

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

**APPLICATION NO. A/K1/262**

<b><u>Applicant</u></b>	:	Drainage Services Department (DSD) represented by Meinhardt Infrastructure and Environment Limited
<b><u>Site</u></b>	:	Northern Tip of Urban Council Centenary Garden (UCCG) adjacent to Chatham Road South
<b><u>Site Area</u></b>	:	About 2,900m <sup>2</sup>
<b><u>Land Status</u></b>	:	Government Land (GL)
<b><u>Plan</u></b>	:	Approved Tsim Sha Tsui Outline Zoning Plan (OZP) No. S/K1/28
<b><u>Zoning</u></b>	:	“Open Space” (“O”)
<b><u>Application</u></b>	:	Proposed Public Utility Installation (Stormwater Pumping Station)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed public utility installation (stormwater pumping station (SPS)) at the northern tip of UCCG adjacent to Chatham Road South (the Site) (**Plan A-1**). The Site falls within an area zoned “O” on the approved Tsim Sha Tsui OZP No. S/K1/28. According to the Notes of the OZP for “O” zone, the proposed SPS, which is regarded as ‘Public Utility Installation’, is a Column 2 use requires planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, the areas along and adjacent to Chatham Road South between Granville Road and Austin Avenue have been classified as a flooding blackspot since 1995 due to relatively low topography and the insufficient capacity of existing branch drainage system (**Plan A-1**). To relieve the flooding risk, the Review of Drainage Master Plan in East Kowloon – Feasibility Study completed in 2015 has proposed drainage improvement measures in the concerned areas in the form of stormwater pumping scheme coupled with drainage upgrading works (**Drawing A-1**). After reviewing another possible sites, the Site is considered most suitable for the proposed SPS.

- 1.3 The Site has an area of about 2,900m<sup>2</sup>, which is at present a public open space with an ancillary public toilet with a footprint of about 51.6m<sup>2</sup> (**Plan A-2**). The proposed SPS comprises a single-storey aboveground structure occupying an area of about 650m<sup>2</sup> (main roof level at about 14.5mPD) with two basement levels (**Drawings A-2 to A-8**). The basement levels will house the pump area, an inlet chamber and stormwater storage tank, whilst the switch room, transformer room, control room and refuse collection room will be accommodated in the single-storey structure (**Drawings A-2 to A-5**). For the aboveground structure, trees and vegetation will be provided within the Site as screening, and landscape treatments in the form of climbing plants and rooftop garden as well as façade articulation will be adopted. The construction works is targeted for commencement in 2022 and completion in 2027.
- 1.4 Excluding the building footprint of the aboveground structure, the rest of the Site (i.e. about 2,250m<sup>2</sup>) at ground level will be restored as public open space to be managed by LCSD (**Drawings A-2 and A-9**). The proposed floor and sectional plans, architectural plans, photomontages, landscape plan and tree transplanting plan submitted by the applicant are shown on **Drawings A-2 to A-17**. The major development parameters of the proposed development are summarised as follows:

Site Area	2,900m <sup>2</sup>
Total GFA	4,450m <sup>2</sup>
• G/F	650m <sup>2</sup>
• B1/F	1,900m <sup>2</sup>
• B2/F	1,900m <sup>2</sup>
Site Coverage at G/F	22.4%
No. of Structure	1
Building Height (about) ( <b>Drawings A-7 and A-9</b> )	14.5mPD (10m above ground)
<b>Proposed Uses</b>	
G/F ( <b>Drawings A-2 and A-9</b> )	- Transformer room, switch room and control room - Public open space (about 2,250m <sup>2</sup> )
B1/F ( <b>Drawings A-3 and A-4</b> )	- Pump equipment area, pipe gallery, inspection room, inlet channel and fan rooms
B2/F ( <b>Drawing A-5</b> )	- Stormwater storage tank

- 1.5 To facilitate the proposed SPS development, the existing public toilet at the Site will be demolished and reprovisioned at about 130m south of the Site within UCCG near Auto Plaza (**Drawing A-13 and Plan A-2**). The existing toilet will only be demolished upon the completion of the new one.
- 1.6 There are 34 trees within and immediately adjacent to the Site (**Drawing A-14**). No old and valuable tree (OVT), tree of particular interest nor rare/endangered species are found within the Site. It is proposed to retain 2 trees, transplant 16 trees back to the Site after completion of construction works (**Drawing A-15**), transplant 4 trees (including the existing mature Ficus tree (TST-T119)) within UCCG (**Drawing A-16**), transplant 11 trees to Sha Tin Main Sewerage Pumping Station and fell 1 unhealthy tree for safety reason (**Drawing A-14**). Compensatory tree planting within the Site at a ratio of 1:1 in terms of quantity is also proposed (**Drawing A-15**).

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

- (a) Application Form received on 2.11.2021 (Appendix I)
- (b) Supplementary Planning Statement (Appendix Ia)
- (c) Technical assessments (Appendices Ib to Ic)
- (d) Further Information (FI) received on 10.12.2021, (Appendix Id) providing responses to departmental and public comments, and clarification on background information with revised plans\*
- (e) FI received on 16.12.2021, providing additional (Appendix Ie) information on construction arrangement, site selection criteria and considerations, and replacement pages of floor and section plans\*

Remarks: \*accepted and exempted from publication and recounting requirements

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

The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia to Ie**. They can be summarised as follows:

- (a) Chatham Road South has been classified as a flooding hotspot since 1995. The flooding incident on 8.5.2014 at the concerned areas has resulted in a flooding extent of about 5,000m<sup>2</sup>, which has caused significant economic loss and inconvenient to the general public. The proposed SPS and the corresponding drainage improvement works as recommended by the Review of Drainage Master Plan in East Kowloon – Feasibility Study could greatly reduce the risk of flooding at Chatham Road South. Upon completion of the project, the flood risk in the areas can be significantly reduced and the trunk stormwater drains therein can be able to withstand a 1 in 200 years rainstorm event.
- (b) The ideal site for the proposed SPS should be located near the existing downstream box culvert and flooding black spot (**Drawing A-1**). The proposed SPS was originally proposed at the open space of the Hong Kong Science Museum (HKSM). However, the open space was subsequently found not feasible for the proposed SPS because of the proposed HKSM expansion buildings. After exploring other possible sites in the vicinity, and assessing the relevant factors including hydraulic performance, construction and recurrent cost, construction programme, and traffic, social and environmental impacts, the Site is considered as the most suitable location for the proposed SPS to relieve the flood risk at Chatham Road South with the least impact to the public.
- (c) There will be a net loss of public open space of 650m<sup>2</sup> (about 22.4%) after completion of the project. The remaining area of the Site of about 2,250m<sup>2</sup> will be restored as open space for public enjoyment (**Drawing A-9**). To minimise inconvenience to the public, the existing public toilet will be relocated within UCCG and will be demolished upon the completion of the new public toilet.

- (d) Various landscape mitigation measures and architectural design features including screening trees and vegetation, vertical greening, façade articulation, and low-profile external wall finishing have been incorporated into the proposed development which will help reduce the visual impact arising from the proposed SPS and blend in with the surrounding environment (**Drawings A-9 to A-12**). The architectural design of the proposed SPS and landscape design of the open space will also have strong relationship with the surrounding environment in the meantime to provide a green and pleasant environment which could encourage public to enjoy the relaxing hours with the aesthetically design.
- (e) The proposed SPS is anticipated to impose an overall negligible visual impact the surroundings (**Drawing A-17**). The proposed development will not generate adverse impacts on traffic, environmental, geotechnical and sewerage aspects. Relevant mitigation measures will be adopted to minimise the potential impacts during the construction and operation of the proposed development.
- (f) The Yau Tsim Mong District Council (YTMD) had been consulted on the proposed SPS development. The Chairman, the Vice Chairman and a Member of YTMD showed support to the proposal.

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

As the Site involves GL only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable.

### **4. Previous Application**

There is no previous application involved at the Site.

### **5. Similar Application**

There is one similar application for proposed public utility installation (underground gas governor installation with aboveground vent stack) (No. A/K1/198) within “O” zone on the Tsim Sha Tsui OZP (**Plan A-1 and Appendix II**). The application was approved on 10.10.2003 by the Metro Planning Committee (the Committee) on grounds that the proposal was considered not incompatible with the surrounding developments; the proposed development would not cause any adverse impact on visual and environmental aspects; and relevant Government departments had no adverse comments on the application.

### **6. The Site and its Surrounding Areas (Plans A-1 to A-4)**

6.1 The Site is:

- (a) located within northern tip of UCCG managed by LCSD; and

- (b) currently occupied by a public toilet and public open space; and
- (c) surrounded by medium/high-rise commercial buildings.

6.2 The surrounding areas have the following characteristics:

- (a) to the east, northeast and southeast are mainly commercial developments (i.e. Energy Plaza and Inter-Continental Plaza). The HKSM and Hong Kong Museum of History are located to the further northeast of the Site across Granville Road;
- (b) to the south is the remaining portion of UCCG; and
- (c) to the west, northwest and southwest across Chatham Road South are predominantly medium/high-rise commercial developments.

## **7. Planning Intention**

The “O” zone is primarily intended for the provision of outdoor public open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

## **8. Comment from the Relevant Government Departments**

8.1 The following Government departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

8.1.1 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) he has no objection to the application;
- (b) the Site falls within the UCCG (GLA K-227) which has been allocated to LCSD for open space use; and
- (c) it is presumed that DSD would liaise with LCSD on any interface issues and future maintenance and management arrangement.

### **Building Matters**

8.1.2 Comments of the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD):

- (a) it is noted the proposed building is DSD’s project. Under section 41(1)(a) of the Building Ordinance (BO), buildings belonging to the Government are exempted from the provisions of the BO;

- (b) the proposed drainage improvement works should not result in contravention of the BO and its subsidiary regulations in the adjoining existing buildings in terms of drainage connection, site classification, means of escape, emergency vehicular access (EVA), etc. In particular, all existing drainage works of the adjoining buildings should not be adversely affected by the proposal; and
- (c) for the purpose of site classification under Building (Planning) Regulations, minimum 4.5m wide streets should be maintained (i) between the proposed structure and the existing Energy Plaza and (ii) between the proposed structure and the existing Inter-Continental Plaza.

### Fire Safety

#### 8.1.3 Comments of the Director of Fire Services (D of FS):

- (a) he has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (c) the applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the “Code of Practice for Fire Safety in Building 2011”, which is administered by BD; and
- (d) any intended storage or use of dangerous goods as defined in Chapter 295 of the Laws of Hong Kong should be notified to D of FS.

### Traffic

#### 8.1.4 Comments of the Commissioner for Transport (C for T):

- (a) he has no in-principle objection to the application from traffic engineering viewpoint; and
- (b) details of run-in/out and precautionary measure shall be further developed and comment(s) shall be sought from relevant Government department(s).

### Environment

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

- (a) he has no in-principle objection to the application; and

- (b) it is noted that the Preliminary Environmental Review (PER) report and Sewerage Impact Assessment (SIA) report enclosed to support the planning application are identical to the PER and SIA reports submitted by DSD for drainage improvement works in Tsim Sha Tsui. The findings of the PER and SIA reports are agreed by DEP in November 2020. Given that the potential environmental impacts associated with the proposed development have been covered in the PER and SIA reports, adverse environmental impacts associated with the proposed developments are not anticipated.

#### Urban Design and Landscape

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

#### Urban Design and Visual

- (a) the Site with an area of 2,900m<sup>2</sup> is located within UCCG, which is generally surrounded by a number of medium to high-rise existing commercial buildings;
- (b) as gathered from the submission, majority of the proposed building structures will be located underground, and the area (about 2,250m<sup>2</sup>) excluding the aboveground structure (with a footprint of about 650m<sup>2</sup>) will be restored as open space and opened for public use on 24-hour basis;
- (c) for the aboveground structure, trees and vegetation will be provided within the Site as screening, and landscape treatments in the form of climbing plants and rooftop garden as well as façade/architectural articulation will be adopted to soften and break down the perceivable building mass;
- (d) given the context and with reference to the photomontages in the visual impact assessment, it is unlikely that the proposed development will induce significant adverse visual impact to the surroundings;

#### Landscape

- (e) the Site is located in an area of medium/high-rise commercial urban landscape character dominated by commercial buildings. The Site is part of UCCG. Existing trees to the north-western and southern boundary within the Site are observed. Given that a building of one-storey high with two levels of basement is proposed, the proposed development is considered not incompatible with the surrounding landscape setting; and

- (f) landscape provisions such as screen tree planting along the western boundary and green roof are proposed to soften the building structure, while planting areas and recreational facilities including benches with shelters are proposed at the open space area outside the pumping station for enjoyment of the public. Significant landscape impact arising from the proposed development is not anticipated.

#### Open Space Management, Tree Preservation and Transplantation

##### 8.1.7 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) he has no in-principle objection to the application;
- (b) for the tree preservation, the project proponent should review the proposed works area and to make every effort to preserve and protect the tree on site. The project proponent is required to provide adequate protective measures, site monitoring and post-construction maintenance to adhere to the relevant guidelines issued by the Greening, Landscape and Tree Management Section of the Development Bureau. Should the application be approved, DSD should provide a landscape plan, a transplant proposal, and a revised tree preservation and removal proposal to the satisfaction of the DLCS;
- (c) LCSD will further discuss with DSD regarding M&M schedule for the new toilet and pump station, and reserves the right to further comment the species of trees in future;
- (d) LCSD will further discuss with DSD regarding the land allocation and he would not comment on the management and responsibility in this stage; and
- (e) all enquires and complaints related to this work will be referred to DSD to investigate and reply.

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

- (a) Chief Highway Engineer/Kowloon, Highways Department;
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) District Officer (Yau Tsim Mong), Home Affairs Department (DO(YTM), HAD); and
- (d) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD).



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

During the statutory public inspection period, a total of 17 public comments were received from the TST Residents Concern Group, Management Office of the Inter-Continental Plaza and individuals expressing concerns on/objecting to the application (**Appendix III**). Their views are summarized as follows:

- (a) the proposed SPS is incompatible with surrounding uses and will cause adverse impacts on environmental, biodiversity, pedestrian flow, visual, landscape and cultural aspects. There are also concerns on the traffic, building safety and environmental impacts during the construction stage;
- (b) there is a lack of greenery and leisure space in the area. UCCG is a tourism landmark and a popular sitting-out area for the locals, and therefore should be preserved. There are concerns on transplanting of large trees;
- (c) the existing public toilet is conveniently located and frequently used by general public. Relocation of existing public toilet will cause considerable inconvenience to the public, especially disabled and families with young children;
- (d) the open area in front of HKSM is a more suitable location for SPS. An upgraded drainage system, instead of a SPS, would be sufficient to channel heavy rainwater directly into the harbour; and
- (e) there is lack of community consultation.

## 10. **Planning Considerations and Assessments**

- 10.1 The application seeks planning permission for the proposed SPS at the Site within an area zoned “O” on the OZP. The planning intention of the “O” zone is primarily for the provision of outdoor public open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public. The Site is currently part of UCCG with an ancillary public toilet. However, as recommended by the Review of Drainage Master Plan in East Kowloon – Feasibility Study, the Site, after exploring other possible sites, is identified as a suitable site for proposed SPS as part of the drainage improvement scheme because it is located adjacent to the existing downstream box culvert and flooding black spot (**Drawing A-1**). While the proposed SPS at the Site may not be entirely in line with the planning intention of the “O” zone, the application warrants exceptional consideration in view of its general public interest.
- 10.2 The proposed development comprises a single-storey aboveground structure (about 14.5mPD) atop two levels of basement (**Drawings A-7 and A-8**). The provision of screen plantings and landscape treatments in the form of climbing plants and rooftop garden as well as façade/architectural articulation will soften and break down the perceivable bulk and scale of the development (**Drawings A-9 to A-12**). Besides, the Site is located next to a commercial building within an area of medium/high-rise commercial urban landscape character (**Plans A-2 to A-4**). In this regard, CTP/UD&L of PlanD considered that it is unlikely that

the proposed development will induce significant adverse visual impact to the surroundings and the proposed development is considered not incompatible with the surrounding landscape setting.

- 10.3 The Site has an area of 2,900m<sup>2</sup>. Excluding the footprint of the proposed aboveground structure (about 650m<sup>2</sup>), the remaining area of the Site (about 2,250m<sup>2</sup>) will be restored as part of UCCG (**Drawings A-2 and A-9**). There will be a net loss of public open space of 650m<sup>2</sup> upon completion of the project. Currently, there is a surplus of about 16.4ha of district open space in the Tsim Sha Tsui Planning Area, and thus, the proposed development will not cause adverse impact on the overall open space provision in the area. Besides, there are a number of public open spaces in the vicinity including Mody Road Garden, Salisbury Garden, Tsim Sha Tsui East Waterfront Podium Garden and Tsim Sha Tsui Promenade within Tsim Sha Tsui East (**Plan A-1**). Furthermore, as shown in **Drawing A-9**, planting areas and landscape elements including benches with shelters are proposed at the open space area outside the pumping station structure for enjoyment of the public. CTP/UD&L of PlanD considered that significant landscape impact arising from the proposed development is not anticipated.
- 10.4 In view that the new public toilet will be reprovisioned at about 130m south of the Site at the southern portion of UCCG (**Drawing A-13**) and the existing one will only be demolished after the completion of the new one, the inconvenience to the public is considered minimal. The proposed location and reprovisioning arrangement of the new public toilet has been agreed by LCSD.
- 10.5 According to the applicant, no OVT, tree of particular interest nor rare/endangered species is identified within the Site. DLCS and CTP/UD&L of PlanD have no adverse comment on the tree preservation and landscape proposal. DLCS has also suggested imposing an approval condition as set out in paragraph 11.2(b) below regarding the landscape plan, and the tree transplant, preservation and removal proposal.
- 10.6 Technical assessments submitted demonstrate that the proposed SPS would not have adverse impacts in respect of environmental, traffic, sewerage and geotechnical aspects on the surrounding areas. Whilst short-term environmental and traffic impacts arising from the construction works would be mitigated through implementation of appropriate mitigation measures, C for T and DEP have no in-principle objection to the application from traffic engineering and environmental protection perspectives. Other concerned Government departments including D of FS, H(GEO), CEDD, DO(YTM), HAD and DAFC have no objection to/adverse comment on the application.
- 10.7 Regarding the objections/concerns raised in the public comments, the planning assessments above and the departmental comments in paragraph 9 above are relevant.

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

- 11.1 Based on the assessment made in paragraph 10 above, and having taken into account the public comments mentioned in paragraph 9 above, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 24.12.2025, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

### Approval Conditions

- (a) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) the provision of a landscape plan, a tree transplant proposal and a revised tree preservation and removal proposal to the satisfaction of the Director of Leisure and Cultural Services or of the Town Planning Board.

### Advisory Clauses

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

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

## **12. Decision Sought**

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

## **13. Attachments**

<b>Appendix I</b>	Application Form received on 2.11.2021
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendices Ib and Ic</b>	Technical Assessments
<b>Appendix Id</b>	Further Information received on 10.12.2021
<b>Appendix Ie</b>	Further Information received on 16.12.2021
<b>Appendix II</b>	Similar Application within "O" Zone in Tsim Sha Tsui

<b>Appendix III</b>	Public Comments
<b>Appendix IV</b>	Recommended Advisory clauses
<b>Drawing A-1</b>	General Drainage Improvement Works in Tsim Sha Tsui
<b>Drawings A-2 to A-8</b>	Floor Plans and Section Plans
<b>Drawings A-9 to A-12</b>	Proposed Landscape Plan and Elevation Plans
<b>Drawing A-13</b>	Relocation Plan of the Public Toilet
<b>Drawing A-14</b>	Tree Survey Plan
<b>Drawing A-15</b>	Proposed Tree Planting within the Site
<b>Drawing A-16</b>	Proposed Tree Transplant Proposal
<b>Drawing A-17</b>	Photomontages
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3 to A-4</b>	Site photos

**PLANNING DEPARTMENT  
DECEMBER 2021**