

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/H5/8

- Applicant** : Yuba Company Limited represented by Townland Consultants Limited
- Site** : 1, 1A, 2 and 3 Hill Side Terrace, 55 Ship Street (Nam Koo Terrace), 1-5 Schooner Street, 53 Ship Street, 18 Sau Wa Fong (Inland Lot (I.L.) 199 RP), I.L. 9048 and adjoining Government Land, Wan Chai, Hong Kong
- Site Area** : About 3,157.6m² (including 447.8m² (14.2%) Government Land)
- Lease** : I.L. 2140, I.L. 1940, I.L. 2272 & Ext., I.L. 1564, I.L.1669, I.L.2093 s.A RP, I.L. 2093 RP, I.L. 9048 and I.L. 199 RP
- (a) Standard offensive trades clause (I.L. 2140 and I.L. 1940)
- (b) Virtually unrestricted except offensive trades clause (I.L. 199 RP)
- (c) Virtually unrestricted except offensive trades and rate and range clauses (I.L. 2272 & Ext., I.L. 1564, I.L. 1669, I.L. 2093 s.A RP and I.L. 2093 RP)
- (d) Restricted to private residential purposes (I.L. 9048)
- Plan** : Approved Wan Chai Outline Zoning Plan (OZP) No. S/H5/31
- Zonings** : “Comprehensive Development Area” (“CDA”) – about 2,344m² (75%)
- (a) Restricted to a maximum plot ratio (PR) of 5.0 and a maximum building height (BH) of 91mPD, or the PR and height of the existing building, whichever is the greater
- (b) A minimum of 2,100m² of public open space shall be provided
- (c) The historic building, i.e. Nam Koo Terrace, shall be preserved in-situ for adaptive reuse
- “Residential (Group C)” (“R(C)”) – about 510.7m² (16%)

- (a) Restricted to a maximum PR of 5.0 and a maximum BH of 12 storeys, or the PR and height of the existing building, whichever is the greater

“Open Space” (“O”) – about 69.0m² (2%)

“Government, Institution or Community” (“G/IC”) – about 33.5m² (1%)¹

Area shown as ‘Road’ – about 200.4m² (6%)

**Proposed
Amendment**

- : To rezone the application site from “CDA”, “R(C)”, “O”, “G/IC” and area shown as ‘Road’ to “Other Specified Uses” annotated “Residential Development with Historical Building Conserved” (“OU(RDHBC)”) and “Other Specified Uses” annotated “Elevated Walkway” (“OU(Elevated Walkway)”)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plans Z-1 and Z-2**) from areas zoned “CDA”, “R(C)”, “O”, “G/IC” and area shown as ‘Road’² to “OU(RDHBC)” and “OU(Elevated Walkway)” zones on Wan Chai OZP to facilitate a proposed residential development with commercial uses and in-situ preservation of Nam Koo Terrace (NKT), a Grade 1 historic building, under s.12A of the Town Planning Ordinance (the Ordinance).
- 1.2 To demonstrate the technical feasibility of the proposed land uses and development parameters, the applicant has submitted an Indicative Scheme in the current application. According to the Indicative Scheme (**Drawings Z-1 to Z-5**), the proposed development (**Drawing Z-4**) comprises (i) 24-storey for residential use, 1-storey for mainly open space at the podium roof level (33.6 to 33.76mPD) and 3-storey podium accommodating ancillary recreational facilities and E&M facilities on the 2/F and 3/F and shops on the G/F (28-storey in total with BH of 119.56mPD); (ii) in-situ preservation of NKT for eating place, displaying its history, and open space (at roof level); and (iii) minimum provision of 2,800m² open space open to public. The proposed total domestic and non-domestic gross floor area (GFA) is 27,820.3m² and 1,064.6m² (including the preserved structure of NKT) respectively, equivalent to domestic and non-domestic PRs of 8.858 and 0.339 respectively. The proposed development is anticipated to be completed in 2028.
- 1.3 The subject “CDA” zoning is the decision on a s.12A application submitted by the same applicant (No. Y/H5/5) to rezone the land from area mainly zoned “O” with portions of “R(C)” and “G/IC” to “CDA”³ (**Plan Z-2**) to facilitate a similar preservation-cum-development project, which was agreed by the Metro Planning

¹ A small strip of land at the southwestern periphery of the Site falls within the “G/IC” zone. It could be treated as a minor boundary adjustment.

² Part of the area shown as ‘Road’ in the Site was formerly the public steps at Hill Side Terrace serving the former St. Luke’s College (i.e. I.L. 1669, I.L. 1564, I.L. 2272 & Ext. and I.L. 1940) (**Plan Z-2**). According to the applicant, it is no longer required after the amalgamation of various lots of the Site for comprehensive development in the Indicative Scheme.

³ Refer to paragraph 4 for the zoning history of the Site.

Committee (the Committee) of the Town Planning Board (the Board) on 13.12.2019. Subsequently, a s.16 application (No. A/H5/418) submitted by the same applicant for a comprehensive residential and commercial development with in-situ preservation of NKT mainly at the “CDA” site and I.L. 9048 (zoned “R(C)”) (**Plans Z-2 and Z-11**) was approved by the Committee on 9.6.2023 (details of the applications are provided in paragraph 5 below). Compared with the approved s.16 application, the current application amalgamates the adjoining 18 Sau Wa Fong (I.L. 199 RP) (largely zoned “R(C)”) with a minor portion within an area shown as ‘Road’) (**Plans Z-2 and Z-11**). A comparison of the major development parameters of the approved s.16 application and the current Indicative Scheme is summarised below:

	Approved s.16 Application (No. A/H5/418) (a)	Current Indicative Scheme (b)	Differences (b) – (a)
Site Area ⁽ⁱ⁾ (about)	2,845.7m ²	3,157.6m ²	+311.9m ² (+10.96%) (due to the inclusion of 18 Sau Wa Fong (I.L. 199 RP))
Development Site Area (about) (excluding the area of the proposed elevated walkway to the Hopewell Centre II)	2,828.8m ²	3,140.7m ²	+311.9m ² (+11.02%) (due to the inclusion of 18 Sau Wa Fong (I.L. 199 RP))
Total GFA ⁽ⁱⁱ⁾ (including NKT) (about)	14,528m ²	28,884.9m ²	+14,356.9m ² (+98.82%)
- Domestic	13,905.2m ²	27,820.3m ²	+13,915.1m ² (+100.07%)
- Non-domestic (including NKT)	622.8m ²	1,064.6m ²	+441.8m ² (+70.94%)
• <i>Retail at G/F of the composite residential and commercial development</i>	185.7m ² ⁽ⁱⁱⁱ⁾	536.7m ²	+351m ² (+189.01%)
• <i>NKT :</i>			
➤ <i>Eating place</i>	N/A	159.6m ²	+159.6m ² (+100%)
➤ <i>Function space (for potential wedding ceremony and display of history of NKT under approved s.16 application; display of history only under the current proposal)</i>	384m ² ⁽ⁱⁱⁱ⁾	159.6m ²	-224.4m ² (-58.44%)
• <i>Others (stairs, private lobby with lifts etc.)</i>	53.1m ² ⁽ⁱⁱⁱ⁾	208.7m ²	+155.6m ² (+293.03%)
Total PR ⁽ⁱⁱ⁾ (including NKT) (about)	5.136	9.197	+4.061 (+79.07%)
- Domestic	4.916	8.858	+3.942 (+80.19%)
- Non-domestic (including NKT)	0.22	0.339 ⁽ⁱⁱ⁾	+0.119 (54.09%)
Site Coverage (SC) (about)			
- Above podium roof	29.34%	37.5%	+8.16% (+27.81%)
- Podium (including footprint of NKT)	47.04% ⁽ⁱⁱⁱ⁾	42.6%	-4.44% (-9.44%)
BH (mPD)	91mPD	119.56mPD	+28.56m (+31.38%)
BH (No. of Storeys)	21 (including 3 storeys in podium)	28 (including 3 storeys in podium)	+7 storeys (+33.33%)
No. of Block (excluding NKT)	1	1	No difference
Average Unit Size	about 54.5m ² ⁽ⁱⁱⁱ⁾	about 89.2m ²	+34.7m ² (+63.67%)

	Approved s.16 Application (No. A/H5/418) (a)	Current Indicative Scheme (b)	Differences (b) – (a)
No. of Unit	about 255	about 312	+57 (+22.35%)
Estimated Population	about 587 persons (based on an average household size of 2.3)	about 655 persons (based on an average household size of 2.1)	+68 persons (+11.58%)
Committed Open Space Provision (including footprint of NKT and covered pedestrian walkway at Schooner Street)	not less than 2,721.7m ²	not less than 2,800m ² (iv)	+78.3m ² (+2.88%)

Notes:

- (i) The exact site area would be subject to the setting out of the site boundary at the detailed design stage.
- (ii) The Applicant assumes that recreational facilities ancillary to residential use, E&M facilities, greenery features, covered pedestrian walkway and covered open space are excluded from GFA calculation. GFA exemption will be submitted to the Buildings Department (BD) for approval at the building plans submission stage. A relaxation of the PR for the preservation of NKT under Building (Planning) Regulations will also be submitted to BD at the building plans submission stage. According to the applicant, total non-domestic PR will be 0.237 if the GFA of the preserved NKT is excluded.
- (iii) Figures provided by applicant in the current application for comparison purpose.
- (iv) According to the applicant's Indicative Scheme, a total of 3,179.9m² open space (including open-air open space together with the footprint of NKT (1,638.6m²) and covered open space underneath residential floors (1,027.7m²) at the podium roof level, and open-air open space (255.6m²) and covered pedestrian walkway (258.0m²) at G/F adjoining Schooner Street) will be provided. However, the applicant also indicated that this amount of opens space has not fully taken into account the geotechnical, structural and other building requirements which have to be reviewed at the detailed design stage.

1.4 A comparison of the main uses by floor for the proposed development in the approved s.16 application and the current Indicative Scheme (**Plans Z-13 to Z-18**) is summarised below:

Floor Use of Proposed Composite Residential and Commercial Building

Floor	Main Uses of Approved s.16 Application (No. A/H5/418)	Main Uses of Current Indicative Scheme
G/F	Residential Entrance Lobby, 'Shop and Services'/ 'Eating Place', Open Space Open to Public (including Covered Pedestrian Walkway at Schooner Street)	
	Ancillary Recreational Facilities	-
2/F and 3/F (skipped 1/F)	Ancillary Recreational Facilities, E&M	
4/F (Podium Roof Level)	NKT, Accessible Lavatories and Kiosk for Public Use, E&M, Open Space open to Public	
5/F to 28/F (up to 18/F for s.16 application)	Flats	
R/F	E&M	

Floor Use of NKT (which situates at the Podium Roof Level (i.e. 4/F) of the Proposed Development)

Floor (for NKT)	Main Uses of Approved s.16 Application (No. A/H5/418)	Main Uses of Current Indicative Scheme
G/F	‘Shop and Services’ or ‘Place of Recreation, Sports or Culture’ use (e.g. wedding venue use)	Eating Place
1/F		Displaying the History of NKT
R/F		Open Space (visitors accompanied by on-site staff)

In-situ Preservation of NKT

- 1.5 Same as the previously approved s.16 application, the applicant undertakes to preserve in-situ NKT, the curved colonnaded porch in front of NKT, and the two street name plates (to be repaired) on the southeast elevation (facing Ship Street). However, some changes to other non-graded structures are proposed by the applicant under the current Indicative Scheme. The street name plate on the northeast elevation (facing Queen’s Road East) will no longer be retained but will be preserved by record, with a digital record presented to public under the current Indicative Scheme. While some architectural features outside the grading boundary of NKT, including the pavilion, water fountain, and hexagonal planter were preserved under the approved s.16 scheme, these are proposed to be removed to create a multi-function lawn in the current Indicative Scheme (**Plan Z-13**). The Annex Building of NKT (which was preserved under the approved s.16 scheme) is also proposed to be demolished for geotechnical reason (**Plan Z-13**). Yet, according to the applicant, due consideration would be given to review the opportunity to preserve the architectural features outside the grading boundary of NKT, as far as practicable, including those mentioned above at the detailed design stage. Further discussion will be provided in the revised Conservation Management Plan (CMP) to be submitted at the detailed design stage.
- 1.6 Under the approved s.16 application, NKT will be converted into ‘Shop and Services’ or ‘Place of Recreation, Sports or Culture’ use, such as a wedding venue, museum, arts centre, arts gallery, arts studio, rehearsal room for art performance and the sale of souvenir and art and craft for tourists. Under the current Indicative Scheme, to enhance the utilisation of the historic building, the applicant proposes to convert it into an eating place on G/F and area for display of history of NKT on the 1/F, with the R/F designated as open space (visitors have to be accompanied by on-site staff). Same as the previous proposal, the proposed uses will be operated on a non-profit making basis, with the revenue solely for operating and maintaining NKT. Guided tours will however not be arranged in the current proposal.

Open Space Provision

- 1.7 A minimum of 2,800m² open space⁴, including uncovered and covered areas as well as footprint of NKT, will be provided at the podium roof level and G/F adjoining Schooner Street and Sau Wa Fong (**Drawings Z-2, Z-4, Z-7 and Z-8**). The applicant advises that it will endeavour to provide open space open to public beyond 2,800m² as far as practicable and this will be reviewed at the detailed design stage. According to the applicant, the open space at the podium roof level (2,666.3m² in the Indicative Scheme) (**Drawing Z-8**) will be open for public use during reasonable hours (0600 - 2300 daily), while the G/F open space serving as a public passageway between Sau Wa Fong and Schooner Street will be opened at all hours (513.6m² in the Indicative Scheme) (**Drawing Z-7**). Management and maintenance of these spaces will be overseen by the applicant.

Site Access / Emergency Vehicular Access

- 1.8 Same as the smaller site under approved s.16 application, the Site is not accessible by any vehicular access, and hence no internal transport facilities, including carparking spaces and loading/unloading (L/UL) facilities are provided. Regarding parking and L/UL needs, the applicant explains that on-street and off-street car parking spaces as well as L/UL facilities are available in the vicinity. The applicant also submitted an undertaking, signed by the owner of Hopewell Centre II to the applicant, stating that the former will not prohibit future residents/occupiers of the latter development from utilising the carparking and L/UL facilities at Hopewell Centre II (i.e. I.L. 8715) for the operation needs of the latter development; as well as the owner of Hopewell Centre II will offer assistance to alleviate and relieve any traffic congestion that occurs when residents/occupiers are moving-in and out.
- 1.9 According to the applicant, residents and visitors would utilise various public transport services since MTR station and bus/ tram/ green minibus stops are within walking distance of the Site along Queen's Road East and Johnston Road. Pedestrians can gain barrier-free access to the Site (**Drawings Z-10, Z-11 and Plan Z-12**) (i) from Queen's Road East through Ship Street Garden with public Lift A (operate 24 hours); (ii) from Hopewell Centre II through Ship Street Garden or the proposed 3m-wide elevated walkway connecting the Site and Hopewell Centre II; and (iii) from Kennedy Road via The Park under Hopewell Centre II with public Lift B (operate 0600 - 2300 daily). Non-barrier free accesses to the Site (**Drawings Z-10, Z-11 and Plan Z-12**) include (i) from Star Street / St. Francis Street through Sau Wa Fong and/or potential public Lift D (to be opened 24 hours proposed by another applicant under s.12A application No. Y/H5/7⁵) and via the newly-proposed G/F open space at 18 Sau Wa Fong (I.L. 199 RP); (ii) from Queen's Road East via Sik On Street through the proposed G/F covered open space at Schooner Street; and (iii) from Kennedy Road through Ship Street staircases. The applicant also proposes a public lift (Lift C) (**Drawings Z-10, Z-11 and Plan Z-12**) providing public access between Schooner Street and the open space at the podium roof level of the development, and this will operate from 0600 to 2300.

⁴ According to the applicant, 3,179m² of open space open to public as proposed in the Indicative Scheme has not fully taken into account the geotechnical, structural and other building requirements which have to be reviewed at the detailed design stage.

⁵ Refer to paragraph 6 for the details of s.12A application No. Y/H5/7.

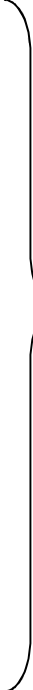
- 1.10 The applicant considers the provision of emergency vehicular access (EVA) to reach the Site impractical due to the site topography, and proposes to adopt fire services installation enhancements or a fire engineering approach for the proposed development to fulfil the firefighting requirements. According to the applicant, compensatory measures such as the provision of an independent sprinkler tank to protect the entire commercial portion and all common areas of the domestic portion of the building; the adoption of fast response sprinkler heads; the provision of pressurisation of the staircase or natural venting of the staircase; the provision of a direct line to the Fire Services Communication Centre connected to the sprinkler alarm system and manual fire alarm system; and enhancements to the size of water tank/inflow rate for the sprinkler or fire hydrant/hose reel system tank may be implemented, subject to discussion with the Fire Services Department (FSD) at the detailed design stage. The applicant indicates that nearby public roads or EVA of other developments such as Hopewell Centre II could also be utilised during emergency situation (**Drawing Z-12**).

Proposed Zonings

- 1.11 To effectuate the proposal, the applicant proposes to (i) rezone the Development Site (about 3,140.7m² in site area) to “OU(RDHBC)” with two separate User Schedules in the Notes for the historic building of NKT and the proposed residential development with commercial uses (**Appendix IIb**); (ii) stipulate three BH restrictions (BHRs) (**Appendix IIa and Drawing Z-9**) on the OZP for the “OU(RDHBC)” zone, namely 2 storeys for the historic building of NKT (i.e. the existing BH), 34mPD for the southeastern podium (i.e. the existing BH of the terrace where NKT is situated), and 120mPD for the residential development with commercial uses in the northwestern portion; (iii) designate a non-building area (NBA) (**Appendix IIa and Drawing Z-9**) at 18 Sau Wa Fong (I.L. 199 RP) for the newly-proposed ground floor open space; (iv) specify the provision of an open space open to public of not less than 2,800m² and a minimum ground floor setback of 3m from the lot boundary fronting Schooner Street (**Drawing Z-9**) in the Notes of “OU(RDHBC)” (**Appendix IIb**); and (v) rezone the area (about 16.9m²) for the proposed elevated walkway connecting the Site and Hopewell Centre II from “O” to “OU(Elevated Walkway)” (**Appendix IIa**).
- 1.12 To fulfil the intention of “OU(RDHBC)” to preserve and revitalise NKT, the applicant further proposes adding a Remark in the Notes (**Appendix IIb**) whereby demolition of, or addition, alteration and/or modification to NKT (except for those minor alteration and/or modification works which are always permitted under the covering Notes) requires permission from the Board. The applicant clarifies that the proposed minor alteration and/or modification works refer to works that are directly related to the always permitted uses and would not lead to any changes to the disposition, SC and BH of NKT. The applicant also proposes to include a clause for the “OU(RDHBC)” zone stating that “new development or redevelopment shall be in the form of comprehensive development. Piecemeal/stand-alone development(s) may be considered by the Board on application under section 16 of the Town Planning Ordinance” (**Appendix IIb**) to ensure that future development within this zone will be implemented in a comprehensive manner where the land within the Site will be amalgamated. There is no PR/GFA restriction proposed for the “OU(RDHBC)” zone (**Appendix IIb**). The First Schedule of the Building (Planning) Regulations (B(P)R) of the Buildings

Ordinance (BO) will be adhered to for the PR of the proposed development⁶ (**Appendix IIb**). The proposed amendments to the Plan, Notes and Explanatory Statements (ES) for “OU(RDHBC)” and OU(Elevated Walkway)” zones are at **Appendices IIa, IIb and IIc** respectively.

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

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|---|---|
| (a) Application form received on 21.10.2024 | (Appendix I) |
| (b) Booklet for NKT Development received on 21.10.2024 | (Appendix Ia) |
| (c) Supplementary Planning Statement (SPS) received on 21.10.2024 |  (Appendix Ib⁷) |
| (d) Supplementary Information (SI) received on 30.10.2024 | |
| (e) Further Information (FI) received on 26.11.2024 (1 st FI)* | |
| (f) FI received on 28.11.2024 (2 nd FI)* | |
| (g) FI received on 4.12.2024 (3 rd FI)* (superseded by 6 th FI and not included in the consolidated report) | |
| (h) FI received on 6.12.2024 (4 th FI)* | |
| (i) FI received on 16.12.2024 (5 th FI)* | |
| (j) FI received on 27.12.2024 (6 th FI)* | |
| (k) FI received on 30.12.2024 (7 th FI)* | |
| (l) FI received on 31.12.2024 (8 th FI)* | |
| (m) FI received on 3.1.2025 (9 th FI)* | |

*accepted and exempted from recounting requirement

1.14 Upon request by the applicant, the Committee agreed to defer a decision on the application for one month on 20.12.2024.

2. **Justifications from the Applicant**

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

Changes in Planning Circumstances

- (a) The existing “R(C)” zone and the corresponding BH and PR restrictions at Sau Wa Fong have been originated in the recommendations from the ‘Study on

⁶ The Applicant claims that the Site is a Class B site and according to the First Schedule of the B(P)R of the BO, the domestic and non-domestic PRs for the proposed development with height over 61m in the Class B site are 9 and 15 respectively.

⁷ A consolidated report containing supporting planning statement, FI, finalised technical assessments and various Responses-to-Comments tables and letters (**Appendix Ib**) submitted by the applicant was received on 3.1.2025, thus the relevant FIs as listed from items (c) to (m) are not attached in this Paper.

Redevelopment along Stepped Street' in 1991. However, the relevant development context, surrounding areas and land ownership status have undergone significant changes that a further review of the study in 2012 no longer considered fire safety concerns and limited EVA as relevant to the planning intention of the "R(C)" zone.⁸

- (b) In terms of local and surrounding context, it is noted that high-density developments are no longer viewed as hindrance for the improvement of local living environment, which have been aided by the provision of open space, community facilities and traffic improvement measures in Wan Chai. High-density residential and commercial developments (e.g. Hoover Towers 1 and 2, Hopewell Centre II) have been constructed in the vicinity in the past three decades without altering the ambience of Sau Wa Fong and the surrounding stepped street sites.
- (c) In terms of fire safety, the accessibility of the Site has been/ will be enhanced through road works connecting St. Francis Street and Star Street, the barrier-free accesses and the EVA of Hopewell Centre II and Ship Street Garden (**Drawing Z-12**), the proposed widening of the existing right-of-way (ROW) (**Plan Z-11**) adjacent to 18 Sau Wa Fong (I.L. 199 RP), as well as the effort of Hopewell Holdings Limited (HHL) (i.e. holding company of the applicant) to amalgamate the various lots of the Site over the past decades.

Optimisation of Scarce Land Resources in Urban Area

- (d) The Site provides a rare opportunity for a sizeable residential development in the urban area in the Hong Kong Island, which is currently considered inefficient under its permissible density. With all private lots within the Site owned by HHL, the Site, with good connectivity to the Wan Chai MTR station and other modes of public transport, could be swiftly and efficiently utilised for high density residential development for both significant housing supply and community benefits of Wan Chai.

Sustainable Heritage Conservation

- (e) The applicant proposes to conserve and restore the historic building of NKT for the benefit of the community which is in line with Government policy. To ensure the conservation and adaptive reuse of NKT to be self-sustainable, commercial elements are proposed in the NKT to generate income for its maintenance and management, thus minimising the Government expenditure required. The maximisation of development potential would also incentivise the applicant to expedite the conservation works.

Appropriate Zoning to Facilitate Urban Renewal

- (f) Whilst the submission of a Master Layout Plan (MLP) is required in the existing "CDA" zone, various restrictions (such as BHRs, setback, NBA, separate schedule of uses for the NKT preservation and proposed residential development, remarks for protecting NKT, provision of open space, planning permission required for piecemeal/standalone development) are suggested for the proposed "OU(RDHBC)" zone (**Appendix IIb**) to ensure realisation of the proposed design

⁸ Refer to paragraphs 4.2 and 4.3 for the details of the study.

merits in the Indicative Scheme (**Drawing Z-9**). Relevant lease conditions (e.g. submission of technical assessments and CMP, limitation on unit size) could also be incorporated during the subsequent land exchange stage.

Improvement to Public Realm and Connectivity in the Area (**Drawing Z-9**)

- (g) An NBA has been proposed for 18 Sau Wa Fong (I.L. 199 RP) (**Appendix IIa**) to respect the current planning intention of the area (i.e. shown as 'Road' to prevent the major stepped streets and terraces from being built over). The NBA, to be an open space open to public, could help preserve the ambience of Sau Wa Fong as well as open up the existing narrow ROW between Sau Wa Fong and Schooner Street. An all-weather public passageway is also proposed at the minimum 3m setback at G/F along Schooner Street. These features will facilitate pedestrian circulation in the east-west direction among Wan Chai MTR station, Hopewell Centre, Hopewell Centre II, Star Street and Kennedy Road. Commercial uses are proposed at the G/F for an active street frontage, a human scale streetscape, and a resemblance of the ambience of Sau Wa Fong and Star Street Precinct.

Not Incompatible with the Character of the Surroundings

- (h) The Sau Wa Fong area is an enclosed and tranquil terraced residential area, with a human-scale streetscape with a few commercial facilities activating the street. The ground floor shops introduced by the proposed development could act as an extension of Star Street and Sau Wa Fong Precinct to Schooner Street, with the provision of an active street frontage with human scale streetscape without disrupting the tranquil environment.

Enhancement to Local Open Space System (**Drawing Z-10**)

- (i) With the inclusion of 18 Sau Wa Fong (I.L. 199 RP) in the Site, a more spacious open space setting with better quality can be designed. Open space is not only provided at the podium roof level but also at-grade. The proposed public lift (Lift C) within the Site and the proposed elevated walkway (to/from the public lift (Lift B) adjoining the Ship Street Steps) would provide convenient access to the open space at the podium roof level from Schooner Street and Kennedy Road, forming an interconnected and multi-level local open space system with Ship Street Garden and the private park open for public (The Park) at Hopewell Centre II.

Compatible Building Height Restriction with the Surroundings

- (j) The proposed BHRs for the "OU(RDHBC)" zone (i.e. with a maximum BH of 120mPD) (**Appendix IIa**) is in line with the surrounding BHRs. A stepped height profile descending from north to south and east to west could be achieved by the proposed rezoning, with BHs transitioning from the Hopewell Centre II (207mPD) and the high-rise developments along Kennedy Road to the Sau Wa Fong area. The high development platform level of the Site also justifies the proposed higher BHR than the "R(A)" sites along Queen's Road East with a BHR of 110mPD (**Plan Z-9**).

Boosting Housing Supply and Promote Quality Living

- (k) Substantial increase in domestic GFA can be achieved through land amalgamation within the Site, and the increase in PR from 5 to the level permitted under B(P)R

could help meet the significant housing demand in the core business districts and address the home-job imbalance situation in Hong Kong. The proposed average unit size is on par with the residential developments at the mid-levels nearby.

Applicant's Track Record

- (l) HHL is the pioneer in the private-sector-initiated urban renewal of Wan Chai, with sustainable comprehensive redevelopment projects. Strenuous efforts have been made regarding heritage preservation, enhancement to the quality of public realm in Wan Chai through implementation of open space of various types and scale, and enhancement to the pedestrian environment with focus on connectivity to Wan Chai MTR Station. HHL's track record in its various redevelopment projects throughout the years has demonstrated its ability and commitment, which can be again realised for the proposed development.

Win-Win-Win Scenario

- (m) The Government could receive additional revenue via land premium and alleviate its pressure for more private housing supply. The applicant could realise its vision for the Site as well as maximise its development potential. As for the local community, they can enjoy an improved living environment with the provision of additional open space and the conservation of NKT.

Planning Precedents

- (n) The proposed "OU(RDHBC)" zone is not a new zoning but is preceded by at least four existing developments (Haw Par Mansion, Ohel Leah Synagogue, London Mission Building, and Former Pumping Station of Water Supplies Department) that are of similar development context and subject to similar "OU" zonings. These precedents have shown that high-density residential developments could be compatible with historic buildings conserved in-situ under a private-led effort.
- (o) Moreover, another similar partially agreed s.12A application (No. Y/H5/7) to rezone a site at Sau Wa Fong from "R(A)", "R(C)" and area shown as 'Road' to "R(A)9" (**Plan Z-1**) for a high-density residential development has demonstrated that the proposed rezoning would not set an undesirable precedent to the neighbouring "R(C)" zone with similar design merits and public planning gains achieved through site amalgamation.

No Adverse Impact

- (p) No adverse impact is anticipated based on the technical assessments conducted to assess traffic, environmental, visual, landscape, air ventilation, sewerage, drainage and geotechnical impacts. A CMP has also been prepared to ensure that NKT will not be affected by the future construction works.

Addressing Comments from S.16 Application

- (q) The current Indicative Scheme has addressed the comments received in the approved s.16 application. This includes (i) enhanced fire engineering provision to meet the fire safety requirements; (ii) elevated walkway provision connecting the Site to the nearest EVA in Hopewell Centre II for evacuation and making use

of the nearby open spaces for firefighting during emergency situations; (iii) the applicant being responsible for the management and maintenance of the open space open to public, the historic building of NKT and the public passageway on Schooner Street; (iv) similar approach for the public accesses to the Site as those for the Hopewell Centre II, which are maintained and opened at reasonable hours between 0600 - 2300 daily; (v) conservation of the Grade 1 historic building of NKT, while removing the associated features not within the grading boundary for a clearly visible front façade of NKT; and (vi) the amalgamation of 18 Sau Wa Fong (I.L. 199 RP) into the Site for a larger site area with better site planning, podium design and additional open space.

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

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

4. Background

- 4.1 The NKT at 55 Ship Street was built between 1915 and 1921. Its Grade 1 status⁹ was confirmed by the Antiquities Advisory Board on 18.12.2019. It has been owned by HHL since 1988, and has been left vacant for many years.
- 4.2 The Site was largely zoned “Residential” on the first draft Wan Chai OZP No. LH 5/29 gazetted on 25.10.1968 and rezoned to largely “R(A)” with a minor portion as “R(B)” on 4.11.1977 (**Plan Z-8**). In 1988, as part of the land exchange related to Hopewell Centre II, HHL proposed to surrender NKT (I.L. 2140) and 1, 1A, 2 and 3 Hill Side Terrace (I.L. 2272 & Ext., I.L. 1940, I.L.1564 and I.L. 1669 respectively) to the Government, which ultimately did not materialise. Around the same time, the ‘Study on Redevelopment along Stepped Street’ was commissioned by the Planning Department (PlanD) in 1991 in order to assess whether, in addition to the fire safety consideration, there were planning, traffic, environmental or infrastructural reasons for retaining some control over the development intensity of sites along stepped street not accessible to vehicle. In view of the above, part of the Site (NKT and 1, 1A, 2 and 3 Hill Side Terrace) was rezoned to “O” whilst other parts of the Site were rezoned to “R(C)” (subject to restrictions of PR 5 and 12 storeys) on 10.6.1994 on the draft Wan Chai OZP No. S/H5/8 (**Plan Z-8**).
- 4.3 PlanD undertook the ‘Review of Stepped Street Sites’ and the findings were agreed in principle by the Board on 23.3.2012. Having considered the local character, visual, air ventilation and traffic conditions of Sau Wa Fong, it was considered appropriate to maintain the restrictions of PR 5 and 12 storeys for the

⁹ By definition, historic buildings accorded with Grade 1 status are buildings of outstanding merit, which every effort should be made to preserve if possible. The grading system is administrative in nature and will not affect the ownership, usage, management, and development rights of the buildings that have been graded. The historic building appraisal, location, extent and grading status of the NKT are available at www.aab.gov.hk.

“R(C)” zone to avoid out-of-scale developments with minor relaxation clause. The Review also recommended, among others, the rezoning of the terraces and the stepped streets in Sau Wa Fong area (including the ROW within the Site (**Plan Z-11**)) from “R(C)” zone to area shown as ‘Road’ in order to prevent the concerned area from being built over. Since 3.8.2012, the stepped streets/terrace have been shown as ‘Road’ on the draft Wan Chai OZP No. S/H5/27 (part of ‘Road’ is included in the current application) (**Plan Z-8**).

- 4.4 To facilitate a residential and commercial development and in-situ preservation of NKT, the applicant submitted a s.12A planning application (No. Y/H5/5) to rezone part of the Site from mainly “O” with portions of “R(C)” and “G/IC” to “CDA” (**Plan Z-1**). The s.12A application was agreed by the Committee on 13.12.2019. To take forward the decision, the draft OZP No. S/H5/30 incorporating the proposed amendments (i.e. rezoning part of the Site to “CDA” with a BH restriction of 91mPD, a maximum PR of 5 and the requirement of provision of not less than 2,100m² of public open space (POS)) was gazetted on 17.6.2022 and approved by the Chief Executive in Council on 2.5.2023 (**Plan Z-8**).
- 4.5 I.L. 9048 in Sau Wa Fong, zoned “R(C)”, (**Plan Z-11**) was sold to the applicant by tender in June 2014. The latest General Building Plans (GBP) for an 11-storey residential development with PR 5 was approved on 27.8.2021.
- 4.6 The applicant acquired I.L. 199 RP (i.e. 18 Sau Wa Fong) (**Plan Z-11**) by auction sale under the Land (Compulsory Sale for Redevelopment) Ordinance in November 2023. There is a ROW within the lot under the Deed of Partition (with memorial No. UB77730 dated 25.11.1921), covering Sections A, B, C, D and E of I.L. 199 (**Plan Z-11**), which is a private agreement among lots owners without government involvement. There is no provision of ROW stipulated in the government lease for I.L. 199.

5. Previous Applications

- 5.1 As mentioned in paragraph 4.4 above, the “CDA” part of the Site was rezoned from mainly “O” with portions of “R(C)” and “G/IC” under the s.12A planning application No. Y/H5/5 for the development comprising residential and commercial uses, and in-situ preservation of NKT. The s.12A application was agreed by the Committee on 13.12.2019 as the open space to be provided could largely compensate the affected “O” zone; the proposed development could bring about the early implementation of the planned open space and the preservation of NKT; the proposed open space is in line with the POS in Private Developments Design and Management Guidelines; the proposed development intensity and BH was not incompatible with the surrounding developments; the proposal for in-situ preservation of NKT with a CMP to be prepared would commensurate with NKT’s heritage value; the application generally met the Board’s Guidelines on the designation of “CDA” zone; and the relevant departments had no objection.
- 5.2 Subsequently, a s.16 application (No. A/H5/418) was submitted for mainly the “CDA” site and I.L. 9048 for the same use (i.e. residential and commercial uses, and in-situ preservation of NKT) by the same applicant. The s.16 application was approved with conditions by the Committee on 9.6.2023 as it was in line with the planning intention of the “CDA” zone; the pedestrian environment of the

surrounding area would be enhanced with the amalgamation of an additional lot and provision of extra open space; the NKT and its unique features with historic values could be preserved in-situ with a CMP to be submitted and implemented; accessibility of the surrounding area could be enhanced by the extra pedestrian accesses proposed; and the proposed development would not induce adverse traffic, landscape and other impacts on the surrounding.

- 5.3 Details of the previous s.12A application are summarised at **Appendix III** and its location is shown on **Plans Z-1 and Z-2**.

6. Similar Application

A similar s.12A application (No. Y/H5/7) was submitted by different applicants to rezone a site at Sau Wa Fong and St. Francis Street from “R(A)”, “R(C)” and area shown as ‘Road’ to “R(A)9” to facilitate a comprehensive residential development with commercial uses (including art facilities) with a higher development intensity. The Committee on 22.9.2023 partially agreed to the s.12A application by rezoning the application site to allow a development intensity on par with “R(A)”¹⁰ with stipulation of appropriate control to ensure provision of direct vehicular access for future development and designation of NBA at Sau Wa Fong on the considerations that there was direct vehicular access for future development; the proposed development intensity and BH were not incompatible with the surrounding developments; the proposed development with a 24-hour public passage would improve the pedestrian connectivity of the area; and the proposed development would not cause any insurmountable traffic and other impacts. Details of the similar application are summarised at **Appendix IV** and its location is shown on **Plan Z-1**.

7. The Site and its Surrounding Areas (Plans Z-1 and Z-2, Aerial Photo on Z-3 and Site Photos on Plans Z-4 to Z-7)

7.1 The Site is:

- (a) generally situated on a sloping topography (**Plan Z-2**) comprising a few building platforms ranging from 20mPD to 34mPD;
- (b) currently vacant with some vegetation and partly occupied by the vacant historic building of NKT and a 6-storey vacant building at 18 Sau Wa Fong (I.L. 199 RP) (**Plans Z-3 to Z-7**);
- (c) bounded by Ship Street to its east, Schooner Street and Sau Wa Fong to its north (**Plan Z-2**); and
- (d) inaccessible by vehicles. Pedestrians can gain access to the Site by Queen’s Road East via St. Francis Street and Sik On Street, via pedestrian lifts in Ship Street Garden and Hopewell Centre II, and by Kennedy Road via staircases in Ship Street (**Plan Z-12**).

¹⁰ No PR/GFA restriction has been stipulated for the existing “R(A)” zone on the subject OZP. The First Schedule of B(P)R of the BO should be followed.

7.2 The surrounding areas have the following characteristics:

- (a) Sau Wa Fong is mainly occupied by a mixture of old and new, low to high-rise residential developments with some commercial uses on the lower floors. To the further north along Queen's Road East and Johnston Road are the main urban area of Wan Chai with a mixture of medium to high-rise residential and commercial developments (**Plans Z-9 and Z-10**);
- (b) to the east and southeast across Ship Street is a new high-rise commercial development with hotel and retail uses (i.e. Hopewell Centre II) (**Plan Z-2**). To its further east is the high-rise commercial developments of Hopewell Centre and Wu Chung House intermixed with medium to high-rise residential buildings such as The Avenue and Phoenix Court (**Plans Z-2**);
- (c) to the south across Kennedy Road are some medium-rise residential developments at higher site levels of about 80mPD such as Ewan Court and Man Yuen Garden (**Plan Z-2**);
- (d) several Government, institution and community (GIC) uses and open space are located in the vicinity including the St. Francis' Canossian School and St. Francis' Canossian College to its immediate southwest, Hung Shing Temple to its northeast, Ship Street Garden to its immediate northeast and Kwong Ming Street Children's Playground to its further northwest (**Plan Z-2**); and
- (e) the area is well-served by public transport including tram, buses and minibuses and is about 450m away from the MTR Wan Chai Station (**Plan Z-2**).

8. Planning Intentions

- 8.1 The planning intention of the "CDA" zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses and in-situ preservation of the historic building of NKT. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 8.2 The planning intention of the "R(C)" zone is for low to medium-rise residential developments subject to specific PR and BH restrictions to preserve the local character and to avoid adverse visual, air ventilation and traffic impacts from more intensive development.
- 8.3 The planning intention of the "O" zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 8.4 Area shown as 'Road' mainly depicts the area reserved for road purpose.

9. Comments from Relevant Government Departments

- 9.1 The following government bureaux/departments (B/Ds) have been consulted and their views on the application are summarised as follows:

Land Administration

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

- (a) the Site comprises I.L. 2140, I.L.1940, I.L.2272 & Ext., I.L.1564, I.L.1669, I.L.2093 s.A RP, I.L.2093 RP, I.L. 9048, I.L. 199 RP and adjoining government land (**Plan Z-11**);
- (b) the proposed development does not comply with the lease conditions governing the lots concerned and involves government land (such as adjoining slopes and Yellow Area as referred to in the Conditions of Sale governing I.L. 9048 (**Plan Z-11**)). An application for lease modification, which may be effected by way of land exchange, is required. LandsD would process such application in the capacity of a landlord and there is no guarantee that such application will be approved. If the application is approved, it would be subject to such terms and conditions, including but not limited to payment of premium and fees, as may be imposed by LandsD in the capacity of a landlord at its absolute discretion;
- (c) the Rezoning Site Area and the Development Site Area as referred to in Table 2.1 and Table 4.1 of the SPS at **Appendix Ib**, being 3,157.6m² and 3,140.7m² (excluding the Ship Street Staircase for the elevated walkway (16.9m²)) respectively, are subject to survey and the outcome of the land exchange application. The total GFA of the proposed development would therefore be subject to adjustment;
- (d) it appears that the Rezoning Site may slightly encroach onto I.L. 8102 & Ext. (at the southwest of the Site), I.L. 199 s.D RP (at the north of the Site) and the Green Stippled Black Area of I.L. 8715 (at the southeast of the Site) for which the Grantee of I.L. 8715 (**Plan Z-11**) is required to form for the purposes of building, vehicular and pedestrian traffic;
- (e) the proposed development includes the Yellow Area as referred to in the Conditions of Sale governing I.L. 9048 (**Plan Z-11**), which was previously used as public steps at Hill Side Terrace. The inclusion of this area, irrespective of whether any road closure is required under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), should be subject to agreement/comments from the relevant B/Ds. The applicant shall be responsible for any costs (including administrative costs), compensations, etc. involved;
- (f) as mentioned in para. 2.3.7 of the SPS at **Appendix Ib**, within I.L. 199 RP (one of the subject lots, 18 Sau Wa Fong), there is a ROW reserved under the Deed of Partition dated 25.11.1921 (Memorial No. UB77730) (the Deed) covering Section A, B, C, D and E of I.L. 199

(Plan Z-11). It is advised that the Deed is a private agreement among lot owners without government involvement and there is no provision relating to such ROW under the government lease for I.L. 199. It is the applicant's responsibility to liaise with the concerned private lot owners to sort out and resolve any issue relating to the ROW, if necessary, to ensure that the proposed development does not contravene the Deed;

- (g) as stated in paras. 3.3.12, 4.1.3, 4.3.3, 4.5.2, 4.5.3, 6.7.2 & 6.14.1 and Figures 2.5, 4.2 & 4.4 of the SPS at **Appendix Ib**, a barrier free connection in the form of an elevated walkway over Ship Street is proposed to link the Site and Hopewell Centre II via Lift B and the air space occupied by the proposed walkway would be excluded from plot ratio calculation. We note that the area on which the elevated walkway, the public Lift B and the associated staircase fall within the Green Stippled Black Area of I.L. 8715 and is the subject of a road scheme gazetted under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), under which the associated roads works have been completed as confirmed by the Transport Department (TD) and the Highways Department (HyD). Agreement/comments from the relevant B/Ds should be obtained in this regard, particularly that the proposed elevated walkway may require authorisation/execution under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The applicant shall be responsible for any costs (including administrative costs), compensations, etc. involved. For information, according to Special Condition No. (8)(b) of the Conditions of Exchange as varied by a Modification Letter dated 25.1.2022 (Modified Conditions) governing I.L. 8715, Lift B is required to be open for use by public free of cost and charges from 6 am to 11 pm everyday, except during the period the Park of Hopewell Centre II is closed for maintenance and charitable events as may be approved by the Director of Leisure and Cultural Services;
- (h) as noted from para. 4.4.5, Table 4.1 and the Architectural Drawings (G/F & 4/F plan) (**Drawing Z-2**) of the SPS at **Appendix Ib**, there are covered and uncovered open spaces at G/F and 4/F serving both the public and the residents of the proposed development. As per para. 4.3.2 and Table 4.1 of the SPS, the covered open space is proposed to be exempted from GFA calculation and the uncovered open space has included the footprint of NKT. The applicant's above proposal should be subject to agreement from relevant B/Ds, e.g. Buildings Department (BD);
- (i) it is noted from paras. 4.2.1 and 4.2.3 of the SPS at **Appendix Ib** that the Grade 1 historic building NKT is proposed to be preserved and be run on a non-profit making basis such that the revenue will be solely for the purpose of operating and maintaining NKT. The applicant's above proposal should be subject to agreement of the sponsoring/supporting B/Ds, e.g. Commissioner for Heritage's Office (CHO) and Antiquities and Monuments Office (AMO), which should oversee and monitor compliance of the requirements;

- (j) it is noted from Table 4.1 and para. 6.9.5 of the SPS at **Appendix Ib** that the average flat size of the proposed development is 89.2m² (i.e. total domestic GFA (27,820.3m²) / 312 units). According to the Secretary of Development's announcement dated 24.2.2022, the minimum flat size requirement with saleable area of not less than 26m² for each residential unit in general will also apply to land exchange applications for private residential projects received by LandsD from 25.2.2022 onwards. The applicant's attention should be drawn to the above requirement on minimum flat size in advance;
- (k) it is noted that the applicant has submitted architectural drawings with relevant information revealing details of the proposed development. This office reserves our comments on the architectural drawings (including GFA accountability) which will be given at the development submission stage; and
- (l) detailed comments on the applicant's proposal to utilise part of the Park in Hopewell Centre II as a temporary staging yard during the construction stage and salient Lease Conditions of the Lots within the Site are in **Appendix V**.

Urban Design, Visual and Air Ventilation

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

- (a) it is noted that the proposed development consists of a 28-storey residential building with proposed building height of 119.56mPD, which may not be incompatible with existing nearby high-rise residential developments of the "R(A)" zone. It is noted that the Site zoned "CDA" is subject to a maximum BH of 91mPD. The BHR of the proposed development on the approved OZP is proposed to be amended from 91mPD to 120mPD which is an increase of about 33.3%;
- (b) according to the updated VP4 (View from Sau Wa Fong) (**Drawing Z-17**) in the Visual Impact Assessment (VIA), it is noted that the proposed development is located in very close proximity to the existing residential buildings, which may lead to overlooking issues. It is recommended to review the design and disposition of the proposed development in the detailed design stage to minimise occupants from being able to look into the habitable rooms of adjoining buildings; and
- (c) according to the updated VP8 (view from the Park at Kennedy Road) in the VIA (**Drawing Z-21**), the view from the Park at Kennedy Road would have a moderately adverse impact. The proposed building design would create the excessive wall effect, which appears undesirable in the existing urban context. In addition, the applicant may wish to consider the treatment/articulation of the building massing/ façades in the design stage to blend in more harmoniously with the surrounding neighbourhood.

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

Urban Design and Visual Impact

- (a) the Site is surrounded by a mix of land uses, including a mixture of old and new, low to high-rise residential developments with some commercial uses on the lower floors. To the east/southeast of the Site is the Hopewell Centre II hotel and commercial development, which is subject to a BHR of 210mPD. To the northwest of the Site are residential areas zoned “R(A)” and “R(A)4” with respective BHRs of 110mPD and 120mPD. Adjoining the Site at its southwest/west is a GIC site where St Francis’ Canossian College and St Francis’ Canossian School are located. To the immediate northeast and northwest of the Site is a medium-density residential neighbourhood zoned “R(C)” (with a maximum PR of 5 and a BHR of 12 storeys), of which the existing BH ranges from 4 to 12 storeys;
- (b) the proposed development may not be incompatible with the nearby high-rise and high-density developments given that Hopewell Centre II (207mPD) is located to its immediate east/southeast and some high-rise residential buildings (110-140mPD) are developed in the vicinity. Nevertheless, the increased PR and BH of the proposed rezoning, when comparing to the development restrictions of the existing “CDA” and “R(C)” zones, will result in a more bulky building mass which may pose a larger contrast with the medium-density residential neighbourhood (zoned “R(C)”) and the two schools in the vicinity. Design measures to reduce/soften the visual bulkiness, such as setting back the tower (2/F to 28/F) from the site boundary fronting Schooner Street, façade treatment, landscaped buffer, etc. should be adopted as far as practicable;
- (c) measures to reduce the potential impacts of the proposed development on NKT in terms of BH, massing and scale should be adopted. Reference could be made to Section 6.2 (6) Heritage of the Urban Design Guidelines (Chapter 11) of the Hong Kong Planning Standards and Guidelines, which indicates that efforts should be made to create a suitable setting responsive to the heritage features;
- (d) as shown in Figure 4.1 of the SPS at **Appendix Ib**, the increase in BH and building bulk of the Indicative Scheme may further reduce the visual openness when viewed from Sik On Street, Schooner Street and the Ship Street Garden when compared with the schemes of Y/H5/5 and A/H5/418;
- (e) according to the submitted VIA, the visual impacts of the Indicative Scheme from the six visible viewpoints are rated from ‘Moderately Adverse / Significantly Adverse’ to ‘Enhanced’;

Air Ventilation

- (f) an Air Ventilation Assessment (AVA) Initial Study using computational fluid dynamic modelling has been carried out to

compare the pedestrian wind environment in the surroundings of the Indicative Scheme with that in the Baseline Scheme (i.e. the indicative layout under the previously approved s.16 application No. A/H5/418); and

- (g) the simulation results show that under both annual and summer conditions, the overall performances of the pedestrian wind environment in the surrounding areas and at the immediate vicinity of the Site of both the Baseline Scheme and Indicative Scheme are comparable. As such, she has no comment on the application from air ventilation perspective.

Landscape

9.1.4 Comments of CTP/UD&L, PlanD:

- (a) the proposed development is considered not incompatible with the landscape character of its surroundings, and significant adverse impact on existing landscape resources within the site arising from the proposed development is not anticipated;
- (b) based on the aerial photo of 2023, the Site is located in an area of organic mixed urban landscape character surrounded by existing residential and commercial buildings, GIC uses, and scattered tree groups. The Site is currently occupied by historic building of NKT, residential building (18 Sau Wa Fong), vacant lands (previously occupied by residential-cum-commercial building at Miu Kang Terrace and school/other buildings at Hill Side Terrace, which have all been demolished) and vegetated vacant land (I.L. 9048) and Government Land. The development proposal under this application comprises 24-storey for residential use, 1-storey for mainly open space at the podium roof level (33.6 to 33.76mPD) and 3-storey podium. The G/F is mainly proposed for retail use and open space, while the 2/F and 3/F of the podium are reserved for E&M and residential recreational facilities. An integrated open space open to public is provided at the 4/F (i.e. the podium roof level) for public enjoyment. The historic building of NKT will be preserved in-situ;
- (c) with reference to Section 4.0 of the Tree Preservation and Landscape Proposal (TPLP), 36 existing trees (including 5 dead trees) of common species are found within the Site. All of them would be affected by the development and are proposed to be felled as they would unavoidably be affected by the proposed works and are not suitable to be transplanted. No registered Old and Valuable Trees (OVTs) or rare/protected species were identified; and
- (d) with reference to Sections 5.0 and 6.0 of the TPLP, 52 heavy standard trees with average diameter at breast height approximately 80mm with a mixture of native and exotic species are proposed to be planted to compensate the loss of the existing trees. Shrubs, groundcovers, grass and climbers are also proposed within the Site to mitigate the landscape impact arising from the development; and

- (e) the applicant is reminded that approval of the application does not imply approval of the greenery coverage requirements under BD's PNAP APP-152 and/or under the lease. The greenery coverage calculation should be submitted separately to BD/LandsD for approval. Similarly for any proposed tree preservation/removal scheme, the applicant shall be reminded to approach relevant authority/ government department(s) direct to obtain the necessary approval.

Traffic

9.1.5 Comments of the Commissioner for Transport (C for T):

No in-principle objection to the application subject to the following comments:

- (i) it is noted that it is impractical to provide vehicular access to the Site due to site constraints and the additional car parking and L/UL demand arising from this rezoning proposal can be served by existing car parking spaces in nearby developments and L/UL facilities in the vicinity;
- (ii) in particular, to cater for the operational need for L/UL demand arising from the proposed development, it is understood that an undertaking letter was provided by the lot owner of Hopewell Hotel and Mall (i.e. Hopewell Centre II, I.L. 8715) to allow L/UL and access arising from the proposed development through the internal transport facilities, lifts and access in Hopewell Hotel and Mall (i.e. Hopewell Centre II, I.L. 8715). The applicant should be responsible for liaison with the lot owner of Hopewell Hotel and Mall (i.e. Hopewell Centre II, I.L. 8715) to ensure the proposed measures are properly implemented; and
- (iii) submission of detailed construction Traffic Impact Assessment and implementation of necessary mitigation measures to address any traffic impacts to the satisfaction of C for T before commencement of works is required.

9.1.6 Comments of the Chief Highway Engineer/Hong Kong, HyD (CHE/HK, HyD):

No comment from highways maintenance viewpoint as the proposed 3m wide elevated walkway will only occupy the airspace above the Ship Street Staircase without affecting any existing highway features.

Building Matters

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

- (a) the existing information provided by the applicant is insufficient to justify that the Site is a Class B site under Regulation 18A of the

B(P)R. CBS/HKE&H, BD reserves his comment under Regulations 19(3), 20 and 21 of the B(P)R;

- (b) under Regulation 18A of the B(P)R, Class B site means a corner site that abuts on 2 specified streets neither of which is less than 4.5 m wide and at least 40 per cent of the boundary of the site abuts on such streets;
- (c) according to BD's records, the narrowest part of Schooner Street is less than 4.5m wide which is not a specified street for site classification under Regulation 18A of the B(P)R. As the land status and entire width of Ship Street leading to Kennedy Road is not ascertained, the applicant is required to clarify whether it is a specified street for site classification under Regulation 18A of the B(P)R;
- (d) the applicant submitted an enquiry to BD recently. The enquiry is still being processed. The applicant has been requested to provide further information to justify the claimed "Class B" status. Having said that, the classification may be upgraded by the creation of a street or streets within the Site;
- (e) noting that the existing historic building NKT is located within the Site, it should be included in PR and SC calculations under the B(P)R of the proposed development;
- (f) the proposed open spaces at G/F and 4/F should be included in GFA and SC calculation under the BO unless exempted; and
- (g) detailed comments on compliance with the BO and allied regulations will be given upon formal building plans submission.

Fire Safety

9.1.8 Comments of the Director of Fire Services (D of FS):

- (a) no specific comment to the proposed compensatory measures mentioned in para. 4.5.11 in the SPS at **Appendix Ib** given the fact that the site is suffered from non-provision of EVA; and
- (b) nevertheless, Fire Safety Assessment Report may be required for the non-provision of EVA at the detailed design stage. Detailed fire services requirements will be formulated upon the receipt of formal submission of GBPs.

Heritage Conservation

9.1.9 Commissioner for Heritage (CHO) and the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (AMO):

Preservation-cum-development Proposal

- (a) the effort of the applicant to preserve NKT in-situ for adaptive reuse, and the commitment to future management and maintenance

responsibilities is appreciated. However, the proposal involves the removal of existing features associated with NKT, i.e. the pavilion, water fountain and the hexagonal planter in the garden, as well as the Annex Building of NKT. While these features are not within the grading boundary of NKT, they hold some historical and group value in connection with NKT. It is appreciated the applicant's due consideration to review the opportunity to preserve the architectural features outside the grading boundary of NKT, e.g. pavilion, water fountain, hexagonal planter, entrance gate, annex building etc., to maintain the integrity of NKT for public appreciation. CHO/AMO stands ready to offer comments from the heritage conservation perspective when the proposed preservation is reflected in the revised CMP for AMO's agreement;

- (b) the applicant undertakes to implement a preservation-cum-development proposal involving NKT, its adjoining private lots under the same ownership, as well as some adjoining government lands. According to the previous s.12A rezoning application (No. Y/H5/5) agreed by the Committee on 13.12.2019 and the s.16 planning application (no. A/H5/418) approved by the Committee on 9.6.2023, NKT would be preserved in-situ for adaptive reuse. It is considered that the preservation-cum-development proposal, as outlined in the aforementioned s.12A and s.16 planning applications, would commensurate with the heritage value of NKT;
- (c) it is noted that planning approval conditions in relation to the preservation as below have been included in the aforementioned s.16 application (No. A/H5/418):
 - (i) the submission of a CMP for the conservation of NKT and all historic features to be preserved as mentioned in the CMP prior to the commencement of any works and implementation of the works in accordance with the CMP to the satisfaction of the AMO or of the Board; and
 - (ii) the submission of full set of photographic, cartographic, and/or 3D scanning records of NKT, including both the interior and exterior of NKT, prior to the commencement of any works to the satisfaction of the AMO or of the Board;

Implementation of Preservation Requirements

Ensuring Proper Protection of NKT

- (d) it is considered necessary to have in place preservation requirements that model on the previously agreed/approved s.12A (no. Y/H5/5) and s.16 (no Y/H5/418) planning applications to ensure proper protection of NKT;
- (e) it is considered that in addition to the provisions on the in-situ preservation of NKT for adaptive reuse and measures to control demolition, addition, alteration and/or modification to NKT as included by the applicant in the SPS (**Appendix Ia**), the approval

conditions included in the previously approved s.16 planning application (no. A/H5/418) as detailed above should also be featured in the Schedule of Uses and/or ES of the proposed amendment to the OZP, should the rezoning application be approved;

Preservation, Maintenance and Adaptive Reuse of NKT along with preservation of existing features

- (f) the applicant's intention and proposal to restore, preserve and maintain NKT and some existing features in-situ at the applicant's own expense, as well as the applicant's plan to open up NKT for public appreciation is recognised and welcomed. It is noted that minor alteration and/or modification works are anticipated at NKT to ensure the specification of NKT is up to modern standard. The proposed works details should be addressed in the CMP for AMO's approval;
- (g) the applicant proposed to (i) rezone the Site which NKT is located within to "OU(RDHBC)"; (ii) preserve NKT and some existing features in-situ, to be located within the open space on 4/F (i.e. podium roof level) of the proposed development; (iii) make available the open space where NKT is located within to the public from 6am to 11pm daily free of charge; and (iv) operate an eating place on G/F of NKT and an exhibition space for cultural purposes on 1/F of NKT, which would allow visitors to appreciate interior of NKT. The applicant also indicated that the adaptive reuse of NKT would run on a non-profit making basis with revenue generated solely for the operation and maintenance of NKT;
- (h) it is suggested that the applicant's responsibility for the maintenance of NKT and some existing features be specified in the lease documents, considering the applicant's positive undertakings as highlighted above. The specification will ensure their proper upkeep and in-situ preservation in the future. In addition, approval conditions for the previously approved s.16 planning application (no. A/H5/418) detailed above, including the submission of CMP, including full set of photographic, cartographic, and/or 3D scanning records of NKT prior to the commencement of any works to the satisfaction of AMO should also be specified in the lease documents;

GFA of NKT

- (i) the adoption of a similar approach of offering appropriate economic incentives as detailed below for the current application is supported in-principle;
- (j) according to the heritage conservation policy promulgated since 2007, the Government recognises that on the premise of respecting private property rights, there is a need to offer appropriate economic incentives to compensate private owners for their loss of development right, with a view to encouraging or in exchange for private owners to conserve historic buildings in their ownership. A balance between preservation of historic buildings and respect for private property

rights is to be struck. Given individual circumstances, the requisite economic incentive to achieve the policy objective would be considered on a case-by-case basis. For example, private owners would be given policy support for their applications to relax the restrictions on PR and/or SC in order to encourage them to adopt a “preservation-cum-development” approach in preserving and revitalising their historic buildings. For the precedent cases, the GFA generated from the minor relaxation of PR equals to, if not less than, the area of preserved portion of the historic buildings and/or the area reduced due to the preservation of the historic buildings. Under the prevailing policy, economic incentive is given through relaxation of development restrictions (e.g. PR, in which the GFA of the preserved historic building is included) rather than through exemption of GFA of the preserved historic building;

- (k) CHO/AMO stand ready to offer comments from the heritage conservation perspective on the proposed alteration and/or modification works and interpretation arrangements upon receipt of the relevant submissions; and
- (l) other detailed comments are in **Appendix V**.

Others

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

- (a) no comment on the proposed refuse collection method¹¹ provided that no environmental nuisance should be generated to the surroundings by the applicant;
- (b) if provision of cleansing service for new roads, streets, cycle tracks, footpaths, paved areas etc., is required, his department should be separately consulted. Prior consent from his department must be obtained;
- (c) no environmental nuisance should be generated to the surroundings. Also, arrangement shall be made to dispose any waste so generated from commercial/trading activities properly at own expenses; and
- (d) proper licence / permit issued by his department is required if there is any food business / catering service / activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public.

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

- (a) no particular comment on the planning application;

¹¹ According to the applicant, the management office of the proposed development will collect garbage from the flats and shops and transfer the refuse to the Star Street Refuse Collection Point (**Plan Z-2**) by trolley.

- (b) the rezoning proposal would not affect the use/facilities of the POS (the existing location of Ship Street Garden) under her department's purview. In addition, it is noted that no open space and compensated trees are to be taken over by her department in this project; and
- (c) according to TPLP, it is noted that a total of 36 trees have been recorded within the Site and are proposed to be removed. 52 new trees will be compensated within the site boundary and maintained by the future management office and the individual lot owners of the proposed development. No tree under the Hong Kong East Tree Team's purview is identified to be affected and no future tree maintenance involves her department.

9.1.12 Comments of the Director of Social Welfare (D of SW):

provision of suitable welfare facilities at the Site is considered desirable. Noting the applicant's confirmation that welfare facilities could not be incorporated due to site constraints amongst others, she has no further comment on the application.

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

- (a) the alignments of the water mains at WSD's mains record plans showing the existing water mains within and in the vicinity of the Site are indicative only. The exact lines and levels of WSD's water mains should be established by hand dug trial pits on site if they are of significance to the project proponent's works. Some changes might have been made to the information shown on the drawings in the course of time and that digging of trial holes to ascertain the exact alignment and depth of water mains would still be necessary before any road excavation; and
- (b) 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 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. 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.

9.1.14 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

No geotechnical objection on the subject submission and the revised Geotechnical Planning Review Report.

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

- (a) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (b) Director of Environmental Protection (DEP);
- (c) Director of Electrical and Mechanical Services (DEMS);
- (d) District Officer (Wan Chai), Home Affairs Department (DO(WC), HAD);
and
- (e) Commissioner of Police.

10. **Planning Considerations and Assessments**

- 10.1 The application is to rezone the Site from mainly “CDA” (subject to PR and BH restrictions of 5 and 91mPD respectively) and “R(C)” (subject to PR and BH restrictions of 5 and 12 storeys respectively) with minor portions zoned “O” and shown as ‘Road’ to mainly “OU(RDHBC)”, with a small portion from “O” to “OU(Elevated Walkway)” (**Plan Z-1 and Appendix IIa**). It is to facilitate a proposed residential development with commercial uses while preserving and revitalising the historic building (Grade 1) of NKT in-situ for eating place, display of its history, and open space (at roof level). As detailed in paragraph 5, majority of the Site is involved in two approved applications (i.e. the s.12A application No. Y/H5/5 covering the current “CDA” site, and the s.16 application No. A/H5/418 covering mainly the “CDA” site and I.L. 9048) for the same proposed uses submitted by the same applicant, which were agreed by the Committee on 13.12.2019 and 9.6.2023 respectively. The current application encompasses a larger site with the inclusion of a newly acquired lot (IL. 199 RP, i.e. 18 Sau Wa Fong) of 311.9m² and seeks to increase the permissible PR of 5 for the “CDA” and “R(C)” to the level permitted under the B(P)R, and increase the BHR from 91mPD to 120mPD. In support of the application, the applicant has submitted an Indicative Scheme along with technical assessments and a tailor-made Notes and ES for the proposed “OU(RDHBC)” and “OU(Elevated Walkway)” zones (**Appendices IIb and IIc**).
- 10.2 According to the Indicative Scheme (**Drawings Z-1 to Z-5**), the proposed development comprises (i) 24-storey for residential use, 1-storey for mainly open space at the podium roof level (33.6 to 33.76mPD) and 3-storey podium accommodating ancillary recreational facilities and E&M facilities on the 2/F and 3/F and shops on the G/F (28-storey in total with BH of 119.56mPD); (ii) in-situ preservation of NKT for eating place, displaying its history, and open space (at roof level), operating on a non-profit making basis; and (iii) a minimum provision of 2,800m² open space open to public. The applicant proposes two User Schedules for the “OU(RDHBC)” zone to effectuate the proposed residential development with commercial uses and the in-situ preservation and adaptive reuse of the historic building of NKT. Maximum BHRs of 120mPD (for the proposed residential development), 34mPD (for the podium), and 2 storeys (for the historic building of NKT) are proposed to be stipulated on the Plan for the “OU(RDHBC)” zone. Other development control provisions suggested by the applicant to ensure the proposed development is in keeping with the local setting include (i) the designation of a NBA at 18 Sau Wa Fong (I.L. 199 RP) for open space at street level adjoining Sau Wa Fong; (ii) the provision of open space open to the public of not less than 2,800m²; (iii) a minimum ground floor setback of 3m from the lot boundary fronting Schooner Street; and (iv) requirements for permission from the

Board for any piecemeal/ standalone development within the “OU(RDHBC)” zone, as well as for any demolition/ addition/ alteration and/or modification works to the NKT, except those minor alteration and/or modification works which are always permitted under the Covering Notes.

Land Use Compatibility, Development Intensity and BH

- 10.3 The proposed “OU(RDHBC)” zone intends to facilitate residential development with in-situ conservation of NKT (Grade 1 historic building) and commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. This is similar to the planning intention of the existing “CDA” zone at the Site which is for comprehensive development/redevelopment for residential and/or commercial uses and in-situ preservation of the historic building of NKT. The proposed residential and commercial uses are considered compatible with the residential and commercial (e.g. hotel, retail and eating places) neighbourhood zoned “R(A)”, “R(C)”, “Commercial (5)” and “Other Specified Uses” annotated “Comprehensive Redevelopment Area” in Wan Chai South (**Plan Z-1**).
- 10.4 The applicant proposes not to stipulate any PR restriction under the OZP for the Site such that that the Site can be developed up to the permissible PR under B(P)R, and supports the current application by an indicative comprehensive residential development with commercial uses (total PR of 9.197). The Site is located in Wan Chai South, a neighbourhood characterised by a mixture of old and new, low to high-rise residential and commercial developments along Queen’s Road East (**Plans Z-9 and Z-10**). While Sau Wa Fong, a small low to medium-rise residential neighbourhood zoned “R(C)” (with maximum PR 5) is to the north and north-east of the Site, the predominant residential neighbourhood in Wan Chai South are zoned “R(A)” with no PR/GFA restrictions (**Plan Z-10**). The proposed development intensity is considered not incompatible with the surrounding neighbourhood in the larger context of Wan Chai South.
- 10.5 The proposed maximum BHR of NKT is 2 storeys, the same as its existing BH. A maximum BH of 34mPD, which is the platform level of NKT, is proposed for the forecourt of NKT in the southeastern portion of the Site. The maximum BHR of 120mPD for the residential development in the northwestern portion of the Site is proposed under the current application. While the existing BHR of the “R(A)” zone on the Wan Chai OZP is 110mPD, those developments are generally located at lower platforms. Considering that the proposed development is situated at the upper platform of 34mPD where NKT is located, the proposed BHR of 120m for the proposed development is considered an appropriate transition from Hopewell Centre (BHR of 220mPD), Hopewell Centre II (BHR of 210mPD) to the residential areas zoned “R(A)” (BHR of 110mPD) and “R(C)” (BHR of 12 storeys) in the Wan Chai South area (**Plan Z-9**).
- 10.6 Although part of Sau Wa Fong stepped street area (i.e. 18 Sau Wa Fong (I.L. 199 RP)) is proposed to be zoned from “R(C)” to “OU(RDHBC)”, the applicant proposes to designate it as an NBA (**Appendix IIa**) for developing into a landscaped open space accessible to the public (**Drawing Z-9**), which could help preserve the character and ambience of the Sau Wa Fong area.
- 10.7 The VIA prepared by the applicant demonstrates that the visual impacts of the Indicative Scheme from the six visible viewpoints are rated from ‘Moderately

Adverse / Significantly Adverse' to 'Enhanced' (**Drawings Z-13 to Z-24**). CTP/UD&L, PlanD commented that the increased PR and BH of the proposed rezoning, compared to the development restrictions of the existing "CDA" and "R(C)" zones, will result in a bulkier building mass that may pose a larger contrast with the medium-density residential neighbourhood (zoned "R(C)") and the two schools in the vicinity. Design measures to reduce or soften the visual bulkiness, such as setting back of the residential tower (2/F to 28/F) from the site boundary fronting Schooner Street, façade treatments, and landscaped buffer, should be adopted as far as practicable. CA/CMD2, ArchSD recommended to review the design and disposition of the proposed development in the detailed design stage to minimise occupants from being able to look into the habitable rooms of adjoining buildings. From architectural and visual impact perspectives, it is also considered that treatment or articulation of the building massing/ façades to blend more harmoniously with the surrounding neighbourhood may be required in the design stage. These technical concerns can be further addressed by the applicant at the detailed design stage, should the Committee agree to the rezoning application.

- 10.8 The submitted AVA shows that under both annual and summer conditions, the overall performances of the pedestrian wind environment in the surrounding areas and in the immediate vicinity of the Site, under both the baseline scheme (for the s.16 approved scheme under application No. A/H5/418) and the Indicative Scheme, are comparable. CTP/UD&L has no comment on the proposed rezoning from the air ventilation perspective.

Heritage Conservation

- 10.9 According to the heritage conservation policy, the Government recognises the need for economic incentives to encourage and facilitate private owners in preserving historic buildings under their ownership. The proposed "OU(RDHBC)" zoning, primarily intended to facilitate residential development while conserving the historic building of NKT in-situ within the Site, aligns with the heritage conservation policy. CHO and AMO support in-principle the adoption of a similar approach of offering appropriate economic incentives for the current application (i.e. relaxation of development restriction (e.g. PR, in which the GFA of the preserved historic building is included)).
- 10.10 The applicant proposes a separate set of schedule of uses in the Notes for the historic building of NKT under the "OU(RDHBC)" zone (**Appendix IIb**) to allow a range of selected commercial uses that will facilitate the adaptive reuse of NKT. In the Indicative Scheme submitted by the applicant, an eating place on the G/F of NKT and a space for displaying the history of NKT on the 1/F with roof top open space of NKT are proposed to allow visitors to appreciate the interior of the building while maintaining financial sustainability for its long-term maintenance and management. The aforementioned proposed uses in NKT are proposed as Column 1 uses (i.e. uses not requiring planning permission) under the aforementioned separate schedule of uses (**Appendix IIb**). CHO and AMO appreciate the applicant's effort to preserve NKT in-situ for adaptive reuse, and the commitment to future management and maintenance responsibilities.
- 10.11 To preserve the long-distance view of NKT, a BHR of 34mPD for the forecourt of NKT is proposed by the applicant. This restriction could provide sufficient planning control to maintain the terraced setting of the podium and open up the

view of NKT from Queen's Road East for public appreciation. Compared to the last approved s.16 scheme, the non-graded existing features associated with NKT, i.e. the pavilion, water fountain, and hexagonal planter in front of the NKT, are proposed to be removed under the current scheme. Instead, a multi-function lawn is proposed to allow for an unobstructed view of NKT. Also, the Annex Building of NKT is proposed to be demolished to facilitate the construction of a retaining wall after further evaluation of the slope stability. CHO and AMO commented that while these features are not within the grading boundary of NKT, they hold some historical and group value in connection with NKT. The applicant is appealed to preserve them in-situ as far as practicable, or to integrate them into the future open space on the podium roof level to maintain the integrity of NKT for public appreciation. In this connection, the applicant indicates that due consideration will be made to review the opportunity to preserve architectural features outside the grading boundary of NKT at the detailed design stage and further discussion will be provided in the revised CMP to be submitted at the detailed design stage.

- 10.12 To further safeguard the preservation of the NKT, a clause stipulating the requirement for permission from the Board for any demolition of, or addition, alteration and/ or modification to (except those minor alteration and/ or modification works which are always permitted under the covering Notes) the historic building is also proposed in the Notes of the "OU(RDHBC)" zone. According to the applicant, the proposed minor alteration and/or modification works refer to works that are directly related to the always permitted uses and would not lead to any changes to the disposition, SC and BH of NKT. The proposed minor alteration and/or modification works that are anticipated at NKT include internal wall partitioning and erection of internal staircase, etc. to ensure the specification of NKT is up to modern standard. To ensure the proper protection of NKT, CHO and AMO also consider that a revised CMP and recordings should be submitted for their approval at the detailed design stage. The submission of a CMP with recordings could be imposed to the relevant lease conditions at the land exchange stage.

Open Space Provision

- 10.13 The applicant expresses that it will endeavour to provide open space open to public beyond 2,800m² as far as practicable and this will be reviewed at the detailed design stage. According to the Indicative Scheme, a total of about 3,179.9m² (including footprint of NKT) open space accessible to the public will be provided. It comprises the open space at street level adjoining Sau Wa Fong (about 255.6m²), the ground floor 3m setback area from Schooner Street with all-weather canopy (about 258m²), the open-air open space integrated with the historic building of NKT (about 1,638.6m²) at the podium roof level, and a covered landscape area underneath the residential tower (about 1,027.7m²) (**Drawings Z-2, Z-4, Z-6, Z-7 and Z-8**). The open space at G/F will be open 24 hours for the public, while the rest will be accessible at reasonable hours (0600 - 2300 daily) for the enjoyment by the public. All open space within the proposed development will be enjoyed by both the public and residents.
- 10.14 Compared to the open space provision under the approved s.16 application (about 2,721.7m²), the additional 458.2m² open space under the current Indicative Scheme is mainly due to more open space at street level adjoining Sau Wa Fong (**Plans Z-17 and Z-18**) which is made possible with the inclusion of 18 Sau Wa

Fong (I.L. 199 RP). The open space and the pedestrian connections proposed under the Indicative Scheme, if fully implemented, can extend and create a multi-level open space network in the area, connecting the Ship Street Garden, the private open space under construction in Hopewell Centre II (i.e. The Park) and Kwong Ming Street Children's Playground (**Plan Z-2 and Drawing Z-10**).

- 10.15 The prevailing OZP stipulates that a minimum of 2,100m² of POS shall be provided within the "CDA" site. For the current application, the applicant proposes to specify a minimum open space provision requirement of 2,800m² in the Notes of the proposed "OU(RDHBC)" zone. According to the applicant, the Indicative Scheme only presents an initial vision for open space provision and has not fully taken into account the geotechnical, structural and other building requirements, etc. The applicant expresses that it will endeavour to provide more than 2,800m² open space open to the public as far as practicable. Hence, the actual provision will be subject to further investigation at the detailed design stage. It is considered that a minimum of 2,800m² of open space open to public as proposed by the applicant is an appropriate statutory planning control to ensure its provision which is a vital design feature of the Indicative Scheme and an important planning gain.

Pedestrian Connectivity and Transport

- 10.16 The Site is not served by any vehicular access. In terms of pedestrian access, the applicant proposes barrier-free accesses via Lifts A and B, and the new Lift C within the Site, along with a new elevated walkway connecting to Hopewell Centre II to address the level differences between Kennedy Road (63.63mPD) and Queen's Road East via Schooner Street (19mPD) and Ship Street (7mPD) (**Drawing Z-10 and Plan Z-12**), same as the proposal under the approved s.16 application. This could enhance north-south connectivity in the area. Additionally, pedestrians currently can only walk through narrow alleys between the existing buildings in Sau Wa Fong to travel to and from St. Francis Street (**Plan Z-12**). With the demolition of the existing building and the introduction of an open space at 18 Sau Wa Fong (I.L. 199 RP) (which is proposed to be designated as NBA under the proposed Notes), the pedestrian passageway will be widened (**Drawings Z-2, Z-6, Z-9 and Plan Z-12**). Together with the proposed requirement of 3m ground floor setback from Schooner Street (**Drawing Z-9**) under the proposed Notes, the east-west pedestrian circulation covering Star Street, St Francis Street, the Sau Wa Fong stepped street area¹², Schooner Street, the Site and Hopewell Centre II could be enhanced (**Plan Z-12**).
- 10.17 To implement the proposed elevated walkway above Ship Street linking Hopewell Centre II and the Site, the applicant proposes to rezone this area from "O" to "OU(Elevated Walkway)" (**Appendix IIa**). The prevailing Notes of "OU(Elevated Walkway)" on the Wan Chai OZP will be adopted (**Appendix IIb**). As the proposed elevated walkway will only occupy the airspace above the Ship Street Staircase without affecting any existing highway features, CHE/HK, HyD has no adverse comment on it.
- 10.18 According to the submitted TIA, residents and visitors of the proposed development will tend to use the public transport, and the needs of overnight

¹² Under the partially agreed s.12A application No. Y/H5/7, the applicant proposes a lift (i.e. Lift D on **Plan Z-12**) to provide barrier-free access between Sau Wa Fong and St Francis Street.

parking of the resident and casual parking of visitors may be met by off-street and on-street carpark spaces that are available to the public in the vicinity of the Site. The recent traffic survey in the submitted TIA indicated that there would be sufficient spare car parking to meet the potential overnight parking demand, and the two lay-bys in Star Street can be used for carrying out L/UL activities generated by the proposed development. Furthermore, the applicant submitted an undertaking, signed by the owner of Hopewell Centre II to the applicant, stating that the former will not prohibit future residents/occupiers of the latter development from utilising the carparking and L/UL facilities at Hopewell Centre II (i.e. I.L. 8715) for the operation needs of the latter development; as well as the owner of Hopewell Centre II will offer assistance to alleviate and relieve any traffic congestion that occurs when residents/occupiers are moving-in and out. C for T noted that it is impractical to provide vehicular access to the Site due to site constraints and the additional car parking and L/UL demand arising from the rezoning proposal can be served by existing car parking spaces in nearby developments and L/UL facilities in the vicinity; and the above undertaking was provided. She comments that the applicant should be responsible for liaison with the lot owner of Hopewell Centre II to ensure the proposed measures in the undertaking are properly implemented. Moreover, detailed construction TIA and implementation of necessary mitigation measures to address any traffic impact should be submitted before commencement of works. Subject to the above, C for T has no in-principle objection to the application.

Fire Safety

- 10.19 It is noted that, despite the Site not being accessible by fire engines directly, it is located in proximity to nearby public road or EVA of other developments (e.g. Hopewell Centre II) (**Drawing Z-12**). To address the absence of an EVA, compensatory measures such as the provision of an independent sprinkler tank to protect the entire commercial portion and all common areas of domestic portion of the building; adoption of fast response sprinkler heads; provision of pressurisation of staircase or natural venting of staircase; provision of a direct line to the Fire Services Communication Centre and connected to the sprinkler alarm system and manual fire alarm system; and enhancement to the size of water tank/inflow rate for sprinkler or fire hydrant/hose reel system tank may be implemented, subject to discussion with FSD at the detailed design stage. D of FS has no specific comment on these proposed compensatory measures given the fact that the Site lacks an EVA. Detailed fire services requirements will be formulated upon receipt of the formal submission of GBPs.

Other Technical Aspects

- 10.20 To support the application, the applicant has submitted relevant technical assessments including TPLP, AVA, Sewerage Impact Assessment, Environment Assessment, and Geotechnical Planning Review Report, which concluded that the Indicative Scheme is technically feasible and would not cause any insurmountable landscape, air, sewerage, environmental and geotechnical impacts. Concerned departments including CTP/UD&L, PlanD, CE/HK&I, DSD, DEP and H(GEO), CEDD have no adverse comment on the application.

Submission of a Master Layout Plan

- 10.21 As mentioned in the paragraphs above, various development controls, including two separate User Schedules for the historic building of NKT and the proposed residential development with commercial uses (**Appendix IIb**), three BHRs (2 storeys for the historic building of NKT, 34mPD for the southeastern podium and 120mPD for the residential development with commercial uses in the northwestern portion) (**Appendix IIa and Drawing Z-9**), a NBA at 18 Sau Wa Fong (I.L. 199 RP) (**Appendix IIa and Drawing Z-9**), a minimum ground floor setback of 3m from the lot boundary fronting Schooner Street (**Drawing Z-9**), and a minimum provision of 2,800m² open space open to public, are proposed to be stipulated in the Notes for the “OU(RDHBC)” zone. Also, to fulfil the intention of “OU(RDHBC)” to preserve and revitalise NKT, a Remark in the Notes (**Appendix IIb**) stating demolition of, or addition, alteration and/or modification to NKT (except those minor alteration and/or modification works which are always permitted under the covering Notes) on NKT will require permission from the Board is proposed. The applicant also proposes to include a clause in the “OU(RDHBC)” zone that “new development or redevelopment shall be in the form of comprehensive development. Piecemeal/ stand-alone development(s) may be considered by the Board on application under section 16 of the Town Planning Ordinance” (**Appendix IIb**) to ensure that future developments within this zone is being implemented in a comprehensive manner where the lands within the Site will be amalgamated. Additionally, the applicant proposes rezoning the area (about 16.9m²) for the proposed elevated walkway connecting the Site and Hopewell Centre II from “O” to “OU(Elevated Walkway)” (**Appendix IIa**). It is considered that the aforementioned development controls as proposed by the applicant are sufficient to guide the development at the Site without the further requirement of Master Layout Plan submission. Furthermore, assessments to confirm the technical feasibility of the proposed development have been conducted by the applicant with no adverse comments from relevant government departments.
- 10.22 According to DLO/HKE of LandsD, an application for lease modification, which may be effected by way of land exchange, is required. To address concern of CHO and AMO that a revised CMP and recordings should be submitted for their approval at the detailed design stage to ensure proper protection of NKT, the submission of a CMP with recordings could be imposed to the relevant lease conditions at the land exchange stage. Moreover, relevant lease condition stating maximum number of flats could also be explored at the land exchange stage to control the size of development and population so as to contain the development to the level that has been assessed as technically feasible in the submitted technical assessments.
- 10.23 In view of the above, it is considered that no MLP submission for the Board’s further consideration is required for the proposed preservation cum development project. Should the Committee agree/ partially agree to the application, detailed and appropriate schedule of uses, development restrictions and requirements on the OZP to reflect the BH restrictions, NBA at 18 Sau Wa Fong (I.L. 199 RP), a minimum ground floor setback of 3m from the lot boundary fronting Schooner Street, and a minimum provision of POS of 2,800m², as well as to ensure in-situ preservation and adaptive reuse of historic building of NKT, and to avoid piecemeal/standalone development on the Site, will be further worked out. The proposed amendments to the Wan Chai OZP, together with the revised Notes and

Explanatory Statement, will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

Similar Application

- 10.24 A similar s.12A application No. Y/H5/7 to rezone a site at Sau Wa Fong and St. Francis Street from “R(A)”, “R(C)” and area shown as ‘Road’ to “R(A)9” to facilitate a notional comprehensive residential development with commercial uses (including art facilities) at a maximum total PR of 10.18 and a maximum BH of 110mPD was partially agreed by the Committee on 22.9.2023. Details of the application are at paragraph 6 above. With public planning gains made possible through amalgamation of sites, approval of the current application is generally in line with the Committee’s previous decision.

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 above, PlanD has no in-principle objection to the proposed rezoning and recommends the Committee to agree to the application to rezone the application site to appropriate zoning(s) so as to allow the development intensity to the level permitted under the B(P)R with stipulation of development restrictions and requirements on the OZP, including BH restrictions, an NBA at 18 Sau Wa Fong (I.L. 199 RP), a minimum ground floor setback of 3m from the lot boundary fronting Schooner Street, and a minimum provision of POS of 2800m², as well as other appropriate controls to ensure in-situ preservation and adaptive reuse of historic building of NKT, and to avoid piecemeal/standalone development on the Site; and to provide for the development of the proposed elevated walkway across Ship Street staircase.
- 11.2 Should the Committee decide to agree/ partially agree to the application, the proposed amendments to the Wan Chai Outline Zoning Plan, together with the revised Notes and Explanatory Statement, will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.
- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members’ consideration:

the applicant fails to provide strong planning justifications and merits, including the in-situ preservation and adaptive reuse of NKT and maintaining the integrity of NKT together with its associated features for public appreciation, for rezoning the Site from “CDA”, “R(C)”, “O”, “G/IC” zones and area shown as ‘Road’ to “OU(RDHBC)” zone with higher development intensity.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 12.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

13. **Attachments**

Appendix I	Application Form received on 21.10.2024
Appendix Ia	Booklet for NKT Development received on 21.10.2024
Appendix Ib	Consolidated Report received on 3.1.2025
Appendix IIa	Proposed Amendments to the Plan
Appendix IIb	Proposed Amendments to the Notes for “OU(RDHBC)” zone
Appendix IIc	Proposed Amendments to the Explanatory Statement for “OU(RDHBC)” zone
Appendix III	Previous Application covering the Site
Appendix IV	Similar Application
Appendix V	Detailed Comments from Government Departments
Drawing Z-1	Master Layout Plan
Drawing Z-2	Open Space and Public Facilities Plan
Drawing Z-3	Floor Plans
Drawing Z-4	Section Plan
Drawing Z-5	Comparison of the Approved s.12A Indicative Scheme, s.16 Approved Scheme and the Proposed Indicative Scheme
Drawing Z-6	Landscape Proposal
Drawings Z-7 and Z-8	Open Space Plans
Drawing Z-9	Plan showing Planning and Design Merits
Drawing Z-10	Pedestrian Access Plan
Drawing Z-11	Plan showing 3D Illustration of Pedestrian Access
Drawing Z-12	Firemen’s Access Plan
Drawings Z-13 to Z-24	Viewpoints and Photomontages
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4 to Z-7	Site Photos
Plan Z-8	Zoning History of the Site
Plan Z-9	Existing BH and BHR under OZP
Plan Z-10	Existing PR and PR Restriction under OZP
Plan Z-11	Lot Plan
Plan Z-12	Pedestrian Access Plan after the Completion of Proposed Development and Application No. Y/H5/7
Plans Z-13 to Z-18	Comparison of s.16 Approved and Current Indicative Schemes

**PLANNING DEPARTMENT
JANUARY 2025**