

DATE : 2010/07/12 PM 10:24

I TAKE THIS SHORT OPPORTUNITY TO FOCUS ON A FEW OF MANY ISSUES.

THE URA REVIEW WENT ON FOR FAR TOO LONG, THIS ONLY ENCOURAGED REPETITION AND ENTRENCHED VIEWPOINTS RATHER THAN RESOLVED DIFFERENCES.

UNDER THE URBAN RENEWAL AUTHORITY ORDINANCE, URA IS REQUIRED TO SET UP DISTRICT ADVISORY BOARDS THAT INCLUDE RESIDENTS, DISTRICT REPRESENTATIVES, PROFESSIONALS AND ACADEMICS. HOWEVER RESIDENTS HAVE BEEN EXCLUDED FROM THESE BOARDS SINCE THEIR INCEPTION AND ALSO IN THE CURRENT DURF PROPOSALS. MOST ALARMING IS THE EXCLUSION OF WOMEN FROM URA ADVISORY BOARDS AS BAD TOWN PLANNING HAS A GREATER IMPACT ON FEMALE RESIDENTS THAN MALE. WOMEN ARE USUALLY THE CARETAKERS AND THEREFORE ENCOUNTER MORE DIFFICULTIES GETTING AROUND.

I OBJECT STRONGLY TO THE POWER OF APPROVAL VESTED IN DISTRICT COUNCILS AS SOME OF THEM TAKE NO STEPS TO CONSULT THE COMMUNITY OR TO SUPPORT THEM WHEN THERE ARE PROBLEMS RELATED TO THE URA PROJECTS. WHEN I COMPLAINED ABOUT IRREGULARITIES AT HANOI ROAD/K11 I RECEIVED A LETTER FROM YAU TSIM MONG DC (2 MAY 2007 ATTACHED) THAT ADVISES 'TAKING INTO ACCOUNT THE TERMS OF REFERENCE OF DC, IT IS NOT THE ROLE OF DC TO MONITOR PROJECTS OUTSIDE THE CONSULTATIVE PROCESS' THIS MEANS THAT THE DC CAN RUBBER STAMP AND APPROVE WITHOUT ASSUMING ANY RESPONSIBILITY FOR THE CONSEQUENCES. DCS SHOULD THEREFORE HAVE NO POWER OF APPROVAL.

I WAS ASTOUNDED BY HOW FEW DC AND LEGCO MEMBERS, WITH A FEW EXCEPTIONS, ATTENDED THE VARIOUS URSR FORUMS SEE THE ATTENDANCE RECORD. TO MY KNOWLEDGE NOT ONE MEMBER OF YTM DC ATTENDED. OF THE FIVE KOWLOON WEST LEGCO REPRESENTATIVES ONLY JAMES TO APPEARED AT ONE FORUM, AND HE LEFT EARLY. SOME PARTIES IN LEGCO, PARTICULARLY THE DAB, WERE CONSPICUOUS IN THEIR ABSENCE. URBAN RENEWAL IS ONE OF THE MOST CONTENTIOUS ISSUES IN AFFECTED DISTRICTS SO HOW CAN DC AND LEGCO REPRESENTATIVES ABBROGATE THEIR DUTY TO FIND OUT WHAT THEIR CONSTITUENTS WANT AND THE PROBLEMS THEY FACE? AS DCS HAVE AROUND 20 MEMBERS EACH ONE MEMBER IN ROTATION SHOULD HAVE ATTENDED EACH FORUM AND REPORTED BACK TO DC.

IN VIEW OF THE CONTROVERSY SURROUNDING THE ISSUE OF OPEN SPACE AT TIMES SQUARE HOW COULD LEGCO MEMBERS HAVE NEGLECTED TO TAKE ANY INTEREST IN THE OPEN SPACE AT THE NEW

WORLD/URA HANOI ROAD REDEVELOPMENT, NOW CALLED K11. I WROTE TO OUR CURRENT LEGCO REPRESENTATIVES AND THEIR PREDECESSORS ABOUT THE MANY PROBLEMS WITH THIS OPEN SPACE BUT NOT ONE OF THEM RESPONDED. LOCAL RESIDENTS ARE STILL BATTLING FOR THEIR 1,200SQ.MTS. OF GENUINE OPEN SPACE. WHAT WE HAVE IS A COVERED CORRIDOR BLOCKED BY A MULTI-STOREY FOOTBRIDGE WITH NO PEDESTRIAN FRIENDLY ACCESS TO THE LOCAL MTR STATION OR ACROSS STREETS. WHEN IS LEGCO GOING TO CROSS THE HARBOUR FOR A SITE VISIT? URA MADE A LOT OF MONEY ON THE PROJECT SO THERE IS NO EXCUSE FOR SUBSTANDARD FACILITIES.

THERE IS ALSO THE UNRESOLVED ISSUE OF THE COLLUSION BETWEEN URA/NEW WORLD AND THE ADMINISTRATION WITH REGARD TO THE FACT THAT THE 345 RESIDENTIAL UNITS IN THE DEVELOPMENT WERE PRESENTED TO THE PUBLIC AS SERVICE FLATS THROUGHOUT THE HISTORY OF THE DEVELOPMENT. THIS ALLOWED A PLOT RATIO OF 12 INSTEAD OF 9 (SEE PAGE 2 OF LETTER FROM DEVELOPMENT BUREAU OF 6 NOV 2009).

THE DEVELOPMENT WENT THROUGH A NUMBER OF TOWN PLANNING APPROVALS. BECAUSE OF THE MISREPRESENTATION MEMBERS OF THE PUBLIC WERE DENIED THEIR RIGHT TO MAKE OBJECTIONS TO THE DENSITY OF THE PROJECT. WHY HAS THERE BEEN NO INVESTIGATION OF THIS MATTER? NO LESSONS WERE LEARNT AS SOME OF THE TRICKS USED AT HANOI ROAD TO INFLATE DENSITY WERE ULITIZED AGAIN IN THE LEE TUNG STREET DEVELOPMENT.

I HAVE BEEN ADVISED TO SHUT UP AND LOOK AHEAD. HOWEVER THE URA HAS TO COME CLEAN AND ADDRESS HISTORICAL ISSUES BEFORE IT CAN MOVE FORWARD.

FINALLY EMPHASIS MUST BE MADE ON THE CONSENSUS ARRIVED AT AMONG PARTICIPANTS IN THE FORUMS THAT LARGE COMPREHENSIVE DEVELOPMENTS ARE NOT COMPATIBLE WITH THE ASPIRATIONS OF THE GENERAL PUBLIC. WE BELIEVE THAT A BLOCK BY BLOCK APPROACH IS MORE CONDUCIVE TO HARMONY AND FAIR PLAY AS IT PROVIDES OPPORTUNITES FOR TENANTS OF BUILDINGS BEING REDEVELOPED TO REMAIN IN THE NEIGHBOURHOOD AND RETAINS COMMUNITIES TIES AND SMALL BUSINESS OPPORTUNITIES. LARGE CDAS BENEFIT ONLY DEVELOPERS AND LARGE RETAIL AND RESTAURANT CHAINS, CREATE A WALL EFFECT AND PRODUCE UNITS THAT ENJOY NO CROSS VENTILATION

I HAVE DOCUMENTS TO SHARE WITH ANY LEGCO MEMBER WHO WOULD LIKE TO KNOW MORE.

MARY MULVIHILL
TST RESIDENT



油尖旺區議會

YAU TSIM MONG DISTRICT COUNCIL

Our Ref. : (7) in DCCR 1141

Tel. No. : 2399 2587

Fax No. : 2722 7696

2 May 2007

Miss Mary Muvlihill

Dear Miss Muvlihill,

Hanoi Road Development


Thank you for your letter dated 24 March 2007.

The District Council (DC) is an advisory body set up under the District Councils Ordinance (Cap. 547). Its terms of reference are as follows:-

- (a) to advise the Government-
 - (i) on matters affecting the well-being of the people in the District; and
 - (ii) on the provision and use of public facilities and services within the District; and
 - (iii) on the adequacy and priorities of Government programmes for the District; and
 - (iv) on the use of public funds allocated to the District for local public works and community activities; and
- (b) where funds are made available for the purpose, to undertake-
 - (i) environmental improvements within the District;
 - (ii) the promotion of recreational and cultural activities within the District; and
 - (iii) community activities within the District.

When the Urban Renewal Authority (URA) consults DC about its project, the District Councillors will give their comments and advice for URA's consideration. Taking into account the terms of reference of DC, it is not the role of DC to monitor the redevelopment projects outside the consultative process.

Yours sincerely,



(Miss YAN Mei-yee)

for Secretary, Yau Tsim Mong District Council

Urban Renewal Strategy Review

Public Engagement Events

Attendance of Member of Steering Committee, Legislative Council and District Council

Consensus Building Stage

Date	Event	Steering Committee on URS Review	Legislative Council Member	District Council Member
15 May 2010	Consensus Building Workshop	8		3
5 June 2010	Concluding Meeting	6		3 (inc. 1 representative*)

* 'Representative' denotes representative from corresponding council member's office.

(Includes representative of council member who is present)

Public Engagement Stage

Date	Event	Steering Committee on URS Review	Legislative Council Member	District Council Member
16 May 2009	Topical Discussion 1	2		1
13 June 2009	Topical Discussion 2	1	1 representative*	1
27 June 2009	Topical Discussion 3	1		
4 July 2009	Topical Discussion 4		2 representatives*	
1 August 2009	Topical Discussion 5	2	1 representative*	1
15 August 2009	Topical Discussion 6	2		1
26 September 2009	Topical Discussion 7		2 (inc. 1 representative*)	3
31 October 2009	Topical Discussion 8			
30 May 2009	Public Forum 1			2
18 July 2009	Public Forum 2	1		3
12 September 2009	Public Forum 3	1	1	4
24 October 2009	Public Forum 4		1	2
21 November 2009	Public Forum 5	2		1

* 'Representative' denotes representative from corresponding council member's office.

(Includes representative of council member who is present)

Envisioning Stage

Date	Event	Steering Committee on URS Review	Legislative Council Member	District Council Member
17 September 2008	Focus Group 1	3		
24 September 2008	Focus Group 2			
2 October 2008	Focus Group 3	5		
8 October 2008	Focus Group 4	1		
15 October 2008	Focus Group 5	4		
21 October 2008	Focus Group 6	3		
30 October 2008	Focus Group 7	3		
5 November 2008	Focus Group 8	2		
12 November 2008	Focus Group 9			19 (inc. 3 representatives*)
18 November 2008	Focus Group 10	3		
25 November 2008	Focus Group 11	3		
27 November 2008	Focus Group 12	2		
3 December 2008	Focus Group 13			
8 December 2008	Focus Group 14			
9 December 2008	Focus Group 15	1		9 (inc. 1 representative*)
17 December 2008	Focus Group 16 (HKHA)			
18 December 2008	Focus Group 17 (LBAC)			
18 December 2008	Focus Group 18 (HKHS)			
14 January 2009	Focus Group 19			
15 January 2009	Focus Group 20 (HKGCC)			

* 'Representative' denotes representative from corresponding council member's office.

(Includes representative of council member who is present)

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

發展局(規劃地政科)

香港花園道美利大廈九樓



Development Bureau
(Planning & Lands Branch)

9/F, Murray Building
Garden Road, Hong Kong

本局檔號 Our Ref. DEVB(PL-UR)70/41/28 Pt. 22

電話 Tel.: 2848 2030

來函檔號 Your Ref.

傳真 Fax: 2905 1002

6 November 2009

Ms Mary Mulvihill

Dear Ms Mulvihill,

Urban Renewal Authority/New World
Hanoi Road Development

Thank you for your letter of 17 September 2009 addressed to the Director of Lands. Further to the interim replies of the Director of Lands and ours dated 23 September 2009 and 9 October 2009 respectively, may I provide you with further information about development project as follows.

The Hanoi Road development falls within an area zoned "Commercial (10)" on the draft Tsim Sha Tsui OZP No. S/K1/24. The area was formerly zoned "Comprehensive Development Area (1)" and the development has been the subject of a number of planning applications since 1997. The Master Layout Plan (MLP) for the latest development scheme for hotel, service apartment and commercial uses was approved by the Town Planning Board (TPB) in March 2004 (Application No. A/K1/203) and two minor amendments to the scheme were approved in June 2004 (Application No. A/K1/204) and June 2005 (Application No. A/K1/208).

Though the term “service apartment” was deleted in the Notes for various zones of the statutory town plans since 2000, planning permission for “service apartment”, together with commercial and office uses within the Hanoi Road development had been approved by the TPB in 1999. In accordance with the TPB Guideline No. 2B, planning application approved prior to the promulgation of the Guideline in 2000 will not be affected. The Hanoi Road development approval was given before 2000. “Service apartment” use has thus been retained in subsequent planning applications or amendments to the approved MLP for the subject site. The approved MLP has not given any restriction on whether the service apartment units are for rent or for sale.

According to the lease conditions of the land grant for the Hanoi Road site executed in April 2007, development is restricted to non-industrial (excluding petrol filling station and godown) purposes. The term “service apartments” is not used under the lease conditions and such use falls within the meaning of “non-industrial” purpose. The gross floor area (GFA) for “service apartment” will have been classified under “non-industrial” purposes, not hotel or retail use. Apart from the hotel component which cannot be alienated except as a whole, there is no restriction on the sale of the other components of the approved development project under the lease conditions. Under the interpretation of the Buildings Ordinance, “domestic” means a part of a composite building is constructed or intended for habitation, thus service apartment is considered as “domestic use”. There is no requirement under Buildings Ordinance for its mode of disposal.

Building setback serves to open up the street canyon, providing a larger pavement, enhancing air ventilation and improving the pedestrian environment. Section 42 of the Buildings Ordinance (Cap. 123) authorises the Building Authority to grant bonus areas (calculated in accordance with Buildings (Planning) Regulation 22) for private areas dedicated for public use or passage at ground level. According to the latest approved MLP for the development (Application No. A/K1/208), a maximum bonus GFA of 5,270m² (plot ratio of 0.64) is allowed for dedicated areas subject to the approval of the Building Authority. Based on available information, it is noted that a bonus GFA of 3,040.15m² (plot ratio of 0.366) for dedicating an area of 608.03m² along Mody Road, Hanoi Road and Carnarvon Road for public passage was included in the building plan submission which was approved by the Building Authority in mid 2008, resulting in a total GFA of 102,625.341m² (plot ratio of 12.366) for the development. The dedication

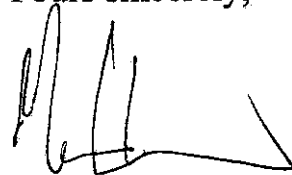
was in line with the requirements of the approved MLP that there should be a 2m ground floor setback from the site boundaries along Hanoi Road & Mody Road and 1.95m ground floor setback from site boundary along Carnarvon Road. For your information, the maximum permissible plot ratio under the latest approved MLP is 12.64 (and not 14.29) which has included a bonus plot ratio of 0.64 to be approved by the Building Authority.

Under the Building (Planning) Regulations 22(1), bonus plot ratio will be considered by the Building Authority where a building is set back from a boundary of the lot, and is dedicated to the public for the purpose of passage with the consent of the Government. The Building Authority has thus approved the setback area with headroom equal to 5.75m which is above the minimum threshold of 5.5m required for dedication purpose in return of bonus plot ratio.

To reflect the bonus plot ratio being granted by the Building Authority under the Buildings Ordinance for the dedication of ground floor area for the Hanoi Road development, a consent under the lease was granted in October 2008, amongst others, for the additional GFA upon payment of premium.

I trust that the above clarifies the points raised in your letter. Thank you once again for your interest in urban renewal matters.

Yours sincerely,



(Mann M.H. CHOW)

for Secretary for Development

c.c.

Director of Lands

(Attn.: Ms Anne TENG)

(Attn.: Mr CM PANG)

Director of Planning

(Attn.: Mr Wilson CHAN)

(Attn.: Ms Kitty CHIU)

Director of Buildings

(Attn.: Mr CK LO)

(Attn.: Mr Thomas LAM)