

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

**APPLICATION NO. A/H18/84**

<b><u>Applicant</u></b>	The University of Hong Kong (HKU) represented by Percy Thomas Partnership (HK) Ltd.
<b><u>Site</u></b>	The Swire Institute of Marine Science (SWIMS), Faculty of Science, HKU, and Government Land (GL) along Cape D'Aguiar Road, Shek O
<b><u>Site Area</u></b>	About 8,300m <sup>2</sup> which includes the followings: <ul style="list-style-type: none"><li>- Site A: about 2,506m<sup>2</sup></li><li>- Site F: about 918m<sup>2</sup></li><li>- Utility Installation Area: about 4,875m<sup>2</sup></li></ul>
<b><u>Land Status</u></b>	GL mainly under a short term tenancy (STT) No. SHX-1383 comprising six parcels of land, namely Sites A to F <sup>1</sup> , granted to HKU for the purposes of marine science centre and associated residential accommodation for the staff, students and/or visitors of the tenant and ancillary facilities
<b><u>Plan</u></b>	Approved Tai Tam and Shek O Outline Zoning Plan (OZP) No. S/H18/10
<b><u>Zoning</u></b>	Site A: "Site of Special Scientific Interest" ("SSSI")  Site F: "Green Belt" ("GB")  Utility Installation Area: "SSSI" (24.3%), "GB" (44%) and "Other Specified Uses" annotated "Radio Communication Station" ("OU(Radio Communication Station)") (31.7%)
<b><u>Application</u></b>	Proposed 'Field Study/Education/Visitor Center' (Extension of Academic Block) for Site A, Proposed 'Residential Institution' (Extension of Residential Block) for Site F, Ancillary Utility Installation for Private Project and Associated Excavation of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed extension of Academic Block at Site A within the "SSSI" zone, proposed extension of Residential Block at Site F within the "GB" zone, ancillary utility installations within areas zoned "SSSI", "GB" and "OU(Radio Communication Station)" and associated excavation of land within the "SSSI" zone at SWIMS, Cape D'Aguiar (the Site) (**Plan A-1**). According to the Notes of the OZP, 'Field Study/Education/Visitor

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<sup>1</sup> Please refer to **Plan A-2a** for the location of Sites A to F under the STT No. SHX-1383.

Centre’, ‘Utility Installation for Private Project’ and associated excavation of land within the “SSSI” zone, ‘Residential Institution’ and ‘Utility Installation for Private Project’ within the “GB” zone and ‘Utility Installation not ancillary to the Specified Use’ within the “OU(Radio Communication Station)” zone require planning permission from the Town Planning Board (the Board).

- 1.2 The Site is subject of a previous application (No. A/H18/79) for proposed extension of Academic Block and Residential Block at Sites A and F respectively which was approved with conditions by the Metro Planning Committee (the Committee) of the Board on 23.6.2017 (the Approved Scheme). Compared with the Approved Scheme, the current proposal (the Current Scheme) involves increase in gross floor area (GFA) of the Academic Block at Site A (details are set out in paragraph 1.3 below) as well as ancillary utility installations in the areas zoned “SSSI”, “GB” and “OU(Radio Communication Station)”.
- 1.3 The proposed increase in GFA of the Academic Block at Site A is mainly due to rearrangement of internal layouts to accommodate a new indoor aquarium at level 1 and an uncovered aquarium at main roof level (**Drawings A-1 to A-3**) as well as addition of existing/approved E&M facilities at basement and main roof level which are GFA accountable as per Buildings Department’s (BD) advice. According to the applicant, the proposed building footprint, building envelope and building height (BH) of the Academic Block at Site A remain unchanged as compared with the Approved Scheme. The application does not involve any changes on the approved Residential Block at Site F. A comparison of the major development parameters are summarized below:

	Existing	Latest Approved Scheme (A/H18/79) (a)	The Current Scheme (b)	Difference (%) (a)-(b)
<b>Academic Block (Site A)</b>				
Site area	1,500m <sup>2</sup>	2,506m <sup>2</sup>	2,506m <sup>2</sup>	No Change
Plot ratio (PR)	0.71	0.495	0.79	+0.295 (+56.6%)
GFA	1,060m <sup>2</sup>	1,240m <sup>2</sup> ( <sup>1</sup> )	1,980m <sup>2</sup> ( <sup>2</sup> )	+740m <sup>2</sup> (+59.7%)
BH	6.35m	7.025m	7.025m	No Change
No. of storeys ( <sup>3</sup> )	2	2	2	No Change
Site coverage (SC)	25.5%	26.7%	26.7%	No Change
No. of car parking spaces	4	4	4	No Change
Proposed excavation in “SSSI” zone	-	about 795m <sup>3</sup>	about 795m <sup>3</sup>	No Change
<b>Residential Block (Site F) (<sup>4</sup>)</b>				
Site area	575m <sup>2</sup>	918m <sup>2</sup>	918m <sup>2</sup>	No Change
PR	0.39	0.349	0.349	No Change
GFA	220m <sup>2</sup>	320m <sup>2</sup> ( <sup>1</sup> )	320m <sup>2</sup> ( <sup>1</sup> )	No Change
BH	2.8m	2.8m	2.8m	No Change
No. of storeys ( <sup>3</sup> )	1	1	1	No Change
SC	38.3%	46.1%	46.1%	No Change

Remarks:

- |     |   |                       |
|-----|---|-----------------------|
| (1) | Excluding GFA for plant rooms and water tanks   |                       |
| (2) | Compared with the Approved Scheme, the additional GFA comprises the following:                            |                       |
|     | i. existing equipment rooms, store rooms and crawl space at basement level                                | 361.22m <sup>2</sup>  |
|     | ii. indoor aquarium at level 1  | 45.786m <sup>2</sup>  |
|     | iii. outdoor aquarium at main roof level  | 172.847m <sup>2</sup> |
|     | iv. approved uncovered E&M at main roof level   | 162.523m <sup>2</sup> |
| (3) | Excluding basement  |                       |
| (4) | The approved layout and development parameters of the residential institution at Site F remain unchanged. |                       |

1.4 The Current Scheme also involves installation of 4 types of new utility pipelines at areas within “SSSI”, “GB” and “OU(Radio Communication Station)” zones, and replacement of 3 types of existing utility pipelines within “SSSI” and “GB” zones (**Plans A-2a and A-2b**). Details are summarized as follows:

	Size	Length		Pipeline Alignment (color shown on Plans A-2a and A-2b)
		At-grade	Underground	
<b>New Installations</b> <sup>(1)</sup>				
Fire Services Water Pipe	Ø80mm	1,311m	386m	Red
Vent Pipe	Ø100mm	27m	10m	Light Blue
Foul Water Pipe	Ø100mm	30m	113m	Navy
Sea Water Pipe	Ø100mm	35m	215m	Purple
<b>Replacement of the Existing Installations</b>				
Power Cable	4 x Ø200mm	95m	335m	Green
ELV Cable Ducts	Ø100mm			
Storm Water Pipe	Ø350mm	52m	N/A	Orange

Remarks:

- (1) The proposed utility installations also include the upgrading works for the existing sea water pumping system at Site D and construction of a new sump pit at Site B within the “SSSI” zone, which are governed by STT No. SHX-1383.

1.5 The associated excavation for the utility installation within the “SSSI” zone involves an area of about 1,290m<sup>2</sup> which is mainly underneath the existing paved road / footpath (**Drawing A-4**)<sup>2</sup>. According to the applicant, the overall excavation works will be carried out in several phases and limited to open up approximately 10m to 20m in length at one time subject to site condition. Fiberglass flooring panel with adequate loading for vehicle and light fire appliance will be provided during the construction to maintain the traffic and emergency vehicular access (EVA). The proposed installation of sea water pipe, foul water pipe and power cable ducts are subject to an Environmental Permit (EP) (EP-537/2017) issued by the Environmental Protection Department (EPD) under Environmental Impact Assessment Ordinance (EIAO)<sup>3</sup>. The Project Profile for Direct EP Application and a Tree Preservation and Landscape Proposal are submitted by the applicant to support the proposed development (appendices of the Planning Statement at **Appendix Ia** refer).

<sup>2</sup> The proposed utility installations also involve associated excavation within the “GB” zone mainly underneath the existing paved road (**Drawing A-5**).

<sup>3</sup> According to the Project Profile, the EP (EP-537/2017) issued by EPD in June 2017 also includes the proposed extension of Academic Block and residential institution at Sites A and F respectively, upgrading of sea water pumping system at the existing seawater pump house at Site D and construction of new sump pit at Site B.

- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 27.12.2018 (Appendix I)
  - (b) Planning Statement (Appendix Ia)
  - (c) Supplementary information dated 9.1.2019 (Appendix Ib)
  - (d) Further information (FI) dated 1.2.2019 and 14.2.2019 (Appendix Ic)  
*(accepted and exempted from publication and recounting requirement)*
  - (e) FI dated 25.2.2019 (Appendix Id)  
*(accepted and exempted from publication and recounting requirement)*
  - (f) FI dated 12.3.2019 (Appendix Ie)  
*(accepted and exempted from publication and recounting requirement)*
- 1.7 The application was originally scheduled for consideration by the Committee on 22.2.2019. On 22.2.2019, as requested by the applicant, the Committee agreed to defer a decision on the application for two months to allow time for the applicant to get the consents from relevant telecommunication operators. As the applicant submitted FI on 25.2.2019, the application is scheduled for consideration by the Committee at this meeting.

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in Planning Statement and FIs at **Appendices Ia to Id**. They can be summarized as follows:

- (a) The application is to make amendments to the Approved Scheme under application No. A/H18/79 with a proposed increase in GFA of the Academic Block in Site A and additional ancillary utility installations.

### Increase in GFA of the Academic Block at Site A

- (b) The proposed increase in GFA is mainly to address BD's comments on areas that are GFA accountable, and the construction of a new indoor aquarium at level 1 and outdoor aquarium at main roof level to cope with the operational needs of SWIMS. This is merely a revision of internal layout without causing any changes in building footprint, building envelope and BH as compared with the Approved Scheme. There is no potential impact to the existing natural landscape;

### Proposed Utility Installations and Associated Excavation of Land

- (c) With the extensions approved under the Approved Scheme, there is a genuine need to upgrade the utilities supplies to support the research and teaching facilities of SWIMS. There is currently no fire services water supply at the Site. The existing sea water pumping and supply system is also found obsolete and not able to cope with the operational need. SWIMS attempted to use re-circulating water for experiment but the result was not satisfactory. It would be totally inappropriate to locate the research facility elsewhere away from the Marine Reserve; and
- (d) The proposed utilities are installed either below the existing paved road/pathway or at-grade following the existing potable water supply pipes to minimise potential impacts to the natural environment. Trenches will be constructed with

sufficient buffer distance to the important species. The proposed extension as well as ancillary utility installations are subject to an approved EP. Relevant telecommunications operators have also given no adverse comments on the proposed alignments and associated excavation. The proposed development would have no or minimum adverse impact on traffic, environmental, sewerage, geotechnical, visual and landscape aspects during construction and operation phases, and satisfies planning criteria of relevant Town Planning Board Guidelines.

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

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

### **4. Town Planning Board Guidelines**

The ‘Town Planning Board Guidelines for Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) is relevant to this application. The relevant assessment criteria are summarised as follows:

- (a) there is a general presumption against development in the “GB” zone;
- (b) applications for new development in “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the PR, SC and BH should be compatible with the character of surrounding areas;
- (c) applications for Government, institution and community (GIC) uses and public utility installations must demonstrate that the proposed development is essential and that no alternative site is available. The PR of the development site may exceed 0.4 so as to minimize the land to be allocated for GIC uses;
- (d) the design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- (e) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided;
- (f) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (g) the proposed development should not overstrain the overall provision of GIC facilities in the general area;

- (h) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution; and
- (i) any proposed development on a slope or hillside should not adversely affect slope stability.

## 5. Background

- 5.1 Cape D’Aguilar (Hok Tsui) lies at the southeastern tip of Hong Kong Island. It has great ecological, geomorphological and geological value, and was designated as Hok Tsui SSSI in 1990. The SSSI comprises Hok Tsui coast, Kau Pei Chau and the surrounding waters with a total area of about 31.5 ha (including 10.5 ha. of land and 21 ha. of sea). To further protect the area, the water off the Hok Tsui SSSI was designated as “Marine Reserve” under the Marine Parks Ordinance in 1996.
- 5.2 HKU has established SWIMS at Cape D’Aguilar with the aim to promote local marine life research, education and conservation. The SWIMS cluster<sup>4</sup> comprises 6 sites (Sites A to F) which were developed at the time when the entire Cape D’Aguilar area was zoned “GB” on the OZP involving 2 planning applications (Nos. A/H18/2 and 23). Application No. A/H18/2 was approved with conditions by the Board on 9.12.1988 for development of the Academic Block, Residential Block and ancillary facilities at Sites A to E. Application No. A/H18/23 was approved with conditions by the Committee on 2.7.1993 for extension of Academic Block at Site A and development of an additional Residential Block at Site F.

## 6. Previous Applications

- 6.1 Site A is also the subject of 2 previous planning applications (Nos. A/H18/35 and 38). Application No. A/H18/35 for a new Academic Building near Site A and a new Residential Block at a site opposite to Site F was rejected by the Committee on 16.5.1997 for not in line with the planning intention of the then “GB” zone; insufficient justification/information/assessment and adverse traffic impact. Application No. A/H18/38 was approved with condition by the Board upon review on 18.12.1998 for a proposed 3-storey Academic Building near Site A, but it was eventually not implemented by the applicant. The southeastern portion of the Cape D’Aguilar area was subsequently rezoned from “GB” to “SSSI” on the draft Tai Tam and Shek O OZP No. S/H18/3 gazetted on 7.7.2000<sup>5</sup>.

<sup>4</sup> The existing developments at the SWIMS cluster are summarized below:

Site A	Academic Block	2 storeys over basement
Site B	Residential Block	2 storeys over basement
Site C	Transformer Room	1 storey
Sites D and E	Pump Rooms	1 storey
Site F	Residential Block	1 storey

<sup>5</sup> The “SSSI” zone is to reflect the designation of Hok Tsui SSSI in 1990 for its biological and geological interests.

6.2 In 2017, HKU submitted a planning application (No. A/H18/79) for extension of Academic Block at Site A and extension of Residential Block at Site F. The application was approved with conditions by the Committee on 23.6.2017. A STT No. SHX-1383 was subsequently executed which governs Sites A to F on the existing uses and proposed extensions. Building plan submissions for the extension of Academic Block at Site A and Residential Block at Site F were made in January 2019. The former was rejected by BA on 1.2.2019 while the latter was approved by BA on 8.2.2019. Details of these applications are at **Appendix II** and shown on **Plan A-2a**.

## 7. **The Sites and Its Surrounding Areas** (Plans A-1 to A-6)

7.1 Site A is:

- (a) located at the remote south-eastern tip of Cape D'Aguilar Peninsular where the coastline is basically unspoilt;
- (b) mainly occupied by the two-storey Academic Block with the hard paved carparking area on its north-western side; and
- (c) accessible via a restricted road connecting to Cape D'Aguilar Road.

7.2 Site F is:

- (a) located on a high ground of a hillslope;
- (b) partly occupied by a one-storey Residential Block of SWIMS and partly covered with grass and shrubs; and
- (c) accessible via a restricted road connecting to Cape D'Aguilar Road.

7.3 Utility Installation Areas:

- (a) a portion of the area situated on a slope branching off Cape D'Aguilar Road to Site F within the "GB", "OU(Radio Communication Station)" and "SSSI" zones. The area is covered with weeds and installed with a potable water supply pipe;
- (b) a portion of the area located on the concrete paved vehicle driveway/ pedestrian pathway between Sites A and D, and Sites B and F within the "SSSI" zone; and
- (c) remaining area situated alongside an existing staircase between Sites A and B within the "SSSI" zone.

7.4 The surrounding areas have the following characteristics:

- (a) the area is generally a natural landscaped area, though between Sites A and F to the north is another Residential Block at Site B;

- (b) the water off Site A was designated as “Marine Reserve” which is currently managed by the Agriculture, Fisheries and Conservation Department with on-site assistance by SWIMS;
- (c) to the northwest and further northwest are facilities under “OU(Radio Communication Station)” zone comprising a few one to two-storey buildings;
- (d) further to the west at about 2km is a cluster of village houses, i.e. Hok Tsui Village, and
- (e) the area is separated and distanced from the other developments in Shek O and Tai Tam by the Shek O Country Park and the nearby “GB” zoned area.

## **8. Planning Intention**

- 8.1 The planning intention of the “SSSI” zone is to conserve and protect the features of special scientific interest such as rare or particular species of fauna and flora and their habitats, corals, woodlands, marshes or areas of geological, ecological or botanical/biological interest which are designated as SSSI. It intends to deter human activities or developments within SSSI. There is a general presumption against development in the “SSSI” zone. No developments are permitted unless they are needed to support the conservation of the features of special scientific interest in SSSI, to maintain and protect the existing character of SSSI, or for educational and research purposes.
- 8.2 The planning intention of “GB” zone is primarily for the conservation of the existing natural environment amid the build-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development in the “GB” zone.
- 8.3 The planning intention of “OU(Radio Communication Station)” zone is to identify land reserved for purposes of Radio Communication Station.

## **9. Comments from Relevant Government Departments**

- 9.1 The following bureau/government departments have been consulted and their views on the application are summarized as follows:

### **Policy Aspect**

- 9.1.1 Comments of the Secretary for Education (SED) and University Grants Committee (UGC):

They have no objection to the application submitted by HKU. Part of the proposed renovation was funded by UGC.



### **Land Administration**

#### 9.1.2 Comments of the District Lands Officer/Hong Kong West & South, Lands Department:

- (a) should the planning application be approved, the applicant should be reminded to submit an application to LandsD for consideration and obtain the necessary approval before implementation of the proposal. Upon receipt of detailed application with policy support being given by SED, LandsD will consider the application in accordance with applicable policy and practice and there is no guarantee that the application will be approved. The application if approved would be subject to such terms and conditions, to be imposed by LandsD in the landlord capacity at its sole discretion; and
- (b) the applicant shall conduct detailed land status check and revise the proposed alignment to ensure no encroachment on private lot (if necessary).

### **Traffic Aspect**

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

- (a) no objection to the application; and
- (b) Cape D'Aguilar Road is the only access road to gain access to the SWIMS. Owing to its narrow and winding nature, a prohibited zone for all motor vehicles is imposed and only vehicles with permits are allowed for entry.

### **Environmental Aspect**

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

He has no objection to the planning application for the following reasons:

- (a) the potential environmental impacts that may arise from majority of the proposed works (e.g. proposed extension of Academic Block at Site A and Residential Block at Site F, works associated with modification of sewage management system, and upgrading of seawater pumping system and power cables) have been satisfactorily addressed under EIAO; and
- (b) for the remaining work items (i.e. installation of fire service water pipe at Utility Installation Area and underground storm water pipe within Site A), they are considered as minor works and do not have any EIAO implication. The potential environmental impacts that may arise could be minimised through implementation of standard pollution control measures from EPD's perspective.

### **Landscape Aspect**

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

- (a) no objection to the application from landscape planning perspective;
- (b) according to the submitted information and aerial photo of 5.10.2018, the Sites are occupied by the Academic Block (Site A) and Residential Block (Site F). Existing trees and vegetation are found along the periphery of Site A and within Site F. According to the applicant, 15 existing trees of common species are in conflict with the proposed works and would be felled. Trees and shrub planting as well as vertical greening are proposed to compensate for the loss of greenery. Compared to the Approved Scheme, it is noted that the building footprint, building envelope and BH of extension at Sites A and F remain unchanged. Significant impact on the existing landscape resources and the existing landscape character due to the proposed works are not anticipated; and
- (c) should the Committee approve the application, it is suggested to impose landscape condition, i.e. “the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Board”.

### **Urban Design and Visual Aspects**

#### 9.1.6 Comments of the CTP/UD&L, PlanD:

- (a) the applicant mainly seeks planning permission for extension of an existing 2-storey Academic Block of which the accountable GFA increases from 1,240m<sup>2</sup> to 1,980m<sup>2</sup> compared with the Approved Scheme due to a change in internal layout for operational need and GFA calculation for compliance with Buildings Ordinance. Nevertheless, the SC and height of the Academic Block remain at 26.7% and 7.025m respectively. Considering there is no change in building bulk of the Academic Block as compared with the Approved Scheme, no adverse visual impact to the surroundings is anticipated; and
- (b) it is also noted that the applicant also seeks permission for proposed utility installation. As the applicant has already obtained an EP to support the proposed ancillary utility installation, except the fire service water pipe and storm water pipe, visual impact of most of the proposed utility works has been assessed under EIAO. In view of the proposed utility works not covered by EP are minor in nature and are mostly underground, significant adverse visual impact is not envisaged.

### **Heritage Conservation Aspect**

9.1.7 Comments of the Antiquities and Monuments Office, Development Bureau (AMO, DevB):

- (a) part of the proposed extension and excavation work is in close proximity to the Cape D'Aguilar Lighthouse, a declared monument under the Antiquities and Monuments Ordinance (Cap. 53) ("the Monument"). The extent of the proposed fire services water system updating works is confined in the vicinity of 500m of the Cape D'Aguilar Battery (Grade 2) and Bokhara Battery at Cape D'Aguilar Peninsula (Grade 2) (**Plans A-2a and A-2b**);
- (b) no in-principle objection to the application from heritage conservation viewpoint subject to:
  - i. the applicant should provide the details of the proposed excavation and upgrading works to AMO for consideration before the commencement of the proposed works;
  - ii. the applicant should ensure that precautionary, protective and monitoring measures are carried out by the work contractor(s) to avoid any disturbance to the historic fabric and structural integrity of the Monument at all stages of the works;
  - iii. if in any event that damage is caused to the Monument or if the aforesaid measures are found insufficient to protect the Monument, AMO should be notified immediately and the works should be suspended at once until remedial action has been carried out to the satisfaction of AMO;
  - iv. excavation and trenching work at the existing hard-paving road and footpath near the Monument should use hand-held tools as far as possible; and
- (c) should the application be approved, the following condition should be included into the planning approval, i.e. "the submission and implementation of the precautionary, protective and monitoring measures to the Cape D'Aguilar Lighthouse, the declared monument, to the satisfaction of AMO or of the Board".

### **Building Aspect**

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

- (a) no objection to the application;
- (b) since the Site does not abut on any specified street of not less than 4.5m wide, the maximum SC, PR and height permitted for the

extensions shall be determined under the Building (Planning) Regulation (R(P)R) 19(3) upon formal building plan submission. In this connection, BD reserves position under B(P)Rs 20 & 21 for the proposed extensions;

- (c) for calculation of GFA under B(P)R 23(3)(b), BA considered that floor space occupied solely by machinery or equipment may be disregarded from GFA calculation. Staircases, life shafts and vertical ducts that solely serve floors accepted as not being accountable for GFA may also be discounted;
- (d) area on R/F which have been taken into account in GFA calculation in s.16 application may be exempted from GFA calculation if it can be demonstrated that the relevant requirements in PNAP APP-2 have been complied with;
- (e) if the applicant intends to apply for GFA exemptions for the green / amenity features and non-mandatory / non-essential plant room, compliance with the pre-requisites and the Sustainable Building Design Guidelines as stipulated in PNAP APP-151 and 152 are required;
- (f) the applicant should demonstrate that sufficient natural lighting and ventilation will be provided to the extended portion of the Academic Block in accordance with B(P)R 30 at formal building plan submission stage; and
- (g) detailed comments on compliance with Buildings Ordinance would be given upon formal building and drainage plans submissions.

### **Fire Safety Aspect**

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

- (a) no in-principle objection subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS;
- (b) as no details of the EVA have been provided, comments could not be offered by his department at the present stage. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD; and
- (c) upon receiving the referral from the BA with detailed information and layout plan of the subject building/structures, his department will offer his comment to the BA for consideration.

### **Electricity Supply Safety Aspect**

#### 9.1.10 Comments of the Director of Electrical and Mechanical Services:

- (a) no particular comment on the application from electricity supply safety aspect; and
- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the application should approach the electricity supplier (i.e. HK Electric) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant is also reminded to observe the Electricity Supply Lines (Protection) Regulation and the *Code of Practice on Working near Electricity Supply Lines* established under the aforesaid Regulation when carrying out works in the vicinity of the electricity supply lines.

### **Water Supplies Aspect**

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

- (a) please note that there are some existing fresh water mains within the Site and are affected by the proposed development. Free access should be allowed for his department 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 his consideration and approval. The water mains diversion work shall be carried out by the project proponent at their own cost to his satisfaction. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by the project proponent; and
- (b) moreover, a 3m wide Waterworks Reserve is proposed for the water mains within the Site.

### **Other Aspects**

#### 9.1.12 Comments of the Director-General of Communications (DG of C):

No comments on the application having considered the applicant had taken into account the views of relevant telecommunications operators (i.e. Reach, PCCW-Global/ PCCW-HKT Telephone and HKT) on the proposed project as enclosed at **Appendix Id.**

- 9.2 The following government departments have no comment on the application:
- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
  - (b) Chief Architect/Central Management Division 2, Architectural Services Department;
  - (c) Director-General of Civil Aviation (DG of CA);
  - (d) District Officer (Southern), Home Affairs Department;
  - (e) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
  - (f) Chief Highway Engineer/Hong Kong, Highways Department;
  - (g) Commissioner of Police; and
  - (h) Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD).

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

On 11.1.2019, the application was published for public inspection. During the first 3 weeks of the statutory public inspection period, which ended on 1.2.2019, two objecting comments were received from local residents and they raise concerns on the potential adverse traffic, water supplies and fire safety impacts on residents of Hok Tsui Village (**Plan A-2b**) (**Appendix III**).

## **11. Planning Considerations and Assessment**

11.1 The current application is to propose amendments to the Approved Scheme under Application No. A/H18/79 for an increase in GFA of the proposed extension of Academic Block at Site A and to provide ancillary utility installations with associated excavation of land. Compared with the Approved Scheme, there is no change to the proposed development parameters and layout of the Residential Block at Site F as well as BH, no of storeys, SC, extent of excavation and car parking provision of Academic Block at Site A.

### Proposed Increase in GFA of Academic Block at Site A

11.2 The proposed increase in GFA of the proposed extension of Academic Block at Site A is mainly due to the GFA of E&M facilities at the basement and main roof which would be GFA accountable as per BD's advice, and the new aquariums at 1/F and main roof to cope with the operational needs of SWIMS. SED and UGC have no objection to the application, as part of the proposal would be funded by UGC. The proposed extension would unlikely cause significant adverse traffic, environmental, ecological, visual and landscape impacts on the surrounding area including the Hok Tsui SSSI and Marine Reserve. All concerned departments including C for T, DEP, DAFC and CTP/UD&L of PlanD have no adverse comment on the application.

### Proposed Utility Installations and Associated Excavation of Land

11.3 The proposed utility installations are essential facilities for the operation of SWIMS. These installations will be located either underneath an existing paved road/pathway in the area zoned "SSSI" and "GB", or alongside with the existing

at-grade water mains in areas zoned “SSSI”, “GB” and “OU(Radio Communication Station)”. Some key installations of utility pipelines as well as associated excavations within the “SSSI” zone are covered by an EP (EP-537/2017) and the related environmental impacts have been satisfactorily addressed under EIAO. For the remaining minor installations, it is anticipated that there would be no adverse environmental, geotechnical, traffic, fire safety and landscape impacts arising from the proposal. Relevant government departments including DEP, DAFC, H(GEO) of CEDD, C for T, D of FS, CE/C of WSD, CE/HK&I of DSD, DG of C, DG of CA and CTP/UD&L of Plan D have no adverse comment on/no objection to the application. The proposed installation of utility pipelines at “GB” zone therefore complies with the TPB PG-No. 10.

- 11.4 Regarding the objecting public comments as summarized in paragraph 10 above, the planning assessment in paragraphs 11.2 and 11.3 above is relevant.

## **12. Planning Department’s Views**

- 12.1 Based on the assessment made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 22.3.2023, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

### **Approval Conditions**

- (a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Board;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Board; and
- (c) the submission and implementation of the precautionary, protective and monitoring measures to the Cape D’Aguilar Lighthouse, the declared monument, to the satisfaction of the Antiquities and Monuments Office, Development Bureau or of the Board.

### **Advisory Clauses**

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

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

**13. Decision Sought**

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

**Attachments**

<b>Appendix I</b>	Application form received on 27.12.2018
<b>Appendix Ia</b>	Planning Statement
<b>Appendix Ib</b>	Supplementary Information dated 9.1.2019
<b>Appendix Ic</b>	FI dated 1.2.2019 and 14.2.2019
<b>Appendix Id</b>	FI dated 25.2.2019
<b>Appendix Ie</b>	FI dated 12.3.2019
<b>Appendix II</b>	Relevant planning applications related to SWIMS
<b>Appendix III</b>	Public comments
<b>Appendix IV</b>	Advisory clauses
<b>Drawings A-1 to A-3</b>	Floor plans of the revised layout for Site A
<b>Drawings A-4 to A-5</b>	Proposed excavation areas within “SSSI” and “GB” zones
<b>Plan A-1</b>	Location plan
<b>Plans A-2a and A2-b</b>	Site Plans
<b>Plans A-3 to A-6</b>	Site Photos

**PLANNING DEPARTMENT  
MARCH 2019**