

**TPB Paper No. 10676  
For Consideration by the  
Town Planning Board on 11.9.2020**

**REVIEW OF APPLICATION NO. A/H6/89**

**PROPOSED 'OFFICE', 'EATING PLACE' AND 'SHOP AND SERVICES' USES**

**IN "COMMERCIAL (1)" ZONE AND AREA SHOWN AS 'ROAD'**

**281 GLOUCESTER ROAD, CAUSEWAY BAY, HONG KONG**

**REVIEW OF APPLICATION NO. A/H6/89**  
**UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Proposed ‘Office’, ‘Eating Place’ and ‘Shop and Services’ Uses  
in “Commercial (1)” Zone and area shown as ‘Road’,  
281 Gloucester Road, Causeway Bay, Hong Kong**

**1. Background**

- 1.1 On 25.10.2019, the applicant, Excelsior Hotel (BVI) Limited represented by Masterplan Limited, sought planning permission under s.16 of the Town Planning Ordinance (the Ordinance) for developing a 34-storey commercial building (including a 4-storey podium and a 3-storey basement), for ‘Office’, ‘Eating Place’ and ‘Shop and Services’ uses at 281 Gloucester Road, Causeway Bay (the Site). The main part of the proposed commercial building is located within the “Commercial (1)” (“C(1)”) zone, with a minor portion of the basement (B1/F to B3/F) and podium (1/F and 2/F) of the proposed building falling within an area shown as ‘Road’ on the approved Causeway Bay Outline Zoning Plan (OZP) No. S/H6/17. According to the Notes of the OZP, ‘Office’, ‘Eating Place’ and ‘Shop and Services’ uses are always permitted within “C(1)” zone but require planning permission from the Town Planning Board (the Board) within area shown as ‘Road’.
- 1.2 On 24.4.2020, the Metro Planning Committee (MPC) of the Town Planning Board (the Board) decided to reject the application on the following ground:
- the applicant fails to demonstrate that the proposed development will not result in adverse traffic impact on the surrounding areas.
- 1.3 The proposed commercial building will have a total gross floor area (GFA) of about 64,080m<sup>2</sup>, plot ratio (PR) of 15 and BH of 135mPD. The applicant also proposes a number of design measures on G/F of the proposed development to enhance the pedestrian environment and air ventilation. The building line on the G/F of the proposed development fronting Gloucester Road will be set back from the lot boundary to provide an all-weather area for drop-off and pedestrians, while a 3.5m wide footpath will be provided along Gloucester Road (**Drawings R-5a & R-6**). A 1.5m setback is proposed with the adjoining residential buildings to the eastern boundary of the Site for a contiguous space for full-time pedestrian access (**Drawing R-5**). A building gap of about 8m high is also proposed on G/F to enable air flow from Gloucester Road through the landscaped pedestrian area towards Jaffe Road (**Drawings R-3 to R-5**). For the internal transport facilities, a total of 143 private car parking spaces, 12 motorcycle parking spaces and 10 loading/unloading spaces will be provided (**Drawings R-2**). As compared with the scheme in the s.16 planning application, there will be an increase of 24 car parking spaces resulting from

the conversion of 4 loading/unloading spaces on B1 level for parking purposes<sup>1</sup>, and the pick-up/drop-off area on G/F will be widened to accommodate an additional lane to facilitate vehicular movement (**Drawings R-2a and R-5a** respectively). Various traffic management measures would also be implemented for a more efficient traffic operation which include car queuing spaces before entering into B2, advance booking and time management on parking and loading/unloading and on-site traffic management staff. Other key parameters of the proposed development remain unchanged, which are summarised in paragraph 1.2 of **Annex A**.

1.4 For Members' reference, the following background documents are attached:

- (a) MPC Paper No. A/H6/89A (Annex A)
- (b) Extract of minutes of the MPC meeting held on 24.4.2020 (Annex B)
- (c) Secretary of the Board's letter dated 15.5.2020 (Annex C)

## 2. Application for Review

2.1 On 4.6.2020, the applicant applied, under s.17(1) of the Ordinance, for a review of the MPC's decision to reject the application. In support of the review application, the applicant has submitted the following documents:

- (a) Letter dated 4.6.2020 requesting for review of MPC's decision (Annex D)
- (b) Letter dated 8.6.2020 providing a Review Statement (Annex E)
- (c) Letter dated 21.7.2020 providing responses to comments of Transport Department (TD) [FI-1] # (Annex F)
- (d) Letter dated 10.8.2020 providing responses to comments of TD [FI-2] # (Annex G)

# *accepted and exempted from the publication and recounting requirements*

2.2 The review application was originally scheduled for consideration by the Board on 28.8.2020. In view of the novel coronavirus infection, some meetings of the Board have to be rescheduled. Considering that there would not be sufficient time for the Board to consider the review application and other priority cases such as representation hearing, the Board, at the request of Planning Department on 28.8.2020, agreed to defer consideration of the review to a later date. The review application subsequently scheduled for consideration by the Board at this meeting.

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<sup>1</sup> Under the s.16 planning application, a total of 119 private car parking spaces, 12 motorcycle parking spaces and 14 loading/unloading spaces was proposed. In this s.17 review application, the car parking and loading/unloading provisions have been revised by changing 4 light goods vehicle loading/unloading spaces on B1/F to 24 private car parking spaces with mechanical parking (**Drawing R-2a**). This results in a total of 143 car parking spaces, 12 motorcycle parking spaces and 10 loading/unloading spaces currently proposed.

### **3. Justifications from the Applicant**

The grounds for review and the justifications put forward by the applicant in support of the review application are detailed in the Review Statement and further information (FI) at **Annexes E to G** respectively. They can be summarized as follows:

- (a) General building plans (GBP) for a commercial building falling entirely within the “C(1)” zone portion of the Site was approved in 2018 which can be implemented without any further approval. The applicant only seeks permission to extend the development towards the north to utilise part of his lot which falls within area shown as ‘Road’. The proposed scheme has the same PR and mix of uses as the approved GBP. If the review application is rejected, the applicant will implement the approved GBP scheme.
- (b) As compared with the approved GBP scheme, the current proposal will provide traffic related benefits, including 42 additional car parking spaces, 16 car queuing spaces, improved loading/unloading provision, widened pick-up/drop-off area with an additional traffic lane and reduction of pedestrian/vehicle conflict.
- (c) The proposal will also bring along other public planning gains such as a large gap of 8m (clear height) for air flow to the landscaped pedestrian area and Jaffe Road, a 1.5m building setback along the eastern boundary for better air ventilation, natural lighting to adjacent buildings and a vibrant landscaped pedestrian street for pedestrian access.
- (d) The proposed internal transport provisions are adequate to support the proposed scheme. The proposed scheme would not cause any material traffic impact to the neighbourhood as compared with the approved GBP scheme. Various traffic and building management measures would be implemented to minimize the chance of back queuing including space to accommodate 16 queuing cars, separated traffic lane for parking and drop-off traffic, monthly monitoring report, advance booking and time management. Similar to vehicle traffic, the increase in pedestrian trips would only be marginal.
- (e) Provision of the 4<sup>th</sup> basement level is not a viable option due to the unacceptable level of risk to the structural safety of the adjacent buildings and prolonged disturbance. With site constraints, a 4<sup>th</sup> level basement will only provide 37 car parking spaces, or a net gain of only 11 spaces as compared with the proposed scheme, however, it would incur significant risk, cost and delay.

### **4. The Section 16 Application**

#### **The Site and its Surrounding Areas (Plans R-1 to R-4)**

- 4.1 The situation and characteristics of the Site and its surrounding areas at the time of the consideration of the s.16 application by MPC were described in paragraph 7 of **Annex A**. There has been no material change of the situation since then.

### Planning Intention

- 4.2 There has been no change to the planning intention of the area shown as 'Road' as mentioned in paragraph 8 of **Annex A**.

### Previous and Similar Applications

- 4.3 There is no previous application in respect of the Site. The similar applications at the time of the consideration of the s.16 application are mentioned in paragraph 6 of **Annex A**. Since then, no additional application is involved.

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

- 5.1 Comments on the s.16 application made by relevant government departments are stated in paragraph 9 of **Annex A**.
- 5.2 For the review application, the following government departments have been further consulted. Their major comments together with their further comments on the applicant's submissions including grounds for review and FIs are summarized as follows:

### Land Administration Aspects

- 5.2.1 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):
- (a) noted from the Review Statement that the development proposal remains unchanged;
  - (b) the government lease for Marine Lot 52 governing the Lots is virtually unrestricted except the standard non-offensive trade clause and rate and range clause. A licence to permit the trades/business of a victualler or tavern-keeper for the Lots was granted on 13.6.1970; and
  - (c) no comment on the proposed commercial development within the Lots subject to the following:
    - (i) there are existing private easements and right of way within the Lots which are private agreements among lot owners without government involvement. The applicant should liaise with the concerned private lot owners to sort out any issue relating to the easements and right of way to facilitate the proposed commercial development; and
    - (ii) regarding the proposed dedicated passage for public access at ground level in front of World Trade Centre (**Drawing R-5**), lease modification may be required to reinforce the proposed dedication if Buildings Department (BD) was entering into a Deed of Dedication with the owner of the Lots.

Traffic Aspect

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

- (a) no objection to the application;
- (b) the applicant proposed in the FI-2 the conversion of 4 goods vehicle loading bays on B1/F into 12 designated parking spaces, allowing 12 pairs of parking spaces through trial use of puzzle-type advanced parking system (“puzzle stacking systems” as referred in the applicant’s letter). Under this arrangement, the total number of car parking spaces provided in the proposed development will increase from 101 (under the previously approved GBP) to 131 (i.e. 18 parking spaces proposed under s.16 planning application stage + 12 parking spaces proposed under s.17 review application stage), and yields up to 143 car parking spaces via trial use of puzzle-type advanced parking system mentioned above. The latest proposal appears to have maximized the car parking provisions given the site constraints and difficulties/limitations on the construction methods as illustrated by the applicant. Having said the above, the applicant should note that this pilot scheme of adopting Advanced Parking System through trial use of puzzle-type advanced parking system is still subject to the approval of installation and operation by relevant government departments. For avoidance of doubt, all car parking spaces should meet the dimension requirement (i.e. 2.5m x 5.0m x 2.4m headroom), including those in puzzle-type advanced parking system or to the satisfaction of TD;
- (c) the applicant confirmed the sufficiency and adequateness of provision of 10 numbers of loading/unloading bays on meeting their future operational and delivery need of the proposed development via implementation of traffic management measures over car park and loading/unloading operations, including but not limited to implementation of off-peak loading/unloading strategy, adopting of technology solution including utilization of online reservation platform. In this context, there is no further comment on the provision of the total 10 loading/unloading bays on G/F and B1/F;
- (d) the applicant further proposed to widen the existing pick-up/drop-off area at the building’s frontage facing Gloucester Road to about 9m wide, which can serve to accommodate 2 parallel pick-up/drop-off lanes and one by-pass traffic lane. Together with the aid of the on-site staff to manage the traffic on G/F and B1/F, this measure represents an improvement to the previous submission, and facilitates a more efficient pick-up/drop-off operation, allows smoother vehicular movements and reduces the chance of queuing problem on the busy Gloucester Road;
- (e) in summary, the applicant has enhanced the traffic related provisions by increasing the number of parking spaces on B1/F, B2/F and B3/F and undertake to explore feasibility of further increasing the parking

spaces on B2/F and B3/F through the use of advanced parking system, widening of the pick-up/drop-off area in the building's frontage to ease queuing problem, implementing a range of traffic management measures such as valet parking and online reservation platform to enhance efficiency of parking and loading/unloading operations. To this end, there is no further comment on the provision of parking spaces and internal transport facilities proposed under this review application; and

- (f) to secure satisfactory implementation of the proposed initiatives under the proposed development and to alleviate its traffic impact on the nearby roads, it is recommended to impose the following approval conditions, should the application be approved by the Board:
  - (i) the design and provision of 30 parking spaces for private cars in addition to the provisions under GBP approved by the Building Authority on 3.9.2018 to the satisfaction of C for T or the Board. The 30 parking spaces shall comprise 18 parking spaces in B2/F and B3/F of the proposed development (as proposed under s16 planning application) and 12 parking spaces at B1/F through conversion of 4 goods vehicle loading/unloading bays (as proposed under s17 review application). For the 12 parking spaces at B1/F, implement a pilot scheme adopting Advanced Parking System to accommodate 12 pairs of parking spaces by trial use of puzzle-type Advanced Parking System, subject to the approval of installation and operation by relevant government departments;
  - (ii) the design and provision of 10 goods vehicle loading/unloading bays within the proposed development, with 3 numbers provided at G/F for heavy good vehicles, and 7 numbers provided at B1/F for light good vehicles;
  - (iii) the design and provision of a double-line pick-up/drop-off layby of length and width about 30 m (measures along the centre line of run-in and run-out) and 9 m respectively at Gloucester Road side of the proposed development to the satisfaction of C for T or the Board;
  - (iv) the design and implementation of a Traffic Management Plan to the satisfaction of C for T or the Board. The scope of the Traffic Management Plan shall include but not limited to the items listed in **Annex H**;
  - (v) the submission of a feasibility study report on the use of Advanced Guided Vehicle Parking System at B2/F and B3/F, which shall enhance parking efficiency and increase the number of parking spaces, to the satisfaction of C for T or the Board; and

- (vi) the design and implementation of the Advanced Guided Vehicle Parking System, if found feasible, to the satisfaction of the C for T or the Board.

#### Highways Aspect

##### 5.2.3 Comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD):

no comment on the application from highways maintenance viewpoint. Comments from TD should be sought on issues related to traffic management, internal transport provisions and traffic/pedestrian impact assessment.

#### Building Aspect

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

no objection to the application subject to the following:

- (a) in accordance with the government's committed policy to implement building design to foster a quality and sustainable built environment, the sustainable building design (SBD) requirements (including building separation, building setback and greenery coverage) should be included, where possible, in building development;
- (b) the applicant should demonstrate compliance with the SBD requirements for the proposed commercial building to the satisfaction of BD at the building plans submission stage;
- (c) the project Registered Structural Engineer (RSE)/Registered Geotechnical Engineer (RGE) should demonstrate the viability of the proposed Excavation and Lateral Support (ELS) system in the contexts of the margins of safety against instability of the system at each stage of construction sequence, the structural adequacy of structural elements, and the assessment on the effects on the adjoining buildings, structures, lands, streets, utility services, slopes and retaining walls be affected by the proposed ELS works;
- (d) there is no particular requirement on the limitation of excavation depth, but the main concern to the retaining height of the proposed ELS system is the adequacy of margin of safety. Requirements in detail may refer to the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) ADV-33 published by BD;
- (e) a statutory plans submission for an ELS works to facilitate the construction of Raft Foundation and Basements of the proposed development prepared by the RSE/RGE was approved by his Department on 15.4.2020. The proposed excavation depth is



approximately 17.23m at maximum below the existing ground level for the construction of 3 levels of basement. The plan was also referred to GEO of CEDD, HyD, Drainage Services Department (DSD) and Railway Development Office (RDO) of HyD, and their comments regarding the proposal had been conveyed to the Authorized Persons(AP)/RSE/RGE for follow up action/consideration; and

- (f) other detailed comments are at **Annex H**.

#### Fire Safety Aspect

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

- (a) no objection in principle to the application subject to water supplies for firefighting and fire service installations being provided to the satisfaction of D of FS;
- (b) detail fire safety requirements will be formulated upon receipt of formal submission of GBP or referral from relevant licensing authority; and
- (c) the emergency vehicular access provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by the BD.

#### Architectural and Visual Aspects

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

- (a) it is not anticipated that the proposal would bring upon significant adverse visual impact. The proposal is to develop a commercial building of 135mPD with a PR of 15 at the Site which mainly falls within the “C(1)” zone and partly within area shown as ‘Road’ on the OZP. While the proposal requires planning permission with inclusion of the ‘Road’ portion (about 5m in width on 1/F and 2/F, similar to the frontage of the former Excelsior Hotel), the proposed development is within the maximum BH restriction of 135mPD under the OZP;
- (b) the footpath created by setting back the proposed building of 1.5m from the eastern boundary of the Site would, to a certain degree, enhance accessibility, nonetheless, consideration should be given to provide a more active frontage to improve the vitality and safety of the footpath as most of the frontage may be affected by the proposed vehicular ramp to the basements;
- (c) improvement in air ventilation terms resulting from the building gap created by setting back the proposed building of 1.5m from the eastern

boundary of the Site would be limited. Whilst the proposed 8m high void between the proposed building and the adjoining World Trade Centre is aligned with the northerly wind and sea breeze, improvement in air ventilation terms would not be significant; and

- (d) other detailed comments are at **Annex H**.

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

- (a) no comment on the Review Statement as it mainly responds to the traffic, public benefit and geotechnical issues;
- (b) the design and layout of the proposed building, including its footprint/disposition and building services, is considered acceptable;
- (c) the applicant's planning statement (Appendix Ia of **Annex A**), which states that the extended podium which would create an all-weather vehicular drop-off and also pedestrian access across the Site; landscaping will be provided to improve the aesthetics of the area and make it more pedestrian friendly; the double height void in the podium which allows more wind to flow into Causeway Bay from the harbour at the pedestrian level through the building gap between the proposed development and the World Trade Centre; and the building setback of 1.5m from the eastern lot boundary for improved pedestrian access, air ventilation and natural lighting), are considered valid; and
- (d) no comment on the proposed design/measures adopted in the proposed development and the FI such as drawings and assessments may not be required for consideration at the planning stage.

Landscape Aspect

5.2.8 Comments of CTP/UD&L, PlanD:

- (a) no comment on the review application, given that there is no additional information in relation to landscape matters; and
- (b) the Site is occupied by the former Excelsior Hotel, with medium to high-rise residential and commercial buildings found in the vicinity. The existing building is currently being demolished and no significant vegetation is found. Significant change or disturbance arising from the proposed uses to the existing landscape character and resource are not envisaged.

Environmental Aspect

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

- (a) the applicant proposes to develop a new commercial building

comprising office, eating place and shops and services uses in the former Excelsior Hotel site at Causeway Bay. The proposed commercial development involving office is normally provided with central air conditioning system and the applicant/AP should be able to select a proper location for fresh-air intake during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact; and

- (b) no objection to the application subject to the followings if the application is approved by the Board:
  - (i) approval conditions for the submission of sewerage impact assessment (SIA) to the satisfaction of DEP and implementation of local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services (DDS) are required; and
  - (ii) the applicant should be advised to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works; and to properly locate and design all fixed noise sources to comply with the relevant noise requirements in Chapter 9 of the HKPSG.

#### Drainage Aspect

##### 5.2.10 Comments of the Chief Engineer/Hong Kong & Islands (CE/HK&I), DSD:

- (a) DEP is the planning authority of sewerage infrastructure, his comments on the application should be sought;
- (b) the Review Statement is inadequate on covering the sewerage impact. Apart from merely submitting the estimation of the sewage generation from the proposed development, the project proponent shall assess proposed sewerage impact on the existing sewerage system due to the proposed development and ensure that the adequacy of the relevant sewerage system upon the completion of the proposed works. In estimating the impact on the existing sewerage system, the project proponent should consider overall existing sewerage inflows generated from the related sub-catchments. Moreover, the downstream sewers should also be reviewed to check whether any pipes will be surcharge due to the flow from the proposed development. If necessary, the project proponent shall propose mitigation measure to rectify the situation;
- (c) the Site falls within the Harbour Area Treatment Scheme (HATS) Sewage Tunnel Protection Area, all works/development should comply with the requirements in the Environment, Transport and Works Bureau Technical Circular (Works) No. 28/203 or the Practice Note for AP, RSE and RGE No. APP-62 issued by BD. The HATS Protection Area should be clearly shown on the drainage layout plan for ease of reference; and

- (d) the above comments should be addressed under the approval conditions requiring the submission of SIA and implementation of local sewerage upgrading/sewerage connection works identified in the SIA.

#### Water Supply Aspect

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

- (a) no objection to the application; and
- (b) other detailed comments are at **Annex H**.

5.3 The following government departments have no comment on the review application:

- (a) Commissioner of Police;
- (b) Director of Leisure and Cultural Services;
- (c) District Officer (Wan Chai), Home Affairs Department; and
- (d) Head of Geotechnical Engineering Office), Civil Engineering and Development Department.

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

6.1 On 12.6.2020, the review application was published for public inspection. During the first three weeks of the statutory publication period, a total of 19 comments were received from the Incorporated Owners of Riviera Mansion/Haywood Mansion/Vienna Mansion/Hyde Park Mansion, owners of nearby properties, adjoining residents, and individual members of the public (**Annex I**). They all raise objection to the application and their concerns are summarized below:

- (a) insufficient parking spaces is proposed for the development and extra basement floors should be built to accommodate more parking spaces;
- (b) the introduction of carpark in the proposed development and its ingress/egress along Gloucester Road will increase traffic flow which will lead to traffic congestion, blockage of pedestrian circulation and road safety problems;
- (c) the open area to the east of the Site is private area of the adjacent buildings. The proposed pedestrian entrance to the eastern portion of the proposed development and the adjacent buildings (**Drawing R-5**) will encourage people to trespass private area and turn the area into public passage, which may give rise to security, management and maintenance problems and affect the redevelopment value of the adjacent buildings. There is no right of way for the Site on the adjacent building area;
- (d) the introduction of restaurants in the proposed development will lead to hygienic problem, rodent infestation, odour and noise nuisance to the adjacent buildings;

(e) the podium at the north of the proposed development will block the sea view of adjacent buildings; and

(f) the consultation period is too short.

6.2 At the s.16 planning application stage, a total of 7 public comments were received. There was one supporting view and the remaining expressed concerns on the proposed development as detailed in paragraph 10 in **Annex A**. Full set of the public comments are at Appendix III in **Annex A**.

## **7. Planning Considerations and Assessment**

7.1 The applicant applies for a review of the MPC's decision on 24.4.2020 to reject the s.16 application for a 34-storey commercial development including 'Office', 'Easting Place' and 'Shop and Services' uses with a PR of 15, GFA of about 64,080m<sup>2</sup> and BH of 135mPD. While the main part of the proposed building is located within the "C(1)" zone, a minor portion of the proposed development (including part of the basement and part of the podium) falls within an area shown as 'Road' (about 217m<sup>2</sup> or 5% of the site area) on the OZP where planning permission for retail/commercial uses is required. The application was rejected solely on concern on adverse traffic impact. To address the rejection reason of the application, the applicant has submitted a Review Statement and FIs (**Annexes E to G**) to further demonstrate that the proposed development would have no adverse traffic impact and the provision of the internal transport facilities would be adequate to cater for the development including an additional provision of 24 car parking spaces, widening of pick-up/drop-off area on G/F to create an additional traffic lane and adoption of traffic management plan.

### Traffic and Parking Provision

7.2 To address TD's concerns and comments on the proposed scheme under the s.16 planning application, the applicant has proposed to increase the number of car parking spaces on B1/F by converting 4 loading/unloading bays to 24 car parking spaces, widening the pick-up/drop-off area on G/F to ease queuing problem, and implementing a range of traffic management measures such as valet parking and online reservation platform to enhance efficiency of parking and loading/unloading operations. The applicant has also agreed to explore the feasibility of further increasing the parking spaces on B2/F and B3/F through the use of advanced parking system. After considering the applicant's submission, TD has no objection to the review application, and recommends to impose a number of approval conditions, as set out in paragraph 5.2.2 (f) above, should the application be approved by the Board. To ensure the satisfactory implementation of the proposed traffic measures required by TD, and following the established principles for imposing approval conditions by the Board, three approval conditions covering the design and provision of internal transport facilities, traffic management plan and Advanced Guided Vehicle Parking System are recommended in paragraph 8.2 (a) to (c) below, should the application be approved by the Board. While noting the detailed requirements of TD on the relevant approval conditions, flexibility should be provided to accommodate necessary adjustments in the design and implementation of the proposed traffic measures at the detailed design stage. TD's detailed requirements as set out at

**Annex J** would provide suitable guidance to the applicant in discharging the approval conditions.

Other Aspects

- 7.3 Other relevant government departments consulted have no objection to/no adverse comments on the application. To address the technical concerns of DEP and DSD, relevant approval conditions on the submission of SIA and implementation of relevant local sewerage upgrading/sewerage connection works are recommended in paragraph 8.2 (d) & (e) below, should the application be approved by the Board.

Public Comments

- 7.4 At s.17 review application stage, 19 objecting public comments were received. The above assessments and the departmental comments in paragraph 5 above are relevant. On concern about the proposed pedestrian entrance at the eastern side of the proposed development which may lead to security, management and maintenance problems, it should be noted that the ground floors of the adjoining residential developments are primarily used as restaurants and shops with existing pedestrian and circulation accesses. On concern about environmental hygiene, it would be subject to various regulatory authorities through issuing of licences for restaurant operations. On concern about the duration of the consultation period, it is subject to the provision of the Ordinance (i.e. a period of three weeks).

**8. Planning Department's Views**

- 8.1 Based on the assessment made in paragraph 7, and having taken into account the public comments mentioned in paragraph 6 above, PlanD has no objection to the application.
- 8.2 Should the Board decide to approve the application, it is suggested that the permission shall be valid until 11.9.2024, 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 suggested for Members' reference:

Approval Conditions

- (a) the design and provision of internal transport facilities including car parking spaces, loading/unloading bays and pick-up/drop-off area to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design and implementation of a Traffic Management Plan to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a Feasibility Study Report (FSR) on the use of Advanced Guided Vehicle Parking System (AGVPS) and the implementation of the AGVPS recommended in the FSR, if any, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the submission of a sewerage impact assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and

- (e) the implementation of local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (d) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Annex J**.

- 8.3 There is no apparent reason to reject the application.

**9. Decision Sought**

- 9.1 The Board is invited to consider the application for a review of the MPC's decision and decide whether to accede to the application.
- 9.2 Should the Board 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.
- 9.3 Alternatively, should the Board decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**10. Attachments**

<b>Annex A</b>	MPC Paper No. A/H6/89A
<b>Annex B</b>	Extract of minutes of the MPC meeting held on 24.4.2020
<b>Annex C</b>	Secretary of the Town Planning Board's letter dated 15.5.2020
<b>Annex D</b>	Letter dated 4.6.2020 requesting for review of MPC's decision
<b>Annex E</b>	Letter dated 8.6.2020 providing Review Statement
<b>Annex F</b>	Letter dated 21.7.2020 (FI-1)
<b>Annex G</b>	Letter dated 10.8.2020 (FI-2)
<b>Annex H</b>	Detailed comments of government departments
<b>Annex I</b>	Public comments
<b>Annex J</b>	Recommended advisory clauses
<b>Drawings R-1 to R-6</b>	Layout plans of the proposed commercial development
<b>Plan R-1</b>	Location Plan
<b>Plan R-2</b>	Site Plan
<b>Plans R-3 and R-4</b>	Site Photos