

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H3/440

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|---------------------------|---|
| <u>Applicant</u> | Hong Kong Police Force (HKPF) represented by Townland Consultants Limited |
| <u>Site</u> | Western Police Married Quarters, 280 Des Voeux Road West, Sai Ying Pun, Hong Kong |
| <u>Site Area</u> | About 3,672.273m ² |
| <u>Land Status</u> | Government Land (Portion of GLA HK-190) |
| <u>Plan</u> | Draft Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/32 |
| <u>Zoning</u> | “Government Institution or Community” (“G/IC”) and ‘Road’ - “G/IC” zone with a maximum building height (BH) of 80mPD or the height of the existing building, whichever is the greater (90.3%) - “G/IC” zone with a maximum BH of 7 storeys or the height of the existing building, whichever is the greater (7.5%) - area shown as ‘Road’ (2.2%) |
| <u>Application</u> | Proposed Minor Relaxation of BH Restriction for Government Staff Quarters from 80mPD to 104mPD |

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of BH restrictions for the proposed redevelopment of the existing Western Police Married Quarters (the Site) into departmental quarters (DQs) with supporting facilities for the adjacent Western Police Station (WPS). The majority of the Site falls within an area zoned “G/IC” with a small strip of land falling within an area shown as ‘Road’ on the draft Sai Ying Pun & Sheung Wan OZP No. S/H3/32 (**Plan A-1**). According to the covering Notes of the OZP, the proposed DQs and supporting facilities for the adjacent WPS are considered as uses directly related and ancillary to the WPS within the same compound and the same “G/IC” zone and hence, are

always permitted. However, planning permission from the Town Planning Board (the Board) is required for minor relaxation of the BH restriction to 104mPD.

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

- (a) Application form received on 17.1.2019 **(Appendix I)**
- (b) Planning Statement **(Appendix Ia)**
- (c) Applicant's letter dated 1.3.2019 requesting deferment of consideration of the application **(Appendix Ib)**
- (d) Further Information dated 15.3.2019 providing response to departmental comments, revised Expert Evaluation on Air Ventilation (AVA EE), preliminary environmental review (PER), and supplementary information for Traffic Impact Assessment (TIA) **(Appendix Ic)**
- (e) Further Information dated 9.5.2019 providing response to departmental comments, replacement pages for PER and revised AVA EE (*exempted from publication*) **(Appendix Id)**

1.3 The main development parameters and floor uses of the proposed development are set out below:

| | |
|---|---|
| Site Area | 3,672.273m ² (about) |
| Plot Ratio (PR) | 12.82 [#] |
| Gross Floor Area (GFA) | 47,078.54m ² |
| - Domestic GFA | - 42,158.39 m ² |
| - Non-domestic GFA | - 4,920.15m ² |
| No. of Blocks | 3 |
| BH (at main roof) | 104mPD / 99.8m |
| No. of Storeys | Tower A – 28 storeys Tower B – 29 storeys Tower C – 28 storeys (All towers are on a 4-storey podium) |
| Site Coverage (SC) | About 44.93% |
| Number of Units | 540 |
| Average Unit Size | 57.3m ² |
| Car Parking Spaces | |
| - Private Car (for DQs) | - 71 |
| - Motorcycle (for DQs) | - 6 |
| - Lorry, large buses, multi-purpose vehicle, saloons and visitor parking spaces for WPS | - 23 |
| Loading/Unloading (L/UL) Bays (for DQs) | 3 |

[#] The overall PR of the whole WPS compound (GLA area of 6,900m²) upon redevelopment is about 7.44, with reference to the estimated construction floor area (CFA) of the existing WPS of about 4,260m² (as there is no GFA record of the WPS).

| Major Uses by floor: | |
|-----------------------|--|
| LG3/F | Car Park (serving WPS) / Mills barrier Storage Room (serving WPS) / E&M Facilities (serving both WPS and proposed DQs) |
| LG2/F | Changing Rooms / Fitness Room / Night Duty Room (serving WPS) / E&M Facilities (serving both WPS and proposed DQs) |
| LG1/F | Car Park / Landscaped Area |
| G/F | Entrance Lobbies / Outdoor Recreation Areas / Landscaped Areas / Management Office / Multi-purpose Room / L/UL bays |
| 1/F-28/F (all Towers) | DQs |
| 29/F (Tower B) | DQs |

- 1.4 The proposed development involves three residential towers of 28 to 29 storeys above a shared podium of 4 storeys. The lowest two floors (i.e. LG3/F and LG2/F) of the podium accommodate uses that predominantly serve the WPS, while the upper two floors of the podium mainly serves the DQs.
- 1.5 The vehicular access for the proposed DQs and the upper two floors of the podium is from Queen's Road West, while that for the facilities serving WPS on the lower two floors of the podium is at Des Voeux Road West and Western Street. The proposed development will be setback from Queen's Road West and the footpath along Queen's Road West will be widened from 1.5m-1.8m to 2.5m-2.6m.
- 1.6 A total of 38 trees are identified within the Site and 34 trees are to be felled with 4 trees to be transplanted. Compensatory trees will be replanted to meet a compensatory ratio of 1:1 in terms of quantity.
- 1.7 The architectural floor layouts and section plans of the proposed development submitted by the applicant are shown at **Drawings A-1 to A-19**.
- 1.8 The application was received on 17.1.2019 and was originally scheduled for consideration by the Metro Planning Committee (the Committee) on 8.3.2019. On 1.3.2019, at the request of the applicant, the Committee decided to defer making a decision on the application pending the submission of FI by the applicant. The latest FI was submitted by the applicant on 9.5.2019 (**Appendix Id**). The application is thus 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 Section 4 of the planning statement in **Appendix Ia**. They are summarised as follows:

In line with statutory and non-statutory planning policies and guidelines

- (a) The proposed development meets the criteria for minor relaxation of BH set out in the explanatory statement of the OZP as the proposed development can enable

footpath widening along Queen's Road West to improve the environment for pedestrians, increase potential flat production and improve land use efficiency;

Meeting Housing Demand

- (b) the proposed development is in line with Government's prevailing policy on increasing housing supply to meet the urgent housing needs by allowing more efficient use of land to provide 540 units. If the proposed DQs is developed according to the BH restrictions of 80mPD, the total number of units to be provided will be reduced to 369, i.e. a reduction of 171 units or 32% less than the existing proposal;
- (c) there has been limited supply of DQs in the past five years. The proposed development is a substantial housing supply source of DQs in the short to medium term, which can also reduce the demand for public rental housing by civil servants under Civil Service Public Housing Quota Scheme;
- (d) as the extension of service length of civil servants is to be implemented, this initiative may slow down the release of DQs, thus creating more pressure on short-to-medium supply of quarters;

Better Use of G/IC Sites

- (e) the Site is currently an under-developed G/IC site in close proximity to the Sai Ying Pun MTR Station. The redevelopment proposal would enable the development intensity of the Site to be optimised to utilise land resources, serve community needs and enhance efficiency;
- (f) the proposed development provides facilities to support the operation of the WPS, which responds to the unique requirements of the HKPF. This is an efficient integration of mixed use on a site;

No Adverse Impacts

- (g) the technical assessments confirmed that the proposed redevelopment will not generate adverse impacts on visual, air ventilation, traffic, environmental, landscape, sewerage, drainage and geotechnical aspects;

No Undesirable Precedent

- (h) the proposed development makes better use of G/IC sites to allow for more DQs production to satisfy the urgent housing need. As it is supported by Government Initiative and have negligible technical impact, no undesirable precedent will be set.

Site Unsuitable to incorporate Community Facilities

- (i) WPS is the only police station which has DQ facilities within the police station boundary. While the proposed development needs to reprovide some of the existing operational facilities of the WPS within the redeveloped DQ blocks, co-location of police operational facilities and public facilities in the same building, would involve the following operational and security considerations which are not desirable:

- (i) police station compound is a sensitive venue which provides round-the-clock services to the public. The two lower ground floors of the DQs will house police station vehicles, police equipment and police officers with frequent movement thereat 24 hours daily. These facilities provide necessary operational facilities for normal functioning of a police station;
- (ii) security of a police station is vital and access to it should be under strict control. Trespassing on a police station would compromise station security, operational efficiency and effectiveness. Therefore, police stations and operational facilities are accommodated in standalone premises and not co-located with other government offices, let alone community and public facilities;
- (iii) the vehicular and residence entrance of the proposed DQs is located at Queen's Road West and is separate from that of the WPS. Incorporation of community and public facilities in the proposed DQs will generate extra traffic in/out of the Site at Queen's Road West and cause backlog traffic which will affect the WPS vehicles moving in/out of the station at the one-way Western Street;
- (iv) it is impracticable and undesirable to provide an additional vehicular/pedestrian entrance at Queen's Road West for the community and public facilities as the road is a busy main road with heavy traffic, and its changing gradient along the proposed DQs and the sharp-bending upslope section connecting to the Western Street; and
- (v) undermine the emergency response capability of the police (e.g. speedy evacuation and cordoning of the station) and put public life at risk if an untoward incident occurs within the WPS.

Need for on-site redevelopment of DQs

- (j) The existing junior police officers married quarters building which has been left vacant since 2006 was faced with engineering, traffic and other constraints, given the building supporting structure to the retaining wall of Queen's Road West, the close proximity to the WPS and the capacity constraint of Queen's Road West. The Site was considered not suitable for land disposal and there were no redevelopment plans for the Site since the proposal to development it into a premises for law courts was dropped; and
- (k) To address the DQs shortfall of 3,294 units, the Government will continue to search for more sites for DQs development, including standalone sites, and the Government is also open to other options to increase the DQs such as purchasing private housing units, if they are found to be justifiable and cost effective.

3. Compliance with the "Owner's Consent/Notification" Requirements

As the Site involves government land only, the "owner's consent/notification" requirement as set out in the Town Planning Board Guidelines on Satisfying the Owner's

Consent/ Notification Requirement under Section 12A and 16 of the Town Planning Ordinance” (TPB PG-No.31A) is not applicable to the application.

4. **Background**

The Site and the adjacent WPS fall within the same “G/IC” zone with the BH restrictions of 80mPD and 7 storeys respectively. On 7.5.2010, the draft OZP No. S/H3/24 was exhibited for public inspection, incorporating, *inter alia*, the BH restrictions imposed on the “G/IC” zone, with an aim to maintaining their existing heights to serve as spatial and visual relief, unless there were other committed proposals at the sites. The proposed BH restrictions for the subject “G/IC” zone are to reflect the existing BH of the WPS (7 storeys), and to accommodate the then planned redevelopment of the staff quarters portion of the Site into a judicial development which was for the reprovisioning of the Wan Chai Law Courts (80mPD). The reprovisioning proposal of law courts to the Site was subsequently abandoned and the latest proposal is to relocate the law courts to the proposed District Court at Caroline Hill Road. Since 2010, the BH restrictions of the “G/IC” zone have remained unchanged.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Applications**

There are three similar applications (A/H3/419, A/H3/427 and A/H3/429) for minor relaxation of BH restriction within “G/IC” zone in the Sai Ying Pun & Sheung Wan OZP (**Plan A-1**). Application No. A/H3/419 was for a proposed student hostel at 10-12 Mui Fong Street and 15-19 Kwai Heung Street, and minor relaxation of BH restriction from 80mPD to 81.53mPD; while application No. A/H3/427 and A/H3/429 were a proposed composite commercial/residential development at 6-22 Chung Ching Street (6-18 Chung Ching Street for A/H3/427), and minor relaxation of BH restriction from 90mPD to 104.2mPD. All the applications were approved with conditions by the Committee. Details of the applications are provided at **Appendix II**.

7. **The Site and its Surroundings (Plans A-2)**

7.1 The Site is:

- (a) a corner lot bounded by Des Voeux Road West, Western Street and Queen’s Road West;
- (b) adjacent to WPS within the HKPF compound; and
- (c) comprises the seven-storey Western Junior Police Officers Married Quarters and the eight-storey Western Police Rank and File Married Quarters which were built in 1955 and with about 104 flats in total; the former Quarters is still occupied while the latter has been vacant since 2006; and

7.2 The surrounding area has the following characteristics:

- (a) within a dense urban high-rise environment with predominantly residential use within intermingling commercial and GIC uses;
- (b) to the immediate north are Kwan Yick Building Phase III, and the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region Building. Developments in this street block are subject to a BH restriction of 100mPD;
- (c) to the east is the WPS with two vehicular accesses, one at the Western Street for daily operation, and another one at the Des Voeux Road West for emergency use only;
- (d) across Western Street are residential buildings with shops on the lower floors. Developments in this street block are subject to a BH restriction of 110mPD while the street blocks to the west of the Site are subject to a BH restriction of 100mPD;
- (e) to the south is the Western Magistracy Building, and the residential developments with ground floor shops along Queen's Road West. These developments are subject to a BH restriction of 110mPD; and
- (f) the BH restrictions for sites to the further south of the Site rises from 120mPD at Second Street to 150mPD at Bonham Road.

8. Planning Intention

- 8.1 This "G/IC" zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 8.2 According to the Explanatory Statement of the OZP, BH restrictions are imposed on "G/IC" zones in terms of mPD or number of storeys, which mainly reflect the existing BHs of developments and provide visual and spatial relief to the densely built-up environment. A minor relaxation clause in respect of the BH restrictions is incorporated into the Notes of the OZP to provide incentive for developments/redevelopments with planning and design merits and to cater for circumstances with specific site constraints. Each application for minor relaxation of BH restrictions will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
 - (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as a public passage/street widening;

- (c) providing better streetscape/good quality street level public urban space;
- (d) providing separation between buildings to enhance air and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible PR under OZP;
- (f) catering for the provision of on-site car parking and loading/unloading facilities on sites of 900m² or larger with at least 30m street frontage on two sides within the SOHO and its immediate adjoining area shown in Plan 1; and
- (g) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to the townscape and amenity of the locality and would not cause adverse landscape and visual impacts.

9. Comments from Relevant Government Departments

9.1 The following government departments have been consulted and their views on the application are summarised as follows:

Policy Aspect

9.1.1 Comments of the Secretary for Security (S for Security)

support the redevelopment proposal from policy perspective as it will help alleviate the shortfall of DQs.

Land Administration

9.1.2 Comments of the District Lands Officer/Hong Kong West and South, Lands Department (DLO/HKW&S, LandsD):

(a) the Site falls entirely within GLA-HK 190 allocated to the Commissioner of Police; and

(b) no comment on the application from land administration point of view.

Traffic Aspect

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

No comment on the TIA with its conclusion that the proposed redevelopment with the proposed ingress/egress would not cause adverse traffic impact on the road network in the vicinity of the Site.

Environmental Aspect

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

- (a) no objection to the planning application, given that with proper implementation of mitigation measures, no insurmountable environmental impacts are anticipated for the proposed development;
- (b) the following approval conditions are suggested to be imposed:
 - (i) the submission of a Noise Impact Assessment (NIA) report and implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
 - (ii) the submission of an Air Quality Impact Assessment (AQIA) report to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) detailed comments on the revised PER are provided in **Appendix III** for the future submission of NIA and AQIA.

Air Ventilation Aspect

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

- (a) taking into account the following, no significant impact on the pedestrian wind environment is anticipated:

the project site is within a densely built-up area in Hong Kong. The street pattern governs the annual and summer prevailing wind flow around the site and the surrounding high rise high density built environment plays a dominant role to the surrounding pedestrian wind environment. The proposed mitigation measures (15m E-W building separation, 15m N-S building separation and the building permeability at podium) would alleviate the potential impact of the proposed development and introduce some localised benefits to the surrounding pedestrian wind environment in such a high density region. It is anticipated that the proposed development with building height of 104mPD would not induce significant air ventilation impact as compared with the Baseline Scheme (i.e. the OZP Compliant Scheme with building height of 80mPD);

- (b) detailed comments on the AVA EE are at **Appendix III**.

Sewerage Aspect

9.1.6 Comments of the Chief Engineer/Hong Kong & Islands (CE/HK&I), Drainage Services Department:

no objection to the application from public drainage view point.

9.1.7 Comments of the Director of Environmental Protection (DEP):

no comment on the SIA.

Fire Safety Aspect

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

- (a) no objection in principle to the application subject to fire service installations being provided to the satisfaction of the Fire Services Department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the applicant is reminded that the arrangement of Emergency Vehicular Access (EVA) should comply with Part VI of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD.

Visual Aspect

9.1.9 Comments of CTP/UD&L, PlanD:

- (a) no significant visual impact on the surrounding is anticipated;
- (b) there are some site constraints and design merits for the proposed minor relaxation of BHR, such as 15m building separations between the three towers over the podium for enhancing air and visual permeability and footpath widening along Queen's Road West for improving the public realm for pedestrians;
- (c) the proposed development in terms of scale and height would blend in with the visual composition of the planned BH profile of the area; and
- (d) no comment on the Visual Impact Assessment (VIA).

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

- (a) no comment from visual impact point of view; and
- (b) the proposed development consists of three tower blocks with BH of 104mPD which may not be incompatible with adjacent developments with BH ranging from 100mPD to 110mPD.

Landscape Aspect

9.1.11 Comments of CTP/UD&L, PlanD:

- (a) no objection to the application from landscape planning perspective;
- (b) the Site is situated in an area of urban landscape character. Medium to high rise residential and commercial buildings are common in the surrounding areas. The proposed use is considered not incompatible with the existing landscape character. Significant change or

disturbances to the existing landscape character arising from the proposed use is not anticipated;

- (c) The existing 38 existing trees are common species such as *Ficus microcarpa*, *Dimocarpus longan* and *Broussonetia papyrifera*. Due to the proposed development, 4 trees are proposed to be transplanted and 34 trees are to be felled;
- (d) considering that the applicant proposed to compensate the loss with about 40 new trees of 0.045m DBH each to be planted 3m to 6m spacing, tree compensation ratio in terms of quantity would be more than 1:1;
- (e) landscape treatments including shrub, groundcover and vertical greening are proposed to enhance greening provision;
- (f) as some proposed tree planting areas are likely under the building shadow, the applicant is reminded to choose appropriate species such as shade-tolerant plants to ensure their sustainable plant growth; and
- (g) the current proposal does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted to DLO/HKW&S for approval.

District Officer's Views

- 9.1.12 Comments of the District Officer (Central and Western), Home Affairs Department (DO(C&W), HAD)

Some members of Legislative Council as well as Central & Western District Council (C&WDC) have expressed concern towards the application through direct submission to the Board. Also, the matter has been discussed on the C&WDC meeting on 7.3.2019 and you may wish to pay attention to the members' concern. We trust that all of the views received will be taken into account by the Board when deliberating the case.

- 9.1.13 The following government departments have no objection to/no comment on the application:

- (a) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (b) Chief Highway Engineer/Hong Kong, Highways Department;
- (c) Chief Engineer/Development (2), Water Supplies Department; and
- (d) Commissioner for Police; and
- (e) Director of Leisure and Cultural Services.

10. Public Comments Received During Statutory Publication Period

- 10.1 During the statutory publication period of the application (ended on 15.2.2019) and the FI (ended on 23.4.2019), a total of 104 comments were received.

Amongst the public comments received, 4 are supporting comments from individuals; 97 opposing comments from individuals including Legislative Council Member Hon Tanya CHAN and Hon Au Nok-hin; 2 comments from C&WDC member Ms CHENG Lai-king and Ms. LO Yee Hang, providing views; and 1 comment from the chairman of C&WDC enclosing the extract of draft minutes of the C&WDC meeting held on 7.3.2019. A full set of the public comments received are at **Appendix IV** for Members' reference.

10.2 The major grounds of public comments received can be summarised as follows:

Supporting Comments

- (a) the existing buildings are decayed and with dangerous structure. They should be redeveloped to safeguard the safety of pedestrians;
- (b) better utilisation of land resources can be achieved;
- (c) the provision of residential units can alleviate the severe housing shortage in Hong Kong;
- (d) it relieves the shortage of quarters for government officers;
- (e) the proposed population density is consistent with surrounding neighbourhood;
- (f) part of the Site can be used for public facilities, such as library and park which are most welcomed by the nearby residents

Opposing Comments

- (a) the land has been left vacant and idle for 13 years, despite the effort by various community members from across parties to fight for community facilities. It is a waste of land resources by HKPF;
- (b) as the Government had already obtained funding for the disciplined services department to purchase flats under the Home Ownership Scheme for departmental quarters in 2004, this Site should be returned to Government Property Agency for more appropriate planning;
- (c) while there are insufficient GIC facilities and open space, many "G/IC" sites have been approved for change of land use for URA and private development at the expense of the community. Turning the Site or part of the Site for public facilities is more appropriate;
- (d) currently the traffic along Queen's Road West is close to capacity. The proposed entrance of car park along the busy road would burden the traffic load and the frontline police;

- (e) the proposed development involves large scale tree felling. It is difficult to compensate for the cutting down of trees with high historical value. The tree cutting would result in one-off loss of green planting of this area and worsen heat island effect;
- (f) the proposed BH has exceeded the BH of other “G/IC” sites in the area. Relaxation of BH will bring adverse visual, air ventilation and landscape impacts, and worsen the wall effect;
- (g) it sets an undesirable precedent for high density development of “G/IC” sites;
- (h) insufficient justifications are provided to support the increase in living quarters for married staff;
- (i) the Site can be used for Public Rental Housing or interim housing. It should not be restricted to providing police quarters;
- (j) the provision of police quarters is not necessary as the housing allowance for civil servants can be fulfilled by other appropriate means such as Non-accountable Cash Allowance Scheme;
- (k) the HKPF did not consult the stakeholders in the district before the submission of planning application. The social impact of the proposed development should be assessed;

Other Comments/Views

- (l) the potential to incorporate other uses in the proposed development, such as public car park, elderly care facilities, library, community centre, public open space, etc. should be explored.

10.3 The proposed development was discussed by C&WDC on 7.3.2019. The minutes of the meeting are in **Appendix V** and the main comments of members are summarised below:

- (a) while some members generally had no objection to the redevelopment of the DQs, some members indicated that the provision of facilities for the benefit of the community should be included in the redevelopment proposal, in view of the shortage of various community facilities in the district and the good accessibility of the Site;

- (b) community facilities suggested to be incorporated in the redevelopment include residential care homes for the elderly, community centre, multi-purpose rooms, library and study room;
- (c) the possibility of provision of an underground car park should be explored to alleviate the shortage of car parking space in the district; and
- (d) the use of the Site should follow the prevailing government policy of 'single site, multiple use'.

11. Planning Considerations and Assessment

- 11.1 The applicant proposes to redevelop the two existing HKPF DQs into three residential towers over a 4-storey podium with supporting facilities for the adjacent WPS. The proposed DQs would be up to 104mPD at main roof which requires planning permission for minor relaxation of the BH from 80mPD to 104mPD by 24m (i.e. +31.7% in respect of actual BH).
- 11.2 The Site is zoned "G/IC" which is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. The proposed development is mainly to provide DQs for HKPF and some of the floor space will also serve the operation of the adjacent WPS. The proposed DQs and the supporting facilities for the WPS are considered as uses directly related and ancillary to the WPS within the same "G/IC" zone, which are always permitted. As such, the proposed redevelopment is generally in line with the planning intention of the "G/IC" zone. SB has also given policy support for the proposed redevelopment.
- 11.3 The proposed development has demonstrated planning merits which are in line with some of the criteria set out in the ES of OZP for consideration of minor relaxation of BH restriction. These planning merits include the footpath widening at Queen's Road West along the development, building separations of 15m among the three residential towers which also serve as two wind corridors enhancing air ventilation, and special design of the building layout and disposition to mitigate the potential adverse air quality impact from the major roads (i.e. Queen's Road West, Des Voeux Road West and Western Street), the various types of fixed plant noise (from chillers, cooling tower, mechanical fan and VRV outdoor unit of Kwan Yick Building Phase III, WPS and Western Magistracy Building) and traffic noise. The proposed relaxation of BH restriction would also enable the provision of additional 171 units to meet the current shortfall of DQs.
- 11.4 The Site is located in a high-density residential neighbourhood where shops and restaurants are located on G/F. The BH of the existing surrounding developments in the area is a mix of high-rise developments (ranging from 80mPD to 161mPD) intermingled with low-rise developments (of about 40mPD). The surrounding area is mainly zoned for residential uses with BH restrictions ranging from 100mPD to the north and west, and 110mPD and 120mPD to the south. The

proposed development at a BH of 104mPD is considered not incompatible with the surroundings and is in line with the planned BH profile of the area. Both CTP/UD&L, PlanD and CA/CMD2, ArchSD have no adverse comment on the application from visual point of view.

- 11.5 Among 38 existing trees on the Site, the applicant proposes that 4 trees are to be transplanted on site, and 34 trees are to be felled. In order to compensate the vegetation loss, the applicant proposes the compensatory planting at a ratio of more than 1:1; i.e. a total of 40 compensatory trees will be planted. CTP/UD&L, PlanD considers that the proposed development will not bring about significant change or disturbances to the existing landscape character.
- 11.6 The technical assessments submitted by the applicant in support of the application have demonstrated that the proposed development would not generate any adverse impacts in terms of traffic, sewerage, environmental, air ventilation, visual and landscape aspects. All relevant government departments have no objection to the application. For the technical concerns raised by DEP, relevant approval conditions are recommended in paragraph 12.2 below.
- 11.7 There are public comments raising concerns on the environmental and traffic impacts caused, the wall effect, the excessive BH of proposed development, tree felling and inclusion of community facilities. There are also public comments in support of the application as the proposal could increase the supply of housing, improve the built environmental and utilise better the land resources. The responses of the applicant on the adverse public comments are at **Appendix Ic**. The assessment in paragraphs 11.2 to 11.6 above and the comments of the relevant government departments in paragraph 9 are relevant.
- 11.8 There was also concern from members of C&WDC and the public that no GIC facilities are proposed within the Site to serve the needs of the local community. In response, the applicant indicates that inclusion of community/public facilities within the WPS compound would affect the round-the-clock operation of the police station and undermine the emergency response capability of the police (e.g. speedy evacuation and cordoning of the station) and put public life at risk if an untoward incident occurs within the WPS.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 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 17.5.2023, 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 provision of the car parking, loading/unloading facilities and locations of ingress/egress to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a Noise Impact Assessment (NIA) report and implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of an Air Quality Impact Assessment (AQIA) report to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the provision of water supplies for fire fighting, fire service installations and emergency vehicular access to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason is suggested for Members' reference:

the applicant fails to provide sufficient design merits for the proposed minor relaxation of building height restriction.

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

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|---------------------|---|
| Appendix I | Application form received on 17.1.2019 |
| Appendix Ia | Supporting Planning Statement received on 17.1.2019 and Clarification letter from the applicant dated 21.1.2019 |
| Appendix Ib | Deferment letter dated 1.3.2019 |
| Appendix Ic | Further Information dated 15.3.2019 |
| Appendix Id | Further Information dated 9.5.2019 |
| Appendix II | Similar s.16 planning applications |
| Appendix III | Detailed Comments on the revised PER and AVA EE |

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| Appendix IV | Public comments |
| Appendix V | Draft minutes of C&WDC meeting on 7.3.2019 |
| Appendix VI | Advisory Clauses |
| Drawings A-1 to A-19 | Plans and photomontages submitted by the Applicant |
| Plan A-1 | Location Plan |
| Plan A-2 | Site Plan |
| Plan A-3 | Building Height of the Surrounding Area |
| Plans A-4 to A-6 | Site Photos |

**PLANNING DEPARTMENT
MAY 2019**