

### **Comments of the Commissioner for Heritage's Office, Development Bureau**

Some successful precedent cases are detailed below. In these cases, the GFA generated from such minor relaxation of plot ratio equals to, if not less than, the area of preserved portion of the historic buildings and/or the area reduced due to the preservation of the historic buildings:

- (i) The front portion of the shophouse at 179 Prince Edward Road West (a Grade 3 historic building) is preserved through a minor relaxation of plot ratio from 9 to 10.23 approved by the Metro Planning Committee ("MPC") of the TPB on 19 March 2010;
- (ii) The clock tower of the CLP Administration Building (a proposed Grade 1 historic building) is preserved through a minor relaxation of building height and plot ratio, as well as permission for using the clock tower as a place of recreation, sports or culture, which was approved by the MPC of the TPB on 4 November 2011;
- (iii) Part of the façade of 47 Barker Road (a Grade 2 historic building) is preserved through a minor relaxation of plot ratio from 0.5 to 0.545 approved by the MPC of TPB on 18 November 2011;
- (iv) Part of the façade of 8 Pollock's Path (a Grade 2 historic building) is preserved through a minor relaxation of plot ratio from 0.5 to 0.548 approved by the MPC of TPB on 27 September 2013; and
- (v) Cheung Chau Theatre (a Grade 3 historic building) is preserved through a minor relaxation of plot ratio and site coverage restriction approved by the Rural and New Town Planning Committee of the TPB on 13 December 2013.

### **Comments of the District Lands Officer/Hong Kong East, Lands Department**

The application site consists of IL 2140, IL 1940, IL 2272 & Ext., IL 1564, IL 1669, IL 2093 s.A RP & RP and adjoining Government Land. Salient Lease Conditions are listed below:

#### Nam Koo Terrace

##### *Government Lease of IL 2140 (55 Ship Street)*

- Lease Term: 75 years renewable for 75 years from 4.10.1915
- Standard non-offensive trades clause
- Leave an open space of not less than 30 feet in width between the front of any building erected on the lot and the boundary of such lot which shall extend across the full extent of the lot
- Shall not build or have any erection on the lot to a greater height than 35 feet

#### Hill Side Terrace

##### *Government Lease of IL 1940 (1A Hill Side Terrace – Former St Luke's College)*

- Lease Term: 75 years renewable for 75 years from 10.2.1913
- Right of way from Ship Street
- Virtually unrestricted except standard non-offensive trades clause
- Rate and range clause

*Government Lease of IL 2272 and Conditions of Grant of an extension to IL 2272 (1 Hill Side Terrace)*

- Lease Term: 75 years renewable for 75 years from 18.9.1899
- Right of way for IL 1564 and IL 1669
- Virtually unrestricted except standard non-offensive trades clause
- Rate and range clause

*Government Lease of IL1564 (2 Hill Side Terrace)*

- Lease Term: 75 years renewable for 75 years from 18.9.1899
- Right of way for IL 1669
- Virtually unrestricted except standard non-offensive trades clause
- Rate and range clause

*Government Lease of IL1669 (3 Hill Side Terrace)*

- Lease Term: 75 years renewable for 75 years from 18.9.1899
- Right of way for IL 1564 and IL2272
- Virtually unrestricted except standard non-offensive trades clause
- Rate and range clause

Miu Kang Terrace

*Government Lease of IL2093 s.A RP and RP (53 Ship Street)*

- Lease Term: 75 years renewable for 75 years from 18.9.1899
- Virtually unrestricted except standard non-offensive trades clause
- Rate and range clause

**Comments of the Chief Town Planner/Urban Design & Landscape, Planning Department**

Comments on the Air Ventilation Assessment report:

(i) Section 6.2.7

- 3rd paragraph – It should be SSE wind instead of SSW wind. Please review if the discussion is still valid.
- Proposed Scheme – Reduced VR along Sau Wa Fong is observed under the Proposed Scheme when compared with the Baseline Scheme due to the wake zone created by the proposed development, which has not been discussed.

(ii) Section 6.2.9

- 4th paragraph – There is no black circle in Figure 6.2.9.1 under Baseline Scheme. The exact location that mentioned in the text is not clear.
- 5th paragraph – The rationale for “the incoming wind flow pass the site with an improvement of wind environment” has not been discussed.

(iii) Section 6.2.11

- 6th paragraph – There is no black circle in Figure 6.2.11.1 under the Proposed Scheme. The exact location that mentioned in the text is not clear.

### Comments of the Director of Leisure and Cultural Services

- (a) The captioned section 12A planning application is for a proposed 21-storey composite development comprising shop and residential flats, provision of open space, and preservation of historical building at NKT. As advised by the applicant, about 1,700m<sup>2</sup> of open space (including the preserved NKT historical building) and 592m<sup>2</sup> of covered landscape under their management will be open for public use at reasonable hours. All private lots within the Site are owned by the private developer. There is no intention to hand over the proposed public open space to the Government. The applicant is willing to bear the future management and maintenance cost of implementation of the public open space with no cost to the Government. All open space will be private open space for residents but it will also be made available for public use. All landscape areas of the Site are private landscape area.
- (b) It is noted that there is a proposal of extending the building platform across the entire site to maximize open space provision to allow for more comprehensive landscape proposal and to overcome the topographical difference with the Site. The open space will provide users with quality leisure and recreational facilities by taking advantage of the additional circulation space and visual connectivity provided by the covered landscape area. The open space will connect with the adjacent park at HCII and the public open space at Ship Street to enable a comprehensive open space network within the Wan Chai South area. In addition, it is proposed to retain the main entrance gate/access to the historical building at NKT and the open space at Ship Street.
- (c) It is noted that a total of 62 number of trees have been recorded within/associated with the Site, among which 60 of them are proposed to be removed with compensation of 61 of new trees. In view of the number of trees to be affected, the applicant is advised to make every possible effort to preserve and protect the existing trees on site from being disturbed through careful planning so as to minimise the adverse impact on trees as far as possible. Should trees be inevitably affected by the proposed development and removal of them cannot be avoided, sound justifications from engineering perspective and intrinsic condition of individual tree in supporting the tree removal shall be provided to relevant Government authority for consideration and approval.
- (d) A total 61 trees in heavy standard size are proposed to be planted at an approximate minimum 3 meters centre to centre spacing when they are planted. However, the applicant should note that the space provided for compensatory tree planting shall take into account the adequate space required to cater for the establishment and healthy growth of trees up to maturity rather than at the time of planting. Hence, further review of the planting space for individual tree species shall be expected. The applicant is advised to take into account the "Right Tree Right Place" principle advocated by the Tree Management Office of Development Bureau when working out the landscape design and to ensure sufficient space would be provided for planting of compensatory trees so as to cater for the establishment and healthy growth of the trees up to maturity.
- (e) The quantity of trees summarized in the Tree Assessment Schedule of the TPRP including surveyed trees, dead trees, removed trees, proposed transplant trees and proposed fell trees do not tally with those mentioned in the report and in the tree assessment schedule. Verification of the quantity of the trees shall be expected. According to the Tree Assessment Schedule of the TPRP, the tree T40 is measured in 18 meter high and is proposed to be transplanted. However, noting from the suitability for transplanting of the tree, it is rated "low". Further review of the rating of suitability for transplanting and the proposed treatment of the tree is required.