

# HONG KONG TOWN PLANNING BOARD

(downgraded on 7.12.2007)

## **Minutes of 899<sup>th</sup> Meeting of the Town Planning Board held on 9.11.2007**

### **Agenda Item 4**

Consideration of Representations in Respect of the Draft Urban Renewal Authority  
Hai Tan Street/Kweilin Street and Pei Ho Street Development Scheme Plan  
No. S/K5/URA2/1  
(TPB Papers No. 7936, 7937 and 7938)

---

### **Deliberation**

1. The Chairman suggested and Members agreed to deliberate all the representations and comments in Groups 1 and 2 together.
2. A Member was of the view that the area formed by closure of a public road for development into public open space (POS) should not be included in plot ratio (PR) calculation. The same principle should be applicable to private developments as well as the Urban Renewal Authority (URA)'s development schemes. There was no justification for inclusion of a section of Pei Ho Street (about 820m<sup>2</sup>) for PR calculation.
3. For Members' background information, the Secretary said that according to the Hong Kong Planning Standards and Guidelines, public open space, public road and free-standing Government, institution or community (GIC) facilities should not be included in a development site for PR calculation. However, if an area originally zoned for development purpose (e.g. "Residential (Group A)" ("R(A)")) in the present case) was later dedicated to Government for development into a POS, then its site area involved could be included in PR calculation. If the area was under public ownership or if an area previously zoned "Open Space" ("O") was included in a land

sale site, then its site area would be excluded from PR calculation. In the subject Development Scheme Plan (DSP), a section of Pei Ho Street was proposed to be closed to form part of a large POS. It was the inclusion of the public road space in PR calculation that was in dispute.

4. A Member said that he was very familiar with the subject area and agreed that the area was in need of redevelopment. In view of the site constraints and the need to achieve the noise compliance rate of 80%, this Member considered that buildings setback was required and increase in building height (BH) was inevitable. The exclusion of the section of Pei Ho Street from PR calculation would help lower the BH and building bulk, which could address the public concern on wall effect. Noting the current economic conditions, this Member considered that the project, with a lower PR, might still be financially viable. Another Member supported this view and added that in assessing the financial viability of a redevelopment project, the overall financial viability of URA's redevelopment projects, rather than individual project, should be taken into account.

5. The Chairman said that the Board could take into account the financial viability of a project if adequate information was provided to the Board, but such was not provided by URA's representatives. He noted that in the subject case, the exclusion of a section of Pei Ho Street from PR calculation would only result in some 10% reduction in GFA. He also remarked that excluding the public road space from PR calculation was in line with the criteria set out in the Hong Kong Planning Standards and Guidelines.

6. Regarding Representation No.1, Members were of the view that the concern on location, layout and footbridge connection of residential blocks and POS as well as possible noise impact could be addressed when the MLP was submitted to the Board for consideration, and there was no strong justification for the request for inclusion of 205-211 Hai Tan Street into the DSP, and for lowering the PR of the DSP.

7. Regarding Representations No. 2 to 4, Members agreed that the section of Pei Ho Street (about 820m<sup>2</sup>) should not be included for PR calculation. Members noted that the BH of the proposed development could not be determined at this stage

in the absence of any development scheme, which should be justified by a visual impact assessment and subject to other technical assessments at the MLP stage, hence Members agreed not to uphold the representers' proposal to impose a BH of 120mPD in the DSP. The opening hours of the POS and other implementation issues could be addressed at the implementation stage.

8. Regarding Representation No. 5, a Member considered the claim was not justified. Another Member asked whether some property owners would be mobilized to object to the redevelopment scheme, thereby affecting the implementation programme, and whether it would be advisable to implement the redevelopment scheme by phases.

9. A Member was of the view that negotiation with property owners should be left to the URA. Implementing the redevelopment scheme by phases would add uncertainty to the project and make it not viable. Another Member shared the view that private negotiation should be left to the URA. The Secretary added that while redevelopment could be carried out by phases, resumption could not as the URA Ordinance had stipulated a time limit for resumption.

10. After deliberation, Members decided to partially meet Representations No.2 to 4 by proposing amendments to the DSP as follows:

- (a) to add a new paragraph after paragraph (5) under the Remarks of the "CDA" zone in the Notes of the DSP to read "In determining the maximum plot ratio for the purpose of paragraph (4) above, the section of Pei Ho Street between Hai Tan Street and Tung Chau Street within the "CDA" zone should be deducted in calculating the relevant site area for the purpose of plot ratio calculation.";
- (b) to add a new sub-paragraph after sub-paragraph 7.3 of the Explanatory Statement of the DSP to read "In determining the maximum plot ratio for the development, the section of Pei Ho Street between Hai Tan Street and Tung Chau Street within the "CDA" zone should be deducted in calculating the relevant site area for the purpose of plot

ratio calculation.”; and

- (c) to make corresponding amendments to the Planning Brief for the DSP.

11. Members also decided not to meet Representations No. 1 and 5, and the remaining parts of Representations No. 2 to 4.

12. The Secretary reminded Members that according to the Town Planning Board Guidelines No.29A, the Board’s decision on the DSP would be kept confidential for three to four weeks after the meeting and would be released when the proposed amendments to the DSP to meet, or partially meet, the representations were published for public inspection under section 6C(1) of the Town Planning Ordinance. Members would be informed by the Secretariat of the date of release of the Board’s decision.

[Professor Paul K.S. Lam left the meeting at this point.]

#### Representation No. 1

13. After further deliberation, the Board decided not to meet Representation No. 1 and the reasons were:

- (a) the object of the draft DSP was to illustrate the broad and intended land use within the scheme area. The concerns on the location, layout and footbridge connection of residential blocks and public open space could be addressed when the Master Layout Plan was submitted to the Board for consideration and approval;
- (b) the DSP boundaries were delineated taken into consideration various factors including building condition, building height, building age and local environmental conditions. The buildings at 205-211 Hai Tan Street were of 9-storey completed in 1963 and were in a relatively fair condition. The site was located at the periphery of the project and was large enough for redevelopment on

its own. There was no strong justification for the request to include 205-211 Hai Tan Street into the DSP; and

- (c) the Notes of the draft DSP stipulated that future development would need to meet a noise compliance rate of 80%. Concerns on the possible noise impact of the proposed development scheme could be addressed when the MLP and the associated assessments were submitted for consideration by the Board and through imposition of relevant approval conditions. There was insufficient justification to lower the plot ratio of the DSP solely to address the noise concern.

#### Representation No. 2

14. After further deliberation, the Board decided to partially meet Representation No. 2 by proposing amendments to the Development Scheme Plan (DSP) to exclude the section of Pei Ho Street between Hai Tan Street and Tung Chau Street from plot ratio calculation.

15. The Board decided not to meet the remaining parts of Representations No. 2 and the reasons were:

- (a) the DSP would facilitate the early redevelopment and urban improvement in a comprehensive manner. A section of Pei Ho Street was included in the DSP with a view to facilitate the provision of a sizable public open space (1,500m<sup>2</sup>) to be constructed, managed and maintained by the Urban Renewal Authority or its joint venture partner(s); and
- (b) the Explanatory Statement of the draft DSP and the draft Planning Brief stipulated that the building height of the proposed development should be justified by a visual impact assessment and subject to other technical assessments at the Master Layout Plan (MLP) stage. The public including Sham Shui Po District Council would be further consulted

under section 16 of the Town Planning Ordinance upon the submission of the MLP. The concern on building height could be addressed at the MLP submission stage.

### Representation No. 3

16. After further deliberation, the Board decided to partially meet Representation No. 3 by proposing amendments to the Development Scheme Plan (DSP) to exclude the section of Pei Ho Street between Hai Tan Street and Tung Chau Street from plot ratio calculation.

17. The Board decided not to meet the remaining parts of Representation No. 3 and the reasons were:

- (a) the DSP would facilitate the early redevelopment and urban improvement in a comprehensive manner. A section of Pei Ho Street was included in the DSP with a view to facilitate the provision of a sizable public open space (1,500m<sup>2</sup>) to be constructed, managed and maintained by the Urban Renewal Authority (URA) or its joint venture partner(s);
- (b) URA had agreed that the public open space would be open to the public 24 hours a day except when unusual circumstances warranted closure. Details of the arrangement could be addressed during the implementation stage; and
- (c) Other implementation issues including consultation with the existing jade market operators and Sham Shui Po District Council could be addressed during the implementation stage.

### Representation No. 4

18. After further deliberation, the Board decided to partially meet Representation No. 4 by proposing amendments to the Development Scheme Plan

(DSP) to exclude the section of Pei Ho Street between Hai Tan Street and Tung Chau Street from plot ratio calculation.

19. The Board decided not to meet the remaining parts of Representation No. 4 and the reasons were:

- (a) the DSP would facilitate the early redevelopment and urban improvement in a comprehensive manner. A section of Pei Ho Street was included in the DSP with a view to facilitate the provision of a sizable public open space (1,500m<sup>2</sup>) to be constructed, managed and maintained by the Urban Renewal Authority or its joint venture partner(s); and
- (b) the Explanatory Statement of the draft DSP and the draft Planning Brief stipulated that the building height of the proposed development should be justified by a visual impact assessment and subject to other technical assessments at the Master Layout Plan (MLP) stage. The public including Sham Shui Po District Council would be further consulted under section 16 of the Town Planning Ordinance upon the submission of the MLP. The concern on building height could be addressed at the MLP submission stage.

#### Representation No. 5

20. After further deliberation, the Board decided not to meet Representation No. 5 and the reasons were:

- (a) redevelopment of the whole scheme area in a comprehensive manner was considered to be a more effective and flexible means to bring about environmental improvement, better urban design and co-ordinated provision of public facilities/public open space; and
- (b) subject to verification, the loss of any development right would be

compensated in accordance with the established acquisition policy of the Urban Renewal Authority.