

TOWN PLANNING BOARD

Minutes of 755th Meeting of the Metro Planning Committee held at 9:00 a.m. on 6.12.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairperson

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Stanley T.S. Choi

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Ms Kelly Y.S. Chan

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Assistant Commissioner/Urban,
Transport Department
Mr B.K. Chow

Chief Engineer (Works),
Home Affairs Department
Mr Karl K.L. Kwan

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Miss Queenie Y.C. Ng

Assistant Director/Regional 1,
Lands Department
Ms Ritz S.P. Lee

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Bernadette W.S. Tsui

Mr Derrick S.M. Yip

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Ms W.H. Ho

Town Planner/Town Planning Board
Ms Karen K.Y. Tsui

Agenda Item 1

Confirmation of the Draft Minutes of the 754th MPC Meeting held on 22.11.2024

[Open Meeting]

1. The draft minutes of the 754th MPC meeting held on 22.11.2024 were confirmed without amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising.

Deferral Case

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Committee noted that there was one case requesting the Town Planning Board to defer consideration of the application. Details of the request for deferral, Member's declaration of interest for the case and the Committee's view on the declared interest were in **Annex**.

Deliberation Session

4. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending submission of further information, as recommended in the Paper.

with provision of a loading/unloading (L/UL) space within the Site) under the application.

8. Some Members raised the following questions:

The Proposed Development

- (a) noting that the average unit size of the proposed development was 31.8m², whether the proposed development would be subject to the minimum flat size requirement of 26m² (about 280ft²) in saleable area under the latest government policy;
- (b) whether the proposed footpath widening which fell within an area shown as 'Road' required planning permission from the Town Planning Board (the Board);
- (c) noting that the applicant indicated no intention to surrender the setback areas (i.e. for footpath widening) to the Government, the mechanism to ensure the provision of the setbacks, the management responsibility and enforcement action in case the setback areas were occupied by outdoor seating of the eating places in the proposed development;
- (d) whether redevelopment of other buildings adjacent to the Site along Wellington Street would be required to provide setback for footpath widening such that a continuous footpath of 3.5m in width could be achieved in future;
- (e) whether balconies of the proposed development facing Aberdeen Street would encroach on the 1m full-height setback from the lot boundary;
- (f) noting that the existing common staircase currently serving 152 Wellington Street (part of the Site) and 150 Wellington Street (adjoining building) would remain intact upon redevelopment of the Site, the way to ensure the removal of the common staircase upon redevelopment of 150 Wellington Street in future so that the staircase would not be left idle;

- (g) details of back-of-house facilities and refuse collection arrangements within the proposed development under Option A (i.e. nil provision of L/UL space and parking space);

Wa On Lane Sitting-out Area (WOL SOA)

- (h) noting that the applicant had submitted demolition and reprovision plans for WOL SOA and there would be retail/eating place fronting WOL SOA, whether public engagement exercise would be conducted by the applicant for the design of WOL SOA with a view to minimising nuisances to the users of the SOA;
- (i) given that the Site was surrounded by congested streets and next to WOL SOA, the mitigation measures to minimise potential traffic impact and nuisances to the surrounding area during the construction stage; and
- (j) whether the building height restriction (BHR) of 120mPD for the Site and the surrounding area would affect air ventilation and sunlight penetration to WOL SOA.

9. In response, Ms Karmin Tong, STP/HK, with the aid of some PowerPoint slides, made the following main points:

The Proposed Development

- (a) the proposed unit sizes in the development proposal, in terms of saleable floor area, ranged from about 280ft² to 401ft². Since the leases governing the Site were virtually unrestricted, lease modification to implement the proposed development was not required, and the minimum flat size requirement, if any, could not be incorporated into the lease;
- (b) footpath was always permitted on land falling within the area shown as 'Road' on the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan

No. S/H3/34 (the OZP) and planning permission from the Board was not required. Nevertheless, the setback area formed part and partial of the proposed development for flat and shop and services/eating place uses. Planning permission was required for the whole development falling within the “C” zone and area shown as ‘Road’;

- (c) the planning permission, if granted, would be scheme-based. The applicant would need to implement the proposed development in accordance with the approved scheme, including the proposed setbacks. PlanD, when vetting the general building plan (GBP) submission, would check whether the setbacks were included. While the applicant indicated no intention to surrender the setback areas to the Government, it committed that the setback areas would be open for public access 24-hours daily free of charge and without interruption, and undertook the management and maintenance responsibilities of the setback areas;
- (d) for future redevelopment project(s) along Wellington Street with portion of the site(s) falling within the area shown as ‘Road’, provision of setback(s) to facilitate footpath widening would not require planning permission from the Board. For other uses, planning permission might be required in accordance with the provision of the OZP;
- (e) according to the scheme submitted by the applicant, the balconies of the proposed residential development would not encroach on the 1m full-height setback from the lot boundary facing Aberdeen Street. Should the application be approved, PlanD would ensure the provision of setbacks in the GBP submission;
- (f) according to the applicant, the existing common staircase would remain intact upon redevelopment of the Site for use by occupants of 150 Wellington Street with respect to the right-of-way requirement under mutual covenants. Should the owner of 150 Wellington Street wish to demolish the common staircase in future, consent could be sought from the owner(s) of the Site;

- (g) the provision of back-of-house and refuse collection facilities would be incorporated in the GBP submission for scrutiny by relevant government departments;

WOL SOA

- (h) the design for the reprovision of WOL SOA was at a preliminary stage. Should the application be approved, the applicant would liaise with the Leisure and Cultural Services Department (LSCD) at the detailed design stage to minimise adverse impacts on the local residents. An approval condition on the design and provision of the proposed pedestrian connection/passage (including its opening to WOL SOA) was recommended. The applicant also confirmed that the proposed retail/food and beverage on 1/F of the proposed development would not encroach on WOL SOA;
- (i) given that the reprovision plan for WOL SOA was still at the preliminary stage, no details on the development timeline and interface issues were provided by the applicant at the current stage. With regard to the potential impacts arising from the proposed development during the construction stage, relevant technical assessments conducted by the applicant confirmed that the potential impacts were minimal; and
- (j) the BHR of the subject “Commercial” (“C”) zone was 120mPD. The applicant had proposed a 15m-wide building separation between the proposed residential tower and the adjoining building at the southeast of the Site on Wellington Street, which would help facilitate sunlight and air penetration to WOL SOA. The public passageway (i.e. WOL) between the Site and Tung Tze Terrace leading to WOL SOA also served as a building separation. Besides, future redevelopment in the surrounding area would need to comply with relevant guidelines such as the Sustainable Building Design Guidelines, as appropriate.

Deliberation Session

10. The Chairperson said that Members' views were sought on whether the application for a proposed composite development with flat and shop and services/eating place uses at the Site mainly zoned "C" was agreeable. The applicant had put forward two options, i.e. Option A with nil provision of L/UL space and Option B with the provision of an L/UL space within the Site. The Commissioner for Transport considered that there was a genuine demand for daily L/UL activities arising from foreseeable operation of the proposed development and internal L/UL facilities should be provided within the Site to cater for such demand. PlanD had no objection to Option B under the application.

11. Members generally agreed to the proposed composite development at the Site and supported Option B under the application. Noting that the two setbacks for footpath widening along Wellington Street and Aberdeen Street as proposed by the applicant would not be surrendered to the Government, two Members raised concern that while the proposed setbacks were considered as planning gains, the possible occupation of the setback areas such as outdoor seating for restaurants/bars in future might cause nuisances to pedestrians.

12. The Chairperson remarked that the Site was governed by virtually unrestricted lease for which lease modification would not be required for implementation of the proposed development. As the applicant would not surrender the proposed setback areas to the Government, they would be under the management and maintenance of the applicant. Given that planning permission was scheme-based, the provision of setbacks should follow the approved scheme without any structures thereon and would be scrutinised under the GBP submission. Should there be any occupation of the setback areas and nuisances caused by such occupation in future, they would be enforced by relevant government departments in accordance with the prevailing legislations and regulations.

13. At the invitation of the Chairperson, Ms Ritz S.P. Lee, Assistant Director/Regional 1, Lands Department, confirmed that the government leases governing the lots within the Site were virtually unrestricted subject to non-offensive trades clause. Lease modification for the proposed composite development with flat, and shop and services/eating place uses was not required. Members' concern about the possible occupation of the setback areas by the seating arrangement of the restaurants/bars had to be addressed by other

means such as exploring the possibility under the licensing mechanism of the Food and Environmental Hygiene Department.

14. Two Members, while considering the provision of a new pedestrian connection/passage with a disabled lift linking Wellington Street and WOL SOA through the Site as a planning gain of the proposed development, were concerned that there might be a spillover of the commercial activities from the proposed development into the SOA, causing nuisances to the residential area and local open space. Given that similar situation was found in Pak Tsz Lane Park in Central, the reprovision plan for WOL SOA should avoid causing adverse impacts on the local residents as far as practicable. LCSD should take note of this in the design and reprovision of WOL SOA. The Chairperson remarked that as the applicant had submitted demolition and reprovision plans for WOL SOA and an approval condition on the design and provision of the proposed pedestrian connection/passage (including its opening to WOL SOA) was recommended, issues related to the design and implementation of the reprovisioning works could be addressed at the detailed design stage.

15. Two Members raised concern about the existing common staircase between 152 and 150 Wellington Street. Given the difficulties in obtaining consent from all owners of the proposed development at the Site for demolition of the common staircase, it might be left idle in future, causing an eyesore in the surrounding area. To address Members' concern, the Chairperson proposed and Members agreed to include an additional advisory clause requesting the applicant to explore ways to facilitate demolition of the common staircase upon future redevelopment of the adjoining building.

16. After deliberation, the Committee decided to approve the application based on Option B with the provision of a loading/unloading space within the application site, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 6.12.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper and the following additional advisory clause:

“the applicant should explore ways to facilitate demolition of the existing

common staircase straddling the application site and the adjoining site (i.e. 150 Wellington Street) upon redevelopment of the latter in future”

[The Chairperson thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 5

Any Other Business

[Open Meeting]

17. There being no other business, the meeting was closed at 9:40 a.m.

**Minutes of 755th Metro Planning Committee
(held on 6.12.2024)**

Deferral Case

Request for Deferment by Applicant for 2 Months

Item No.	Application No.*	Times of Deferment
3	A/TWW/129	1 st

Declaration of Interest

The Committee noted the following declaration of interest:

Item No.	Member's Declared Interest	
3	AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant	- Dr Tony C.M. Ip for having current business dealings with AECOM

As Dr Tony C.M. Ip had no involvement in the application, the Committee agreed that he could stay in the meeting.

* Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/755_mpc_agenda.html for details of the planning application.