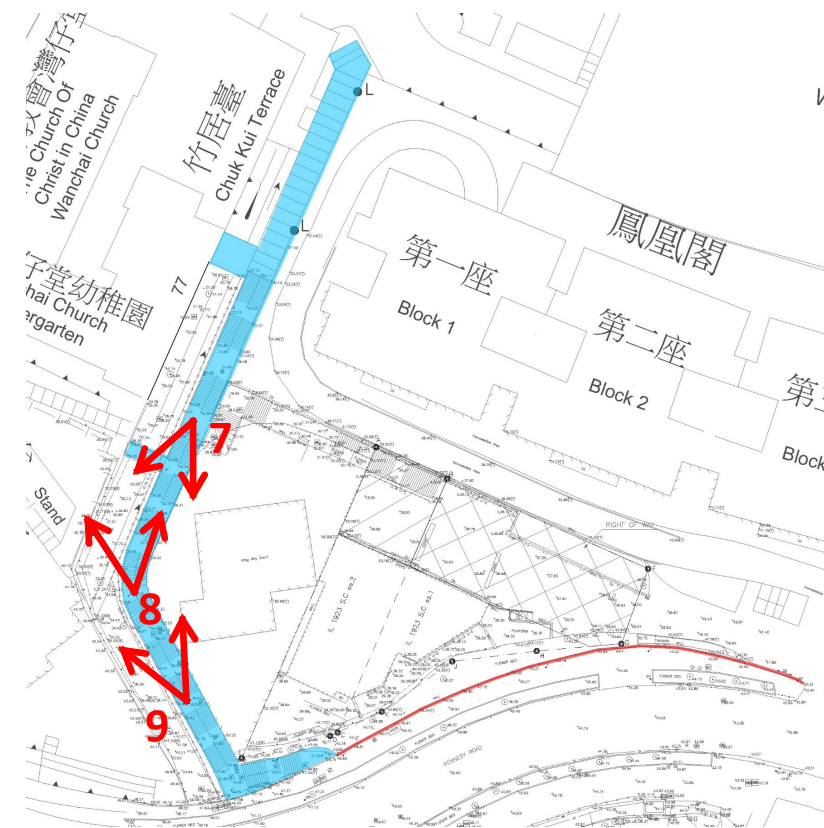


FIG.3c EXISTING SITE CONDITIONS (Spring Garden Lane Staircase)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

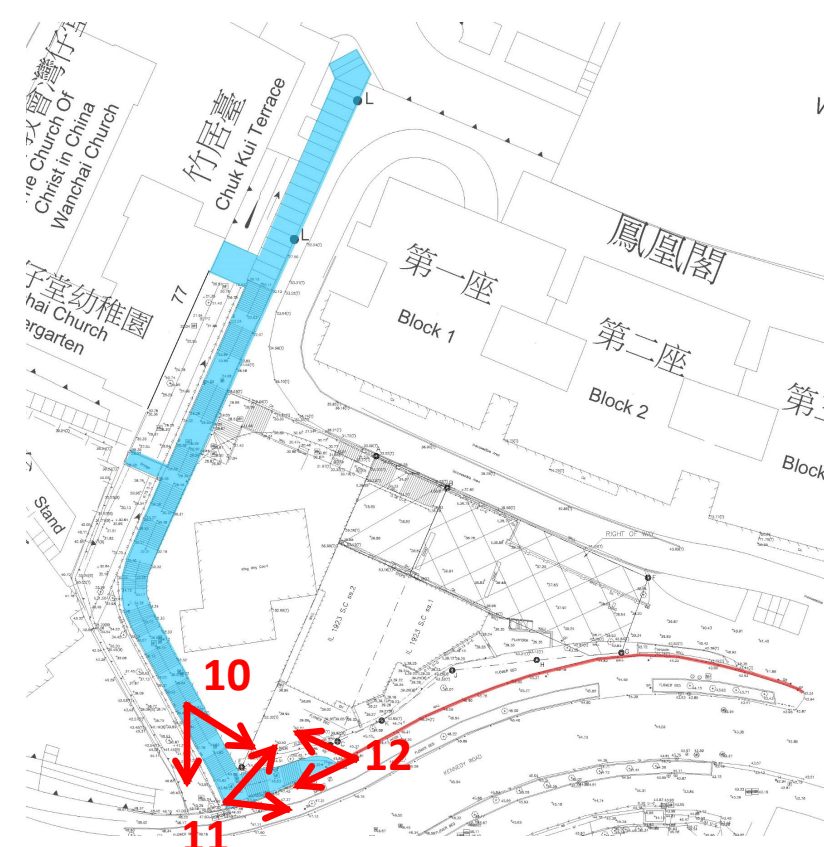


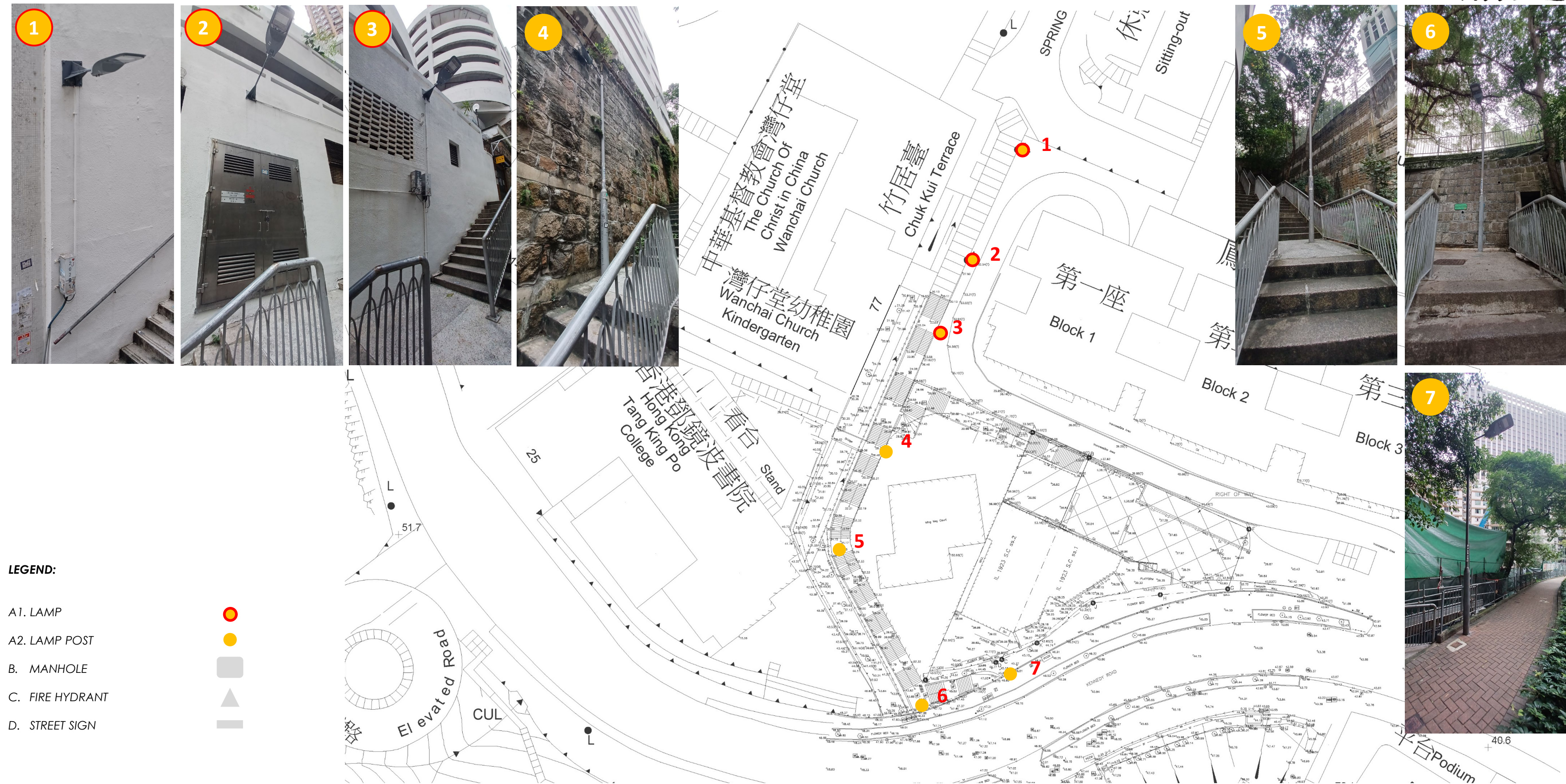
FIG.3d EXISTING SITE CONDITIONS (Spring Garden Lane Staircase)

雅邦



FIG.3e EXISTING SITE CONDITIONS (Spring Garden Lane Staircase)

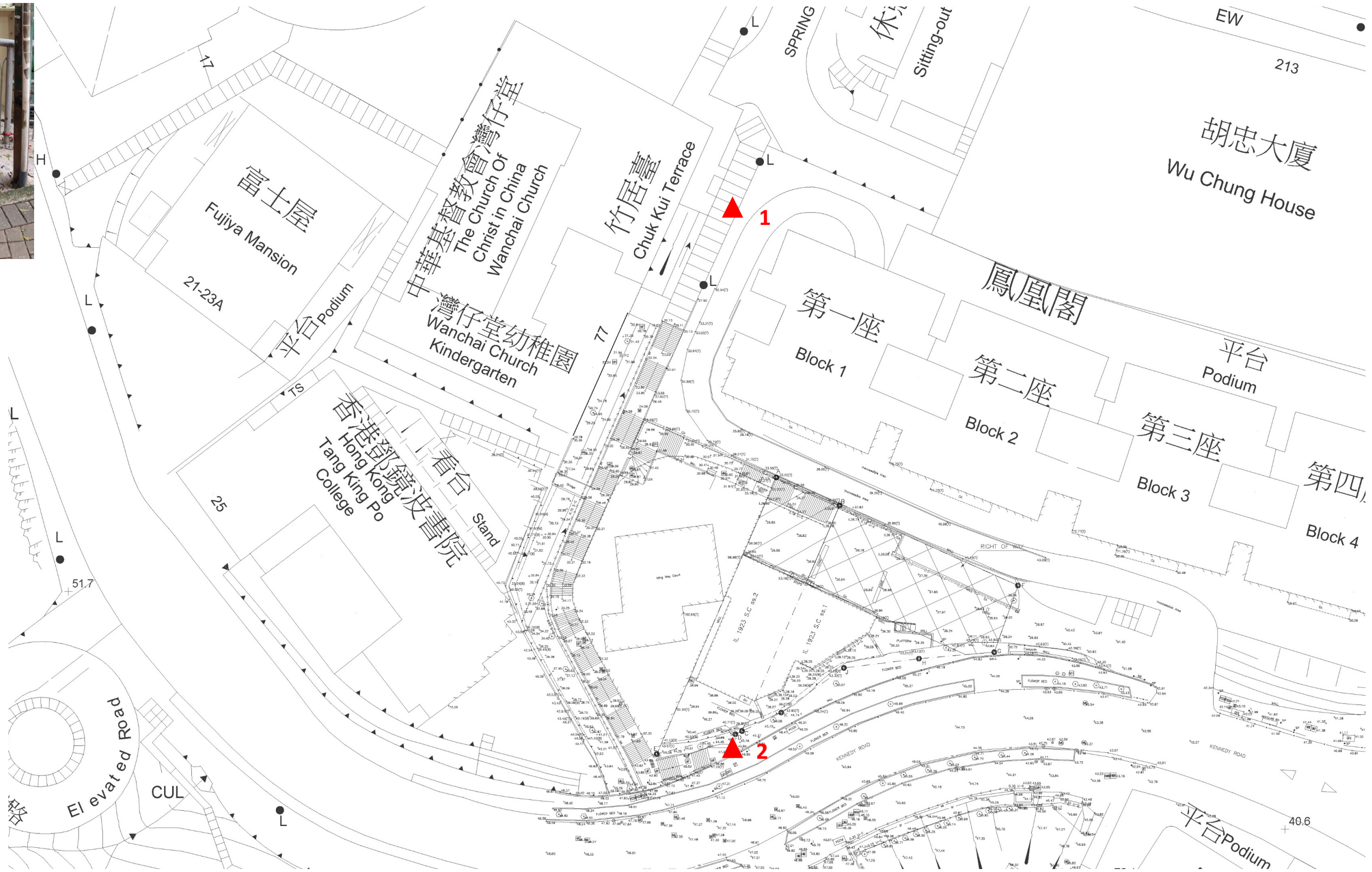
Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

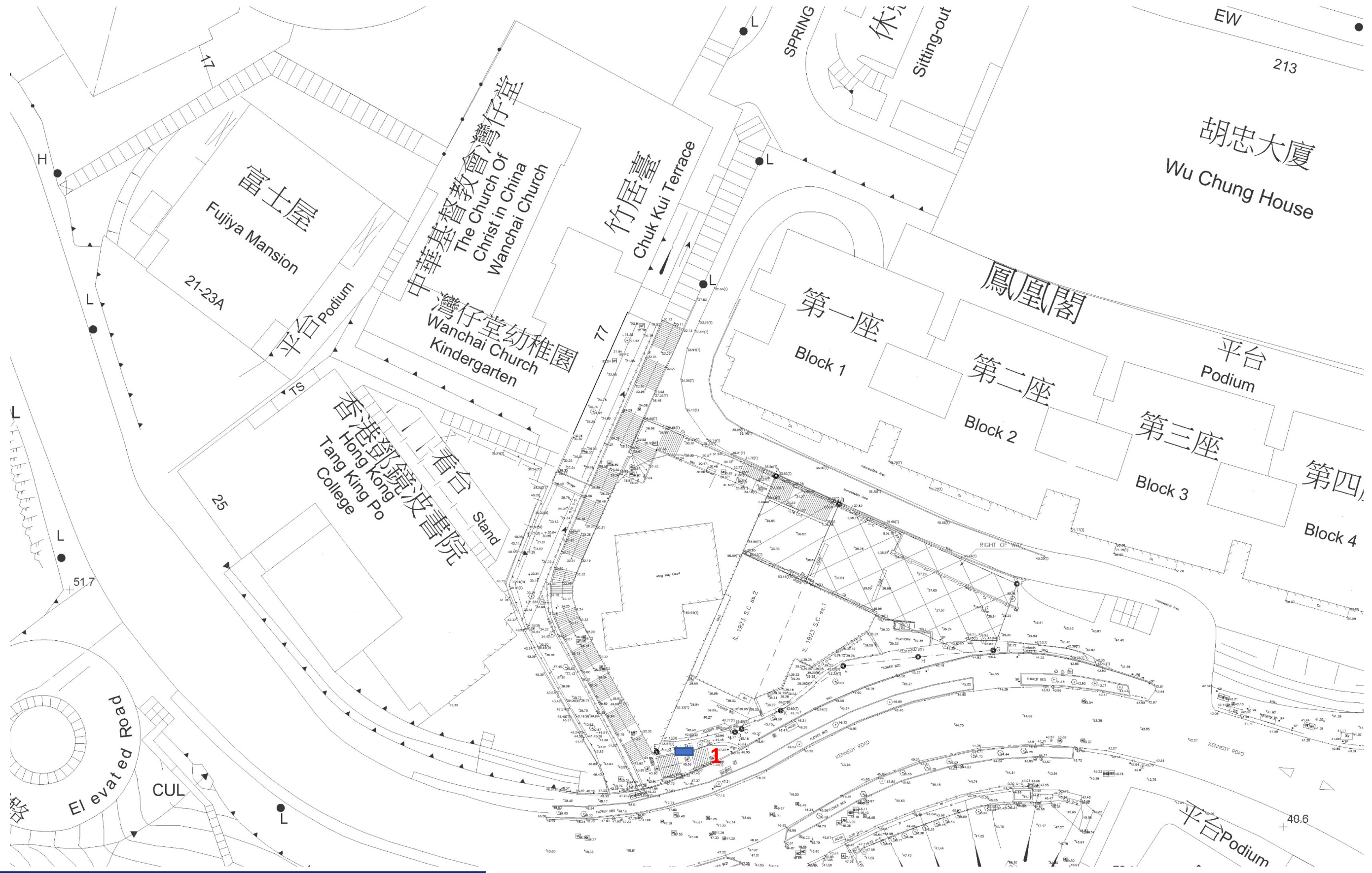


LEGEND:

- A1. LAMP
- A2. LAMP POST
- B. MANHOLE
- C. FIRE HYDRANT
- D. STREET SIGN

FIG.4c EXISTING UTILITIES (Fire Hydrant)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



- LEGEND:**
- A1. LAMP
 - A2. LAMP POST
 - B. MANHOLE
 - C. FIRE HYDRANT
 - D. STREET SIGN

FIG.4d EXISTING UTILITIES (Street Sign)

The background image shows a narrow alleyway between tall buildings. A long, straight flight of concrete stairs with metal railings leads up the center of the alley. The buildings on either side are multi-story, with some having balconies and others featuring vertical signage in Chinese characters. The scene is brightly lit, creating a high-contrast, almost washed-out effect in some areas. The overall atmosphere is one of an urban, possibly historical, setting.

DESIGN ENHANCEMENT PROPOSAL

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



FIG.5a DESIGN ENHANCEMENT PROPOSAL (Steps Finishes)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



Images are for reference only

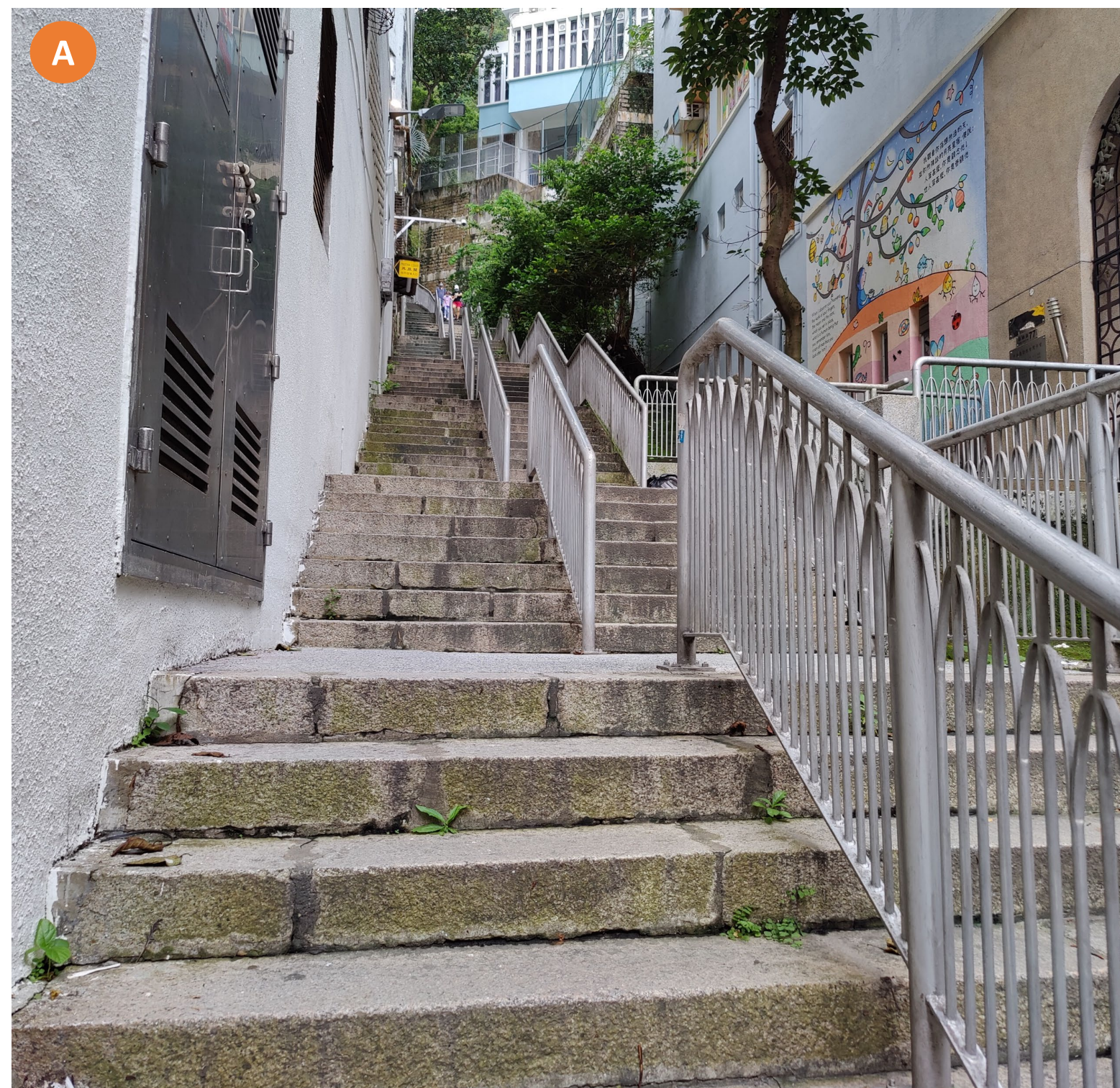


ENHANCEMENT PROPOSAL:

- A. Existing pebble wash steps finish to make good and refurbish with additional anti slip strip device
- B. Refurbished pebble wash steps
- C. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)

FIG.5b DESIGN ENHANCEMENT PROPOSAL (Steps Finishes)

雅邦

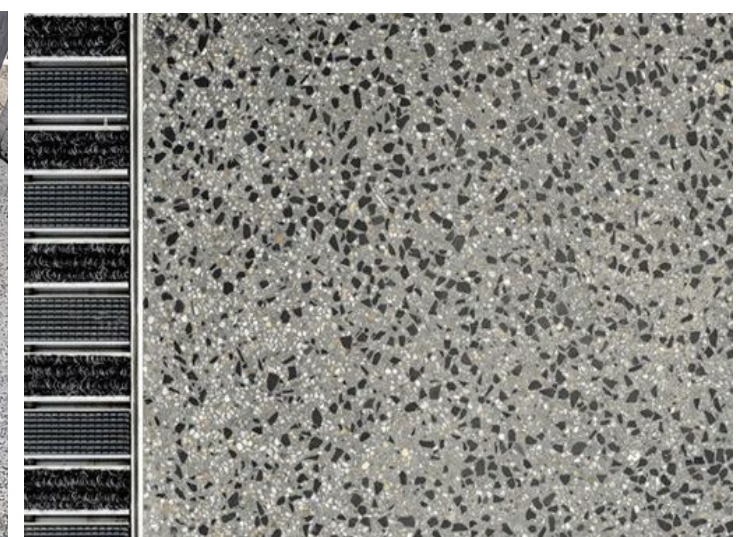


ENHANCEMENT PROPOSAL:

- A. Current granite slab steps adding anti slip strip device
B. Cleaning and touch-up existing granite slab
C. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)

FIG.5c DESIGN ENHANCEMENT PROPOSAL (Steps Finishes)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

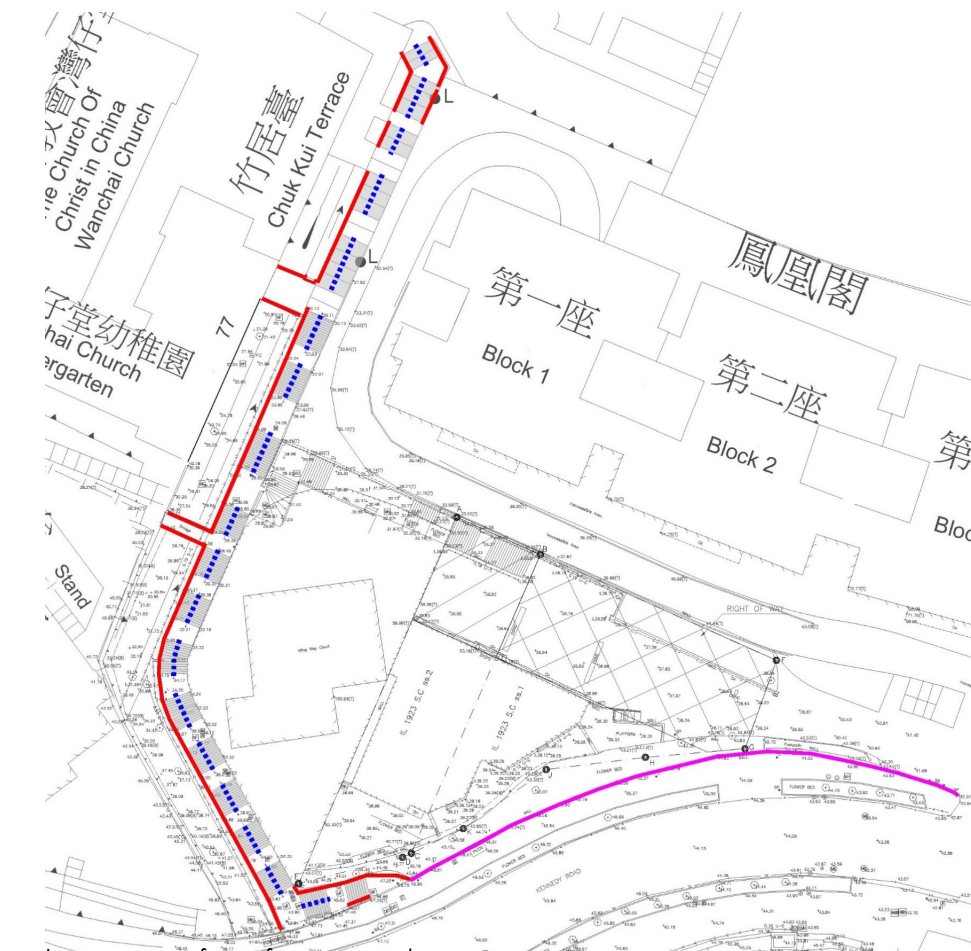


Images are for reference only

ENHANCEMENT PROPOSAL:
A. Existing landing floor finish to make good and refurbished to brand new Pebble Wash Finish

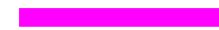
FIG.5d DESIGN ENHANCEMENT PROPOSAL (Steps Landing Platform)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



LEGEND:

- A. Re-Paint to Matt Black - Powder Coating (Spring Garden Lane Staircase)
- B. Re-Paint to Matt Black - Powder Coating and additional grab rail (Spring Garden Lane Staircase)
- C. New design railing (Kennedy Road Railing)



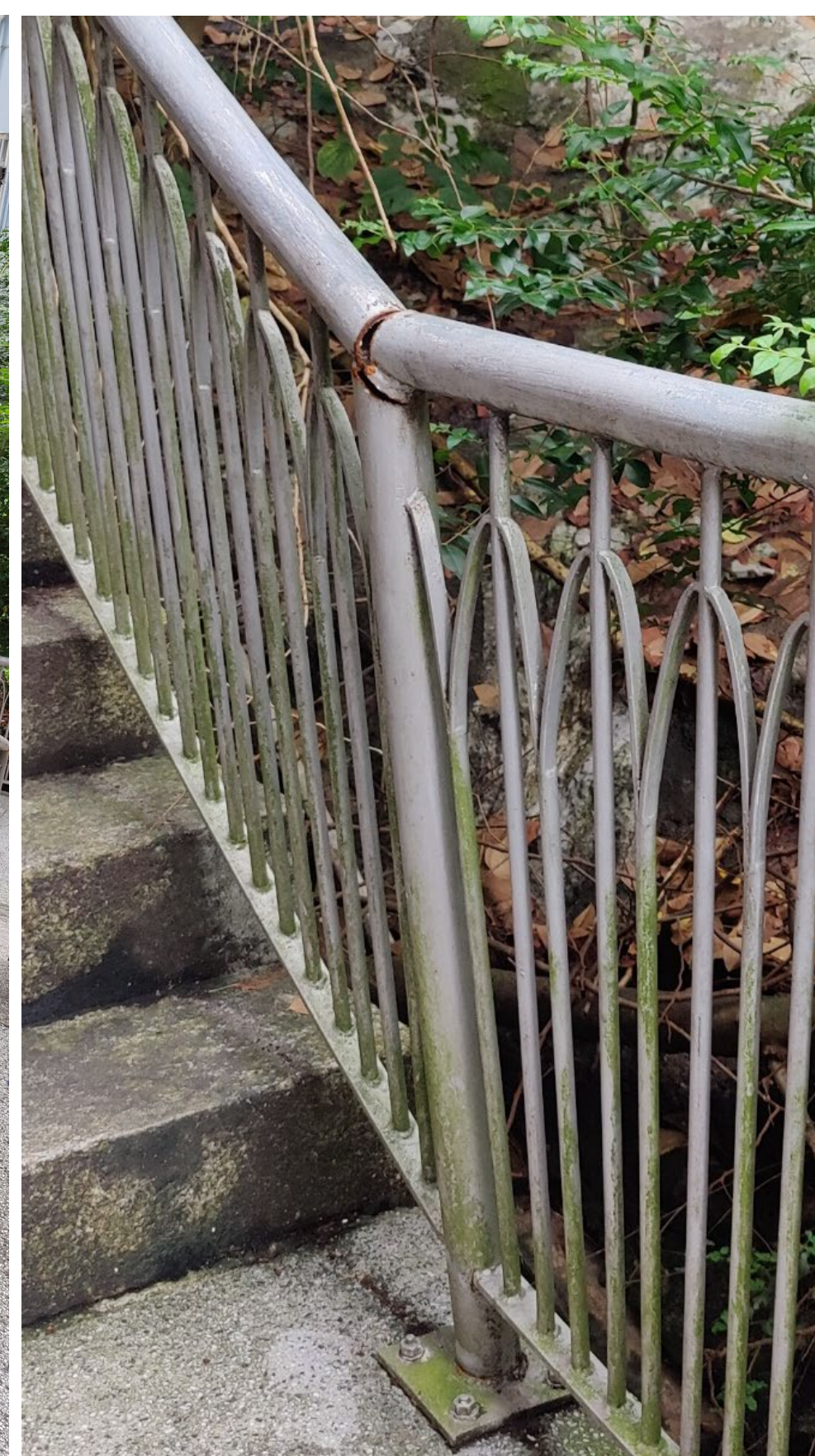
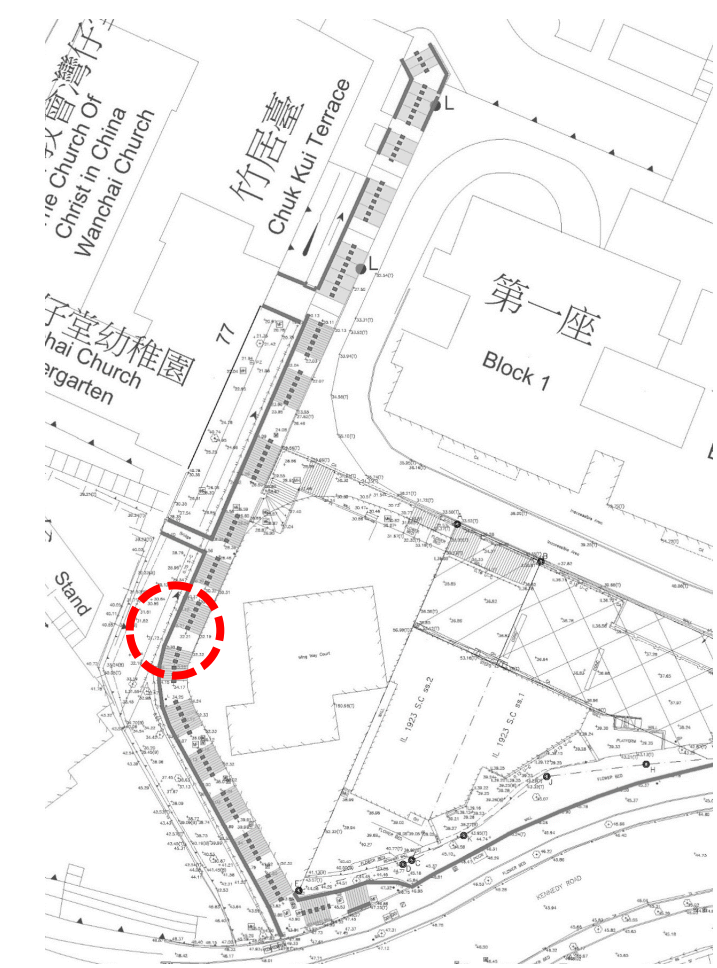
Images are for reference only



ENHANCEMENT PROPOSAL:

- A. Additional grab rail on existing railing for children's use
- B. Additional base cover plate to hide those exposed anchor bolts
- C. Re-painting and repairing existing handrail - Matt Black color

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



ENHANCEMENT PROPOSAL:
A. Repair and make good of the damage railing.

FIG.5f DESIGN ENHANCEMENT PROPOSAL (Handrails)

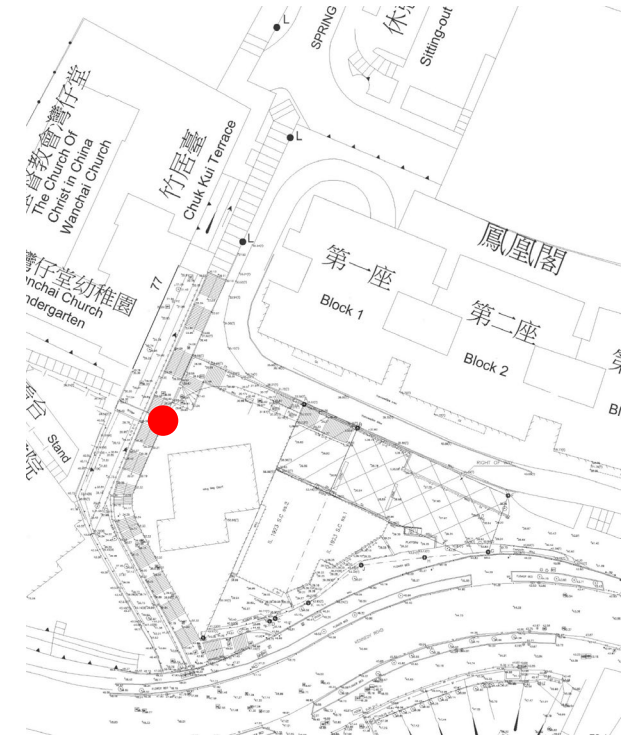


ENHANCEMENT PROPOSAL:
A. New Design character to give more aesthetic value to the public
B. Rhythmic pattern to provide more vibrant identity



FIG.5g DESIGN ENHANCEMENT PROPOSAL (Kennedy Road Railings)

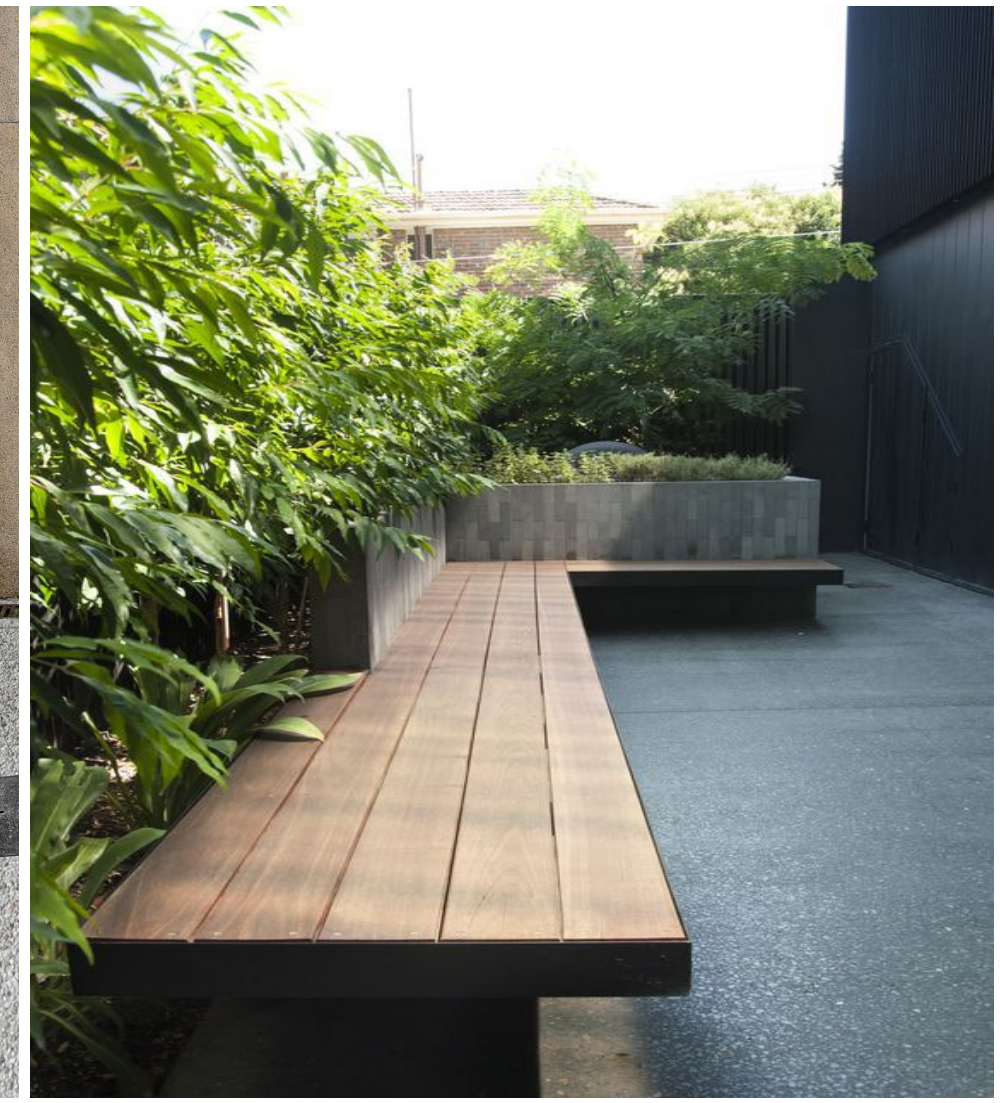
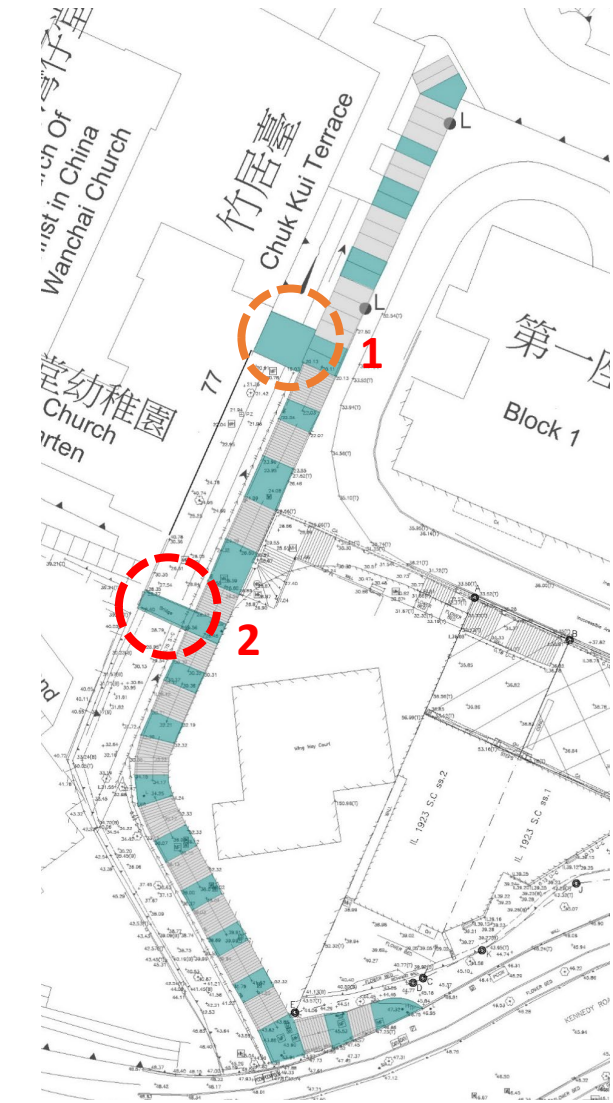
Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



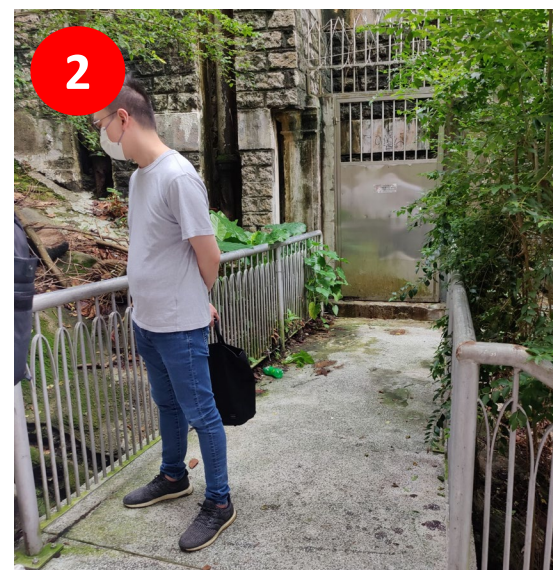
- ENHANCEMENT PROPOSAL:**
- A. Damaged Lamp Post due to previous Typhoon to be replaced with new one
 - B. Use same specs as current Lamp Post

FIG.5h DESIGN ENHANCEMENT PROPOSAL (Street Lamp Post)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



Images are for reference only



This area is too narrow to add seating bench

ENHANCEMENT PROPOSAL:
A. Install seating bench to create a resting place for elderly and children



RENDERINGS

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

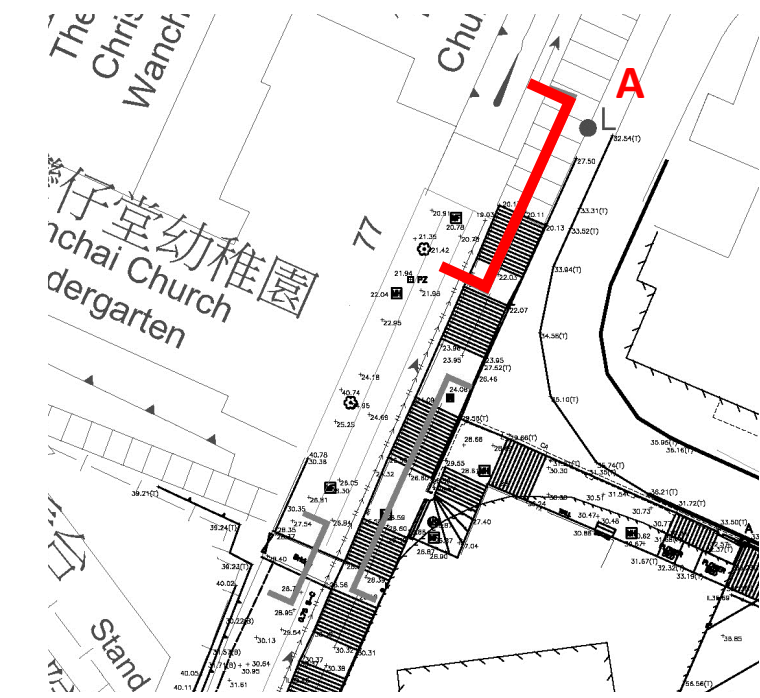


FIG.6a SECTION A

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

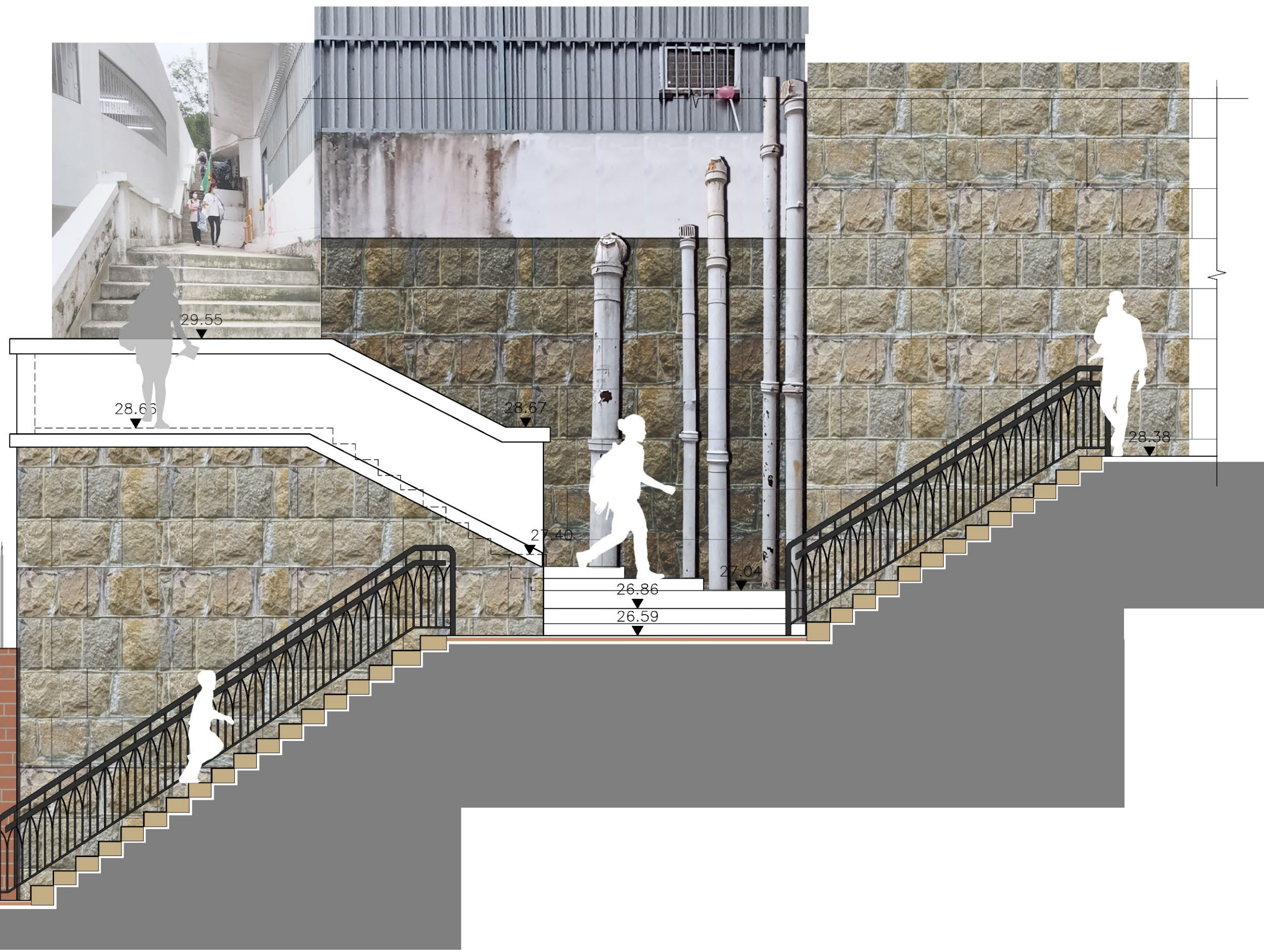
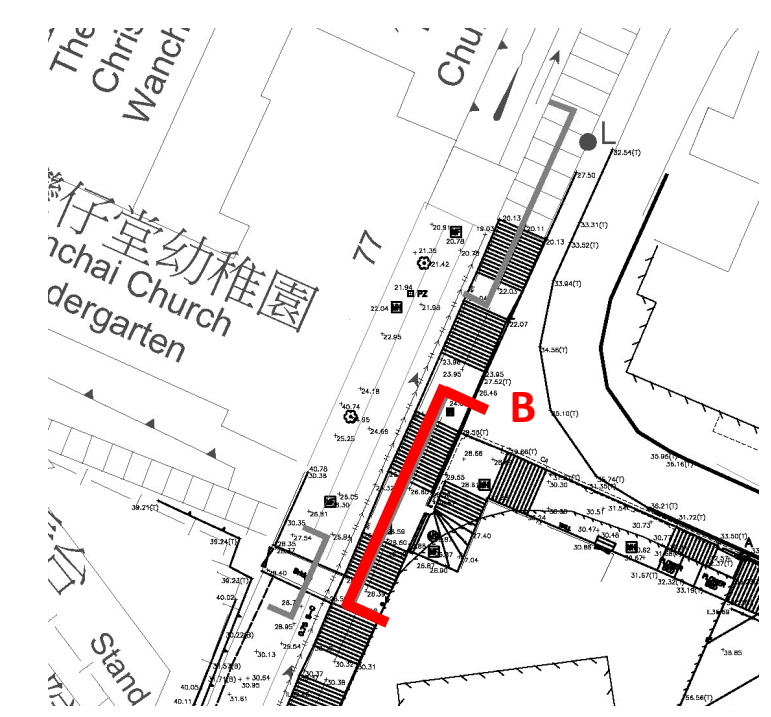
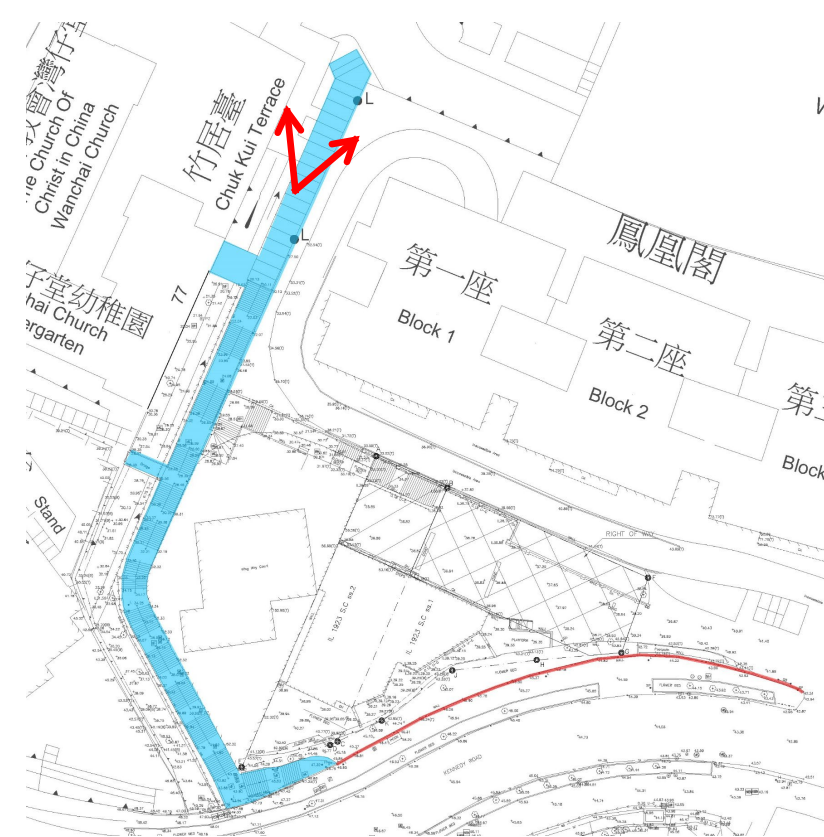


FIG.6b SECTION B

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



- ENHANCEMENT PROPOSAL:**
- A. Re-painting and repairing existing handrail
 - B. Additional grab rail for children (Middle Railing)
 - C. Refurbish and make good to new pebble wash steps
 - D. Steps adding anti slip strip device
 - E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
 - F. Re-paved existing pebble washed landing platform

FIG.7b PHOTO MONTAGE B

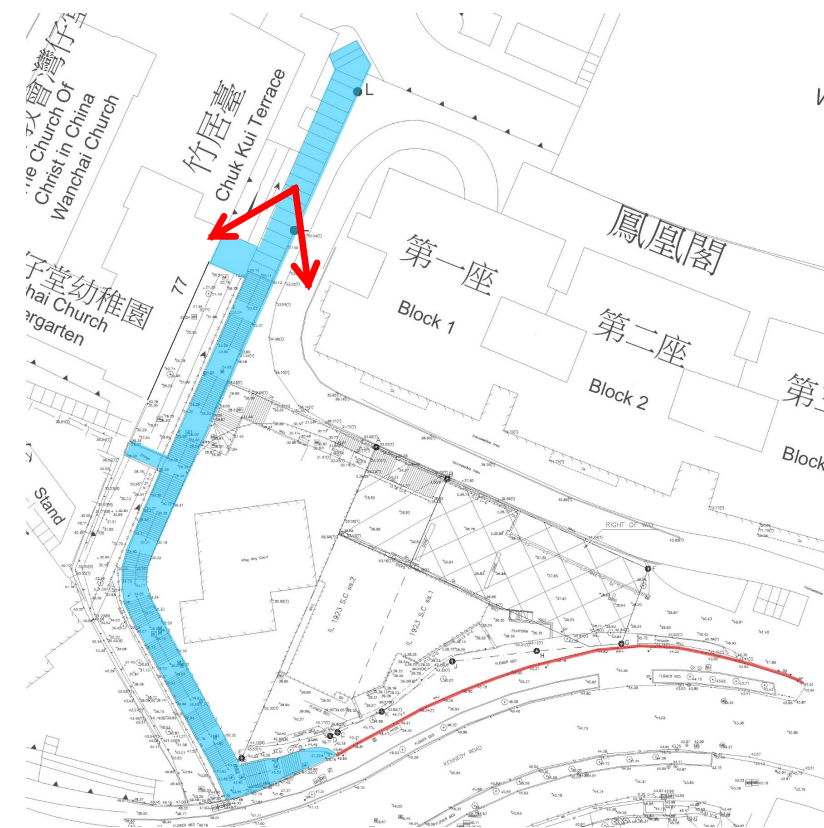
CURRENT



AFTER



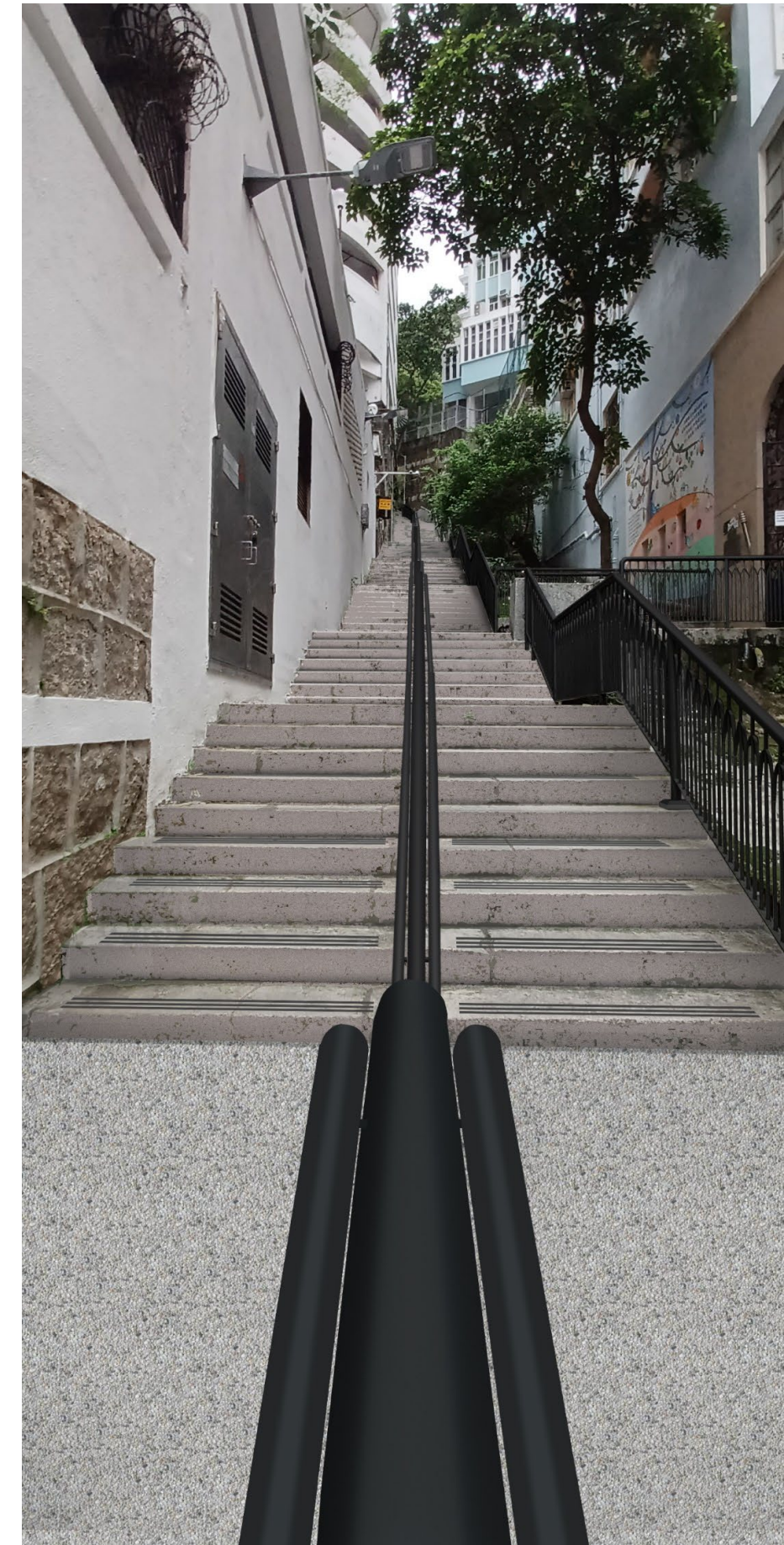
Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT



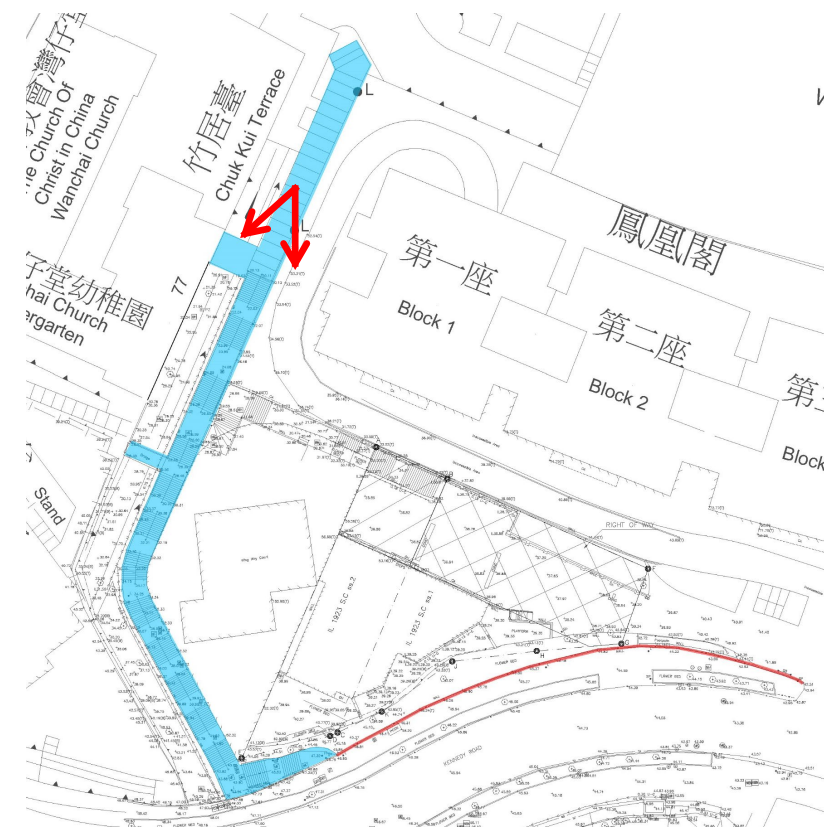
AFTER



ENHANCEMENT PROPOSAL:

- A. Re-painting of Existing Handrail
- B. Additional grab rail for children (Middle Railing)
- C. Current granite slab steps adding anti slip strip device
- D. Cleaning and touch-up existing granite slab
- E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
- F. Re-paved pebbles washed landing platform

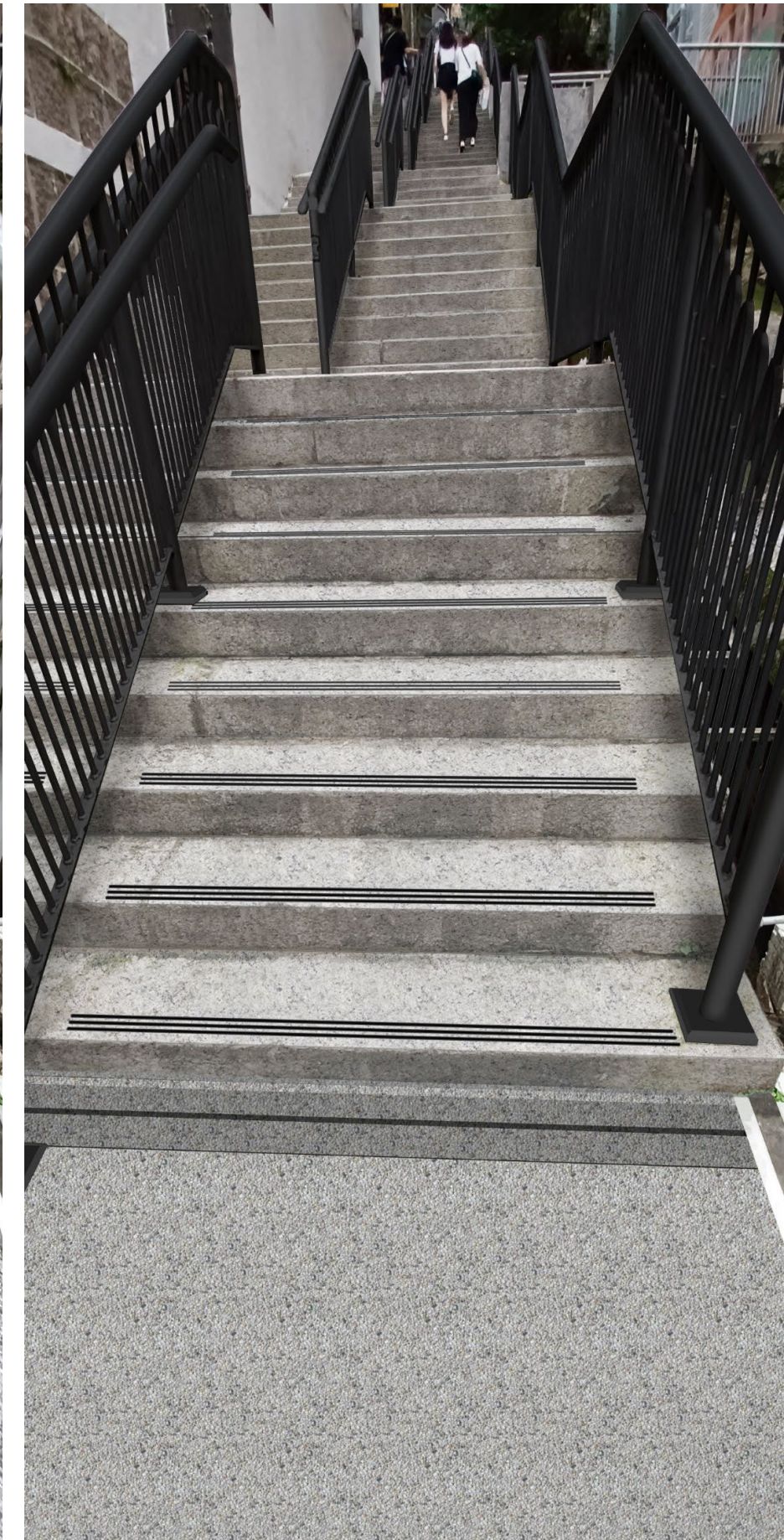
Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT



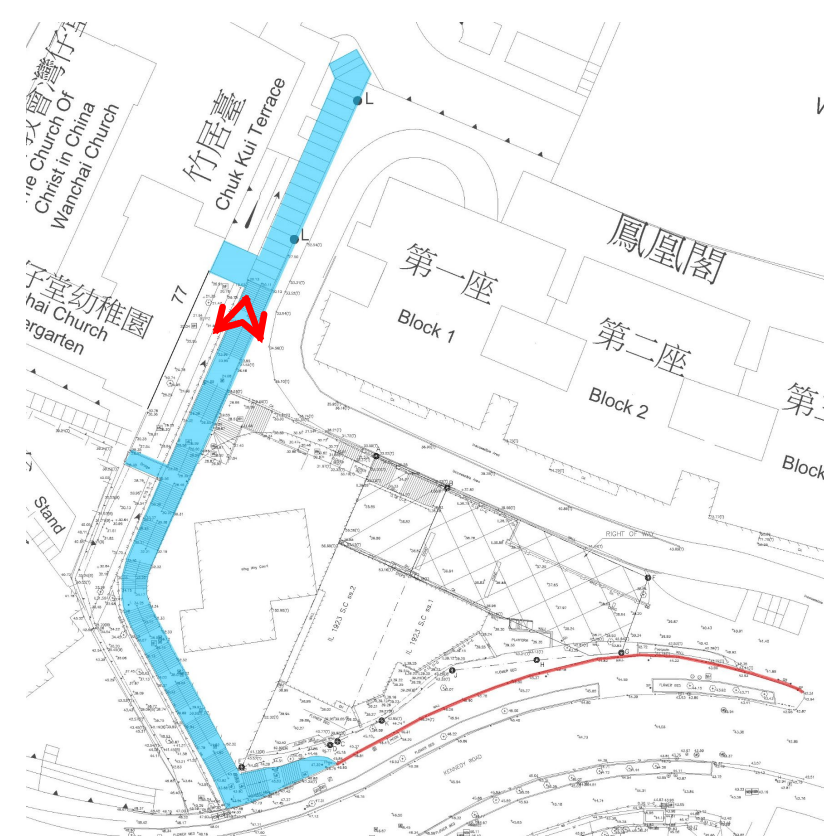
AFTER



ENHANCEMENT PROPOSAL:

- A. Re-painting of Existing Handrail
- B. Additional grab rail for children (Middle Railing)
- C. Current granite slab steps adding anti slip strip device
- D. Cleaning and touch-up existing granite slab
- E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
- F. Re-paved pebbles washed landing platform

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT



AFTER



- ENHANCEMENT PROPOSAL:**
- A. Make good of all damage railing
 - B. Additional base cover plate to hide those exposed anchor bolts

FIG.7e PHOTO MONTAGE E

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal

CURRENT

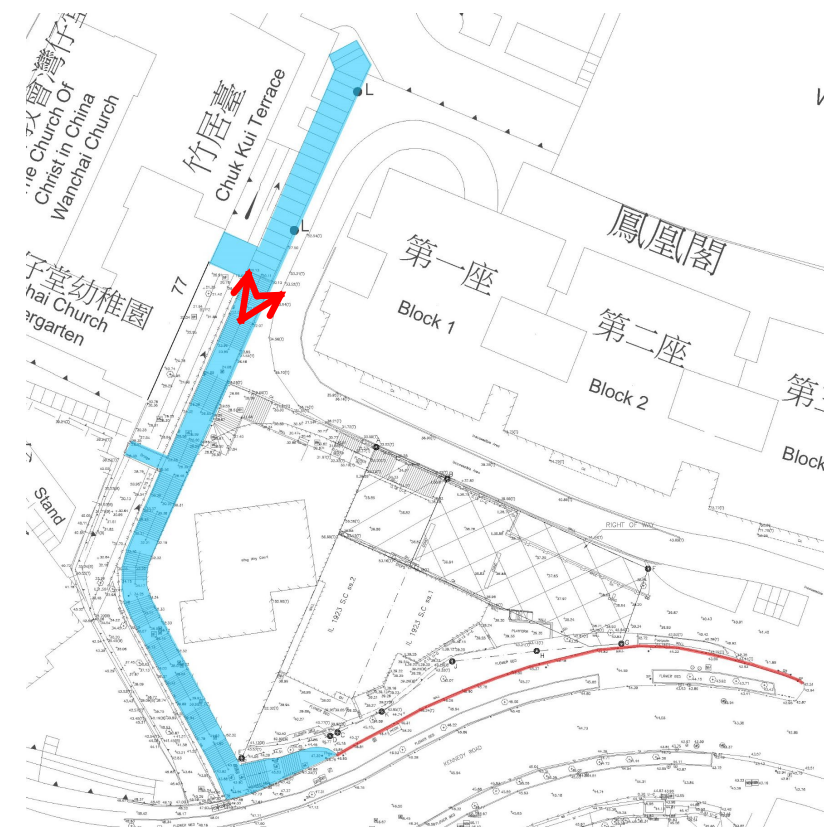


AFTER



- ENHANCEMENT PROPOSAL:**
- A. Re-painting of Existing Handrail
 - B. Additional grab rail for children (Middle Railing)
 - C. Current granite slab steps adding anti slip strip device
 - D. Cleaning and touch-up existing granite slab
 - E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
 - F. Re-paved pebbles washed landing platform

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT



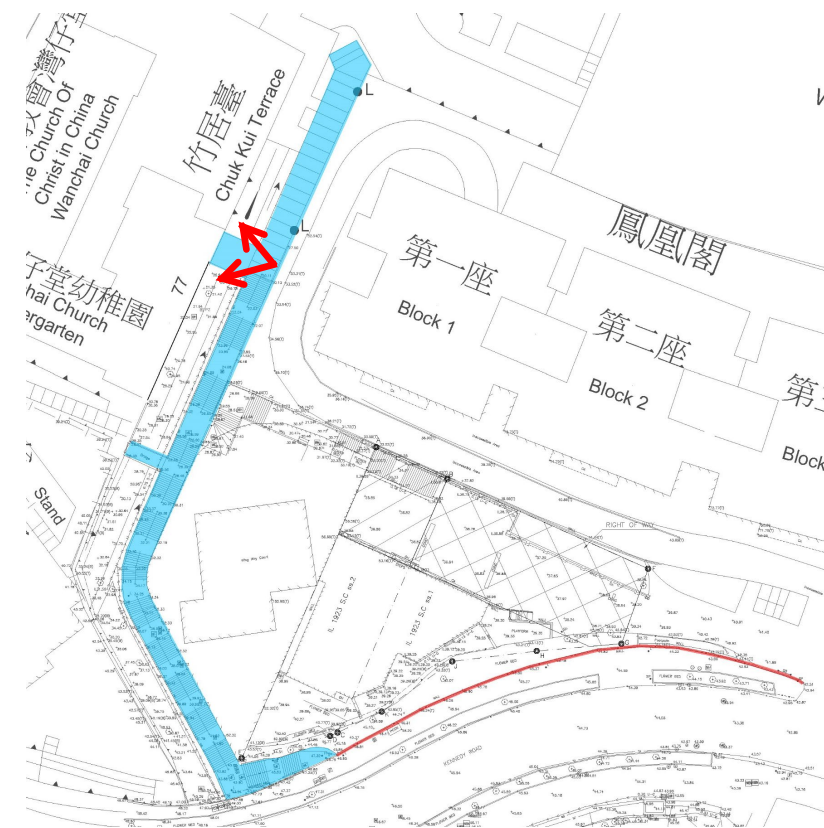
AFTER



ENHANCEMENT PROPOSAL:

- A. Current granite slab steps adding anti slip strip device
- B. Cleaning and touch-up existing granite slab
- C. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT

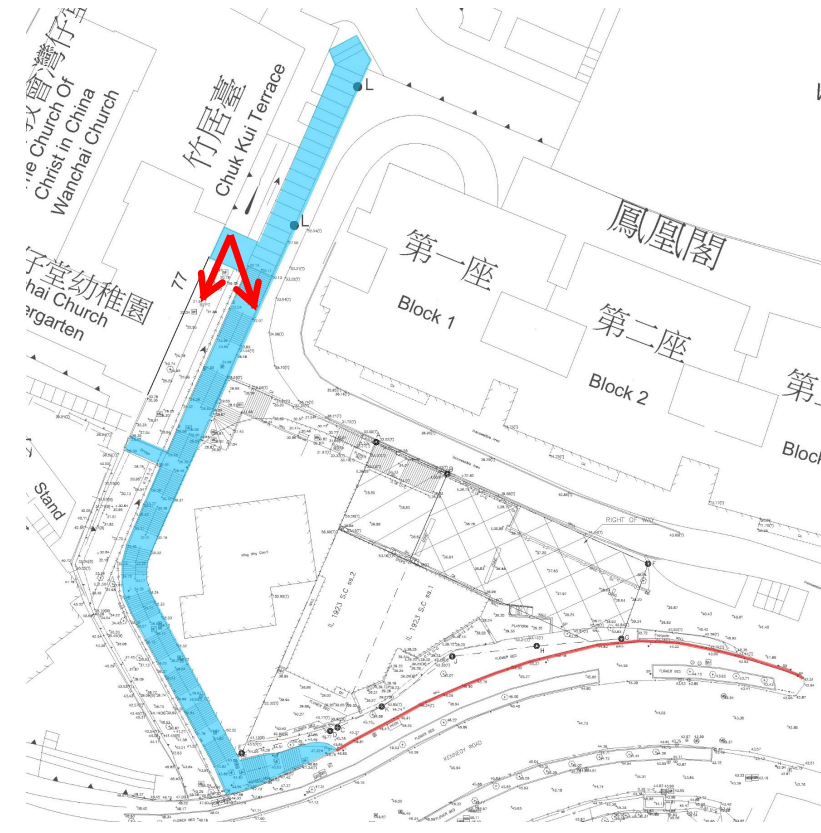


AFTER



- ENHANCEMENT PROPOSAL:**
- A. Proposed a seating Bench
 - B. Re-painting of Existing Handrail
 - C. Re-paved pebbles washed landing platform

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



CURRENT



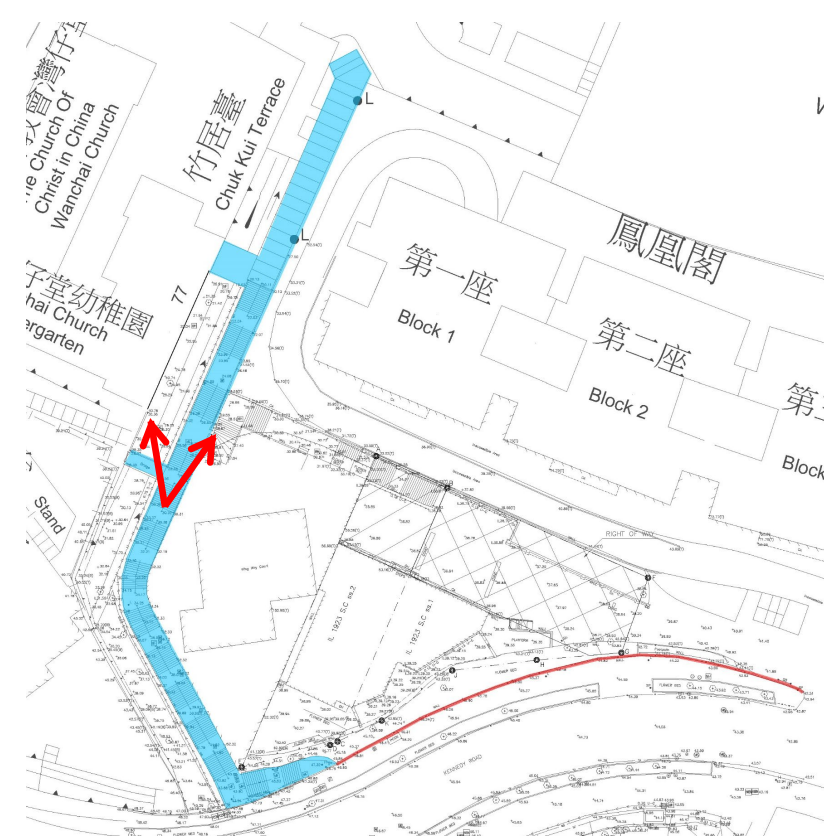
AFTER



ENHANCEMENT PROPOSAL:

- A. Proposed a seating Bench
- B. Re-painting of Existing Handrail
- C. Additional grab rail for children (Middle Railing)
- D. Current granite slab steps adding anti slip strip device
- E. Cleaning and touch-up existing granite slab
- F. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
- G. Re-paved pebbles washed landing platform

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



- ENHANCEMENT PROPOSAL:**
- A. Re-painting of Existing Handrail
 - B. Additional grab rail for children (Middle Railing)
 - C. Current granite slab steps adding anti slip strip device
 - D. Cleaning and touch-up existing granite slab
 - E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
 - F. Re-paved pebbles washed landing platform

CURRENT

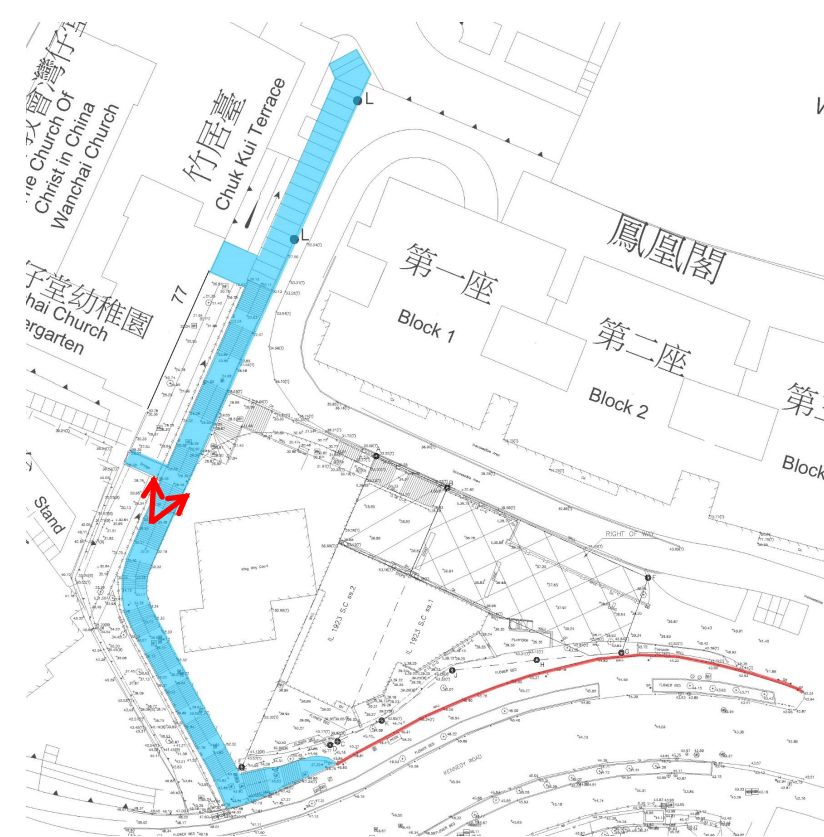


AFTER



FIG.7j PHOTO MONTAGE J

Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



- ENHANCEMENT PROPOSAL:**
- A. Re-painting of Existing Handrail
 - B. Additional grab rail for children (Middle Railing)
 - C. Cleaning and touch-up existing granite slab

FIG.7k PHOTO MONTAGE K

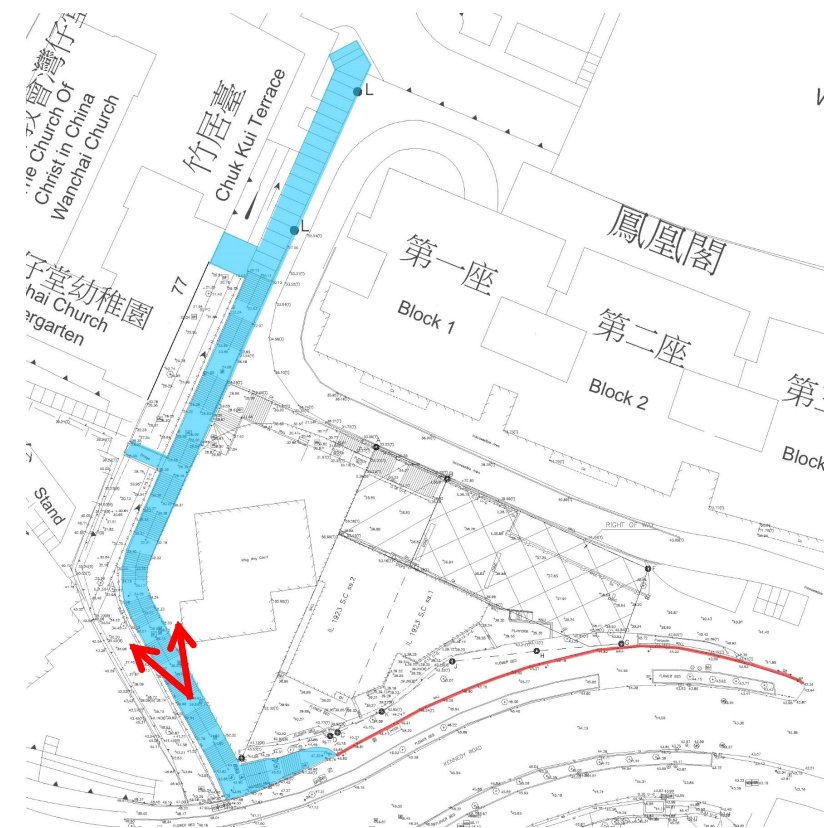
CURRENT



AFTER



Spring Garden Lane Staircase and Kennedy Road Railing Enhancement Proposal



ENHANCEMENT PROPOSAL:

- A. Re-painting of Existing Handrail
- B. Additional grab rail for children (Middle Railing)
- C. Current granite slab steps adding anti slip strip device
- D. Cleaning and touch-up existing granite slab
- E. To provide anti slip strip such as : Adhesive type or aluminum edging (subject to site condition)
- F. Re-paved pebbles washed landing platform

FIG.7I PHOTO MONTAGE L

CURRENT



AFTER



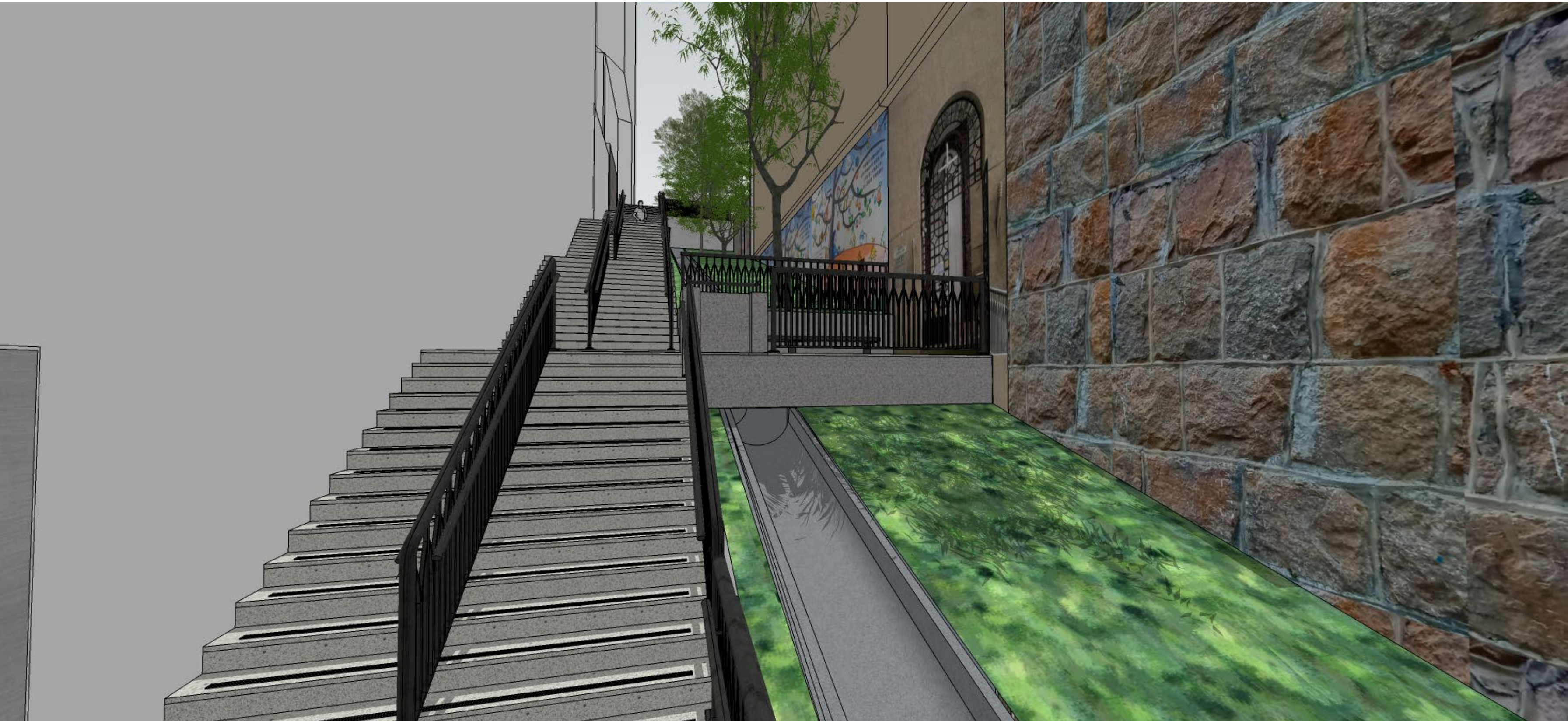


FIG.8a PERSPECTIVE A

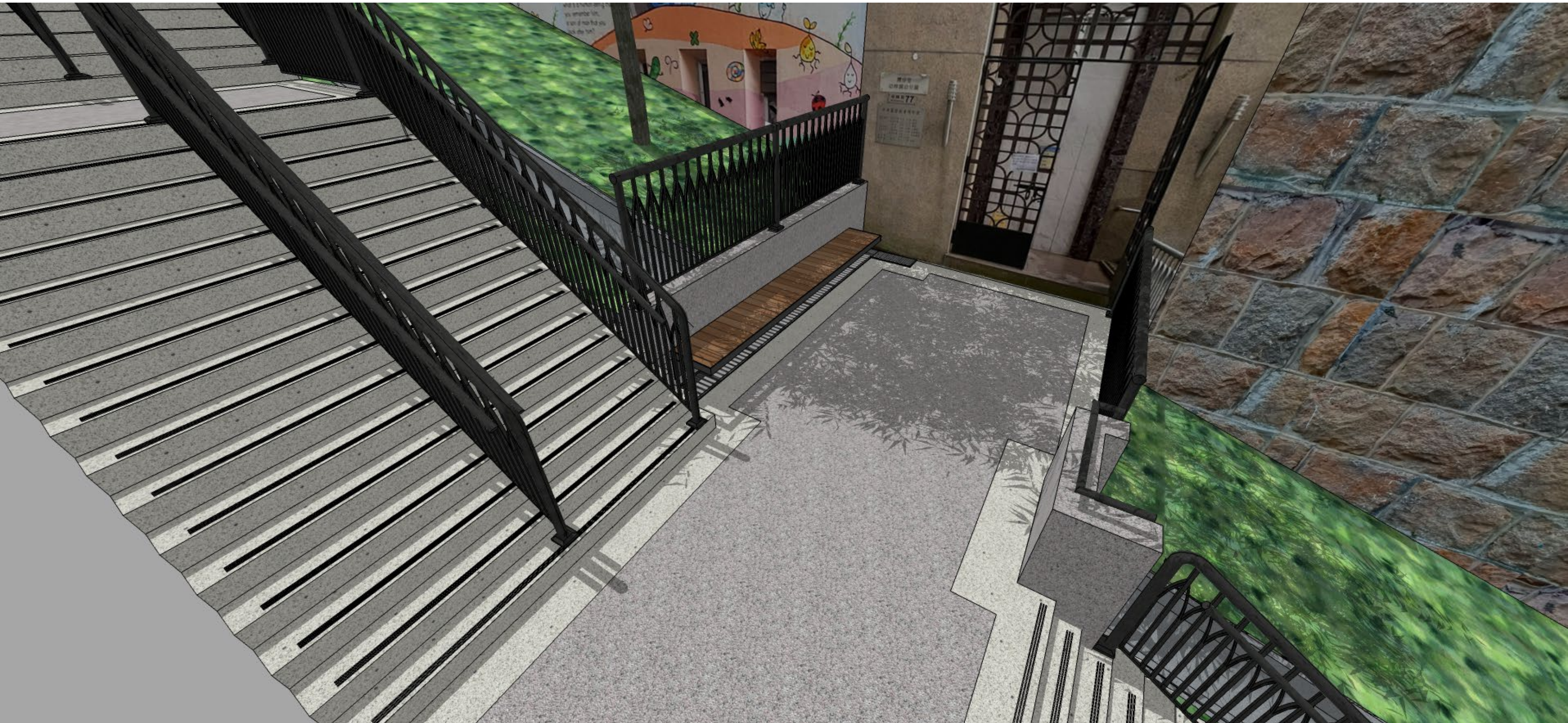


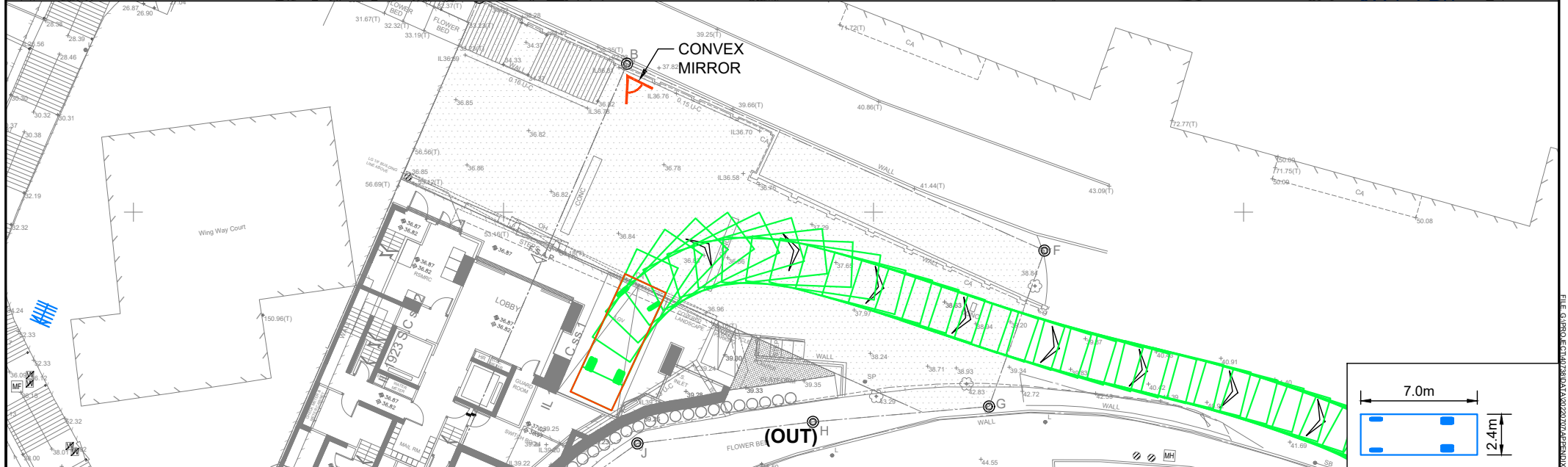
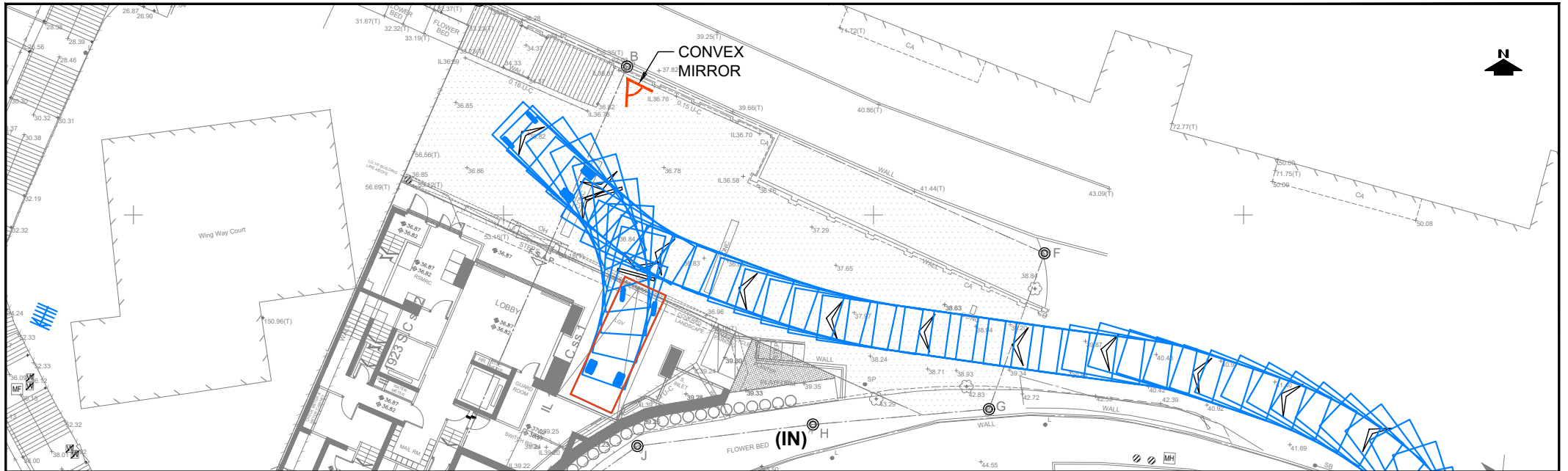
FIG.8b PERSPECTIVE B



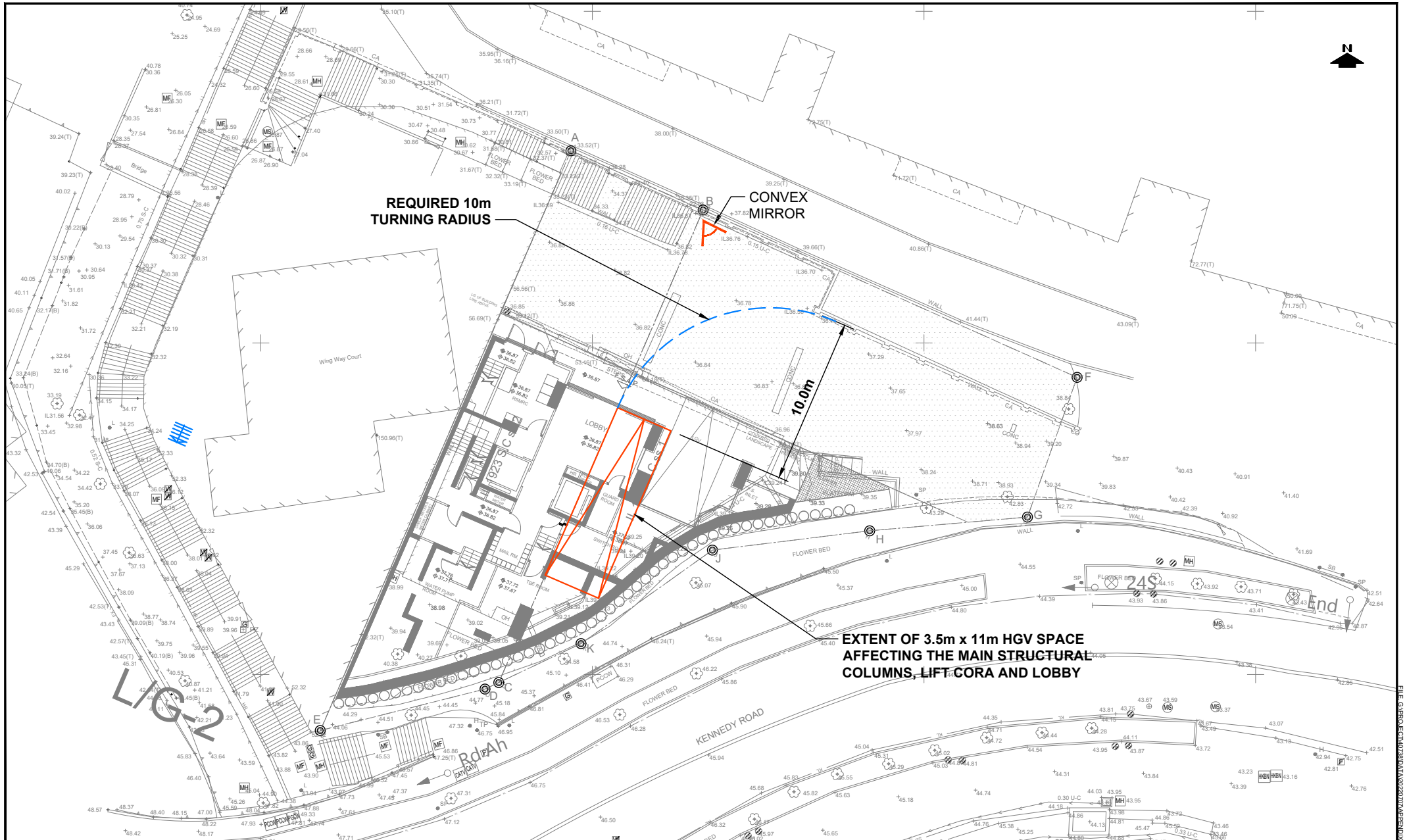
THANK YOU!

Appendix 3

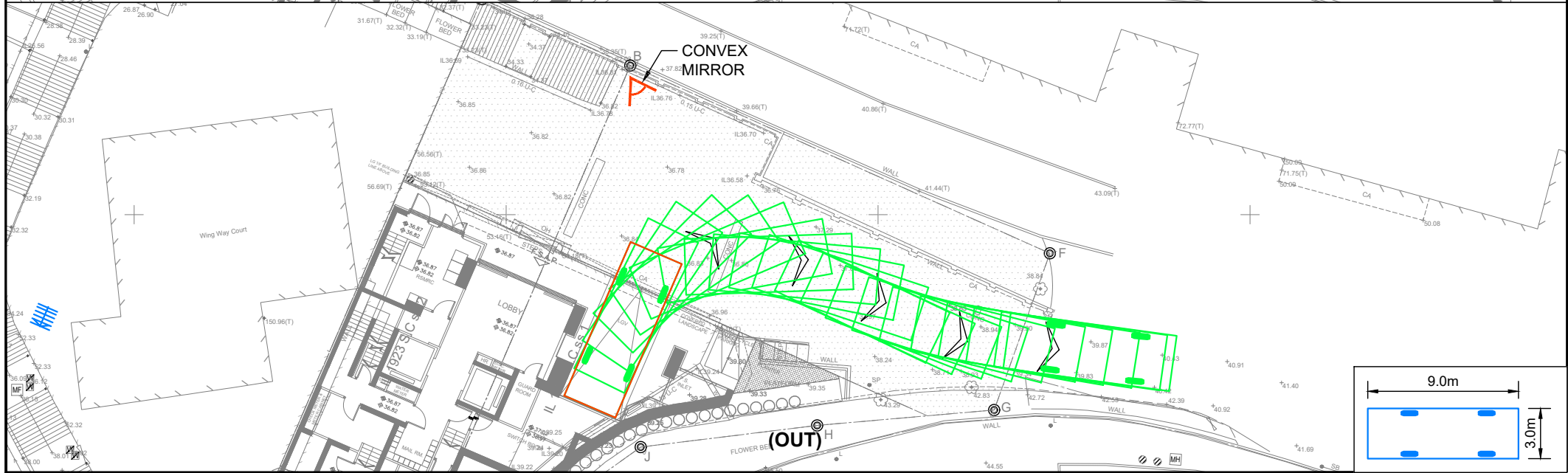
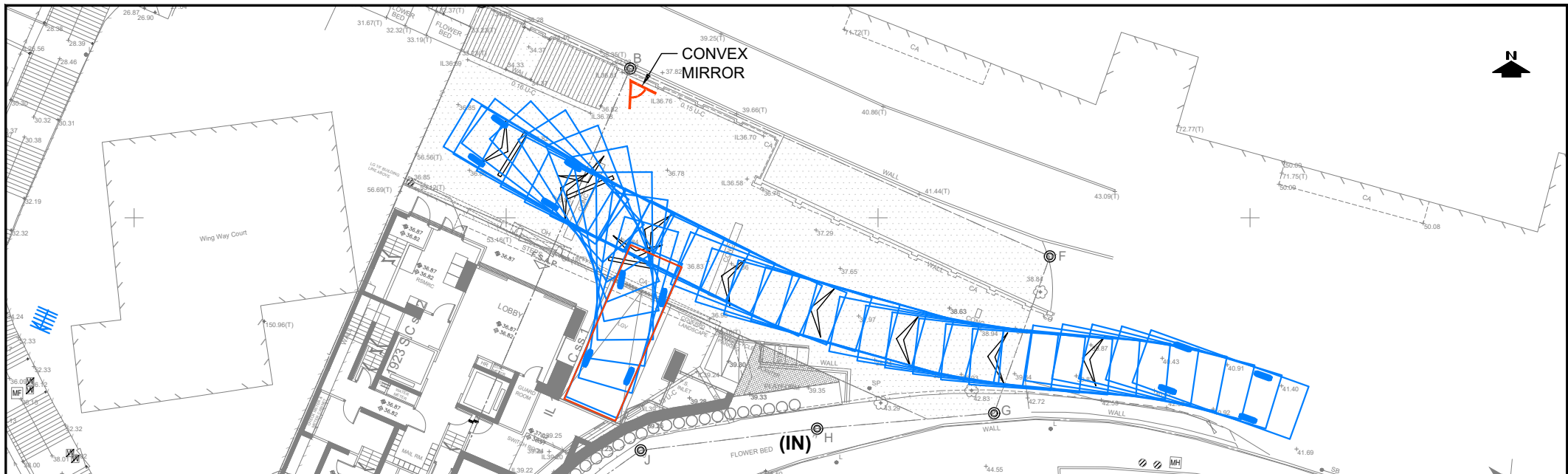
SWEPT PATH DIAGRAM



PROJECT NO. 40738		PROJECT TITLE 33-35 Kennedy Road, Hong Kong		DRAWING NO. APPENDIX 3A		REV. -	
DESIGNED SLN		DATE JUL 2022		DRAWING TITLE SWEPT PATH ANALYSIS - 7m LGV			
DRAWN CLL		SCALE 1:300 @ A4					
CHECKED SLN							
				LLA 顧問有限公司 Consultancy Limited			



PROJECT NO. 40738		PROJECT TITLE 33-35 Kennedy Road, Hong Kong		DRAWING NO. APPENDIX 3B		REV. .
DESIGNED SLN	DATE JUL 2022	DRAWING TITLE SWEPT PATH ANALYSIS - 11m HGV		LLA 顧問有限公司 Consultancy Limited		
DRAWN CLL	SCALE 1:300 @ A4					
CHECKED SLN						



PROJECT NO.	40738	
DESIGNED	SLN	DATE JUL 2022
DRAWN	CLL	SCALE 1:300 @ A4
CHECKED	SLN	

PROJECT TITLE	33-35 Kennedy Road, Hong Kong	
DRAWING TITLE	SWEPT PATH ANALYSIS - 9m RCV	

DRAWING NO.	APPENDIX 3C	REV.	.
LLA 顧問有限公司		Consultancy Limited	

Appendix 4

EXAMPLES OF NEW RESIDENTIAL
DEVELOPMENTS IN THE PAST 5 YEARS

項目樓盤	預計入伙日期	Floor To Floor Height
THE HOLBORN	預計2023年第2季	Typical Floors: 3200 - 3500mm Non-Typical Floor: 3050 - 3500mm Penthouse / Special Unit: 3825mm
揚海 (LA MARINA)	預計2023年第3季	Typical Floors: 3150mm Non-Typical Floor: 3000 - 3825mm Penthouse / Special Unit: 3450 - 4150mm
大學閣 (University Heights)	已屆現樓	Typical Floors: 3470 - 4040mm Non-Typical Floor: 2940 - 4040mm Penthouse / Special Unit: 3500 - 6000mm
逸南 (THE UPPER SOUTH)	預計2022年第4季	Typical Floors: 3150mm Non-Typical Floor: 3110 - 3325mm Penthouse / Special Unit: 3150mm
晉環 (SOUTHLAND)	預計2022年第4季	Typical Floors: 3150mm Non-Typical Floor: 2750 - 3550mm Penthouse / Special Unit: 3060 - 3860mm
尚瓏 (The Queens)	預計2022年第4季	Typical Floors: 3150mm Non-Typical Floor: 2650 - 3650mm Penthouse / Special Unit: 4000 - 4500mm
21 BORRETT ROAD 第1期	已屆現樓	Typical Floors: 3150mm Penthouse / Special Unit: 3500mm
EIGHT STAR STREET	預計2022年第4季	Non-Typical Floors: 3000 - 3900mm Penthouse / Special Unit: 3340 - 4550mm

CENTRAL PEAK	預計2022年第1季	Typical Floors: 3050 - 3400mm Non-Typical Floor: 3050 - 3650mm Penthouse / Special Unit: 3400 - 3500mm
藝里坊·2號 (TWO.ARTLANE)	預計2021年第4季	Typical Floors: 3500mm Non-Typical Floor: 3020 - 3500mm Penthouse / Special Unit: 3500mm
EIGHT KWAI FONG HAPPY VALLEY	2015年	Typical Floors: 3050mm Non-Typical Floor: 2700 - 3400mm Penthouse / Special Unit: 3250 - 3600mm
半山捌號 (Central 8)	預計2021年第1季	Typical Floors: 3150mm
THE RICHMOND (THE RICHMOND)	預計2021年第4季	Typical Floors: 3150mm Non-Typical Floor: 2800 - 3150mm
15 WESTERN STREET	預計2021年第3季	Typical Floors: 3150mm Non-Typical Floor: 2750 - 3900 mm Penthouse / Special Unit: 3500 - 4250mm
ONE EIGHTY	預計2020年第2季	Typical Floors: 3150mm Non-Typical Floor: 2800 - 3500 mm Penthouse / Special Unit: 3500 - 3850mm
皇第 (DUKES PLACE)	已屆現樓	Typical Floors: 3500mm

維峯·浚匯 (THE CONSONANCE)	預計2020年第3季	Typical Floors: 3150mm Penthouse / Special Unit: 3500mm
藝里坊·1號 (ONE ARTLANE)	預計2019年第3季	Typical Floors: 3170mm Non-Typical Floor: 2820mm - 3170mm Penthouse / Special Unit: 3390mm
逸理 (MONTI)	預計2020年第2季	Typical Floors: 3350mm
深水灣徑8號 (8 DEEP WATER BAY DRIVE)	預計2018年第2季	Typical Floors: 3125mm - 3475mm Non-Typical Floor: 3025mm - 3475mm Penthouse / Special Unit: 3275mm - 3475mm
柏蔚山 (FLEUR PAVILIA)	預計2018年第3季	Typical Floors: 3000mm - 3100mm Non-Typical Floor: 3000mm - 3550mm Penthouse / Special Unit: 3000mm - 3650mm
南津·迎岸 (South Walk Aura)	預計2019年第4季	Typical Floors: 2975mm Non-Typical Floor: 2675mm - 2975mm
巴丙頓山 (Babington Hill)	預計2018年第2季	Typical Floors: 2960mm - 3500mm Penthouse / Special Unit: 3500mm
君譽峰 (NOVUM POINT)	預計2020年第4季	Typical Floors: 3150mm - 3500mm Non-Typical Floor: 3150mm Penthouse / Special Unit: 3500mm

yoo18BONHAM	2018年	Typical Floors: 3500mm - 3800mm (Upper Duplex) 3150mm - 3500mm (Lower Duplex)
海璇 (VICTORIA HARBOUR)	預計2018年第4季	Typical Floors: 2950mm - 3300mm Non-Typical Floor: 2950mm - 3300mm Penthouse / Special Unit: 3200mm - 3675mm
臻藝 (ARTISAN HOUSE)	預計2018年第2季	Typical Floors: 3500mm Non-Typical Floor: 3500mm - 3600mm Penthouse / Special Unit: 3500mm - 4000mm
MOUNT NICHOLSON 3期	已屆現樓	Typical Floors: 3700mm Non-Typical Floor: 3450mm - 4350mm Penthouse / Special Unit: 3200mm - 4250mm
君豪峰 (NOVUM EAST)	預計2019年第2季	Typical Floors: 3350mm Penthouse / Special Unit: 3500mm
My Central	預計2018年第4季	Typical Floors: 3150mm Non-Typical Floor: 2800mm - 3500mm Penthouse / Special Unit: 3000mm - 3950mm
63 Pokfulam	預計2019年第4季	Typical Floors: 3100mm Non-Typical Floor: 2800mm - 3100mm
壹嘉 (L'WANCHAI)	2017年第3季	Typical Floors: 3100mm

翰林峰 (NOVUM WEST)	預計2019年第4季	Typical Floors: 3275mm Non-Typical Floor: 2875mm - 3275mm Penthouse / Special Unit: 2975mm - 3525mm
維港頌 (HARBOUR GLORY)	預計2019年第1季	Typical Floors: 2975mm Penthouse / Special Unit: 3500mm
尚璟 (ALTAMIRA)	已屆現樓	Typical Floors: 3125mm
MOUNT NICHOLSON 2期	已屆現樓	Typical Floors: 3700mm Non-Typical Floor: 3000mm - 3700mm Penthouse / Special Unit: 3500mm - 4250mm
香島 (ISLAND GARDEN)	預計2019年第1季	Typical Floors: 2975mm Non-Typical Floor: 2625mm - 3475mm Penthouse / Special Unit: 2975mm - 3375mm
南區·左岸 (MARINA SOUTH)	預計2016年第4季	Typical Floors: 3280mm Penthouse / Special Unit: 3680mm - 3900mm
尚譽 (ONE PRESTIGE)	預計2018年第2季	Typical Floors: 3170mm Non-Typical Floor: 2870mm - 3170mm Penthouse / Special Unit: 3500mm
形薈 (Lime GALA)	預計2018年第3季	Typical Floors: 3260mm Non-Typical Floor: 2990mm - 3850mm Penthouse / Special Unit: 3500mm - 3800mm



Our Ref KRFWT/KELVINC/04
Date 20 July 2022

By EMAIL and FAX

Secretary, Town Planning Board
c/o Planning Department
15/F North Point Government Offices
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD,
WAN CHAI, HONG KONG**

Reference is made to the captioned Planning Application submitted on 11.7.2022.

Please find enclosed replacement pages to p.10, 15 and Figure 3.2 of the Supplementary Planning Statement rectifying minor typos for your onward processing.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Kelvin Chui.

Yours faithfully
FOR AND ON BEHALF OF
TOWNLAND CONSULTANTS LIMITED


Vincent Lau
Associate Director

VIN/KELVINC

cc Client

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TOWNLAND CONSULTANTS PVT. LIMITED (India)

PT TOWNLAND INTERNATIONAL (Indonesia)

HOWARD & SEDDON PARTNERSHIP (United Kingdom)



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Certificate No.: CC844

3.3 Planning History

- 3.3.1 The Site is subject to a previous S16 Planning Application (TPB ref. A/H5/414) and S17 Planning Review (TPB ref. A/H5/414B) for Proposed Minor Relaxation of BHR from 120mPD to 129.95mPD for permitted flat use. Compared to the 2020 Approved Building Plans, the Proposed Development Scheme sought to increase the residential floor-to-floor (“FTF”) height from 3.05m to 3.15m (1-22/F & 25/F) and 3.5m (23-24/F) with setback terrace at the two topmost floors (24-25/F). Due to site constraints, including preservation of the ROW, only one disabled car parking space was proposed.

S16 Planning Application No. A/H5/414

- 3.3.2 At the S16 stage, the Proposed Minor Relaxation of BHR was justified on the grounds that the Proposed Development met the criteria for Minor Relaxation of BHR set out in para. 7.8 of the ES of the Draft OZP, the proposed FTF heights fall within current market norms and will allow sufficient natural light and air ventilation, and importantly, it is not possible to incorporate all of the permissible GFA in the scheme with the proposed FTF height without the proposed Minor Relaxation of BHR. A Visual Impact Assessment demonstrated that there will be no adverse visual impact resulting from the minor increase in BH of the Proposed Scheme compared to the approved GBPs as the height of the Proposed Development would still be much lower than that of almost all of the surrounding buildings even after the relaxation of the BHR. Both the Urban Design Unit of Planning Department and Architectural Services Department had no adverse comments on the application from the visual perspective.

- 3.3.3 The S16 Planning Application was rejected by the Board on 13 August 2021 on the ground that *“the applicants fail to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction”*. According to the Minutes of Meeting, the Board considered there to be a lack of substantial planning gains for the general public which could not be justified by the terrace setback at the top two floors, increase in number of flats due to smaller flat size or disabled parking space (667th Metro Planning Committee Meeting Minutes refers) .

S17 Planning Application No. A/H5/414B

- 3.3.4 A Section 17 Review was subsequently submitted for the Application No. A/H5/414 and was rejected by the TPB on 21 January 2022.
- 3.3.5 Compared to the S16 Planning Application Scheme, additional greenery was proposed at LG 2/F in the form of a landscaped terrace; lighting was proposed within the ROW and staircase within the Application Site for pedestrians and drivers; and new paving was proposed for the ROW. (Para 1.3 of the TPB paper No. A/H5/414B refers)
- 3.3.6 The Application was rejected on the same ground that *“the applicants fail to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction”*. Specifically, the Board considered that the applicants had not made their best effort to offer planning and design merits. The street-level landscaped podium with setback from the road was considered insignificant and the setback area was not accessible by the public. The adoption of the FTF height of 3.15m could not be regarded as a public benefit. (Para 37 of 1263th TPB Meeting Minutes refers)

RESIDENTIAL (GROUP B)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Library Residential Institution School (in free-standing purpose-designed building only) Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School (not elsewhere specified) Shop and Services Social Welfare Facility Training Centre

Planning Intention

This zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

RESIDENTIAL (GROUP B) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights, in terms of metres above Principal Datum, as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) A minimum setback of 1m from the lot boundary at 39 and 41 Kennedy Road fronting Yen Wah Steps shall be provided.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (4) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirement stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

4.3 Technical and Accommodation Schedule

- 4.3.1 The Technical and Accommodation Schedule at **Table 4.1** summarizes the major development parameters of the Proposed Development compared to the 2020 Approved Building Plans:

Table 4.1 Technical and Accommodation Schedule

TECHNICAL SCHEDULE		
	2020 Approved GBPs	Proposed Development
Site Area	Approx. 715.7 m ²	Approx. 715.7 m ²
Proposed Domestic Plot Ratio	7.647	7.999
Proposed Domestic GFA	5,472.869m ²	Approx. 5,725m ²
Proposed Site Coverage		
Tower: 1/F – 25/F	33.33%	33.33%
Podium: G/F	35.605%	35.582%
Podium: LG1/F	41.729%	42.13%
Podium: LG2/F	42.059%	42.13%
No. of Blocks	1	1
No. of Storeys	23-residential storeys over 3-storey podium	25-residential storeys over 3-storey podium
Building Height (Main Roof Level)	120mPD	129.95mPD
No. of Units	69	Max. 75
Average Flat Size	-	About 60m ²
Floor-to-Floor Height		
1/F-23/F	3.05m	3.15m
24/F – 25/F	N/A	3.5m
Podium: G/F	4.7m	4.8m
Podium: LG1/F	3.33m	4.75m
Podium: LG2/F	5m	4m
Clubhouse Area	243.225m ²	243m ²
Internal Transport Provision	NIL	1 L/UL Bay for LGV 2 Motorcycle parking
ACCOMMODATION SCHEDULE		
LG2/F	Lobby, E&M, Covered Landscape Garden	Lobby, L/UL, Parking Space, E&M
LG1/F	E&M, Clubhouse	E&M
G/F	Lobby, Clubhouse	Lobby, Clubhouse
1/F – 25/F	Residential Flat (1–F - 23/F only)	Residential Flat
R/F	E&M	E&M



TOWNLAND CONSULTANTS LTD.

URBAN AND REGIONAL PLANNING, DEVELOPMENT CONSULTANCY, MASTER PLANNING, URBAN DESIGN, ARCHITECTURE,
LANDSCAPE ARCHITECTURE, PROJECT MANAGEMENT AND SOCIAL DEVELOPMENT

Our Ref KRFWT/KELVINC/05
Date 19 August 2022

By EMAIL and HAND

Secretary, Town Planning Board
c/o Planning Department
15/F North Point Government Offices
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD, WAN CHAI, HONG KONG**


Reference is made to the captioned Planning Application submitted on 11.7.2022.

Comments were received from Highways Department ("HyD"), Water Services Department ("WSD"), Transport Department ("TD"), Urban Design and Landscape Unit ("UD&L") and Hong Kong District Planning Office ("HKDPO") of Planning Department ("PlanD"), Lands Department ("LandsD"), Buildings Department ("BD") and Environmental Protection Department ("EPD") on 2, 10, 11, 12, 17 August 2022. Please find enclosed the Responses-to-Comments ("RtoC") Table for your information (**Attachment 1** refer). The Architectural Section and Master Layout Plan is updated and two additional drawings are attached to indicate the area of private open space and width of podium setback (**Attachment 2** refers).

Please note our responses provide technical clarifications in response to Departmental Comments only and that there is no change to the parameters of the Proposed Development. As such, the Applicant requests that the scheduled TPB Meeting of 9.9.2022 be kept.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Kelvin Chui.

Yours faithfully
FOR AND ON BEHALF OF
TOWNLAND CONSULTANTS LIMITED


Vincent Lau
Associate Director

VIN/KELVINC

cc Client

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Attachment 1

	RESPONSE-TO-COMMENT TABLE
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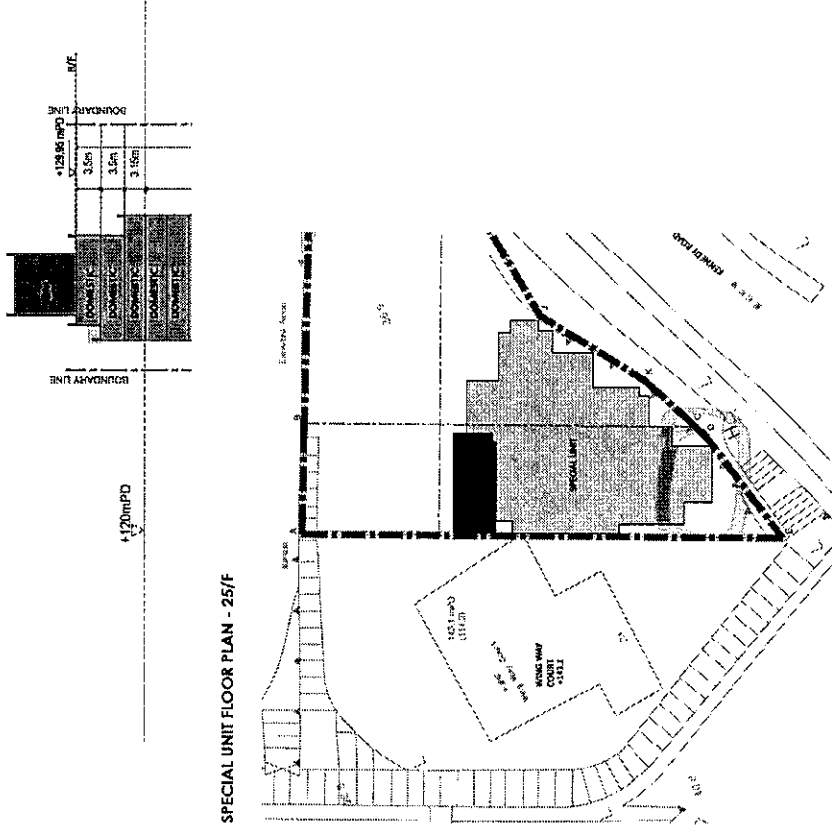
Comments/ Suggestions		Consultant's Responses
A. <u>Comments of the Highways Department received on 2.8.2022:</u> (Contact person: Mr. Derek CHAN, Tel no.: 2231 5722)		
	Remarks: "the Proposal" refers to "the Spring Garden Lane Staircase Improvement Proposal"	
a)	Additional improvement measures should be considered. For example, tactile warning strips for people with visual impairment should be provided at the top, bottom and landings of the staircase in accordance with TPDM Volume 6 Chapter 8. Also, recessed cover and frame with matching cover should be used for all existing manholes on the staircase.	Tactile warning strips for people with visual impairment and recessed cover and frame with matching cover for existing manhole will be considered during the detailed design stage in consultation with Transport Department / Highways Department.
b)	The change of railing type along Kennedy Road is not supported, as it is not aesthetically compatible with the existing railings of the adjoining footpath, and will create piecemeal streetscape.	The change of railing type will be reconsidered in consultation with Transport Department / Highways Department during the detailed design stage.
c)	The proposed seating bench shall not be maintained by this office. The management and maintenance parties of the proposed seating bench should be identified.	It is understood that no Department is willing to take up the management and maintenance of the proposed bench to be situated on Government land. In this regard, the bench is no longer proposed.
d)	Detailed design of the Proposal should be submitted to TD and HyD for comment and agreement in the later stage.	Noted.
e)	Any highways facilities to be handed over to this office shall be designed and constructed to the latest TD and HyD Standards, including TPDM and HyD's standard drawings.	Noted.
f)	Design and Implementation of the Proposal to the satisfaction of TD and HyD should be included in the approval condition if the application would be approved by the Town Planning Board	Noted.
B. <u>Comments of the Water Services Department received on 10.8.2022:</u> (Contact person: Ms. Victoria Suen, Tel no.: 2152 5752)		
1.	Please note that there are some existing fresh water mains within and in the vicinity of the site and are affected by the proposed development. Free access should be allowed for WSD at any time to carry out operation	Noted.

Comments/ Suggestions	Consultant's Responses
<p>and maintenance of these water mains. In case the project proponent considers that diversion of these water mains is required they should study the feasibility of diverting these water mains. If diversion is considered feasible, the project proponent should submit their proposal for WSD's consideration and approval. <u>The diversion work shall be carried out by the project proponent at their own cost to the satisfaction of WSD. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by the project proponent.</u></p>	
<p>C. <u>Comments of Transport Department received on 11.8.2022: (Contact person: Ms. Candy HO, Tel no.: 2829 5262)</u></p>	
<p><u>Section 4.4 - Internal Transport Arrangement and Appendix 3</u></p> <p>1. It is noted that the Applicant proposed 1 no. L/UL bay for LGV and 2 nos. of motorcycle parking spaces in this application, notwithstanding the severe site constraint that the Site is triangular in shape, and has a site area of only 715.7 m² where about 50% of which is occupied by the Right-of-Way (ROW) as non-building area.</p> <p>2. While we have no objection to the proposed internal transport facilities from traffic engineering point of view, the Applicant should consider appropriate traffic improvement measures / management arrangements to ensure road safety at the ROW, especially for cases when (1) MGW/HGV is using the L/UL bay with part of the vehicle encroaching on the ROW, and (2) another goods vehicle or refuse collection vehicle arrives while the L/UL bay is being occupied.</p>	<p>Noted.</p> <p>Noted. The Applicant will provide CCTVs to monitor not only the traffic conditions but also serve as security measures at the ROW so management staff can provide assistance when they observe an incident or a need through the CCTV.</p> <p>When a MGW/HGV is using the L/UL bay with part of the vehicle encroaching on the ROW, the management staff will place traffic cones with flashing lights at the protruding part to alert pedestrians and bypass vehicles.</p> <p>Since the refuse collection vehicle ("RCV") will come to the Site at a fixed schedule, the management staff will ensure that the space is vacant for the use of the RCV. Meanwhile, whenever the bay is occupied, the next incoming vehicle will be requested to temporarily stop and wait at the ROW without blocking the traffic. If necessary, the incoming vehicle will be advised to leave the Site and return with a short period of time, say 15 minutes.</p>

Comments/ Suggestions	Consultant's Responses
<p><u>Section 5.3 - Public Planning Gain and Appendix 2</u></p> <p>3. It is noted that the Applicant would be responsible for the cost and implementation of the improvement works and would return the ownership to the government for management. It should be noted that any traffic facilities to be handed over to Transport Department for management should be designed and constructed to HyD's latest standards and the latest standards of the Transport Planning and Design manual ("TPDM").</p> <p>4. Detailed design of the proposal should be submitted to TD and HyD for comment and agreement in later stage.</p> <p>5. The Applicant shall consider providing tactile warning strips to the Spring Garden Lane Staircase in accordance with the TPDM under the Applicant's proposed improvement works.</p> <p><u>Section 5.10 - Transport Consideration</u></p> <p>6. The Applicant should confirm whether the Traffic Technical note in the previous Section 16 Application No. A/H5/414 is still applicable. If affirmative, the Applicant should address our previous comments regarding the traffic assessment on the FI received on 3.8.2021, which are recapitulated below for reference:</p> <ul style="list-style-type: none"> The applicant has assessed the performance of the junction of the existing right-of-way and Kennedy Road in this FI. However, the methodology and assumptions adopted in the assessment (e.g. traffic growth rate, other developments in the vicinity) have not been mentioned and justified in the FI. The applicant should also advise whether the traffic flow along Kennedy Road would be affected by the traffic queue entering to the development site to support the conclusion of satisfactory operation of this junction. 	<p>Noted. The implementation of the improvement works will be reviewed with agreement with Transport Department / Highways Department during the detailed design stage.</p> <p>Noted.</p> <p>Tactile warning strips for people with visual impairment will be considered in consultation with Transport Department / Highways Department during the detailed design stage.</p> <p>Noted. Given there is no significant change in development parameters, the traffic technical note in the previous submission is still valid. Please note that the application is to seek for relaxation for the building height. There will be minor adjustment in flat mix/size without increase in permissible GFA.</p> <p>Having considered that the growth rates derived from ATC and TPEDM in the vicinity are negative, a nominal growth rate of +1.0% is adopted for projecting the future traffic flows. The adopted growth rate is assumed to cater for the possible redevelopment projects before 2027. The future traffic flows were estimated by formulas below:</p> <p>2027 Reference Flows = 2021 Traffic Flows x (1+1.0%)⁶</p> <p>2027 Design Flows = 2027 Reference Flows + Traffic Flows Generated by Proposed Development</p>

Comments/ Suggestions	Consultant's Responses
<ul style="list-style-type: none"> For the junction capacity assessment, it appears that Arm A (i.e. Kennedy Road eastbound) has only one traffic lane and the width should not be 7.8m as adopted in the calculation. <p>If the said Traffic Technical note is no longer valid, the Applicant should supplement an updated Traffic Technical note to assess the traffic impact due to the application.</p>	<p>Also, the proposed development will only attract 5 pcu/hr and 7 pcu/hr during AM and PM peak hour, respectively. This implies only 1 vehicle will enter the Site for every 10 minutes during peak hours, which is considered insignificant and will not induce any traffic queues to Kennedy Road.</p> <p>Please be clarified that the width "W" refers to the major road width instead of the width for Arm A.</p> <p>According to Appendix 1, Chapter 4, Volume 2 of TPDM, the major road width is measured by summing up the "nearside" width and the "farside" width. At this junction, the "nearside" and "farside" width are 3.8m and 4.0m, respectively, hence, the major road width would be 7.6m (3.8m + 4.0m).</p>
<p>D. <u>Comments of Landscape Unit, Urban Design and Landscape Section, Planning Department received on 11.8.2022:</u> (Contact person: Ms. Tammy CHEUNG, Tel no.: 3565 3947)</p>	
<p><u>Landscape observations and comments:</u></p> <p>1) Based on aerial photo of 2021, the Site is situated in an area of organic mixed urban landscape character surrounded by existing residential buildings and vegetated areas. According to Section 2.3, the Site is currently under construction for foundation work permitted under an approved GBP. With reference to Table 4.1, the proposed development under this application involved a 25-storey building over a 3-storey podium for residential use, which is considered not incompatible with the landscape character of its surroundings.</p> <p>2) With reference to Section 2.4 and 5.5 of the PS, no significant landscape resource/existing tree is found within the Site, significant adverse landscape impact arising from the proposed development is not anticipated. We have no adverse comment on the application.</p>	<p>Noted.</p> <p>Noted.</p>

Comments/ Suggestions	Consultant's Responses
<p><u>Detailed comments:</u></p> <p>3) Information on open space provision within the Site is not provided. The applicant is advised to provide an open space demarcation plan to demonstrate that open space requirements under the HKPSG could be met.</p> <p>4) It is noted in Para. 5.5.1 and Master layout Plan that, a new tree is proposed within the Site. The applicant should include the new tree in the legend of Mater Layout Plan.</p> <p><u>Advisory comments to the applicant:</u></p> <p>5) It is noted in Appendix 2 that, information on improvement proposal for Spring Garden Staircase is provided, which is located outside the planning application site boundary. The applicant is reminded to seek comment/advice from relevant department(s) regarding proposals outside the planning application site boundary.</p> <p>6) Please be advised that approval of this planning application does not imply approval of tree works such as pruning, transplanting and feeling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.</p>	<p>A plan is provided to demarcate the area for communal open space (<i>Attachment 2 refers</i>). A total of 93m² of private open space is provided mainly at G/F. With reference to the population per flat ("PPF") from census data, the design population of the Proposed Development is approx. 180. The HKPSG recommendation of 1m² of open space per person cannot be met, mainly due to the constraint of the ROW.</p> <p>The Master Layout Plan is revised to indicate the new tree (<i>Attachment 2 refers</i>)</p> <p>Noted.</p> <p>Noted.</p>
<p>E. <u>Comments of Hong Kong District Planning Office, Planning Department received on 11 and 17.8.2022:</u> (Contact person: Mr. Don CHU, Tel no.: 2231 4992)</p>	
<p>1. It is found that there is a discrepancy between the section and the 25/F floor plan. Please clarify if there is a terrace on 25/F in the highlighted area. Please also update the section or floor plan in the coming FI, if necessary. Thank you.</p>	<p>The building section is updated to rectify the discrepancy (<i>Appendix 2 refers</i>).</p>

Comments/ Suggestions	Consultant's Responses
<p>SECTION</p>  <p>SPECIAL UNIT FLOOR PLAN - 25/F</p>	<p>The podium setback width at G/F is indicated on plan (Attachment 2 refers).</p> <p>The triangular raised planter next to the terrace on G/F is lowered to LG2/F in the current scheme. Landscaping on LG2/F is to buffer the level difference and provide neighborhood amenity. Layout of LG1/F and LG2/F are massaged during design development of the General Building Plans. Both contribute to the reduction in Site Coverage.</p>
<p>2. Besides, please</p> <p>(1) indicate the width of podium setback from Kennedy Road at G/F;</p> <p>and</p> <p>(2) justify the podium footprint reduction (site coverage reduction in podium floors) in this scheme as compared with the previous application (A/H5/414).</p>	

Comments/ Suggestions		Consultant's Responses
F.	Comments of Lands Department received on 12.8.2022: (Contact person: Ms. Stella KWOK, Tel no.: 2835 1674)	
(a)	The Application Site comprises Sub-sections 1 and 2 of Section C of Inland Lot No. 1923 ("the Lots"). The term of the Government Lease dated 11 January 1921 governing Inland Lot No. 1923 is 75 years renewable for 75 years commencing from 6 August 1912. Apart from the "non-offensive trades" clause, the said lease stipulates that "messuage or tenement erected or to be erected on the said ground shall be of European type and design shall front and range in a uniform manner with the buildings (if any) immediately adjoining in the same Street, and the whole to be done to the satisfaction of the Director of Public Works". The proposed private residential use does not conflict with the lease conditions.	Noted.
(b)	The "Existing Right of Way" as shown on the Master Layout Plan at Appendix 1 of the SPS is covered by a Deed of Covenant and Mutual Grant of Rights of Way registered in the Land Registry under Memorial No. 198862 dated 29.6.1995. The said Deed is an agreement made between the owners of various private lots. We defer the applicant to liaise with the concerned private lot owners to sort out any issue relating to the concerned right of way for the proposed development.	Noted.
(c)	The site area which includes the abovementioned "Existing Right of Way" as stated in the SPS, i.e. 715.7m ² (about), has not been checked. The applicant should ensure that the proposed development is entirely within the Lots and would not encroach onto the adjoining government land. The applicant is advised to refer to LandsD Lands Administration Office Practice Note Issue Nos. 4/2008 and 1/2017.	Noted.
(d)	Regarding the proposed of improvement works for the staircase at Spring Garden Lane as mentioned in para. 4.1.6 of the SPS, the extent of the improvement works as shown in Figure 2.1 of the SPS largely falls within unleased and unallocated Government land being used as public road/ street. We defer TD and HyD to comment on the proposal and sort out the implementation arrangement.	Noted.

Comments/ Suggestions	Consultant's Responses																						
<p>(e) Besides, it is noted that the proposed improvement works at Spring Garden Lane may have slightly encroached onto Section A of IL 1931 (Hong Kong Tang King Po College), the Remaining Portion of IL 1931 (The Church of Christ in China Wanchai Church/ Wan Chai Church Kindergarten) and an area covered by a License Agreement dated 29 October 1982 for construction, use and maintenance of an elevated pedestrian platform over the government land. Under the said Licence, the Licensee shall at all times permit the public the use of the elevated pedestrian platform for free and uninterrupted passage. The applicant may be requested to clarify whether any works would be carried out within the abovementioned private lots and licence area and elaborate further about the implementation arrangement.</p> <p>(f) There are some slopes maintained by DSD, CEDD and the owner of IL 1923 s.c RP located at or near the staircase at Spring Garden Lane. The relevant parties should be consulted in this regard.</p>	<p>The Applicant will confine the proposed improvement works at Spring Garden Lane within government land only. The works boundary and detailed implementation plan shall be further studied in the detail design stage.</p> <p>Noted. Interfacing agents will be consulted in the detail design stage.</p>																						
<p>Proposed extent of Spring Garden Lane Steps Improvement as shown on Fig 2.1 of the SPS enclosed in Pland's memo dated 21 July 2022</p> <table border="1"> <thead> <tr> <th>Land Status Affected</th><th>Concerned Parties</th></tr> </thead> <tbody> <tr> <td>IL 1931 RP</td><td>The owner of IL 1931 RP (the Trustees of the Church of Christ in China, Wanchai Church)</td></tr> <tr> <td>IL 1931 sA</td><td>The owner of IL 1931 sA (The Procurator in Hong Kong of The Salesian Society)</td></tr> <tr> <td>Licence 2529/57A (HK2529/57(A))</td><td>Hopewell Centre (Singway Company Limited)</td></tr> <tr> <td>Slopes Affected</td><td>Maintenance Parties</td></tr> <tr> <td>11SW-B/C354 (2)</td><td>DSD</td></tr> <tr> <td>11SW-B/R789 (1)</td><td>IL 1923 s.c RP</td></tr> <tr> <td>11SW-B/R908</td><td>CEDD</td></tr> <tr> <td>Public Road/ Pavement to be Affected</td><td>Concerned Parties</td></tr> <tr> <td>Public road/ Pavement</td><td>AC for T/U of TD and CHE/HK, HyD</td></tr> <tr> <td>U/U Government Land</td><td>-</td></tr> </tbody> </table>	Land Status Affected	Concerned Parties	IL 1931 RP	The owner of IL 1931 RP (the Trustees of the Church of Christ in China, Wanchai Church)	IL 1931 sA	The owner of IL 1931 sA (The Procurator in Hong Kong of The Salesian Society)	Licence 2529/57A (HK2529/57(A))	Hopewell Centre (Singway Company Limited)	Slopes Affected	Maintenance Parties	11SW-B/C354 (2)	DSD	11SW-B/R789 (1)	IL 1923 s.c RP	11SW-B/R908	CEDD	Public Road/ Pavement to be Affected	Concerned Parties	Public road/ Pavement	AC for T/U of TD and CHE/HK, HyD	U/U Government Land	-	
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<p>G. Comments of Urban Design Unit, Planning Department received on 16.8.2022: (Contact person: Mr. Victor HO, Tel no.: 3565 3962)</p>																							

Comments/ Suggestions	Consultant's Responses
(a) <u>Urban Design and Visual Perspective</u> The site is located within an area of mixed use, with residential developments to its immediate north, west and southeast, Hopewell Centre and Wu Chung House to its further north and northwest; GIC uses to its further west and northwest; and a slope to its south, with the BH of the adjacent developments ranging from about 30mPD to about 220mPD.	Noted.
(b) The applicant has proposed several design measures, including 1) podium setback from Kennedy Road to improve visual quality and permeability; 2) provision of greenery at the site boundary along Kennedy Road; 3) upgrade railings at Kennedy Road; 4) provision of landscaped area and planters, repaving and provision of lighting to improve the amenity and pedestrian environment at the Right-Of-Way; and 5) repairing, beautification and improving the safety of the Spring Garden Lane steps.	Noted.
(c) Judging from the proposal, the proposed relaxation of BHR will unlikely induce significant adverse visual impacts to the surrounding areas. The design measures, subject to views of TD, would help enhance the amenity and pedestrian environment.	Noted.
H. <u>Comments of Buildings Department received on 17.8.2022:</u> (Contact person: Mr. Royus YUEN, Tel no.: 3106 8265)	
1. I have no comment on Table 4.1 in Appendix II under the Buildings Ordinance (BO)	Noted.
2. The latest GBP of the development had been approved by the BD on 19 May 2022	Noted.
3. Detailed comments on compliance with the BO and allied regulations will be given upon formal building plans submission.	Noted.
I. <u>Comments of Environmental Protection Department received on 17.8.2022:</u>	

Comments/ Suggestions	Consultant's Responses
(Contact person: Ms. Kathy HO, Tel no.: 2835 1847)	
1. The site is the subject of a previous planning application No. A/H5/414, which was rejected by MPC in August 2021 and rejected by TPB in January 2022 upon review. The applicant subsequently lodged an appeal to the Town Planning Appeal Board in repose to the TPB's decision and is still under process. For the case A/H5/414, we expressed no objection to the application, subject to incorporation of approval condition of SIA and NIA. According to the information provided, compare with the scheme in A/H5/414, the changes of this current proposal (A/H5/419) include i) addition of 2 motor cycle parking spaces and replace the disabled carparking space with a on-site loading/unloading bay for light goods vehicle; and ii) enhancement of Spring Garden Lane steps.	Noted.
2. In view that the two changes are not related to our ambit, I consider that our previous stance shall remain valid (i.e. no objection to the application subject to incorporation of approval conditions on NIA and SIA), and we would like to take this opportunity to supplement our views on the requirement for NIA and SIA. As such, our comments on the current application No. A/H5/419 are as follows:	Noted.
(a) Given the close proximity to Kennedy Road which is a District Distributor, and the potential fixed source noise impact due to the planned plant room on the roof level of the proposed development upon surrounding existing noise sensitive receivers, it is considered to require a noise impact assessment (NIA) to demonstrate that the noise criteria for road traffic noise and fixed source noise under the HKPSG will be met and to identify the noise mitigation measures to be implemented.	Noted and will be reviewed during detailed design stage
(b) The proposed redevelopment will result in considerable increase in sewage generation as compared with that from the original existing building (i.e. a low-rise Lung On Building) of the site and will have potential sewerage impact on the existing small diameter receiving public sewers nearby the site. It is considered to require a sewerage impact assessment (SIA) to address the potential sewerage impact and to identify any necessary sewerage upgrading/mitigation work for implementation.	Noted and will be reviewed during detailed design stage

Comments/ Suggestions	Consultant's Responses
<p>(c) While the proposed residential development is not anticipated to have insurmountable environmental problem, in case the planning application has to be put forth for TPB's decision currently, we would have no objection to the application subject to incorporation of the following approval conditions:</p> <ul style="list-style-type: none"> (i) The submission of SIA for the proposed development to the satisfaction of the DEP or of the Board; (ii) The implementation of the local sewerage upgrading/sewerage connections works as identified in the SIA in condition (i) above to the satisfaction of the Director of Drainage Services or of the Board; and (iii) The submission of NIA and implementation of the proposed noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Board. 	<p>Noted.</p>
<p>J. <u>Public Comments</u></p>	
<p>61 public comments were received during the Public Inspection period. Comments are summarized below:</p> <ul style="list-style-type: none"> • The Proposed Development will worsen Traffic congestion at Kennedy Road, congest the Right-of-Way, create air pollution problem to the local residents, worsen air ventilation condition, and affect views of surrounding residents. 	<p>According to the Traffic Technical Note in the previous Section 16 Application (No. A/H5/4/14) and the response in Section C above, the small increase in traffic generation and attraction would not cause any adverse traffic impact to the local road network.</p> <p>The Applicant will also provide a new LGV L/UL space addressing on-street L/UL activities at Kennedy Road while also improving the safety at the ROW. The proposed scheme is considered an improvement to the Approved GBP where there is nil provision of on-site parking spaces.</p> <p>The Proposed Development will follow proper site practice during construction stage to minimize any potential air /noise quality impact to the local residents.</p> <p>According to the Expert Evaluation ("EE") on Air Ventilation Assessment ("AVA") for Wan Chai Area conducted in 2010 (AVR/G/54), it is noted that the major prevailing annual wind is from the east and the northeast and the prevailing</p>

Comments/ Suggestions	Consultant's Responses
<ul style="list-style-type: none"> There are no details on the implementation and management of the Proposed Spring Garden Lane Improvement Proposal. The Spring Garden Lane Stairs is in satisfactory condition. The Proposed new sitting bench along the stairs is dangerous and may attract undesirable visitors and create social problem. 	<p>summer wind is from the southerly quarters in Wan Chai. Wind from the east will flow along the major east-west roads such as Kennedy Road. There is also downhill wind over the hillslopes from the south which channels through the two north-south staircases on both sides of the Site i.e. Spring Garden Lane and Yen Wah Steps. The Application Site does not fall within any major air paths in the local area. The Proposed Minor Relaxation within the street block with a compatible BH to the surrounding area will not block the air paths along Kennedy Road and will not affect the north-south air flow along Spring Garden Lane and Ten Wah Steps. By maintaining the ROW, east-west air flow is also maintained for the surrounding residential developments facing the ROW. Thus, adverse air ventilation impact is not anticipated for the minor relaxation in building height at the subject Site.</p> <p>A Visual Impact Assessment ("VIA") was conducted in support of the previous Planning Application (No. A/H5/414) for Minor Relaxation of Building Height to 129.95mPD. All assessed VPs demonstrate that the visual impact of the Proposed Minor Relaxation is considered to be negligible. The degree of visual change is minor as the site is surrounded by a dense built environment. The Proposed Development has the same BH of 129.95mPD as the previous Scheme. The conclusion of the VIA remains valid for the Proposed Development under this Application.</p> <p>The Applicant will be responsible for the cost and implementation of the refurbishment works and will return the ownership to the government for management. A detailed implementation proposal of the Proposed Spring Garden Lane Stairs Improvement will be submitted in the detailed design stage with agreement with Transport Department / Highways Department will be submitted during the detailed design stage.</p> <p>We note that the condition of Spring Garden Lane Steps is considered less than ideal with rough and uneven paving, old and damaged railings / lamp(s), lack of slip prevention device. As such, the Applicant proposed to repair the cracks of the steps, repair and beautify the railings and add grad rail for children, adding slip-prevention device etc. The Proposed measures shall improve the safety, comfort and appearance of the street environment.</p> <p>We note the proposed sitting bench is considered by the public to be potentially dangerous and may attract undesirable visitors. In view of these comments and also the lack of an agreed maintenance party, the bench is no longer proposed.</p>

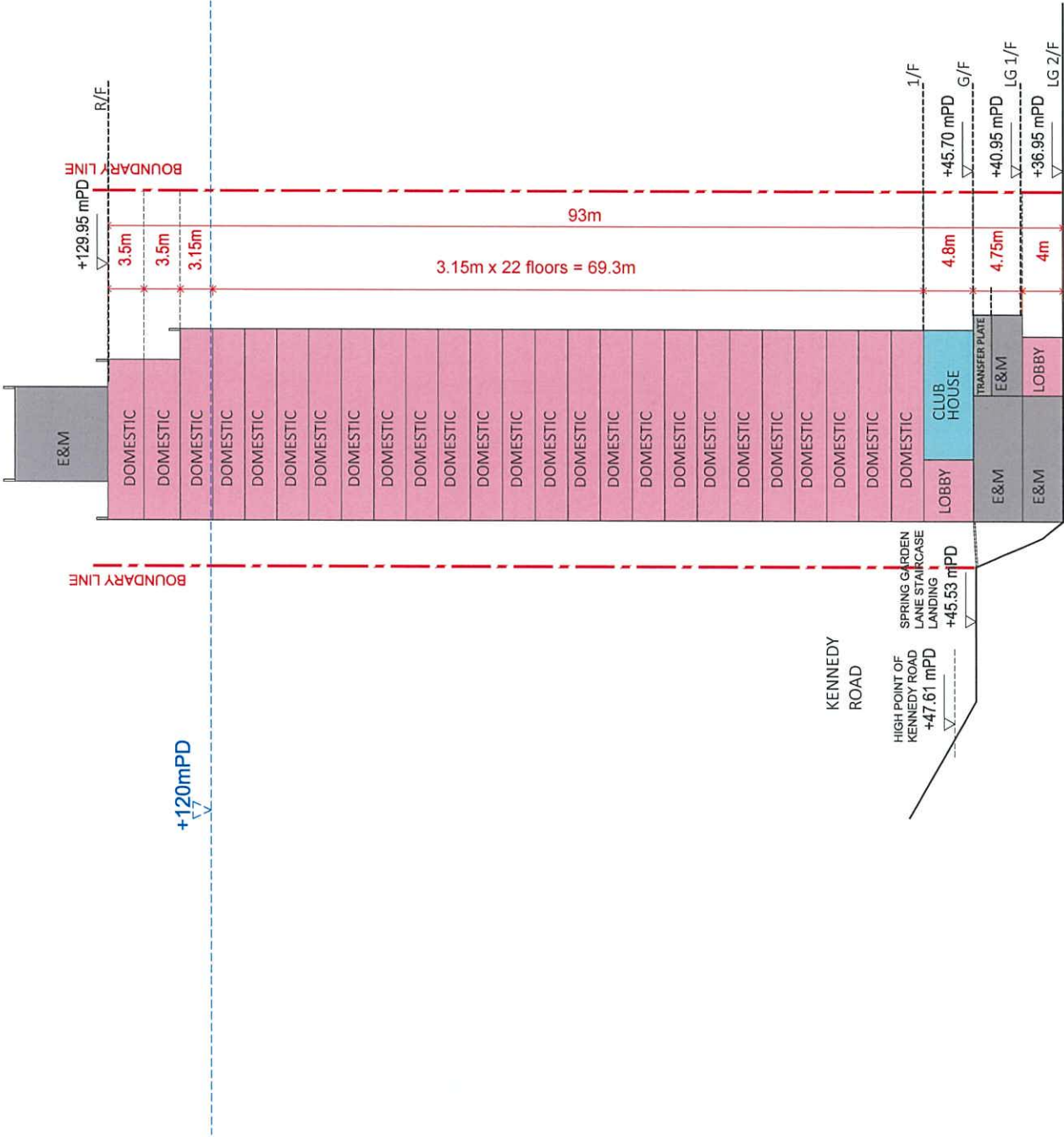
Comments/ Suggestions	Consultant's Responses
<ul style="list-style-type: none"> The 3.15m FTF height can be achieved by reducing no. of storey. The Proposed Minor Relaxation of Building Height is only for profit-making. 	<p>The Proposed Minor Relaxation of Building Height seeks to accommodate the permissible GFA of the Proposed Development at Plot Ratio 8 as permitted under the General Building Plans, which cannot be fully accommodated under 120mPD due to site constraints limiting tower coverage and podium size.</p> <p>The Proposed Scheme has fulfilled the criteria for consideration of applications for Minor Relaxation of the BH Restriction under the Explanatory Statement of the Approved OZP to achieve permissible plot ratio under site constraints, provide better streetscape etc. The Proposed Scheme have also addressed TPB's concern in the previous Scheme and provided an additional public planning gain to improve the Spring Garden Lane Stairs. No adverse visual, air ventilation, landscape and traffic impacts are anticipated.</p>

Date: 19 August 2022
File Ref: KRFWT

Attachment 2

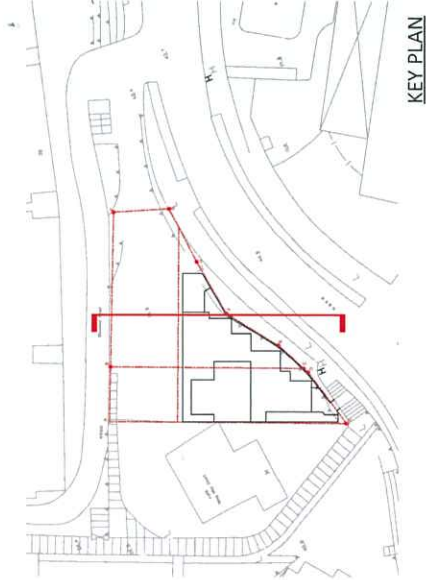
ARCHITECTURAL DRAWINGS

SECTION

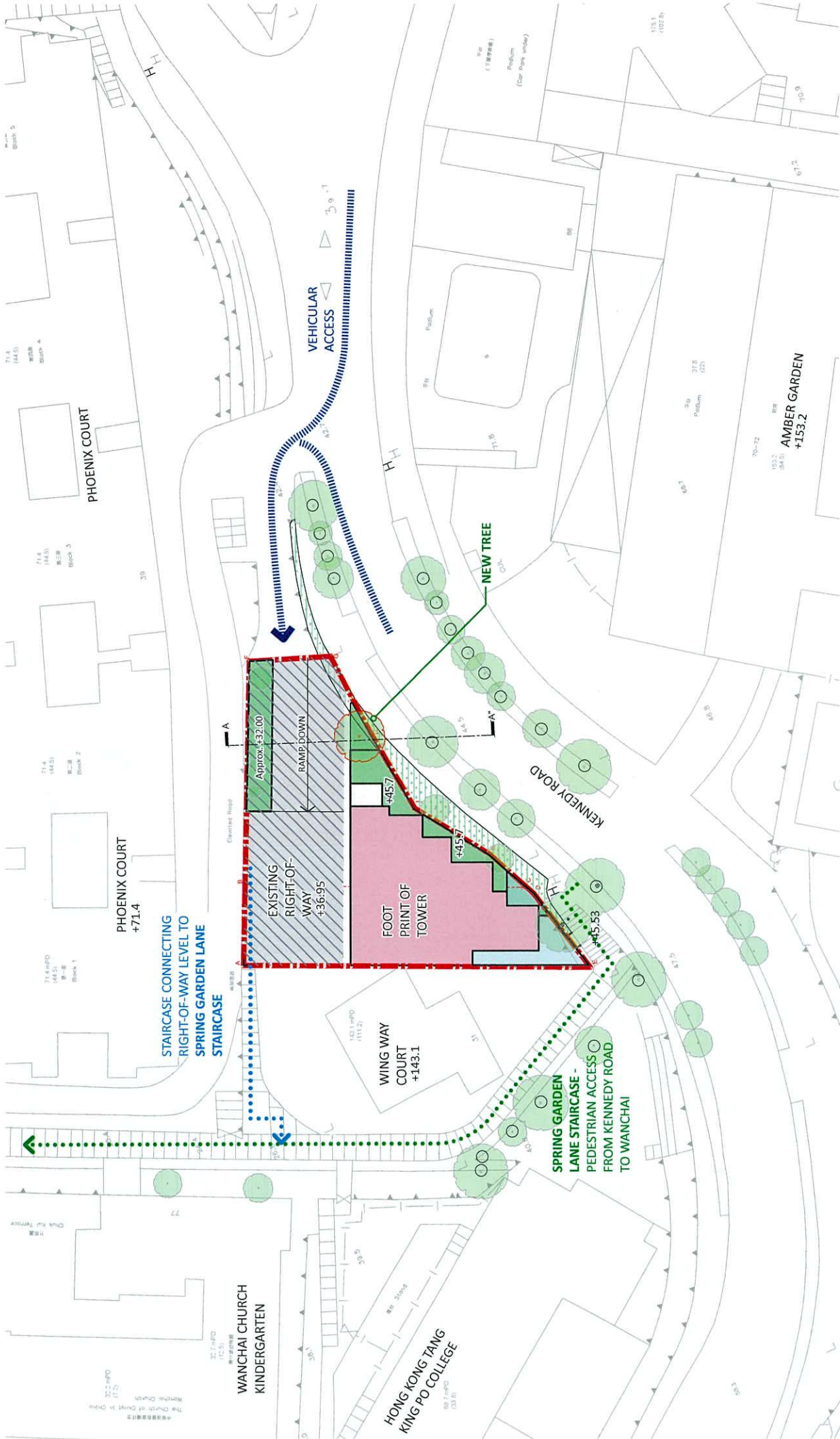


LEGEND

- EXISTING RIGHT-OF-WAY
- RESIDENTIAL TOWER
- LANDSCAPE AREA/ PLANTER LOCATION
- SITE BOUNDARY



MASTER LAYOUT PLAN



LEGEND

- EXISTING RIGHT-OF-WAY
- RESIDENTIAL TOWER
- LANDSCAPE AREA
- SITE BOUNDARY



G/F PLAN



- LEGEND**
- EXISTING RIGHT-OF-WAY
 - RESIDENTIAL TOWER
 - LANDSCAPE AREA
 - SITE BOUNDARY

G/F PLAN





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URBAN AND REGIONAL PLANNING, DEVELOPMENT CONSULTANCY, MASTER PLANNING, URBAN DESIGN, ARCHITECTURE,
LANDSCAPE ARCHITECTURE, PROJECT MANAGEMENT AND SOCIAL DEVELOPMENT

Our Ref KRFWT/KELVINC/06
Date 26 August 2022

By EMAIL and HAND

Secretary, Town Planning Board
c/o Planning Department
15/F North Point Government Offices
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD, WAN CHAI, HONG KONG
(TPB ref: A/H5/419)**

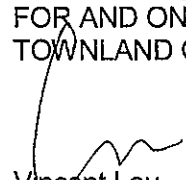
Reference is made to the captioned Planning Application submitted on 11.7.2022.

Further to our Response to Departmental Comments submitted on 19 August 2022, please find enclosed updated Figure 4.1 and 4.2 of the Supplementary Planning Statement ("SPS") demonstrating the Planning and Design Merits of the Proposed Development (**Attachment 1** refers). Please also find enclosed an updated G/F plan reflecting the reduced Site Coverage when compared to the previous S16 Application Scheme (**Attachment 2** refers).

Please note this FI provides technical clarifications based on our response to Departmental Comments only and that there is no change to the parameters of the Proposed Development. As such, the Applicant requests that the scheduled TPB Meeting of 9.9.2022 be kept.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Kelvin Chui.

Yours faithfully
FOR AND ON BEHALF OF
TOWNLAND CONSULTANTS LIMITED


Vincent Lau
Associate Director

VIN/KELVINC

cc Client

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TOWNLAND CONSULTANTS (SHENZHEN) LIMITED (China)

TOWNLAND CONSULTANTS PVT. LIMITED (India)

PT TOWNLAND INTERNATIONAL (Indonesia)

HOWARD & SEDDON PARTNERSHIP (United Kingdom)



ISO 9001:2015
Certificate No.: CCB44

Attachment 1

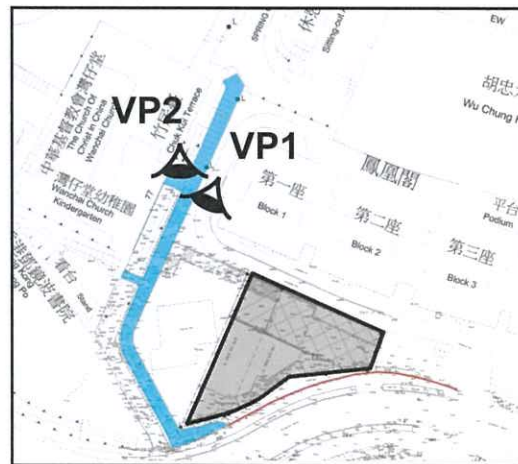
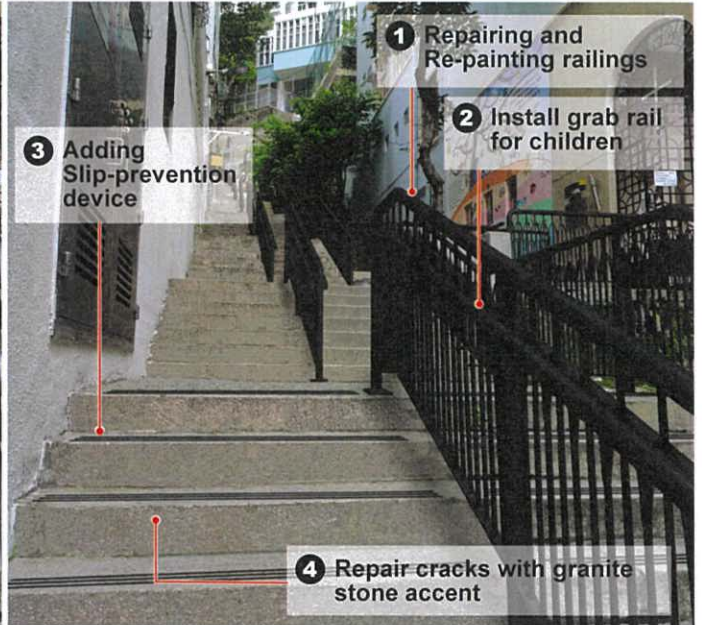
REVISED FIGURE 4.1 AND 4.2 OF
SUPPLEMENTARY PLANNING STATEMENT

VIEW POINT 1

Current Condition



Proposed Scenario

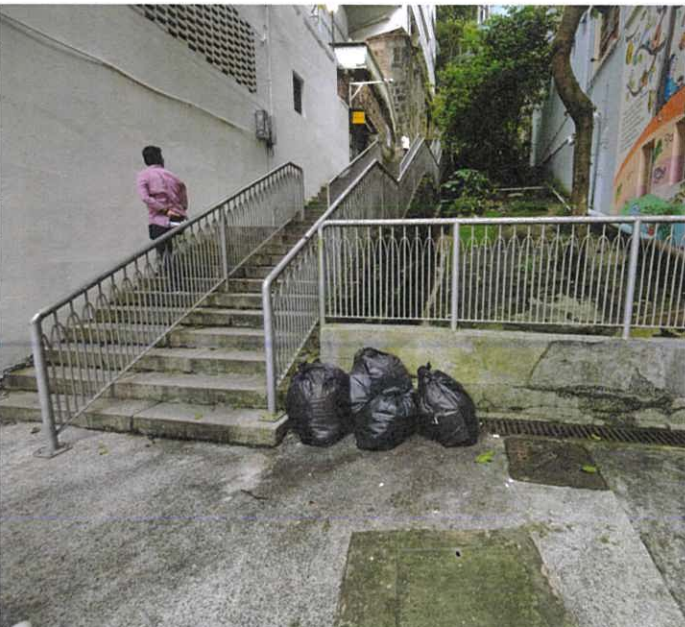


KEY PLAN

- Proposed extent of Spring Garden Lane Stairs Improvement
- Application Site

VIEW POINT 2

Current Condition



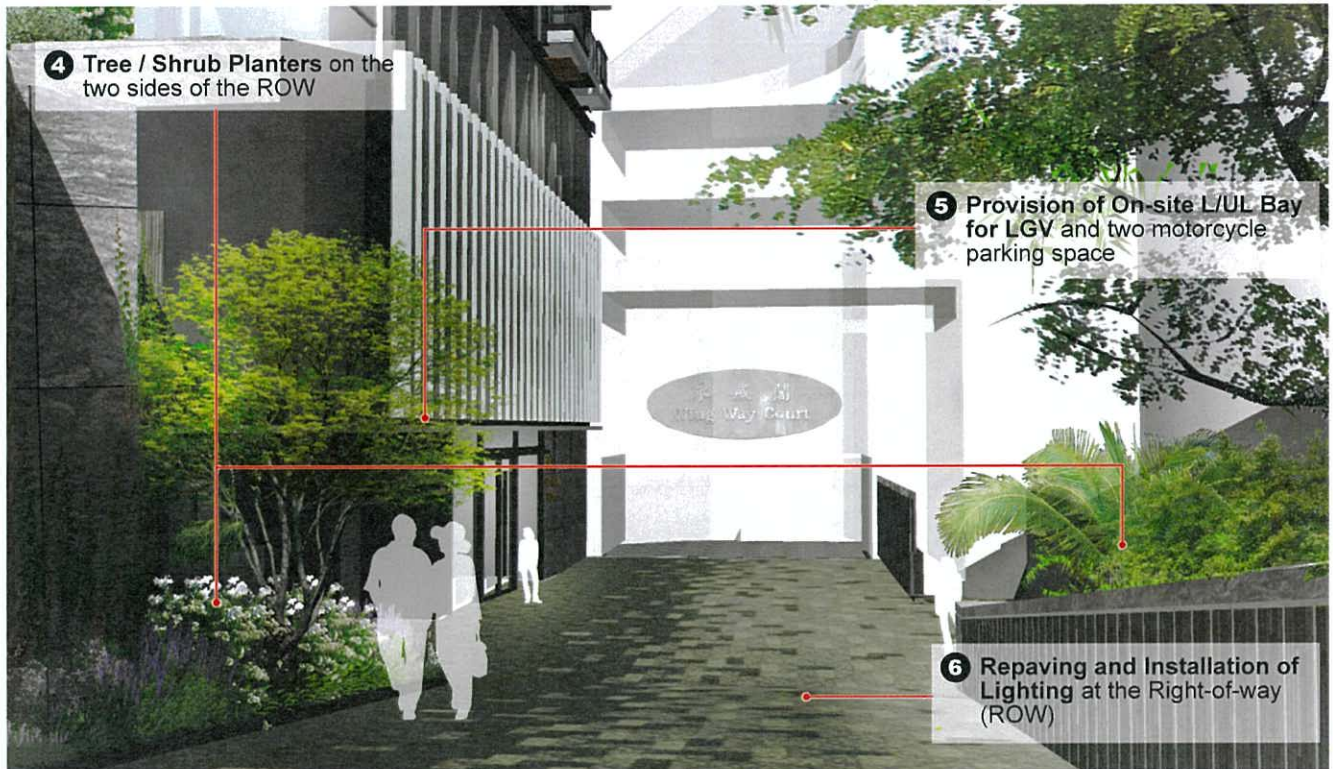
Proposed Scenario



Street Perspective (view from Kennedy Road)



Street Perspective (view from Right-of-Way)



Attachment 2

G/F PLAN

G/F PLAN



LEGEND

- EXISTING RIGHT-OF-WAY
- RESIDENTIAL TOWER
- LANDSCAPE AREA
- SITE BOUNDARY





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LANDSCAPE ARCHITECTURE, PROJECT MANAGEMENT AND SOCIAL DEVELOPMENT

Our Ref KRFWT/KELVINC/07
Date 01 September 2022

By EMAIL and HAND

Secretary, Town Planning Board
c/o Planning Department
15/F North Point Government Offices
333 Java Road, North Point, HONG KONG

Dear Sirs

**SECTION 16 PLANNING APPLICATION
THE TOWN PLANNING ORDINANCE (CHAPTER 131)**

**PROPOSED MINOR RELAXATION OF
BUILDING HEIGHT RESTRICTION FOR PERMITTED RESIDENTIAL DEVELOPMENT
AT NOS. 33-35 KENNEDY ROAD, WAN CHAI, HONG KONG
(TPB ref: A/H5/419)**

Reference is made to the captioned Planning Application submitted on 11.7.2022.

Please be clarified that the Site Coverage of the Previous Scheme under TPB No. A/H5/414 was an assumed ballpark figure including all setback spaces for recess planters and hard paved areas. The Site Coverage of the Proposed Development assumes the actual building bulk of the Proposed Development. While the building bulk is generally similar, the Proposed Development has reconfigured the raised planter (lowered to LG2/F) and made minor amendments to the layout of LG1/F and LG2/F during the design development of the General Building Plans. The Proposed Development has adopted approx. 2m – 7.8m wide setback at G/F with roadside planting which is considered a design merit to improve the visual openness and streetscape along Kennedy Road. In view of providing Public Planning Gains, the Applicant, under the current S16 Planning Application, has provided additional improvements to the wider pedestrian environment by repairing and beautifying the Spring Garden Lane steps.

Please also note the following items are assumed to be exempted from GFA calculation (and subject to compliance of Sustainable Building Design Guidelines / BEAM plus registration requirements for some concession items), including Resident's Clubhouse, E&M plant rooms, covered landscape garden, balcony, utility platform, guard room, larger lift shaft, etc, and as such not included in the GFA of the Proposed Development. GFA Concessions and exemptions will be sought at the building plan submission stage, subject to the Building Authority's Approval.

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PT TOWNLAND INTERNATIONAL (Indonesia)

HOWARD & SEDDON PARTNERSHIP (United Kingdom)



ISO 9001: 2015
Certificate No.: CC844

Our Ref KRFWT/KELVINC/07
Date 01 September 2022

Secretary, Town Planning Board

Please find enclosed updated Figure 4.2 of the Supplementary Planning Statement ("SPS") for your information (*Attachment 1* refers).

Please note this FI provides technical clarifications and has no change to the parameters of the Proposed Development.

Should there be any queries, please do not hesitate to contact the undersigned or Mr. Kelvin Chui.

Yours faithfully
FOR AND ON BEHALF OF
TOWNLAND CONSULTANTS LIMITED



Vincent Lau
Associate Director

VIN/KELVINC

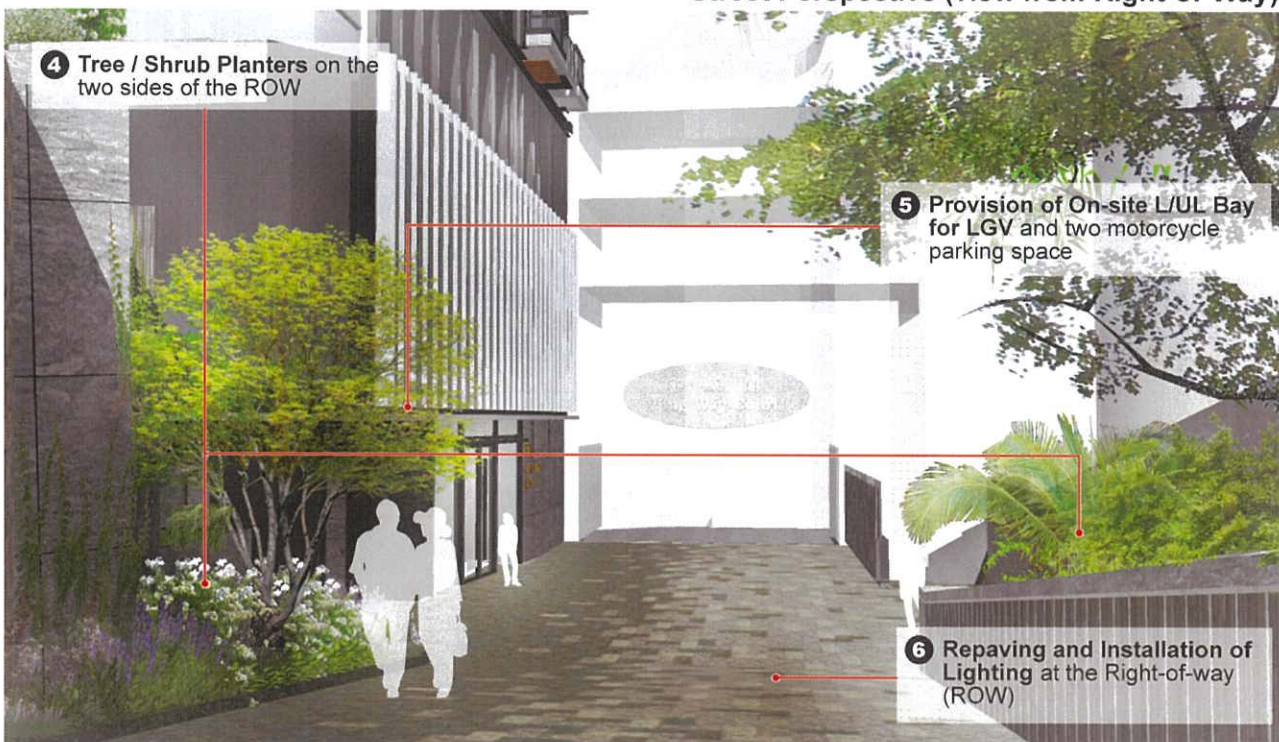
Enc

cc Client

Street Perspective (view from Kennedy Road)



Street Perspective (view from Right-of-Way)



Previous Application covering the Application Site

Rejected Application

Application No.	Proposed Use	Date of Consideration	Rejection Reason
A/H5/414	Proposed Minor Relaxation of Building Height Restriction for Permitted Flat Use	13.8.2021 (MPC)	(1)
		21.1.2022 (Review by the Town Planning Board)	(1)

Rejection Reason:

- (1) The applicants failed to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction.

致：香港北角政府合署 15 樓城市規劃委員會秘書處 (傳真：2877 0245)

To: Secretariat of Town Planning Board, 15/F North Point Govt Offices, HK (Fax: 2877 0245)

申請編號：A/H5/419 意見書

Comment on Application No. A/H5/419

(諮詢期至 Expiry Date for Making Comments: 2022/8/12)

本人對《申請編號 A/H5/419》的內容表示 (請加上√)：

Regarding Application No. A/H5/419, I (Please mark with a √):

☐ 支持 Support ☒ 反對 Reject ☐ 沒有意見 Have no comments

意見如下 My opinions (可另加附頁 Please use additional pages if needed)：

*姓名 Name: BONNIE CHAN

*聯絡電話 Contact: [REDACTED]

*地址 Address: [REDACTED]

*電郵 Email: [REDACTED]

Date: 10 AUGUST 2022

*聯絡資料供城規會書面回覆之用途 For replies by Town Planning Board

**A/H5/419 Application (6th Review Application) –
33-35 Kennedy Road Height Restriction**

We are the owners of 25th Floor Wing Way Court, 31 Kennedy Road. Although the applicant has applied for a new application based on certain technical basis, residents (the "Residents") of Wing Way Court and Phoenix Court do not find that there is any new or additional information provided by the applicant which addresses the original concerns as clearly stated in our previous 5 submissions last year regarding this matter and to which the Town Planning Board has declined the applicant's application two times in seeking for further height restrictions.

We find that the latest new application (as claimed by the applicant) frivolous. Worse still, the applicant has filed 90 pages of information requiring response within an unreasonably short time. This is an act of the applicant demonstrating no due respect given to the Residents in this matter and, goes without saying that it is a complete waste of Residents' and Town Planning Board's time and taxpayers' money.

Town Planning Board members are strongly urged to disregard the applicant's latest submissions i.e. their sixth application and our Sixth submission in respect of the captioned matter because, de facto, the applicant is still requesting for additional floors and units to be built irrespective of what they are trying to offer alternatively to distract us from the substance of the matter. In short, the applicant is again requesting the Town Planning Board to relax the height of the the new building to be erected at 33-35 Kennedy Road (the "Building"), the pathway leading to the Residents is already highly congested even without the new Building; It gets worse everyday these days where large trucks coming in and out of the pathway accessing the Building construction site are blocking access, in particular, to Wing Way Court on a regular basis. It is a pain for Wing Way Court residents to leave / go home everyday even during Covid times; those trucks come by as early as 7:30 am regularly.

Against this, we continue to strongly object to the above application for the further relaxation of height restrictions given that the Town Planning Board REJECTED the captioned application on 16 August 2021 and again on 23 January 2022 (the applicant's review). The developer is simply shameless in wasting the time and energy of the Town Planning Board and all those affected knowing full well that the further height relaxation will much further overload the traffic at Kennedy Road and down to Phoenix Court and Wing Way Court, the current traffic of which is already appalling and unbearable.

We do not understand why the Town Planning Board would even consider entertaining the so called "new application" by the applicant when the Board should know full well the history to this matter, in particular, (i) the

developer has sought for building more units right after its acquisition of the lot (the original approved plan of 46 units in 2018 were already permitted to be increased to 69 units in 2020) and (ii) the developer has lost in its application for the latest action of height relaxation both on first instance and on review.

We find the applicant (developers of the Building) absolutely shameless in continue to pursue this matter. How many more rounds the Town Planning Board is required to entertain them? Does the Town Planning Board expect the Residents to engage teams of professional legal advisers to fight this battle (perhaps, even a Judicial Review into the procedures of this entire long drawn matter) when we are entitled to the peace and quiet in the first place? This is a living example of not putting taxpayers' money into the best use; it's a in fact a complete waste of taxpayers' money.

We do not understand why the Town Planning Board was even considering again and again the review of this matter (or a new application in disguise of an old one). We believe the Town Planning Board should have the authority not to entertain the applicant's/developer's new/review application given that there is nothing of substance in its submission to seek for height restrictions relaxation. Although the developer seems to have submitted further information to substantiate how our environment will be improved at the Spring Garden Lane steps, such additional information is nothing but a distraction and useless information to fool the Town Planning Board under the circumstances. The said environmental improvement to Spring Garden Lane steps will not directly address the traffic congestion of the pathway leading to the Residents. Also, there is no proof that what they offer will be approved and agreed by other relevant government authorities. The Town Planning Board should not take into account such irrelevant submissions.

It is noted that the Town Planning Board has classified this site as "Residential (Group B)" and a developer must work within the known constraints when it originally acquired the site for development. To ask for further relaxation of the Building height, in addition to the original attempt to increase from 46 units to 60 units, in order to achieve the maximum PR is nothing more than trying to squeeze more profits from what the developer/applicant had already projected prior to the acquisition. 6 rounds of submissions (including, the latest one) demonstrated developer's persistent greed in maximising its monetary benefits with total disregard for the Residents and, in particular, total neglect of ESG/CSR standards expected from them.

8.29% increase in the Building height cannot be defined as "minor" by any standard; the Applicant's submission that this is "minor" in nature is misleading. When an adjustment allows for an additional 6 units to be added to a small Building, it is not minor by any standard. Assuming the 6 units have an

estimated GFA of 2,500 sf, that is increasing the sales proceeds of \$87.5m at a selling price of \$35,000 psf.

By allowing such an application to proceed further is condoning with the developer to make extraordinary profits at the expense and jeopardy of the Residents, translating to numerous families and thousands of individuals, most of whom have been living at Phoenix Court and Wing Way Court for decades. This cannot be something the Town Planning Board aspires towards.

The additional 9.95m will directly impact Wing Way Court residents; it will block natural light and ventilation to numerous units at Amber Garden; it will trap more heat; it will create a bigger 'eyesore' to an already tall and slim building in the environment. The already limited view, between Hopewell Centre and Wu Chung House, currently enjoyed by Amber Garden residents would be totally blocked and the natural light and ventilation coming through would be completely eliminated. The additional Building height is highly unacceptable in any sense.

All these damages will not only greatly affect the value of properties in the vicinity of the Building but, also, the 'quality of living' for all those in the neighbourhood. The proposed actions by the developer regarding the Spring Garden Lane steps are irrelevant and unable to compensate the loss and trauma suffered by the existing neighbourhood. Nothing in the latest proposal by the developer demonstrates any real commitment for them to address the pressing traffic congesting issue; it is purely for the developer's own benefit. If Town Planning Board approves of the applicant's application, the Board's impartiality could be put in doubt.

The Hopewell group Mega Hotel development has already taken away so much out of Kennedy Road; pedestrians and students are already having a hard time navigating pedestrian walks. In fact, there are many other steps along Kennedy Road that require more urgent upgrades than Spring Garden Lane steps. The Spring Garden Lane steps are in good enough condition and any so called "upgrade" will be superficial. The applicant also proposed a sitting bench along the Spring Garden Lane steps which is already a narrow walkway and there is simply no room at all for the proposed sitting bench. The proposal is useless and unrealistic for the neighbourhood. The truth of the matter is that the Building has already planned for an entrance at Spring Garden Lane steps, the so called "beautification" is to allow the developer fancier marketing for its development.

If indeed, the Spring Garden Lane steps are in need of repair and safety improvement, why have relevant Government Departments not done so all these years? Do we need a developer to initiate this? Let's not forget a huge tree fell across the Spring Garden Lane steps during a typhoon not too long ago. Luckily, there was no injury when it happened.

By now, I am sure the Town Planning Board cannot agree more that it would be inappropriate for it to approve of the additional 9.95 m Building height which will not allow for a more pleasant environment as the developer claims. The minimum height of rooms for habitation for health reason is 2.5 m as provided by the Buildings Department. As such, there is no real reason to insist upon 3.15 m. Who would not wish for higher ceilings in their apartments but should all neighbouring residents suffer only because residents of the new Building is entitled to a better quality of living space? How about our rights to have a less congested Residents' pathway, better quality of living and status quo, if not more, natural light and ventilation?

This application is nothing but 'new wine in old bottles'. Nothing has changed.

Allowing this 'new' application, in fact an old application coming before the Town Planning Board for the sixth time, to reach this stage is utterly shameful.

If Town Planning Board should decide to reverse the decision of its two previous Rejections made even without any real new and valuable evidence submitted by the applicant to support its case, the Town Planning Board would not have exercised due care and fair natural justice under the circumstances. The Town Planning Board should not tread down that dangerous route to run the risk of facing judicial review of not upholding natural justice for all the neighbouring residents of 33-35 Kennedy Road i.e. those of Wing Way Court and Phoenix Court.

We reinstate here again all those comments mentioned in our previous 5 submissions (re: Application nos.: A/H5/414 (F1, F2, F3, F4 & F5)) submitted in March, May, July, September & November of last year; we see absolutely NO reason that it should be further increased to 75 units for such a small plot, in particular, after previously considering the Tree Report, Responses to Comments made by Transport Department and Planning Department and, also, the latest submissions by the applicant etc. More importantly, the original approved plan of 46 units in 2018 were already permitted to be increased to 69 units in 2020.

As mentioned numerous times that the driveway serving nos. 39, 31, 33 and 35 is extremely narrow (not enough for two cars to travel at the same time) and sharing the same entrance and exit; this situation has been a living nightmare in recent months ever since the construction works started at 33-35 Kennedy Road. The Town Planning Board representatives are strongly urged to physically conduct a site visit to see for themselves and determine the severity of situation. Even without the new building erected at nos. 33-35, cars coming in and out of 31 Kennedy Road (Wing Way Court) and 39 Kennedy Road (Phoenix Court), the driveway is already well beyond its full capacity. Although the new building to be erected at nos. 33-35 does not have

any parking space, residents living in the new building are bound to travel by taxi or private cars driving them down the narrow driveway and dropping them off. In recent months, visitors of the construction site of 33-35 Kennedy Road, Wing Way Court and Phoenix Court have been parking cars, large size lorries and construction trucks etc. on the said narrow passageway connecting Wing Way Court and Phoenix Court on a daily basis which has been creating huge nuisance and inconvenience and, in fact, a nightmare to all relevant Residents. Personally, there have been numerous times that I could not drive up the passageway leading to Kennedy Road from Wing Way Court and vice versa due to the large lorries and private cars parked along the narrow passageway. This situation has been lingering for almost two years by now.

As such, it is extremely selfish, highly inconsiderate and heartless for the applicant/developer to keep pursuing at all costs to try to increase height of the new Building fitting in with even more flats adversely affecting the well-being of neighbouring residents e.g. increasing in traffic flow and blocking lights of Wing Way Court residents etc. In particular, in order to allow them to build such a tall building at nos. 33-35, it is even more ridiculous that we now need to sacrifice the green environment we so treasure in our neighbourhood; planting a few greens at Spring Garden Lane does not rectify the situation. In fact, many of us value the greenery in our area which is lacking in many parts of Hong Kong. No one wishes to live in a concrete jungle. Developers should NOT be GREEDY to keep asking for building more flats, continuously, extending the new building upwards, at the expense of the current owners of Phoenix Court and Wing Way Court. In particular, those living at Wing Way Court will be directly facing the new building (Nos. 33-35) with no view at all in the future when they are now enjoying the scenic view far and beyond with ample natural light. Wing Way Court residents will be suffering big time due to the new building project even without the extra floors added. Therefore, we strongly object to further height relaxation. I am sure that Town Planning Board also understands our dire situation and, more so, the importance and objective of maintaining a sustainable environment in a modern world, in particular, in Hong Kong which is striving to be an environmental friendly international centre and for the developer to uphold high standards of Environmental, Social and Governance and Corporate Social Responsibility required of them.

The said new Application, so the applicant claims, definitely not only goes against such a principle of sustainability and corporate social responsibility by the said developer but also sets a very bad example for other developers developing other parts of Hong Kong, in particular, Town Planning Board already rejected their application two times. Town Planning Board and all relevant government departments should be extremely mindful for a bad precedent setting if both of its decision at first instance and on review are reversed allowing height restriction relaxation on this

As mentioned in our previous comments, the situation is already extremely unbearable of late given that Kennedy Road has been overloaded with numerous construction sections, large construction lorries and permission of only single traffic files for a two way lane at various sections of Kennedy Road, in particular, near the Hopewell Mega Tower these days leave alone the overload of extremely heavy traffic after the Hopewell Mega Tower is completed.

We strongly urge those hearing and considering the applicant's latest application to stand firm in its decision understanding and sympathizing the pain and sufferings of the residents of the Kennedy Road, in particular, those of Wing Way Court and Phoenix Court, the interests of which the Town Planning Board should also protect and not tilt only towards the interests of the new Building (33-35 Kennedy Road).

Please REJECT once and for and Do Not entertain any further all the applicant's request to build extra floors which are highly unnecessary, selfish, purely out of their greed, and will only ruin the lives of many.

We strongly object to the latest application of further height restrictions relaxation of the captioned new Building. The Town Planning Board should not waste any more time and energy in entertaining any further review/new applications of the applicant if no new evidence is provided going forward; otherwise, the Town Planning Board is not seen as acting in the best interest of the community.

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A/H5/419 33-35 Kennedy Road, Wan Chai
10/08/2022 02:19

From:

To:

File Ref:

tpbpd <tpbpd@pland.gov.hk>

A/H5/419

33-35 Kennedy Road, Wan Chai

Site area : 715.7sq.m

Zoning : "Res (Group B)" and area shown as 'Road'

Applied development : 75 Units / PR 8 / 130 (139mPD) – 28 floors / SC 42.13
(33.33)% / OS Zero (89 sq.m) / 3 Vehicle Parking

Dear TPB Members,

33. While not always seeing eye to eye with the Chair at the time, now Secretary for Development, I fully endorse her comment **"The Chairperson further asked why the 2018 GBP Scheme was not implemented soon after approval amid the prevailing housing shortage but rather much of the time was spent on revising schemes in the past few years."**

Further application for review was rejected on 21 Jan 2022 so developer turns to the usual solution, some minor adjustment to the specifications. In this instance out with the OS provision and in with 3 parking spaces.

*In addition The Applicants propose to improve the Spring Garden Lane steps by repairing and **beautifying the paving, railings, lamp post(s), installation of slip-prevention device, grab rail for children, newly designed railing along Kennedy Road, as well as a new sitting bench along the steps.** The Improvement proposal shall improve the safety, comfort and appearance of the street environment serving the local residents and students;*

Strong objections to the plan to modify the granite steps. These have been in use for decades and have served the community well. It is clear from the images that the proposed works would cause irreversible damage to the granite steps. With the extensive damage wrecked by Hopeless at Ship Street the district has already been stripped of much of its heritage.

Re the grab rail, one of the main complaints about the makeover of Central Market is the addition to the handrails in the name of public safety. Are there any statistics that indicate that the original structures posed any great danger to the community?

How about doing something about the many idiots walking around glued to their mobile phones and getting in everyone's way? They represent a far more prevalent danger.

As for the sitting bench, this would cost at most a few thousand dollars and if some good citizen would like to donate one then go ahead. It could of course come with the ulterior motive of discouraging the dumping of bags of garbage at the site?

Painting the lamp posts ditto but futile when no action is taken against the all too prevalent practice of estate agents and home owners pasting their for sale signs on public utilities that cause extensive damage and degrade the surroundings. Again easily resolved by prosecuting the holder of the contact number but the government refuses to do this. No doubt the speculators buying into this project would strip the paint off the lamp posts in no time with their posters.

Again members should reject the plan and advise the developer to Delay No More..

Mary Mulvihill

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Friday, 10 December 2021 1:58 AM CST

Subject: Re: A/H5/414 33-35 Kennedy Road, Wan Chai

Dear TPB Members,

The review has no merit.

Back in 1950 *"The ROW is a private agreement between the owners of the application site, Wing Way Court and Phoenix Garden and is shown as a "Private Road". Without this road passing through the application site vehicular access would not be possible to the adjoining sites "*. Presumably this was a form of commercial agreement between developers/site owners. Whatever, it is a binding condition and comes with certain restrictions.

As we are reminded on a daily basis, rights are not absolute, they are subject to restrictions, which are necessary for respecting the rights of others. In this instance the height restricts imposed to preserve the medium density ambience of the district and the legitimate interests of hundreds of families who have acquired home there.

The 1950 ROW private agreement imposes constraints that preclude a full plot ratio utilization and a maximum GFA. The owners are aware of this and have accepted the principle of Caveat Emptor.

Members should again reject the application as approval would set a precedent for other sites with inherent restrictions to demand similar consideration..

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Tuesday, 1 June 2021 11:50 PM CST
Subject: Re: A/H5/414 33-35 Kennedy Road, Wan Chai

Dear TPB Members,

Having now had access to the Response to Comments, fully support the Chief Town Planner with regard to the adverse impact of the plans to remove the trees. That section of Kennedy Road is already under severe stress from the machinations of the Hopewell project and the failure of various departments to protect the trees further along this road. Removal of mature and healthy trees will alter the leafy characteristic of the road.

The building is not old. The only reason for its redevelopment is sheer greed. Tonnes of construct waste will be generated. Local residents will be exposed to dangerous conditions on the narrow road as this will require hundreds of trips by heavy construction vehicles. Local schools will be impacted. For what, certainly not to provide any improve in the form of original architecture as the new units will be the standard 'fit in as many as possible' tower.

Appeal Tribunal - Buildings Ordinance [Cap 123] Case N.749t [Ref (1BJ in PELBIL) 67 /aL/aS U4-eL). Indicates that this is a particularly sensitive location. Please note the following statement"

The Tribunal after visiting the site stated that "we are left in no doubt that the existing traffic conditions both at the junction of Kennedy Road and the right of way

and on the right of way itself are unsatisfactory, unsafe and dangerous".

http://158.132.107.165/lawbook/html/G/5/74_91.pdf

The court ruling is of significance and is included in the text books as a case study.

It is regrettable that it is not incumbent upon Buildings Dept to gauge the impact upon the community when it approves demolition plans.

Previous objections upheld. Members must carefully consider if the proposed development fulfills the criteria of medium density as per the planning intention.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Thursday, December 24, 2020 3:54:48 AM
Subject: A/H5/414 33-35 Kennedy Road, Wan Chai
A/H5/414

33-35 Kennedy Road, Wan Chai

Site area : 715.7sq.m

Zoning : "Res (Group B)" and area shown as 'Road'

Applied development : 75 Units / PR 8 / 139mPD – 28 floors / SC 33.33% / OS 89 sq.m

Dear TPB Members,

Strong objections to what is effectively a Major relaxation of height restriction. Upper Roof is 138.45mPD, not the 130mPD quoted.

Applicant states

"The Proposed Scheme is primarily to incorporate a standard residential floor-to-floor height of 3.15m as well as all of the permissible GFA. For modern healthy residential buildings the minimum standard is 3.15m, to allow for sufficient natural light and ventilation. It is not possible to achieve both the permissible GFA and the 3.15m floor-to-floor height within the building height restriction of 120 mPD on the application site."

However if the disposition of the site is irregular in shape, then in certain cases the PR, that is broad brush not specific in nature, cannot be achieved. Not only is the site irregular in shape, there is no possibility of providing parking as the site is on a curve on an already very busy and congested road that will be under further and greater pressure when the Hopeless Mega development opens. Members must consider that the lack of parking indicates that with this site it is not advisable to permit over development. No internal drop off has been provided. As low rise buildings are being replaced with developments many times higher than the existing buildings, it is time that developments with no internal parking facilities be obliged to provide off road loading/unloading bays at street level, as is mandatory with hotel developments. This should be mandatory to avoid illegal parking on the street and to ensure safe pick up and drop off.

The site is zoned Res B - This zone is intended primarily for **medium-density** residential developments

Re the calculation of PR, is this based on the actual build able area or has it also incorporated the 'Road' and "Right of Way" quota that are effectively No Build in nature?

Where is the OS? The small plots of Landscape Area cannot be counted as they cannot be used for either active or passive recreation. In addition the 89mPD quoted is insufficient to serve 75 units.

There is also the issue of proximity to Wing Way Court. Not only would natural light and ventilation be blocked to sections of both buildings, there is also the issue of privacy to be considered.

Members must bear in mind that like other rights, property rights are not absolute.

Mary Mulvihill

17

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220811-110135-73178

提交限期

Deadline for submission:

12/08/2022

提交日期及時間

Date and time of submission:

11/08/2022 11:01:35

有關的規劃申請編號

The application no. to which the comment relates: A/H5/419

「提意見人」姓名/名稱

Name of person making this comment:

The Incorporated Owners of Amber Garden, Kennedy Road

意見詳情

Details of the Comment :

會增加汽車流量，會做成屏風效應，所以會反對增加高度。

24

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KRPG Planning Application A/H5/419 OBJECTION
07/08/2022 22:13

From:

To:

Cc:

File Ref:

1 attachment



KRPG-A-H5-419 Comments & Objection.pdf

Dear SIRS,

Please find attached our COMMENTS and OBJECTION to this proposal for "*Minor Relaxation of Building Height Restriction for Permitted Flat Use*".

Best regards

Roger Emmerton

for *Kennedy Road Protection Group*

KRPG Secretariat:-

Secretary, Town Planning Board
15/F Floor, North Point Government Offices,
333 Java Road,
North Point, Hong Kong

7th August 2022

Dear Sirs,

Re:- Proposed Residential Development with Minor Relaxation of
Building Height Restriction – 33-35 Kennedy Road, Wan Chai.
s.16 Application No. A/H5/419 - OBJECTION

"Kennedy Road Protection Group" are a group of residents living in the Wan Chai sector of Kennedy Road in vicinity of the application site on the "R(B)" zone and "Road" at 33-35 Kennedy Road.

We notice from the Town Planning Board website that the applicant has **AGAIN** applied for *minor relaxation of building height restriction for permitted flat use* requesting a **NEW** s.16 procedure on this **SAME** constrained Kennedy Road site.

This exact same *"minor relaxation"* proposal reference planning application A/H5/414 was **comprehensively REJECTED** by the Board at **both s.16 Application** (after two deferments requested by the applicant). and **s.17 Review** for the following reason:-
"The applicant fails to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction" – see Attachment

The established course of action for a developer who is unhappy with a s.17 Review rejection is to address the Town Planning Appeals Board. Obviously the grounds for an Appeal were weak, so this was not undertaken by the applicant. **ALL** this s.16 and s.17 information, and "further information(s)", were given to government departments and the applicant was unable to garner support for the proposed height restriction relaxation from the relevant government officials, Wan Chai District Councillors and the residents in the locality. To all intents and purposes this is exactly the same proposal, and we surmise the only reason why the applicant sees fit to reissue A/H5/414 with the new reference A/H5/419 is that there a "new faces" at Planning Department (with the change to John Lee's administration) and a new Town Planning Board.

There is **NO MERIT** in this new submission. The only new justification appears to be cosmetic work ("tarting-up") outside the site on the Spring Garden Lane steps. Rather than "Disney" style enhancing the location, they are **DESTROYING** Wan Chai original heritage solid granite steps – and their "cracks" happen to be existing joints. We have already seen the Ship Street's iconic solid granite steps demolished to accommodate the developer of HCII. We certainly do NOT want to see more "cultural vandalism" in Wan Chai at Spring Garden Lane (or Nam Koo Terrace).

During the s.16 planning procedures for A/H5/414 we sent five letters to the TPB on 14th December 2020, 1st June 2021, 5th July 2021, 8th July 2021, 29th September 2021 giving specific reasons for our **OBJECTION** to this proposal. These letters are still COMPLETELY RELEVANT to A/H5/419 and we herewith request the TPB Secretariat to attach a copy of these letters to this A/H5/419 OBJECTION

In brief our **COMMENTS** and **OBJECTIONS** focused on:-

1. Architectural, Landscape and Visual Aspects -
2. Urban Design -
3. Traffic.
4. Legal Outcome Appeal Tribunal – Buildings Ordinance (Cap 123) Case N. 74 91 (Ref (18) in PELB(L) 67/01/05 (74-91).
5. Wan Chai OZP – contradiction of specific planning statements
6. Precedent –

We are surprised that Planning Department and the TPB Secretariat could entertain the resubmission of a same s.16 application after it had **ALREADY** been so comprehensively **REJECTED** by the Board in January this year. This is making a mockery of the Town Planning system, and a disrespect to Members of the public who took much time to send their views to the Board, and indeed a waste of Board Members' time. If such a simple resubmission tactic by the developer could succeed, and be **RECOMMENDED** by Planning Department, the integrity of the Planning Department would brought into question.

In the context of the above we request consideration and protection under Section 3 (1) of the Town Planning Ordinance Cap.131. We therefore respectfully request Members of the Board to **REJECT** this s.16 A/H5/419 proposal in the **PUBLIC INTEREST**.

Yours sincerely,



Roger Emmerton for Kennedy Road Protection Group

Attachment:- Statutory Planning Portal 2 information on A/H5/414 history

c.c.

Mrs Regina IP – Member of the Legislative Council for Hong Kong Island

Miss Peggy LEE – Wan Chai District Council for Southorn - Fax 2865 3636

[Print](#)

General Information

Case No.	A/H5/414
Applied Use	Proposed Minor Relaxation of Building Height Restriction for Permitted Flat Use
Location	33-35 Kennedy Road, Wan Chai, Hong Kong
Gist	Map

Decision Meeting(s)

Decision Date (DD/MM/YYYY)	22/01/2021
Type Of Consideration	Application for Planning Permission
Decision	Deferred
Authority	Metro Planning Committee
	Show 664th MPC MEETING ON 22.01.2021
Detailed Decision	After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[top](#)

Decision Date (DD/MM/YYYY)	30/04/2021
Type Of Consideration	Application for Planning Permission
Decision	Deferred
Authority	Metro Planning Committee
	Show 670th MPC MEETING ON 30.04.2021
Detailed Decision	After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

[top](#)

Decision Date (DD/MM/YYYY)	13/08/2021
Type Of Consideration	Application for Planning Permission
Decision	Rejected/Not agreed
Authority	Metro Planning Committee

**Detailed
Decision**

Show
677th MPC MEETING ON 13.08.2021

After deliberation, the Committee decided to reject the application. The reason was:

"the applicants fail to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction."

[top](#)**Decision Date
(DD/MM/YYYY)**

21/01/2022

**Type Of
Consideration**

Review

Decision

Rejected/Not agreed

Authority

Town Planning Board

Show
1263rd TPB MEETING ON 21.01.2022

**Detailed
Decision**

After deliberation, the Board decided to reject the application on review for the following reason:

"the applicant fails to demonstrate strong planning and design merits to justify the proposed minor relaxation of building height restriction."

[top](#)

**Broad Development Parameters of the Applied Use/Development
in respect of Application No. A/H5/419**

關於申請編號 A/H5/419 的擬議用途/發展的概括發展規範

Application No. 申請編號	A/H5/419		
Location/address 位置／地址	33-35 Kennedy Road, Wan Chai, Hong Kong 香港灣仔堅尼地道 33 至 35 號		
Site area 地盤面積	About 約 715.7 sq. m 平方米		
Plan 圖則	Draft Wan Chai Outline Zoning Plan No. S/H5/30 灣仔分區計劃大綱草圖編號 S/H5/30		
Zoning 地帶	"Residential (Group B)" and area shown as 'Road' 「住宅(乙類)」及顯示為「道路」的地方		
Applied use/ development 申請用途／發展	Proposed Minor Relaxation of Building Height Restriction for Permitted Flat Use 擬議略為放寬建築物高度限制，以作准許的分層住宅用途		
Gross floor area and/or plot ratio 總樓面面積及／ 或地積比率		sq. m 平方米	Plot ratio 地積比率
	Domestic 住用	About 約 5,725	About 約 7.999
	Non-domestic 非住用	-	-
No. of block 幢數	Domestic 住用	1	
	Non-domestic 非住用	-	
	Composite 綜合用途	-	
Building height/No. of storeys 建築物高度／ 層數	Domestic 住用	-	m 米
		Not more than 不多於 129.95	mPD 米(主水平基準上)
		28 3	Storey(s) 層 Include 包括 Podium 平台
	Non-domestic 非住用	-	m 米
		-	mPD 米(主水平基準上)
		-	Storey(s) 層
	Composite 綜合用途	-	m 米
		-	mPD 米(主水平基準上)
		-	Storey(s) 層
Site coverage 上蓋面積	Podium 平台 : Not more than 不多於 42.13% Tower 樓宇 : Not more than 不多於 33.33%		



李碧儀議員辦事處

Office of Peggy Lee, Wan Chai District Councillor

25

11th Aug, 2022

15/F North Point Government Office,
Hong Kong
Secretariat of Town Planning Board



Dear Chairman and members,

Objection to A/H5/419

I am writing to object Application A/H5/419. It was to my surprise that TPB allowed the applicant to submit a so called "New Application" but indeed it was same details as application no. A/H5/414 which has been rejected by the Board earlier this year.

After reviewing the 90 pages of proposal, I see only "cosmetic", but nothing proposed by the developer can and is of direct value or benefit to neighbouring residents in term of those unsolved problems in their previous application (A/H5/414), i.e. air ventilation, traffic and parking issue. My objection reasons are as follows:

Traffic

Not to mention about the future traffic generated from Hopewell Centre 2, traffic in Kennedy Road is overloaded and already very congested at times. There is no proposed plan to deal with new engaged traffic by the building, or no car park or loading areas are proposed in this application. As mentioned in A/H5/419, our strong request for car park spaces and loading areas is because the vehicle path outside this new building is the ONLY access to Wing Way Court and its car parks, if it's blocked by lorry/cars or any illegal parking, it will have terrible traffic issue to both Wing Way Court and Phoenix Court.

Building Heights

According to the Buildings Department Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers, point 5 under "Building Heights" states clearly that the minimum height of rooms for habitation or office for health reason is 2.5 m, therefore the GBP approved scheme on 21 December 2018 with floor-to-floor height of 3m is well above the minimum requirement of the Building Department for health reason. In addition, the developer proposed the highest 2-storey to be 3.5m high. The reason for such proposal is just to get a higher unit price for more profit but make no benefit to the neighbourhood.

香港灣仔譚臣道8號威利商業大廈13樓A室

Room A, 13/F, Thomson Commercial Building, 8 Thomson Road, Wan Chai, HK

電話 Tel: 2865 3300 傳真 Fax: 2865 3636 電郵 Email: pyleepeggy@gmail.com



李碧儀議員辦事處

Office of Peggy Lee, Wan Chai District Councillor

Unnecessary Beautification Work for Spring Garden Lane Stairs

This "new" application includes Spring Garden Lane stairs beautification work which is not a reason for asking the Board to approve their height relaxation application. In fact, the Spring Garden Lane stairs are in good condition and there is no need for any upgrade or beautify work. The stairs serve as a connection path from Kennedy Road to Queen's Road East. It's more in functional feature than in leisure use. In addition, the stairs are maintained and cleaned by our Government Departments daily and residents are happy with its current condition and function. The developer also proposed a sitting bench along the stairs, I am afraid this will attract more street sleeper to stay and pile up rubbish. For your information, my office worked very hard to get rid of a street sleeper along this stair recently, and I do not think residents would like to see these problem coming back again.

Furthermore, the developer also proposed to plant trees along the stairs, who's responsible for the maintenance work in the future? In case of tree fall, who should be claimed?

To conclude, nothing in this "new" application has changed substantially from the first rejected application (A/H5/414) This proposal is simply a ploy to make a re-application for height relaxation under a false pretence. With my objection reasons above, I see NO NECESSITY of the height relaxation to this development. **I sincerely request the Board to reject this application.**

Yours Sincerely,

Peggy Lee Pik-yee

Wan Chai District Councillor (Southorn)

Objection to Application A/H5/419

In my opinion the Application A/H5/419 should be rejected

The Applicant is seeking to increase the height restriction - (i) to fully utilize the development potential and the permissible PR and (ii) to provide a higher FTF for each unit.

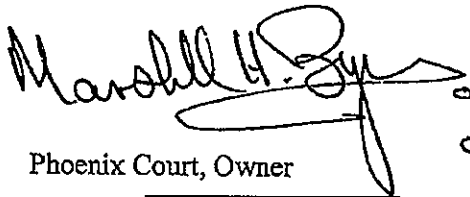
Neither reason provides a proper basis for making any alteration to the requested height restriction and are in fact irrelevant to the situation.

1. There are no valid grounds to ask the Town Planning Board to relax the height restriction in order to enable a developer to maximize its profit margin in a property development. This is purely a commercial decision on the part of the developer - if it wishes to increase the number of units to be sold (i.e. to make more profit), then it can certainly adjust the FTF for each unit under the current height restriction.
2. The law requires that every habitable room shall have a height of at least 2.5 m measured from floor to ceiling. A typical residential building's floor to floor height is around 2.8m in Hong Kong. Whether or not a developer wishes to give each unit a more luxurious space for residents (i.e. 3.15m), is, again, a commercial decision on the part of the developer. It should not be a reason for asking the Town Planning Board for a height restriction relaxation on the whole building.
3. Improving the Spring Garden Lane steps, adjacent to the new development project, increases the potential value and attractiveness of the development project in question. Although, such improvements may benefit the residents of the development project and some other neighbouring residents, it does not benefit the local Wanchai community at large, or the residents of Kennedy Road, generally.
4. The stairs in question are already in high usage and are in good condition, so there is no immediate need to change them. They are used by many residents of Kennedy Road and further construction and disruption in this area will simply cause inconvenience. There is no need to "beautify" the Spring Garden Lane stairs. This proposal is simply a ploy to make a re-application for height restriction relaxation under a false pretence. The height relaxation application has already been rejected by the committee; beautifying spring garden lane is not relevant to the issues. The steps are and should remain a functional feature and an upgrade is not a factor in this decision.
5. The current number of storeys plus podium already have an adverse impact on traffic on Kennedy Road. They also have the adverse effect of creating shadows and reducing sunlight access. Allowing a relaxation of height restriction thereby enabling more units to be built and sold, will only worsen this situation.
6. Regarding the traffic situation on Kennedy Road, already at times very congested, adding more residents will just add further congestion and blockages. An already busy road is becoming obsolete due to bumper-to-bumper traffic on a daily basis. The local environment will continue to deteriorate and become less habitable as a result of this vehicle congestion. Town planning objectives should be to manage the road traffic to ensure it is safe, free flowing and functional.

Maximizing profit margin is not, and should never be, a valid reason for height restriction relaxation. Allowing this application will set a bad precedent to other future requests from developers simply based on commercial benefits and considerations.

The Town Planning board should reject the present application.

Signed,



Phoenix Court, Owner

9 August 2022

Mobile: 

56

致：香港北角政府合署 15 樓城市規劃委員會秘書處 (傳真：2877 0245)

To: Secretariat of Town Planning Board, 15/F North Point Govt Offices, HK (Fax: 2877 0245)

申請編號：A/H5/419 意見書

Comment on Application No. A/H5/419

(諮詢期至 Expiry Date for Making Comments: 2022/8/12)

本人對《申請編號 A/H5/419》的內容表示 (請加上√)：

Regarding Application No. A/H5/419, I (Please mark with a √):

☐ 支持 Support

☒ 反對 Reject

☐ 沒有意見 Have no comments

意見如下 My opinions (可另加附頁 Please use additional pages if needed)：

Please see attached sheets.

*姓名 Name：_____ *聯絡電話 Contact：_____

*地址 Address：RESIDENTS OF AMBER GARDEN

*電郵 Email：_____ 日期 Date：31/7/2022

*聯絡資料供城規會書面回覆之用途 For replies by Town Planning Board

Comments on Application No. A/H5/419
(Expiry Date for Making Comments: 12/8/2022)

We reject Application No. A/H5/419 for the following reasons:

Based on the Executive Summary provided, the Applicant applies to increase the height restriction based on 2 main arguments – (i) to fully utilize the development potential and the Permissible PR and (ii) to provide a higher FTF for each unit.

However, these reasons are **not relevant** for applying for a height restriction relaxation:

1. There is no valid ground to ask the Town Planning Board to relax height restriction in order to enable a developer to maximize its profit margin in a property development. This is purely a commercial decision on the part of the developer - if it wishes to increase the number of units to be sold (ie to make more profit), it can certainly adjust the FTF for each unit under the current height restriction.
2. The law requires that every habitable room shall have a height of at least 2.5m measured from floor to ceiling. A typical residential building's floor-to-floor height is around 2.8m in Hong Kong. Whether or not a developer wishes to give each unit a more luxurious space for residents (ie 3.15m) is, again, a commercial decision on the part of the developer. It should not be a reason for asking the Town Planning Board for a height restriction relaxation.
3. Improving the Spring Garden Lane steps (which are right next to the development project) by repairing and beautifying the paving, railings, lamp posts etc. all increase the potential value and attractiveness of the development project in question. Although such improvement may benefit the residents of the development project and some

other residents of close-by buildings, it does not really benefit the local Wanchai community at large or residents of Kennedy Road generally.

4. The current number of storeys plus podium already have an adverse impact on wind-shielding effect and traffic on Kennedy Road. Allowing relaxation of the height restriction, thereby enabling more units to be built and sold, will only worsen the situation.

Maximizing profit margin is not, and should never be, a valid reason for height restriction relaxation. Further, allowing this will also open a floor-gate to other requests from developers based on commercial benefits and considerations. We therefore urge the Town Planning Board to reject the present application.

鳳凰閣

Phoenix court

業主立案法團

The Incorporated Owners of Phoenix Court

Management Office: Block 2, Level 3, 39 Kennedy Road, Hong Kong.

Telephone: 2574 6510 Fax: 2574 6517

Our Ref.: PXCIO/L/2022/009

58

11th Aug, 2022

15/F North Point Government Office,
Hong Kong
Secretariat of Town Planning Board

Dear Chairman and members,

Objection to A/H5/419

We represent Owners of Phoenix Court, and we are writing to object the height relaxation application by the applicant A/H5/419. It was to our surprise that TPB allowed the applicant to submit a so called "New Application" but indeed it was same details as application no. A/H5/414 which has been rejected by the Board earlier this year.

Our reasons are as follows:

Traffic

Not to mention about the future traffic generated from Hopewell Centre 2, traffic in Kennedy Road is overloaded and already very congested at times. There is no proposed plan to deal with new engaged traffic by the building, or no car park or loading areas are proposed in this application. As mentioned in A/H5/419, our strong request for car park spaces and loading areas is because when the path is blocked by lorry/cars or any illegal parking, it will have terrible traffic issue to both Wing Way Court and Phoenix Court.

Building Heights

According to the Buildings Department Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers, point 5 under "Building Heights" states clearly that the minimum height of rooms for habitation or office for health reason is 2.5 m, therefore the GBP approved scheme on 21 December 2018 with floor-to-floor height of 3m is well above the minimum requirement of the Building Department for health reason. In addition, the developer proposed the highest 2-storey to be 3.5m high. The reason for such proposal is just to get a higher unit price for more profit but make no benefit to the neighbourhood.

Unnecessary Beautification Work for Spring Garden Lane Stairs

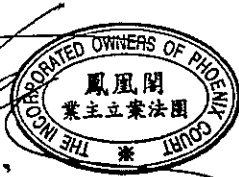
This "new" application includes Spring Garden Lane stairs beautification work which is not a reason for asking the Board to approve their height relaxation application. In fact, the Spring Garden Lane stairs are in good condition and there is no need for any upgrade or beautify work. The stairs serve as a connection path from Kennedy Road to Queen's Road East. It's more in functional feature than in leisure use to residents of Kennedy Road. In addition, the stairs are maintained and cleaned by our Government Departments daily and we are happy with its current condition and function. The developer also proposed a sitting bench along the stairs, I am afraid this will attract more street sleeper to stay and pile up rubbish. For your information, there was a

street sleeper along this stair and with the continuous help of District Councillor and different Department, we finally got rid of the problem. All residents in Phoenix Court do not want these problem coming back again. Furthermore, the developer also proposed to plant trees along the stairs, who's responsible for the maintenance work in the future? In case of tree fall, who should be claimed?

To conclude, nothing in this "new" application has changed substantially from the first rejected application (A/H5/414) This proposal is simply a ploy to make a re-application for height relaxation under a false pretence. With our objection reasons above, we see NO NECESSITY of the height relaxation to this development. **We sincerely request the Board to reject this application.**

Yours Sincerely,

Tang Tit Ho



Chairman, Incorporated Owners of Phoenix Court

Advisory Clauses

- (a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio (PR) and site coverage and/or gross floor area (GFA) concession/exemption for the proposed development will be approved/granted by the Building Authority (BA). The Buildings Department (BD) should be approached direct to obtain the necessary approvals. In addition, if the building design elements and the bonus PR/GFA concession are not approved/granted by the BA and major changes to the current scheme are required, a fresh planning application to the Town Planning Board may be required;
- (b) to note the comments of the District Lands Officer/Hong Kong East, Lands Department (LandsD) that the “Existing Right-of-way (ROW)” as shown on the Master Layout Plan at the Appendix 1 of the SPS at **Appendix Ia** of this Paper is covered by a Deed of Covenant and Mutual Grant of Rights of Way registered in the Land Registry under Memorial No. 198862 dated 29.6.1955. The said Deed is an agreement made between owners of various private lots. Concerned private lots owners should be liaised with to sort out any issue relating to the concerned ROW for the proposed development. The site area which includes the abovementioned “Existing ROW”, i.e. 715.7m² (about), has not been checked. You should ensure that the proposed development is entirely within the Lots and would not encroach onto the adjoining government land. LandsD Lands Administrative Office Practice Note Issue Nos. 4/2008 and 1/2017 should be referred to;
- (c) to note the comments of the Commissioner for Transport that a series of measures had proposed to ensure the road safety at the ROW. All proposed measures should be ensured to be in place prior to the occupation of the proposed development. You would be responsible for the cost and implementation of the improvement works and would return the ownership to the government for management. Any traffic facilities to be handed over to the Transport Department (TD) for management should be designed and constructed to the Highways Department’s (HyD) latest standards and the latest standards of the “Transport Planning and Design Manual” (TPDM). Detailed design of the proposal should be submitted to TD and HyD for comment and agreement in later stage. Tactile warning strips to the Spring Garden Lane staircase in accordance with the TPDM shall be considered under yourproposed improvement works;
- (d) to note the comments of the Chief Highway Engineer/Hong Kong, HyD that any highways facilities to be handed over to HyD shall be designed and constructed to the latest TD and HyD standards, including TPDM and HyD’s standard drawings.
- (e) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, BD that detailed comments on compliance with the Buildings Ordinance and allied regulations will be given upon formal building plans submission; and
- (f) to note the comments of the Chief Engineer/Construction, Water Services Department (WSD) that there are some existing fresh water mains within and in the vicinity of the application site and are affected by the proposed development. Free access should be allowed for WSD at any time to carry out operation and maintenance of these water mains. In case you considers that diversion of these water mains is required, you should study the feasibility of diverting these water mains. If diversion is considered feasible, you should submit their proposal for WSD’s consideration and approval. The diversion work shall be carried out by the project

proponent at your own cost to the satisfaction of WSD. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by you.