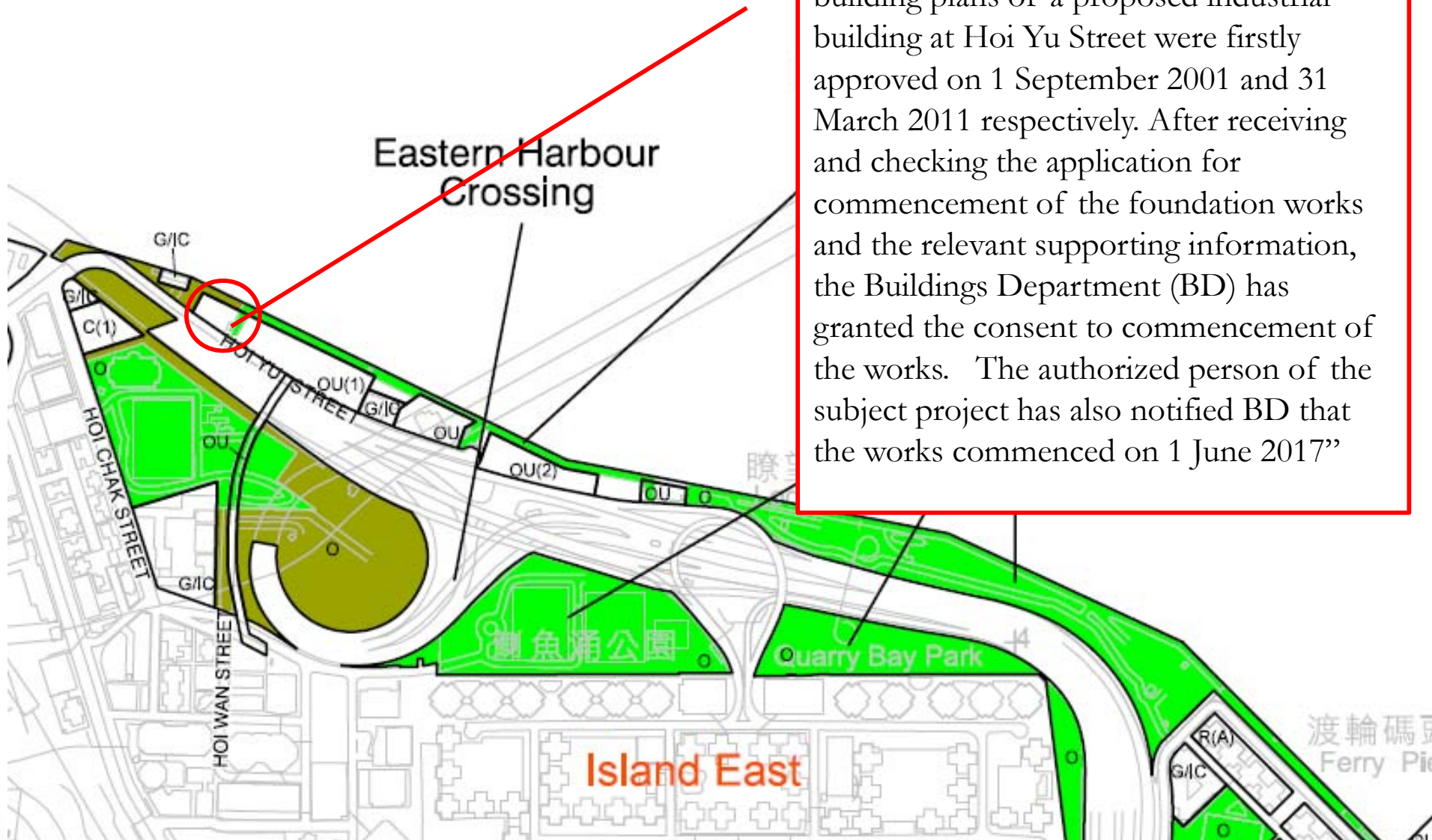


Private Industrial Development at Hoi Yue Street

10 October 2017

Action Area Table (as at August 2017)



Background

- Two private lots are involved
- Zoned “Industrial” from 1975
- Granted through land exchange and private treaty grant in 1985
- Purchased by the current lot owner in 1993
- Land lease allows the site to be used for industrial and/or godown purposes
- Building plans for an industrial development approved in September 2001 with a total GFA of about 37,161m² with plot ratio at 15 and building height of about 85mPD
- On 24 December 2001, the proponent applied to the Town Planning Board (TPB) for the rezoning of the Hoi Yu Street waterfront under an “Old Hong Kong” theme
- Planning application was rejected by TPB due to excessive development intensity



Rezoning History

- The Quarry Bay waterfront was rezoned in April 2003 and the site was rezoned to “Open Space” and “Other Specified Uses”, with an annotation “Cultural and /or Commercial, Leisure and Tourism Related Uses (1)”
- The lot owner lodged a judicial review against TPB’s decision in 2004 and succeeded in April 2005
- The objection from the lot owner was heard again and TPB maintained its decision to rezone the site. The lot owner lodged another judicial review against TPB’s decision and it was dismissed by the Court of Final Appeal in September 2008
- No “column 1” uses for the “OU(1)” zone. For the site to be used for “column 2” uses of the zone, Town Planning Board’s permission would need to be obtained.



Current Development

- Under the planning regime, development proposals which have already obtained building plan approval will not be affected by a subsequent amendment to the zoning restriction
- Any subsequent amendments to the approved building plans will need to conform to an extant statutory plan. However, if the proposed amendments are minor in nature, it may not be reasonable to reject the amendment building plans under section 16(1)(d) or (da) of the Buildings Ordinance (BO) for contravention of the extant statutory plan
- The lot owner submitted various minor amendments to the building plans and were approved by the Buildings Department (BD). In May 2017, the lot owner obtained consent from BD to commence the foundation works in accordance with the approved building plans for an industrial development. The works commenced in June 2017



Current Status

- Legally speaking, the lot owner could proceed with the proposed industrial development in accordance with the approved building plans
- The Government had received alternative land use proposals from the lot owner in the past but we have made it clear that any new developments other than the approved industrial development would have to comply with the current zoning of the site and relevant planning control. In other words, the lot owner would need to seek TPB's permission on the development proposal

Thank You