

TOWN PLANNING BOARD

**TPB Paper No. 10762
For Consideration by the
Town Planning Board on 18.8.2021**

**REVIEW OF THE DRAFT WAN CHAI
OUTLINE ZONING PLANS NO. S/H5/26, 27 & 28 and
SUBMISSION OF THE DRAFT WAN CHAI
OUTLINE ZONING PLAN NO. S/H5/28A
UNDER SECTION 8 OF THE TOWN PLANNING ORDINANCE
TO THE CHIEF EXECUTIVE IN COUNCIL FOR APPROVAL**

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1 Introduction

This paper is to brief Members on the latest planning circumstances of the Wan Chai area since the gazettal of the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/26 (WCOZP 26) in 2010 and to seek Members' agreement that the draft Wan Chai OZP No. S/H5/28A (**Annex I**) with its Notes (**Annex II**) are suitable for submission under section 8 of the Town Planning Ordinance (the Ordinance) to the Chief Executive in Council (CE in C) for approval, and that the updated Explanatory Statement (ES) (**Annex III**) is suitable for submission to the CE in C together with the draft OZP.

2 Background

- 2.1 The draft Wan Chai OZP was last approved by the CE in C under section 9(1)(a) of the Ordinance on 6.11.2007, which was subsequently renumbered as S/H5/25 upon approval. On 4.11.2008, the CE in C referred the approved Wan Chai OZP to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance.
- 2.2 In 2010, a comprehensive review on the building height (BH) of the entire Wan Chai OZP was conducted aiming to achieve good urban form and to prevent excessively tall and out-of-context development. In formulating the BH restrictions (BHRs) for the "Government, Institution or Community" ("G/IC") sites on the OZP, due regard has been given to the nature of the existing facilities/uses on the sites, the existing BHs, the BHRs on the land allocation/lease, the need to meet the minimum height requirement for the designated Government, institution and community (GIC) facilities and the need to maintain compatible building mass in the local setting. The BHRs are mainly to reflect the existing BHs of the various G/IC developments, or to accommodate any known or committed development proposals. Having considered the findings of the review and the proposed amendments to the OZP, the Board agreed to incorporate various BHRs for the development zones including "G/IC" zone on WCOZP 26 which was exhibited for public inspection on 24.9.2010 under section 5 of the Ordinance (**Attachments A1 and A2**). Apart from BHRs, non-building area, setback and building gap requirements were designated on the OZP to facilitate air ventilation of the concerned area.

- 2.3 During the statutory exhibition periods of WCOZP 26, a total of 106 representations and 293 comments on representations (comments) were received. It included the representation from the Methodist Church Hong Kong (MCHK) against imposition of the BHRs/setback requirement of the three “G/IC” sites (i.e. the Methodist International Church (MIC), Methodist House (MH) and the Wesley sites) (**Plans 1a, 2a and 3a**) owned by MCHK. After giving consideration to the representations and comments on 26.4.2011, the Board decided to propose amendments to the OZP related to 8-10 and 12-18 Wing Fung Street¹ to partially meet three representations and not to uphold the remaining representations (including the representations by the Real Estate Developers Association of Hong Kong (REDA), Leighton Property Company Limited and Lee Theatre Realty Limited (LLT), the Trustees of the Church of Christ in China, Wan Chai Church (WCC) and MCHK). Two further representations were received during the statutory publication period. After giving consideration to the further representations on 29.7.2011, the Board decided to further vary the proposed amendments² which shall form part of the draft OZP under section 6H of the Ordinance. Follow-up actions with the representers as requested by the Board are set out in paragraph 3.2 below.
- 2.4 On 27.7.2011, the Court granted leave to four JRs respectively filed by the REDA, LLT, WCC and MCHK against the Board’s decisions on their representations, and subsequently ordered to stay the submission of the draft OZP to the CE in C for approval pending the result of the JRs.
- 2.5 On 3.8.2012, whilst the hearing of JRs submitted by WCC and MCHK had yet to be fixed, the draft Wan Chai OZP No. S/H5/27 (WCOZP 27) was exhibited for public inspection under section 7 of the Ordinance (**Attachments B1 and B2**) mainly to facilitate the redevelopment proposals of the “G/IC” sites including MIC at Queen’s Road East and WCC at Spring Garden Lane. During the statutory exhibition periods of WCOZP 27, a total of 223 representations and 2 comments were received. On 22.2.2013, the Board decided not to uphold the representations after giving consideration to the representations and comments. For the WCC’s JR, the Court subsequently granted leave to WCC to withdraw its JR on 1.2.2019.
- 2.6 For LLT’s JR, it was first dismissed by the Court of First Instance (CFI) on 14.9.2012, but the Court of Appeal on 13.11.2014 quashed the Board’s decision made on 26.4.2011 on LLT’s representation in respect of WCOZP 26 and remitted the decision to the Board for reconsideration. On 26.9.2016, the Court of Final Appeal allowed the further appeal by LLT³ and also ordered to remit the Board’s

¹ The amendments include rezoning of the site at 8-10 and 12-18 Wing Fung Street from “Residential (Group A)” (“R(A)”) to “Commercial (7)” (“C(7)”) with a BHR of 120mPD, a minimum setback requirement of 1m from the lot boundary fronting Wing Fung Street, as well as a requirement that any in-situ conversion/ redevelopment of an existing residential building to a commercial/ office building be subject to the planning permission from the Board to ensure that there would be no adverse traffic impact.

² The amendments include annotating the Three Pacific Place site as sub-area (a) of the “C(6)” zone and rezoning of the site at 8-10 and 12-18 Wing Fung Street from “C(7)” to sub-area (b) of the “C(6)” zone with a BHR of 120mPD, a minimum setback requirement of 1m from the lot boundary fronting Wing Fung Street, as well as a requirement that any in-situ conversion/ redevelopment of an existing residential building to a commercial/ office building be subject to the planning permission from the Board to ensure that there would be no adverse traffic impact.

³ The Court of Final Appeal heard the appeal together with another JR in respect of the draft Causeway Bay OZP lodged by LLT’s parent company, Hysan Development Company Limited, and Hysan’s other subsidiaries.

decision made on 26.4.2011 in respect of LLT's representation to the Board for consideration. For REDA's JR, the CFI allowed the JR on 3.2.2015. To follow the Court's orders in LLT's and REDA's JRs, a review of the development restrictions on the draft OZP was conducted in 2017, taking into account the implications of the Sustainable Building Design Guidelines (SBDG).

- 2.7 On 4.5.2018, after its consideration of the findings of the OZP review and reconsideration of the representations of LLT and REDA, the Board exhibited the extant draft Wan Chai OZP No. S/H5/28 (WCOZP 28), primarily to incorporate amendments to the BHR for various development zones (excluding the "G/IC" zone), for public inspection under section 7 of the Ordinance (**Attachments C1 and C2**). During the statutory exhibition periods of WCOZP 28, a total of 75 representations and 9 comments were received. On 15.2.2019, the Board decided not to uphold the representations after giving consideration to the representations and comments, including the representations submitted by LLT and REDA.
- 2.8 On 19.4.2021, the CFI allowed the remaining JR (i.e. the one filed by MCHK). The CFI concluded in the judgment that the Board failed to consider or adequately consider the social welfare, community and religious need of the community in coming to the decision of not upholding MCHK's representation. Although the CFI quashed the Board's decision, the CFI did not order the Board to reconsider the representation, having considered that circumstances have changed and that new draft OZPs have been prepared and exhibited after the commencement of the subject JR proceedings.
- 2.9 As the Court has already made decisions for all four JRs related to WCOZP 26, all interim stay orders have ceased to take effect. If upon a review of the latest planning circumstances, the Board is satisfied that no amendment to the Wan Chai OZP is necessary for the time being, the Board may proceed to submit the draft OZP to CE in C for approval under section 9 of the Ordinance.

3 Latest Planning Circumstances

- 3.1 The following is an update of the latest planning circumstances particularly in respect of the BH profile of the Wan Chai area as well as the Government's policies and initiatives to strengthen the provision of welfare facilities since the gazettal of WCOZP 26 on 24.9.2010.

Amendment of BHR of "G/IC" sites on the Wan Chai OZP

- 3.2 Although the Board did not uphold the representations related to BHR of "G/IC" sites on WCOZP 26, the Board requested the Planning Department (PlanD) to follow-up with the relevant representers including MCHK on their redevelopment proposals. For the MIC site, it was occupied by a 3-4 storeys church building over one level of basement before its redevelopment and subject to a maximum BH of 4 storeys (excluding basement) on WCOZP 26. MCHK intended to realise the full development potential of the MIC site to provide the necessary accommodation to service the expanding needs of the community. Since June 2011, PlanD had several meetings with MCHK to discuss the redevelopment proposal of the MIC site. Given that the redevelopment proposal obtained relevant policy support and that there was

no objection from relevant bureau/departments (B/Ds) and the redevelopment proposal would have no significant adverse impacts, the BHR of the MIC site was amended from 4 storeys to 110mPD in 2012 as highlighted in paragraph 2.5 above. The requirement of a covered open space of not less than 360m² with open-side along both Kennedy Road and Queen's Road East and a minimum setback of 3m from the lot boundary fronting Queen's Road East, as proposed by MCHK (**Attachment B3**), was also incorporated on WCOZP 27. The MIC was already redeveloped into a 24-storey building in 2018.

- 3.3 The same approach was also adopted in amending the BHR of the WCC site from 5 storeys to 110mPD and the BHR of the Duke of Windsor Social Service Building at Hennessy Road from 50mPD to 93mPD on WCOZP 27 in 2012.

Amendments of development restrictions on other sites in Wan Chai

- 3.4 As mentioned in paragraph 2.6 above, PlanD had reviewed the BHRs of the development zones on the OZP taking into account the implications of SBDG. SBDG was first promulgated through practice notes for building professionals issued by the Buildings Department in 2011. It established three key building design elements i.e. building separation, building setback and site coverage of greenery, with the objectives to achieve better air ventilation, enhance the environmental quality of living space, provide more greenery particularly at pedestrian level, and mitigate heat inland effect. Compliance with SBDG is one of the pre-requisites for granting gross floor area (GFA) concessions for green/amenity features and non-mandatory/non-essential plant rooms and services by the Building Authority. Such requirement would also be included in the lease conditions of new land sale sites or lease modifications/land exchange. Taking into account SBDG, amendments to the BHRs for the "C", "C(4), sub-area (b) of "C(6)", "Other Specified Uses" annotated "Mixed Use" ("OU(MU)"), "R(A)", "R(A)5" and "Residential (Group B)" sites, and deletion of the non-building area and building gap requirements for the "C(4)", "OU (Historical Building Preserved for Hotel, Commercial, Community and/or Cultural Uses", "G/IC" and "R(A)" zones and stipulation/revision to the BHRs for the areas concerned were incorporated into WCOZP 28 in 2018 after the reviews of BHRs.
- 3.5 The BHR, setback and non-building area requirements as stipulated under WCOZP 28 are to provide better planning control in guiding developments to avoid excessively tall and out-of-context development which would adversely affect the quality of the living environment including air ventilation. Hence, these requirements pursue a legitimate aim. As demonstrated in the assessments (visual appraisal, air ventilation assessment (AVA), etc.) in support of the preparation of WCOZP 26 and WCOZP 28, these requirements would help to enhance the quality of the living environment and are thus rationally connected to the aim. The requirements were also rationally formulated taking into account a host of factors, including the overall BH concept for protection of the ridgeline, views to the harbour, existing BH profiles, topography, site formation level, local characteristics, foothill setting, compatibility with the surrounding areas, predominant land uses and development potential, air ventilation, visual impact and a proper balance between public interest and private development right. In particular, the requirements can accommodate permissible development intensity taking into account the SBDG requirements and have allowed rooms for design flexibility. They have struck a fair balance between the rights of the individual and the interests of the community.

- 3.6 As for “G/IC” sites, they have special functional and design requirements with a great variation in floor-to-floor height or open air design to suit operational needs. Thus, their BHRs mainly reflect their existing BHs unless there is known committed redevelopment proposal with policy support. Instead of including these sites in the said review in 2018, the Board has adopted since 2012 the approach as mentioned in paragraph 3.2 above to amend the OZP to enable redevelopment of individual “G/IC” site if the redevelopment proposal is supported by relevant technical assessments and has obtained relevant policy support with no objection from B/Ds. Again, a fair balance between the public interest and development right has been struck.

“Single Site, Multiple Use” Model

- 3.7 With a view to consolidating and providing more GIC facilities to make optimal use of the limited land resources, the 2017 Policy Address announced new policy initiative on implementation of a “single site, multiple use” model in multi-storey development on government land. To optimise the use of “G/IC” sites, the Government is reviewing a considerable number of “G/IC” sites currently earmarked for standalone public facility, and will put forward concrete proposals for sites with no development plan, including developing multi-purpose public facility buildings under the “single site, multiple use” model, developing residential projects and public facilities under a mixed development mode, or retaining them for specific government facilities. Priorities are given to review sites with greater potential of joint user development, including those reserved for schools/education, social welfare, public transport interchange, cultural and recreational facilities.
- 3.8 Relevant government departments will adopt the “single site, multiple use” model in reviewing the existing “G/IC” sites in the Wan Chai planning scheme area when opportunity arises.

Multi-pronged Approach for the Provision of Welfare Services

- 3.9 There is an increasing demand for welfare facilities as a result of the ageing population, and at the same time there are keen community demand for child care services, as well as need for more population-based or district-based welfare facilities. In response to changing social needs, new and enhanced service requirements have been announced. The Government has all along adopted a multi-pronged approach, including reserving appropriate land for the provision of welfare services and facilities in the planning process, to address the demand (including any shortfall of welfare services). The long, medium and short term strategies to provide more welfare services to meet community needs are as follows:

Long Term Strategy

Revisions to the Population-based Planning Standards of Elderly Facilities in the Hong Kong Planning Standards and Guidelines (HKPSG)

- 3.10 The Government promulgated the amended HKPSG on 28.12.2018, which stipulates the population-based planning standards in respect of community care services, district elderly community centres, neighbourhood elderly centres and residential care homes for the elderly. The amended HKPSG provides long-term targets for the provision of these facilities in Hong Kong including Wan Chai District.

Medium Term Strategy

Identify Suitable Sites and Make Use of Vacant Government Premises for Welfare Facilities

- 3.11 As regards the medium term strategy, the relevant departments, including PlanD, the Social Welfare Department (SWD) and the Housing Department (HD), have maintained a close contact to identify suitable sites in the development or redevelopment of public housing estates for providing welfare facilities. HD has coordinated with PlanD, SWD and relevant departments during the formulation of planning brief of the public housing development to enhance the provision of relevant facilities by exempting them from GFA calculation where feasible from the planning and technical perspective. Also, vacant government sites or vacant GIC premises, including vacant school premises and non-domestic vacant premises in public housing estates, are closely monitored by SWD for providing social welfare facilities.
- 3.12 While there is no public housing development in the Wan Chai planning scheme area, an Urban Renewal Authority (URA) project, namely the Lee Tung Street and McGregor Street Development Scheme Area (i.e. The Avenue) with the provision of a residential care home for the elderly and a community support service centre, was completed in 2014.

Land Sale Sites

- 3.13 The Government also takes the initiative to include in the land sale conditions requiring private developers to construct welfare facilities specified by the Government in suitable land sale sites. The land sale conditions require the private developer to design and construct bare-shell premises for proposed welfare facilities according to the specifications of SWD. Upon completion of the construction works, SWD will take over the facilities and select a suitable service operator through competitive bidding.
- 3.14 While there is so far no land sale site with the requirement for provision of welfare facilities in the Wan Chai planning scheme area since 2011, a land sale site at Caroline Hill Road for commercial development in the 2020-2021 land sale programme had incorporated land sale conditions requiring the private developer to construct a Child Care Centre and a Day Care Centre for the Elderly.

Special Scheme on Privately Owned Sites for Welfare Use (the Special Scheme)

- 3.15 According to Policy Address 2013, the Government would seek to use the Lotteries Fund more flexibly, and make better use of the land owned by non-governmental organisations (NGOs) through redevelopment or expansion to provide diversified subvented and self-financing facilities. The Labour and Welfare Bureau /Social Welfare Department subsequently launched the Special Scheme on Privately Owned Sites for Welfare Uses (Phase One) in September 2013. NGO applicants have to provide or increase on their own sites, through expansion, redevelopment or new development, those welfare facilities considered by the Administration as being in acute demand, in particular elderly and rehabilitation service facilities. NGOs may apply for the Lotteries Fund to fund the technical feasibility studies for the projects under the Special Scheme, and to pay for the construction and fitting-out costs. The

Administration launched Phase Two of the Special Scheme in April 2019, under which targeted assistance is provided for participating NGOs during the planning or development process.

- 3.16 There is so far no application under the Special Scheme in the Wan Chai planning scheme area.

Facilitation Scheme for Redevelopment of Sites held by NGOs for Multiple Uses by URA (the Facilitation Scheme)

- 3.17 According to Policy Address 2019, to assist NGOs to optimise their under-utilised sites, the Government will facilitate the redevelopment of the low-rise buildings on these sites by providing support and introducing mixed residential, education and welfare uses. This will not only provide modernised facilities, but also increase the supply of various types of housing, including elderly housing, youth hostels or transitional housing, etc. Subsequently, the Facilitation Scheme by URA was launched on 1.1.2021 to facilitate NGOs to optimise their under-utilised sites. Through redevelopment, the URA will assist the NGOs to maximize the development potential of their existing sites by introducing mixed residential, commercial and community uses, while at the same time modernising the NGO facilities. The Facilitation Scheme will be implemented by the Urban Redevelopment Facilitating Services Company Limited, a URA subsidiary, to provide services to facilitate redevelopment in two stages.
- 3.18 There is so far no application under the Facilitation Scheme within the Wan Chai planning scheme area.

Short Term Strategy

Purchase of Premises for Provision of Welfare Facilities

- 3.19 To push in tandem with the long and medium term strategies to secure and identify sites/premises for provision of welfare facilities, SWD together with the Government Property Agency, have taken forward the initiative of purchasing premises in the private property market as a short-term measure, as announced in the 2019-20 Budget, to help meet the imminent need for premises for the earlier provision of welfare facilities. As approved by the Finance Committee of the Legislative Council on 30.6.2020, \$20 billion has been allocated for the Government to purchase private premises for the provision of welfare facilities (purchasing scheme).
- 3.20 SWD has proposed a list of welfare facilities to be accommodated in the purchasing scheme for the 18 districts. For Wan Chai District, suitable premises will be purchased by SWD to provide 1 Child Care Centre, 2 Neighbourhood Elderly Centres, 1 District Support Centre for Persons with Disabilities, 1 Parents/Relatives Resource Centre, 1 Special Child Care Centre cum Early Education and Training Centre and 1 Cyber Youth Support Team.

4 The Three Sites of MCHK

MIC site (Plans 1a to 1c)

- 4.1 The site (about 794m²) is located at the junction of Kennedy Road and Queen's Road East (**Plan 1a**) and currently occupied by a 24 storeys building, with a non-domestic PR of 12.741 and domestic PR of 1.2035, comprising activity rooms, meeting rooms, chapels, worship hall and office for church and worship services, and ministers' residence. It is surrounded by two "Residential (Group E)" sites to its west and south.
- 4.2 The site is governed by IL 1316 R.P. and restricted under the lease for (i) a Wesleyan Chapel and Ministers' residence or other religious and charitable purposes of the Wesleyan Missionary Society; and (ii) no alienation except with consent.
- 4.3 As mentioned in paragraph 3.2 above, after the publication of WCOZP 26 in 2010, MCHK put forward its redevelopment proposal for the MIC site for concerned B/Ds' consideration. The BHR of the MIC site has since been amended from 4 storeys to 110mPD in 2012 on WCOZP 27 to reflect the latest intention of MCHK. The MIC site was also redeveloped into a 24-storey building in 2018.

MH site (Plans 2a to 2c)

- 4.4 The site is an island site (about 486m²) at the junction of Hennessy Road and Johnston Road (**Plan 2a**) and currently occupied by the MH, completed in 1996, with a total GFA of 7,287m² (i.e. a plot ratio of 14.99). MH is a 23-storey building complex over a basement with a BH of 94.4mPD, comprising a church, social welfare facilities, church quarters and office. It is surrounded by "C" zoned area to its north and east and "R(A)" zoned area to its south and west.
- 4.5 The site is governed by IL 3775, which was purchased at full premium from the Government by the Wesleyan Methodist Missionary Trust Association in 1934 for a term of 75 years renewable for 75 years and is subject to design, disposition and height (DDH) clause and non-offensive trade clause under the lease. Additional premium was paid for the lease modification in 1994 for (i) the purpose of office not exceeding 3,837m² and such other accommodation as may be required for or in connection with the religious work of the Lessee; (ii) upon redevelopment, to provide an accommodation of not less than 200m² usable floor space for the purposes of social welfare facilities; (iii) restriction on alienation except the office accommodation; and (iv) tree preservation clause.
- 4.6 A BHR of 95mPD was imposed on the site under WCOZP 26 to reflect the existing BH of MH. Since the Board's consideration of MCHK's representation in relation to WCOZP 26 in July 2011, MCHK so far has not submitted any redevelopment proposal for the MH site.

Wesley Site (Plans 3a to 3c)

- 4.7 The site (about 926m²) is located at the junction of Anton Street and Hennessy Road (**Plan 3a**) and currently occupied by the Wesley, completed in 1991, with a non-domestic PR of 3.8168 and domestic PR of 8.0519 (with bonus PR of 1.342) which is a 22-storey building over 2 levels of basement, comprising a hostel, a youth centre,

a nursery and ancillary offices with a BH of 75.3mPD. The surrounding developments in the same street block bounded by Anton Street, Hennessy Road and Queen's Road East are mainly commercial buildings under "R(A)" zone.

- 4.8 The site was granted at nominal premium of \$1,000 to the current owner "Methodist Centre Limited" in 1988 for a term from 2.12.1988 to 30.6.2047. It is restricted under the lease for a building or buildings comprising (i) non-profit making hostel of not more than 400 rooms together with domestic quarters for staff and workmen employed in the hostel and ancillary offices, (ii) accommodation for institution and community purposes comprising a children and youth centre, a nursery for 100 children and ancillary offices; for a non-profit making hostel, church, social and welfare purposes; total GFA be not less than 8,200m²; and DDH clause.
- 4.9 A BHR of 75mPD was imposed for the site on WCOZP 26 to reflect the existing BH of the Wesley. According to the AVA Study in 2010, there was a lack of north-south air paths for the prevailing southerly wind in summer to Wan Chai North through the western part of the Wan Chai area. The current 1m setback requirement along Anton Street (**Attachment A3**) was therefore introduced to WCOZP 26 to create north-south air paths which would be essential to benefit not only the local pedestrian environment but also the area in a wider context. This was reaffirmed by the AVA Study in 2018.
- 4.10 Similar to the MH site, MCHK so far has not submitted any redevelopment proposal for the Wesley site since 2011.

5 Community Needs

- 5.1 Based on the amended HKPSG requirements, the planned provision for open space and GIC facilities in the Wan Chai area is generally adequate to meet the demand of the planned population⁴, except for the shortfall in Day Care Centres/Unit for the Elderly (-41 places), Residential Care Homes for the Elderly (-314 places), leisure centre (-1) and swimming pool (leisure) (-1) (**Attachment D1**).
- 5.2 As mentioned in paragraph 3.9 above, the Government has adopted a multi-pronged approach to address the shortfall in the provision of GIC facilities in Hong Kong, including the Wan Chai area. As mentioned in paragraphs 3.12 and 3.20 above, provision of social welfare facilities have been and will be made through URA projects and/or purchasing scheme in the Wan Chai area to help meet the imminent need for premises for the earlier provision of welfare facilities. In addition, as mentioned in paragraph 3.7, under the "single site, multiple use" model adopted by the Government, there would be opportunity for the existing "G/IC" sites to accommodate more social welfare facilities upon redevelopment.
- 5.3 Besides, the Notes of the Wan Chai OZP also provide adequate flexibility for the private sector (including the NGOs) to make provision of social welfare facilities. Apart from "G/IC" zone, 'Social Welfare Facility' use is always permitted within "R(A)", "C", "OU (Historical Building Preserved for Hotel, Commercial, Community and/or Cultural Uses", "OU (Residential cum Commercial, Government

⁴ The planned population of the Wan Chai planning scheme area is 60,943 persons.

Offices and Community Facilities” and “OU(MU)” zones on the Wan Chai OZP. The total land area of these zones (including “G/IC” zone) is about 44.57 ha.

- 5.4 Similarly, for religious use, ‘Religious Institution’ is always permitted within “G/IC”, “C” and “OU(MU)” zones on the Wan Chai OZP which cover a total of 35.26 ha of land within the planning scheme area. Premises within these zones can be used to meet the religious needs of the community.
- 5.5 In view of the above, apart from the MIC⁵, the MH and the Wesley sites, there is scope to provide more social welfare and religious facilities to meet the community need in the Wan Chai planning scheme area.
- 5.6 It is acknowledged that MCHK is providing various services to meet the community needs and the community needs are not only limited to the list of social welfare and community facilities covered under the HKPSG. However, given the MIC, the MH and the Wesley sites are privately owned, it would be up to MCHK to make any provision of community/religious facilities within its sites as MCHK thinks fit and/or to address the deficit of those facilities as highlighted in paragraph 5.1 above. Hence, in the absence of a concrete proposal from the owner of a particular privately owned site, it would be difficult to pre-determine specific social welfare and community facilities that should be provided at a privately owned site.
- 5.7 For the MIC site, as mentioned in paragraph 3.2 above, the BHR of the site was amended in 2012 to enable the implementation of a concrete redevelopment proposal submitted by MCHK including the expansion of their religious services for the community. The community needs to be met at the site as proposed by MCHK has been duly considered in determining the BHR of the site, and a 24-storey building has subsequently been developed on the site in 2018. No further review is considered necessary.
- 5.8 For the MH site, the BHR of 95mPD on the draft OZP reflects its existing BH. Given there is no PR control on the OZP for the MH site, the PR of the site is only subject to the provision of the Building (Planning) Regulations (B(P)R) (i.e. a PR of 15 for non-domestic building). As the existing PR of 14.99 is reaching the maximum PR under B(P)R, any further increase in the GFA for provision of services for community needs would require a corresponding reduction in either the existing office GFA or church GFA⁶. Such a redistribution of the GFA among various uses would be the sole decision of MCHK. Since 2011, MCHK has not made known that they have any intention to expand the provision of services in the MH site. In the absence of a concrete redevelopment proposal, it is difficult to predetermine the appropriate BH on the OZP. . In this regard, if MCHK in future comes up with any redevelopment proposal with special design requirements (e.g. higher floor-to-floor height) for the MH site with policy support from the relevant bureau and has no significant adverse impacts, the same approach in the previous exercise of reviewing and amending the BHR of the MIC site can be adopted.
- 5.9 For the Wesley site, the BHR of 75mPD on the draft OZP reflects its existing BH. Similar to the MH site, the PR of the site is only subject to the provision of the B(P)R. Similarly, MCHK has not made known that they have any intention to expand the

⁵ The MIC site was redeveloped into a 24-storey building in 2018 based on the redevelopment proposed by MCHK.

⁶ The existing development at the MH site comprising a church, social welfare facilities, church quarters and office.

provision of services in the Wesley site since 2011. In the absence of a concrete redevelopment proposal, there is no basis to amend the current BHR on the OZP. It is recommended that the same approach for the MIC site could be adopted for the Wesley site.

5.10 As outlined in paragraphs 3.15 to 3.18 above, the Government has recently introduced special schemes to facilitate the NGOs to redevelop their own sites. MCHK might consider whether to participate in these schemes in respect of the redevelopment of the MH and the Wesley sites and/or any other sites they owned where appropriate. In any event, whether or not MCHK will submit redevelopment proposals for its sites, the Wan Chai OZP, as mentioned in paragraphs 5.3 to 5.5 above, has already zoned a large area of land in the planning scheme area that may be used for provision of social welfare facilities and religious institutions to meet the community needs.

6 Recommendation

Taking into account the latest planning circumstance in paragraph 3, based on the assessment of the current position of the three sites of MCHK in paragraph 4, and the review of the community needs for these sites in paragraph 5, there should be no amendment to the extant draft OZP insofar as MCHK's sites are concerned. PlanD will follow-up with MCHK should there be concrete redevelopment proposals submitted by MCHK in future. The review and amendment of the BHRs and/or setbacks requirement stipulated on the MH and the Wesley sites could be dealt with by the same approach as adopted for the MIC site.

7 Submission to the CE in C

7.1 In accordance with section 8 of the Ordinance, the Board shall submit the draft OZP, together with a schedule of the representations (if any), the comments on representations (if any), the further representations (if any) and the amendments made by the Board (if any), to the CE in C for approval within nine months of the expiration of the plan-exhibition period. It has already been over 10 years since the gazettal of WCOZP 26. There is a need to submit the draft OZPs to the CE in C for approval under section 8 of the Ordinance as soon as possible so as to avoid further delay to other amendments to the OZP and disposing of the affected land sale sites, including:

- (a) rezoning of "Open Space" and "Residential (Group C)" to "Comprehensive Development Area" to take forward an approved s.12A application for a proposed conservation-cum-development project of the Nam Koo Terrace at 55 Ship Street, Wan Chai; and
- (b) land sale sites of Old Wan Chai Police Station at Gloucester Road and Ex-Wan Chai Police Married Quarters at Jaffe Road for hotel, commercial, community and/or cultural uses, which have already been rezoned on WCOZP 26; and 269 Queen's Road East and 99 Kennedy Road, Wan Chai for residential use, which has already been rezoned on WCOZP 27.

- 7.2 For submission to the CE in C, the draft OZP has been renumbered as S/H5/28A. Opportunity has been taken to update the ES to reflect the latest position of the OZP. For ease of reference, the amendments are highlighted in bold and italics or strike out form. Upon the approval of the draft OZP No. S/H5/28A by the CE in C, the OZP will be renumbered as S/H5/29.

8 **Decision Sought**

Members are invited to:

- (a) note the latest planning circumstances of the Wan Chai area and their implications on the three sites owned by MCHK and agree that there is no issue which requires clarifications from MCHK and there should be no amendment to the extant draft Wan Chai OZP; and
- (b) subject to the Board's agreement on (a) above,
 - i. agree the draft Wan Chai OZP No. S/H5/28A and its Notes at **Annex II** are suitable for submission under section 8 of the Ordinance to the CE in C for approval;
 - ii. endorse the updated ES for the draft Wan Chai OZP No. S/H5/28A at **Annex III** as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
 - iii. agree that the updated ES is suitable for submission to the CE in C together with the draft OZP.

9 **Attachments**

Annex I	Draft Wan Chai OZP No. S/H5/28A (reduced size)
Annex II	Notes of the draft Wan Chai OZP No. S/H5/28A
Annex III	ES of the draft Wan Chai OZP No. S/H5/28A
Attachments A1 & A2	WCOZP 26 (reduced to A3 size) together with Schedule of Amendments to the approved Wan Chai OZP No. S/H5/25
Attachment A3	Plan attached to WCOZP 26 showing setback requirement related to the Wesley site
Attachments B1 & B2	WCOZP 27 (reduced to A3 size) together with Schedule of Amendments to WCOZP 26
Attachment B3	Plan attached to WCOZP 27 showing setback requirement related to the MIC site
Attachments C1 & C2	WCOZP 28 (reduced to A3 size) together with Schedule of Amendments to WCOZP 27
Attachment D	Provision of Open Space and Major GIC Facilities in the Wan Chai OZP

Plans 1a to 1c	Location Plan, Site Plan and Site Photos of the MIC Site
Plans 2a to 2c	Location Plan, Site Plan and Site Photos of the MH Site
Plans 3a to 3c	Location Plan, Site Plan and Site Photos of the Wesley Site

**PLANNING DEPARTMENT
AUGUST 2021**