

TOWN PLANNING BOARD

Minutes of 436th Meeting of the Metro Planning Committee held at 9:00 a.m. on 18.2.2011

Present

Director of Planning Mr. Jimmy C.F. Leung	Chairman
Mr. K.Y. Leung	Vice-chairman
Mr. Raymond Y.M. Chan	
Mr. Felix W. Fong	
Professor P.P. Ho	
Professor C.M. Hui	
Mr. Roger K.H. Luk	
Professor S.C. Wong	
Assistant Commissioner for Transport (Urban), Transport Department Mr. David To	
Assistant Director (Environmental Assessment), Environmental Protection Department Mr. C.W. Tse	
Assistant Director/Kowloon, Lands Department Ms. Olga Lam	

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Ms. Maggie M.K. Chan

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

Ms. Julia M.K. Lau

Professor Joseph H.W. Lee

Mr. Clarence W.C. Leung

Mr. Laurence L.J. Li

Ms. L.P. Yau

Assistant Director(2), Home Affairs Department
Mr. Andrew Tsang

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Miss H.Y. Chu

Town Planner/Town Planning Board
Ms. Karina W.M. Mok

Agenda Item 1

Confirmation of the Draft Minutes of the 435th MPC Meeting Held on 28.1.2011

[Open Meeting]

1. The draft minutes of the 435th MPC meeting held on 28.1.2011 were confirmed without amendments.

[Ms. Olga Lam left the meeting temporarily at this point.]

Agenda Item 2

Matters Arising

[Open Meeting]

- (i) New Town Planning Appeal Received

Town Planning Appeal No. 2 of 2011

Proposed Comprehensive Residential and Commercial Development with the Provision of Government, Institution or Community Facilities and Public Open Space in “Comprehensive Development Area” zone, 60-66 and 88-90 Staunton Street, 4-6 Chung Wo Lane, 8 and 13 Wa In Fong East, 2-10 and 16 Wa In Fong West, 2-10 and 17-19 Shing Wong Street, 1-12 Wing Lee Street, Bridges Street Market and Refuse Collection Point
and Adjoining Government Land, Sheung Wan

(Application No. A/H3/388)

2. The Secretary reported that an appeal against the decision of the Town Planning Board (TPB) to reject on review an application (No. A/H3/388) for the proposed comprehensive residential and commercial development with provision of Government, institution or community facilities and public open space at 60-66 and 88-90 Staunton Street, 4-6 Chung Wo Lane, 8 and 13 Wa In Fong East, 2-10 and 16 Wa In Fong West, 2-10 and 17-19 Shing Wong Street, 1-12 Wing Lee Street, Bridges Street Market and refuse collection point and adjoining Government land at Sheung Wan was received by the Appeal Board Panel (Town Planning) on 18.1.2011. The site was zoned “Comprehensive Development Area” (“CDA”) on the draft Sai Ying Pun and Sheung Wan Outline Zoning Plan. The

application was rejected on review by the TPB on 5.11.2010 for the following reasons:

- (a) the proposed development was not in line with the planning intention of the “CDA” zone to bring about environmental improvement through comprehensive redevelopment, restructuring the street pattern, promoting efficient land use and providing community facilities/public open space;
- (b) no technical assessments had been submitted as part of the Master Layout Plan submission in accordance with the requirements of the Notes of the “CDA” zone; and
- (c) the implementability of the proposed development was doubtful.

3. The Secretary said that the hearing date of the appeal had not yet been fixed and the Secretary would act on behalf of the TPB in dealing with the appeal in the usual manner.

[Mr. Roger K.H. Luk arrived to join the meeting at this point.]

(ii) Town Planning Appeal Statistics

4. The Secretary reported that as at 18.2.2011, 24 cases were yet to be heard by the Appeal Board Panel (Town Planning). Details of the appeal statistics were as follows:

Allowed	:	27
Dismissed	:	115
Abandoned/Withdrawn/Invalid	:	148
Yet to be Heard	:	24
<u>Decision Outstanding</u>	:	<u>0</u>
Total	:	314

[Ms. Olga Lam returned to join the meeting at this point.]

Tsuen Wan and West Kowloon District

[Mr. C.K. Soh, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/193 Proposed Office in “Residential (Group A)” zone,
197-197A Reclamation Street, Yau Ma Tei
(Kowloon Inland Lot Nos. 8440 and 10129)
(MPC Paper No. A/K2/193A)

5. The Secretary said that three replacement pages for P.2, P.7 and P.8 of the Paper were tabled at the meeting for Members’ information.

Presentation and Question Sessions

6. Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed 14-storey office building with retail shops on the lowest three floors at the application site. According to the Notes for the subject “Residential (Group A)” (“R(A)”) zone, ‘Office’ use was a Column 2 use which required planning permission from the Town Planning Board (TPB);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application;
- (d) one public comment was received during the statutory publication period. The commenter expressed the view that the existing buildings on site were

of preservation value; and

[Professor S.C. Wong arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments in paragraph 12 of the Paper. The site was zoned “R(A)” which was primarily intended for high-density residential development. The proposed office development was not in line with the planning intention of the subject “R(A)” zone. Office developments in the area were mostly concentrated within the “Commercial” (“C”) zone along Nathan Road. Moreover, the site was located in a predominantly residential area with no major office buildings in the vicinity. The proposed office development was considered not compatible with the predominant residential nature of the surrounding neighbourhood. In accordance with planning criterion (e) as stipulated in the TPB Guidelines No. 5 for ‘Application for Office Development in “Residential (Group A)” Zone under section 16 of the Town Planning Ordinance’, the proposed office building should be compatible with the existing and planned land uses of the locality and should not be located in a predominantly residential area. In this regard, the proposed office development could not meet planning criterion (e) of the TPB Guidelines No. 5. As the site was not located near the major sources of air and noise pollution like Shanghai Street or Nathan Road where traffic noise and emission levels were high, the proposed office development at the site had no environmental and planning gains. As such, there was no strong justification in the submission to merit a departure from the planning intention. The approval of the application would set an undesirable precedent for similar office developments to intrude into the residential neighbourhood, the cumulative effect of which would adversely affect the general character of the area. Regarding the public comment, the Antiquities and Monuments Office of the Leisure and Cultural Services Department advised that the buildings on site were neither graded historic buildings nor proposed graded historic buildings under assessment.

7. In response to a Member's question, Mr. C.K. Soh said that the area bounded by Portland Street, Dundas Street, Ferry Street and Waterloo Road, including the application site and the site covering Wah Hing Commercial Centre at 381-385 Shanghai Street, was previously zoned "Commercial/Residential" ("C/R") on the Outline Zoning Plan. Under the "C/R" zone, office development was always permitted and planning permission from the TPB was not required. Subsequently, the above area was rezoned from "C/R" to "R(A)" to reflect the predominantly residential character of the area, whereas the areas along both sides of Nathan Road were rezoned from "C/R" to "C". Since 2000, no planning approval for office use within the "R(A)" zone in Yau Ma Tei had been granted. However, there were 17 applications for hotel/guesthouse and shop and services uses within the "R(A)" zone in Yau Ma Tei since 2000. Among these 17 similar applications, 15 were approved and two were rejected by the TPB/Committee as detailed in Appendix II of the Paper.

8. In response to the Chairman's enquiry about the land uses of two non-residential sites in the vicinity, Mr. C.K. Soh said that the site at 818 Canton Road was an office building. It was developed many years ago, but there was no information at hand about its exact year of completion. The other site at 234-236 Reclamation Street was an electricity sub-station.

[Mr. Felix W. Fong arrived to join the meeting at this point.]

Deliberation Session

9. The Chairman noted that the application site was subject to site constraint given its small site area of 137.96m². There was also no similar application for office use within the "R(A)" zone in Yau Ma Tei. A Member said that office use was pure commercial in nature and hence was not compatible with the planning intention of the "R(A)" zone which was primarily intended for high-density residential developments. Other Members agreed.

10. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 13.1 of the Paper and considered that they were appropriate. The reasons were :

- (a) the proposed office development was not in line with the planning intention

of the “Residential (Group A)” zone which was primarily intended for residential use;

- (b) the proposed office development was considered not compatible with the residential nature of the surrounding area and could not meet the planning criteria as laid down in the Town Planning Board Guidelines No. 5 for ‘Application for Office Development in “Residential (Group A)” Zone under section 16 of the Town Planning Ordinance’; and
- (c) the approval of the application would set an undesirable precedent for similar office developments to intrude into the residential neighbourhood, the cumulative effect of which would adversely affect the general character of the area.

[The Chairman thanked Mr. C.K. Soh, STP/TWK, for his attendance to answer Members’ enquiries. Mr. Soh left the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K20/115 Proposed Temporary Minor Relaxation of Gross Floor Area Restriction for a Period of 5 Years to Facilitate the Proposed Temporary Retail Development in “Commercial (2)” zone, UG/F (Part), Olympian City One, 11 Hoi Fai Road, West Kowloon Reclamation
(MPC Paper No. A/K20/115)

11. The Secretary said that the application was submitted by Mass Transit Railway Corporation Ltd. (MTRCL). Mr. David To, being an assistant to the Commissioner for Transport who was a Non-executive Director of MTRCL, had declared an interest in this item. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Mr. To could be allowed to stay at the meeting.

12. The Committee noted that on 9.2.2011, the applicant's representative requested for deferment of the consideration of the application for two months so as to allow time for the applicant to address the comments of the Transport Department and the public comments received on the application.

13. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 5

Section 16 Application

[Open Meeting]

A/KC/361 Proposed Shop and Services
 in "Industrial" zone, 16-18 Yip Shing Street, Kwai Chung
 (MPC Paper No. A/KC/361A)

14. The Committee noted that on 31.1.2011, the applicant's representative requested for deferment of the consideration of the application for two months in order to allow adequate time for the applicant to revise the proposed internal transport facilities to meet the requirements of the Transport Department.

15. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and as a

total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Kowloon District

[Ms. Jessica H.F. Chu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/239 Proposed Hotel in “Residential (Group A)” zone,
180-188 Pau Chung Street, Ma Tau Kok
(MPC Paper No. A/K10/239)

16. The Secretary said that Mr. Raymond Y.M. Chan had declared an interest in this item as he owned a shop on Tam Kung Road. As the application site could not be viewed from the concerned shop, the Committee agreed that Mr. Chan’s interest was indirect and he could be allowed to stay at the meeting.

Presentation and Question Sessions

17. Ms. Jessica H.F. Chu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – concerned government bureaux/departments had no objection to or adverse comments on the application;

- (d) during the statutory publication period of the application, a total of 15 public comments objecting to the application were received from Designing Hong Kong Limited, owners incorporations of the nearby residential buildings and eight individuals. The commenters expressed the views that there was already a hotel nearby. The site should be redeveloped for residential use to meet the acute housing demand. The proposed hotel was a wall building and would cause adverse noise/air impacts, illegal parking problem, and nuisances to the local residents. Pau Chung Street was narrow and hence would not be able to cope with the additional traffic generated from the proposed hotel. The applicant had not submitted detailed relocation plans for the existing residents/tenants of the site. Approval of the application would create an undesirable precedent for similar applications. While having no specific comments on the application, the District Officer (Kowloon City) considered that all public comments received should be taken into account in considering the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 10 of the Paper. The proposed hotel with a non-domestic plot ratio of 9 (excluding the back-of-house facilities area) and a building height of 77.9mPD complied with the permissible plot ratio for a non-domestic building and the building height restriction of the subject “Residential (Group A)” (“R(A)”) zone. The surrounding areas were predominately residential in character with shop and services use on the lower floors and two factory buildings were located to the west of the site across Pau Chung Street. There were two existing hotels nearby at 14 to 18 Sung Wong Toi Road and 199 Kowloon City Road. As such, the proposed hotel development was considered not incompatible with the surrounding uses. Concerned government bureau/departments had no objection to or adverse comments on the application. Relevant approval conditions regarding the building setback requirements as well as the landscape, fire safety, transport and sewerage aspects of the proposed hotel had been recommended in paragraph 11.2 of the Paper. Regarding the public comments, the objections were mainly

about land use compatibility and traffic and environmental impacts of the proposed hotel. The proposed hotel was considered not incompatible with the surrounding land uses. The Town Planning Board/Committee had previously approved a number of similar applications for hotel/guesthouse developments in the area. The Director of Food and Environmental Hygiene (DFEH) advised that there were two hawker stalls in front of the site. One licensee had voluntarily surrendered the licence to his office for cancellation whereas the other licensee had agreed to be relocated. The two hawker stalls would not be further leased out. In this regard, both the Commissioner for Transport (C for T) and Commissioner of Police had no objection to the application. With regard to the environmental impact, the Director of Environmental Protection advised that given the nature and the scale of the proposed hotel development, significant environmental impact was not anticipated.

18. In response to a Member's questions, Ms. Jessica H.F. Chu said that with the relocation of a hawker stall and cancellation of the licence of another hawker stall in front of the application site, there were still other hawker stalls on the section of Pau Chung Street between Mok Cheong Street and Ma Tau Kok Road. Many buildings on this section of Pau Chung Street, including the ones at the subject site, were over 50 years of age pending redevelopment. Upon redevelopment, car parks might be provided within the new developments to serve the local residents. To allow for vehicular access to the new developments and co-existence of the hawker stalls on this section of Pau Chung Street, the relevant government departments would co-ordinate and make the necessary arrangements to make way for the provision of vehicular access to the new developments. For instance, the hawker stalls fronting Kingsgate, a recently built residential development adjoining the site, had been relocated through the co-ordination of the relevant government departments so as to provide a vehicular access to the development.

19. Another Member asked if other hotels in the vicinity had similar interface problem with hawker stalls. In response, Ms. Jessica H.F. Chu said that there were three hotels in the vicinity, namely, Harbour Plaza 8 Degrees Hotel at 199 Kowloon City Road (704 guestrooms), Bridal Tea House Hotel at 14-18 Sung Wong Toi Road (56 guestrooms) and a proposed hotel at 103-107 Tam Kung Road (72 guestrooms). Nine car parking spaces

were provided in Harbour Plaza 8 Degrees and one car parking space would be provided in the proposed hotel at 103-107 Tam Kung Road. Bridal Tea House Hotel, with only 56 guestrooms, did not have any parking provision. There were no hawker stalls on the streets fronting these three hotels.

Deliberation Session

20. In view of the existence of hawker stalls in Pau Chung Street and the provision of a coach lay-by for the proposed hotel with coaches entering/leaving the site, a Member was concerned if the proposed hotel would cause traffic and pedestrian safety problems. Another Member shared similar concerns as the hawker stalls would attract heavy pedestrian flow to this section of Pau Chung Street. Ms. Jessica H.F. Chu said that given the small scale of the proposed hotel (161 guestrooms) and the proposed dimensions of the coach lay-by (10m x 3.5m), it was anticipated that only small to medium-sized coaches would enter/leave the proposed hotel. Mr. David To, Assistant Commissioner for Transport (Urban) of the Transport Department, said that the proposed hotel was small in scale. The two hawker stalls which might obstruct the vehicular access to the proposed hotel would not be further leased out as advised by DFEH. The existing traffic arrangement of this section of Pau Chung Street was also acceptable from the traffic viewpoint. In light of the above, C for T had no objection to the application.

21. Another Member noted that the proposed hotel had 161 guestrooms only. Its development intensity and building height also complied with the permissible plot ratio for a non-domestic building and the building height restriction of the subject "R(A)" zone. Notwithstanding, this Member was concerned on how the local character of the area with hawker stalls could be preserved in face of new developments like the proposed hotel. Ms. Jessica H.F. Chu said that the hawker stalls on this section of Pau Chung Street had been in existence for about 40 years. Based on the site inspections undertaken by PlanD, it was found that some hawker stalls were no longer in operation. Whenever there were new developments requiring vehicular access on this section of Pau Chung Street, the relevant government departments would co-ordinate and examine if the hawker stalls fronting the new developments could be relocated to make way for the vehicular access. Similar arrangement would be adopted to provide a vehicular access to the proposed hotel. The other hawker stalls on this section of Pau Chung Street were allowed to remain.

22. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.2.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of a setback of the proposed hotel development from 3/F and above from Pau Chung Street to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a landscaping proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (d) the design and provision of parking facilities, loading/unloading spaces and lay-bys for the proposed hotel development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (f) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (e) above to the satisfaction of the Director of Drainage Services or of the TPB.

23. The Committee also agreed to advise the applicant of the following :

- (a) to consult the District Lands Officer/Kowloon West on the lease modification matters for the proposed hotel;

- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that the application for hotel concession including exemption of back-of-house facilities from gross floor area calculation under Building (Planning) Regulation 23A would be considered upon formal submission of building plans subject to compliance with the Buildings Ordinance, Regulations and the criteria under the relevant Joint Practice Notes and Practice Notes for Authorized Persons and Registered Structural Engineers 111 (PNAP APP-40);
- (c) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by the Buildings Department;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the landscaping proposal of the proposed hotel should include vertical greening, landscape treatment on the flat roof on 2/F, and landscaping/greening features to reduce the likely blank-wall appearance of the proposed hotel development;
- (e) to note the comments of the Director of Environment Protection to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works; and
- (f) to consult the Chief Officer/Licensing Authority, Home Affairs Department on the licensing requirements for the proposed hotel development.

[The Chairman thanked Ms. Jessica H.F. Chu, STP/K, for her attendance to answer Members' enquiries. Ms. Chu left the meeting at this point.]

[Mr. Silas K.M. Liu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/640 Shop and Services
 in “Other Specified Uses” annotated “Business” zone,
 Unit J, G/F, Everest Industrial Centre,
 396 Kwun Tong Road, Kwun Tong
 (MPC Paper No. A/K14/640)

Presentation and Question Sessions

24. Mr. Silas K.M. Liu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services use on the ground floor of an existing industrial building which was equipped with a sprinkler system;
- (c) departmental comments – the Director of Fire Services (D of FS) objected to the application as the aggregate commercial floor area on the ground floor of the subject industrial building had exceeded the maximum permissible limit of 460m²;
- (d) two public comments were received during the statutory publication period. One commenter supported the application. The other commenter had no objection to the application provided that the applied use did not contravene the lease conditions and the requirements of the relevant government departments would be compiled with; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments in paragraph 11 of the Paper.

According to the Town Planning Board Guidelines No. 22D for ‘Development within “Other Specified Uses(Business)” zone’, the aggregate commercial floor area on the ground floor of an existing industrial/industrial-office building with a sprinkler system should not exceed 460m². As detailed in the table in paragraph 6.1 of the Paper, the Committee had previously approved an application (No. A/K14/479) for shop and services use with a floor area of 475m² at Workshops A, B and C on the ground floor of the subject industrial building. In this regard, the aggregate commercial floor area on the ground floor of the subject industrial building had already exceeded the maximum permissible limit of 460m² even without the subject application. No further relaxation should be allowed. D of FS raised objection to the application from the fire safety point of view due to the above reason. If the Committee decided to reject the application, the applicant had requested for information regarding the aggregate commercial floor area on the ground floor of the subject industrial building and the relevant considerations for applications for shop and services use in an industrial building. The District Planning Officer/Kowloon of the Planning Department would provide a written reply direct to the applicant.

25. Members had no question on the application.

Deliberation Session

26. After deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and agreed to fine-tune the wording of the rejection reason in paragraph 12.1(b) of the Paper. The reasons were :

- (a) the shop and services use did not comply with the Town Planning Board Guidelines No. 22D for ‘Development within “Other Specified Uses (Business)” Zone’ as the total floor area accountable for the aggregate commercial floor area had exceeded the maximum permissible limit of 460m²; and

- (b) the application was not acceptable from the fire safety point of view.

[The Chairman thanked Mr. Silas K.M. Liu, STP/K, for his attendance to answer Members' enquiries. Mr. Liu left the meeting at this point.]

[Mr. Vincent T.K. Lai, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

[Mr. Raymond Y. M. Chan left the meeting temporarily at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K7/101 Proposed School (Tutorial School)
 in "Residential (Group B)" zone,
 Ground Floor, Front Portion of 312 Prince Edward Road West,
 Ho Man Tin (KIL 2099 S.A ss.1 RP)
 (MPC Paper No. A/K7/101)

Presentation and Question Sessions

27. Mr. Vincent T.K. Lai, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed school (tutorial school);
- (c) departmental comments – concerned government bureaux/departments had no objection to or adverse comments on the application;

- (d) four public comments were received during the statutory publication period. One commenter supported the application and hoped that railings would be installed to avoid students dashing out to the road. Two commenters objected to the application mainly on the grounds of noise nuisance to the local residents as well as security, environmental hygiene and building management problems. The other commenter objected to the application without stating any reason; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 11 of the Paper. The proposed tutorial school generally complied with the Town Planning Board (TPB) Guidelines No. 40 for 'Application for Tutorial School under section 16 of the Town Planning Ordinance'. The application premises was a ground floor unit at the front portion of the western block of the subject residential development. There were other tutorial schools and children learning centres in the surrounding area which had previously been approved by the Committee, including an existing tutorial school at the rear portion of the ground floor of the same residential development. The main entrance/exit to the application premises at Prince Edward Road West would be exclusively used by the proposed tutorial school whereas the domestic portion of the subject residential development was served by a separate access. The open area in front of the application premises belonged to the owner of the application premises and was not a common area within the subject residential development. As such, the proposed tutorial school could be accessed directly from the main road without the need to route through the common area of the subject residential development. The proposed tutorial school would not cause major disturbance/nuisance to the local residents nor significant interface problem with the residents of the subject residential development. The proposed tutorial school also would not generate significant adverse traffic and environmental impacts on the area. The technical requirements regarding fire safety, building structural safety and internal layout of the proposed tutorial school would be considered by the relevant government departments at the stage of building plans submission and/or school licence

application. Moreover, an advisory clause relating to the provision of noise mitigation measures for the proposed tutorial school as suggested by the Director of Environmental Protection had been recommended in paragraph 12.2(d) of the Paper. Regarding the public concerns on noise nuisance, security, environmental hygiene and building management problems, the relevant government bureaux/departments had no objection to or adverse comments on the application.

[Mr. Raymond Y. M. Chan returned to join the meeting at this point.]

28. In response to a Member's enquiry, Mr. Vincent T.K. Lai said that according to the applicant, the proposed tutorial school would provide courses in relation to the Hong Kong Diploma of Secondary Education, General Certificate of Education and International Baccalaureate programmes for senior secondary students and international school students. These courses were different from those offered in general tutorial schools.

29. A Member noted from the site photos in Plan A-3 of the Paper that the application premises was currently under renovation and a signboard showing the name of a tutorial school was still erected at the entrance of the application premises. This Member asked whether the application premises was previously used as a tutorial school and if affirmative, whether planning permission from the TPB had been obtained for the previous tutorial school. Mr. Vincent T.K. Lai said that as stated in paragraph 5 of the Paper, the application premises was not subject to any previous planning applications. While the application premises had previously been used as a tutorial school, it was not related to the applicant of the current application.

30. In response to another Member's questions, Mr. Vincent T.K. Lai said that the open area in front of the application premises was owned by the same owner of the application premises. According to the lease and approved building plans, the concerned area was not a common area of the subject residential building.

Deliberation Session

31. A Member noted that the applicant had proposed to provide three car parking

spaces in the open area in front of the application premises, but the Commissioner for Transport (C for T) advised in paragraph 9.1.3(b) of the Paper that such provision was not necessary. Another Member asked if the concerned area was previously used for car parking purpose. In response, Mr. Vincent T.K. Lai said that there was a ramp leading to the open area in front of the application premises. As such, the concerned area should have been used for car parking purpose when the application premises was previously used as a tutorial school. Mr. David To, Assistant Commissioner for Transport (Urban) of the Transport Department, said that according to the applicant, the proposed tutorial school would have 38 students only. Given the small-scale of the proposed tutorial school, provision of car parking spaces for the school was considered not necessary. Notwithstanding, C for T would have no objection if the open area in front of the application premises was to be retained for car parking purpose.

32. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.2.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

- the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

33. The Committee also agreed to advise the applicant of the following :

- (a) the approval of the application did not imply any compliance with the Buildings Ordinance and Regulations. The applicant should approach the Buildings Department direct to obtain the necessary approval;
- (b) to consult the Registration Section of the Education Bureau regarding the school registration process under the Education Ordinance and the Education Regulations;
- (c) to submit an application for issuance of certificates and notices under section 12(1) of the Education Ordinance;

- (d) to follow Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG) in providing practicable noise mitigation measures as far as practicable, and/or as a “last-resort” measure providing acoustic insulation in form of well gasketed windows as per Appendix 4.4 in Chapter 9 of the HKPSG and air-conditioning, to abate the excessive road traffic noise disturbance on the affected classrooms of the proposed school; and
- (e) to resolve any land issue relating to the development with the concerned owner(s) of the application premises.

[The Chairman thanked Mr. Vincent T.K. Lai, STP/K, for his attendance to answer Members’ enquiries. Mr. Lai left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K18/278 Proposed Residential Development
in “Comprehensive Development Area” zone,
NKIL 6493, Inverness Road, Kowloon Tong
(MPC Paper No. A/K18/278)

34. The Committee noted that on 7.2.2011, the applicant’s representative requested for deferment of the consideration of the application to the next meeting on 4.3.2011 as further information would be prepared and submitted to address the departmental comments.

35. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no

further deferment would be granted unless under very special circumstances.

[Mr. Felix W. Fong left the meeting temporarily at this point.]

Hong Kong District

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H18/64 Proposed School in “Government, Institution or Community (2)”,
 “Government, Institution or Community (3)” and
 “Government, Institution or Community (4)” zones,
 Two sites adjacent to Hong Kong International School
 at 700 Tai Tam Reservoir Road, Tai Tam
 (MPC Paper No. A/H18/64)

36. The Committee noted that on 7.2.2011, the applicant’s representative requested for deferment of the consideration of the application for not more than two months in order to allow time for the preparation and submission of further information/technical clarification in response to the departmental comments.

37. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Mr. Tom C.K. Yip, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/133 Renewal of Planning Approval for Temporary Eating Place (Restaurant)
under Application No. A/H21/131 for a Period of 3 Years
in “Open Space” zone, Portion of Sai Wan Ho Ferry Pier,
Tai Hong Street, Sai Wan Ho
(MPC Paper No. A/H21/133)

Presentation and Question Sessions

38. Mr. Tom C.K. Yip, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, including that the application site was the subject of two previous applications (No. A/H21/121 and A/H21/131) for the same use which were approved by the Town Planning Board (TPB) on review on 8.4.2005 and the Committee on 22.2.2008 respectively;
- (b) the renewal of planning approval for temporary eating place (restaurant) under Application No. A/H21/131 for a period of three years;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application;
- (d) during the statutory publication period of the application, four public comments supporting the application were received. A member of the Harbourfront Commission supported the renewal application as it would enhance the vibrancy of the waterfront. However, it was also pointed out that the area was in a shabby condition with unnecessary fences and garbage, which should be cleaned up before further approval was granted. A member of the public expressed the views that the area possessed a

special atmosphere and provided opportunity for the local residents to enjoy the night view of the harbour. Connecting with the Quarry Bay Park, it could provide an ideal place of entertainment and recreation for the district. The other two comments were submitted by the same individual in the capacity of an Eastern District Council member and a member of the Hong Kong Eastern District Women's Association. This commenter supported the application without stating any reason; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 10 of the Paper. The renewal application generally complied with the relevant assessment criteria under the TPB Guidelines No. 34B on 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development'. The applied use was considered not incompatible with the surrounding land uses, which were predominantly residential developments with restaurants on the ground floor. There had been no change in the planning circumstances and the land uses of the surrounding areas since the approval of the last previous application on 22.2.2008. The planning conditions of the two previous planning permissions had been compiled with to the satisfaction of the relevant departments. The applied use was within an existing pier which provided ferry services for the general public and there was no development programme for the subject "Open Space" ("O") zone. Approval of the renewal application on a temporary basis for a further period of three years would not frustrate the long-term planning intention of the subject "O" zone. The relevant government departments had no objection to or adverse comments on the application. Regarding the comments of a member of the Harbourfront Commission, the concerned fences were located outside the application premises and served to separate the application premises from the ferry pier and the adjoining Marine Police site, as well as the Sai Wai Ho Ferry Pier from the adjoining open space. The applicant responded that they had cleaned up the site and would maintain hygiene within the application premises. An advisory clause requesting the applicant to maintain proper hygiene within the application

premises had also been recommended in paragraph 11.2(b) of the Paper.

39. Members had no question on the application.

Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 9.4.2011 to 8.4.2014, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

- the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

41. The Committee also agreed to advise the applicant of the following :

- (a) to note the comments of the Director of Environmental Protection in paragraphs 8.1.3(d) and 8.1.3(e) of the Paper regarding the compliance with the relevant pollution control ordinances and the need to apply for a licence in accordance with the Water Pollution Control Ordinance; and
- (b) to properly maintain the hygiene of the application premises.

[The Chairman thanked Mr. Tom C.K. Yip, STP/HK, for his attendance to answer Members' enquiries. Mr. Yip left the meeting at this point.]

[Mr. Louis K.H. Kau, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/387 Proposed Hotel in “Residential (Group A)” zone,
17 and 19 Hing Wan Street, Wan Chai
(MPC Paper No. A/H5/387A)

Presentation and Question Sessions

42. Mr. Louis K.H. Kau, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application. The application was submitted on 13.4.2010. On 11.6.2010, the Committee agreed to defer a decision on the application as requested by the applicant. On 10.8.2010 and 7.9.2010, the applicant submitted two pieces of further information which were published for public inspection on 13.8.2010 and 17.9.2010 respectively. Subsequently, the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/26, incorporating amendments related to, inter alia, the imposition of building height (BH) restriction of 100mPD for the “Residential (Group A)” (“R(A)”) zone covering the application site, was exhibited for public inspection on 24.9.2010 under section 5 of the Town Planning Ordinance for two months until 24.11.2010. On 28.10.2010, the applicant submitted a letter objecting to the recommendation made by the Planning Department (PlanD) to defer a decision on the application pending the expiration of the exhibition period of the draft OZP. On 29.10.2010, the Committee, after deliberation, agreed to seek legal advice and to defer consideration of the application pending the availability of the legal advice. Legal advice was obtained on 6.12.2010. In gist, the Department of Justice (DoJ) advised that the Town Planning Board (TPB) should consider the application in the context of the current OZP, and the TPB Guidelines No. 33 on ‘Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance’ was also

applicable. When the exhibition period for receiving representations was yet to be expired and it was uncertain whether the site would be subject to adverse representation, it was considered reasonable for the Committee to defer consideration of the application pending the expiry of the exhibition period. The consideration of an application might also be deferred if the zoning of the site was subject to outstanding adverse representations yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representations was relevant to the application. On 4.1.2011, the applicant submitted the legal opinion stating that the TPB ought to have regard to the approved OZP No. S/H5/25 in considering the application and accordingly, any adverse representations which might be received on the BH limit during the exhibition period of the draft OZP No. S/H5/26 was not a relevant consideration for the purpose of the application. Legal advice was further obtained on 13.1.2011. In gist, DoJ did not agree to the above conclusion and maintained its previous advice. Upon expiry of the exhibition of the draft OZP No. S/H5/26, a total of 106 representations were received. One of them supported the imposition of BH restrictions, but proposed to designate the subject “R(A)” zone as a special area and to delete some uses from the user schedule of the “R(A)” zone including ‘Hotel’ use from Column 2. As the draft OZP No. S/H5/26 had only incorporated BH restriction on the site, the representer’s proposals were not a subject of the OZP amendment for the “R(A)” zone. On 11.2.2011, the TPB agreed that the representer’s proposals should be regarded invalid. The application was therefore submitted to the Committee for consideration at this meeting;

[Mr. Felix W. Fong returned to join the meeting at this point.]

- (b) the proposed hotel;
- (c) departmental comments – concerned government bureaux/departments had no objection to or adverse comments on the application;
- (d) during the statutory publication periods of the application and further

information, a total of 49 public comments were received with seven supporting, 35 objecting to, five having no comment on/objection to the application, one raising questions and one providing comment on the application. The comments received were summarised below:

- (i) for those who supported or had no objection to the application, they expressed the views that the proposed development could improve the business environment of Wan Chai; speed up redevelopment process; improve the environment; and contribute to the community, economy, tourism and employment opportunity. The justifications provided by the applicant were acceptable and no traffic impact was envisaged;
- (ii) those who objected to the application mainly expressed the views that the proposed hotel would affect the structural safety of old buildings nearby and cause traffic congestion, safety hazard to pedestrians, air/noise pollutions, wall effect, curtain wall glare and heat impact on the surrounding developments. Besides, the proposed hotel was not compatible with the residential character of the area and would affect the tranquility of the neighbourhood. There was insufficient information on the proposed development. Approval of the application would set a precedent for non-residential use in the residential zone;
- (iii) a commenter raised questions on how the applicant would handle the motorcycle parking spaces in front of the site along Kennedy Street and whether the applicant had considered the coach parking issue given that Kennedy Street and Kat On Street were very narrow and always parked with vehicles; and
- (iv) another commenter expressed the views that the design of the external façade of the proposed hotel should be compatible with the 'Blue House' cluster and subject to the satisfaction of PlanD or relevant authority;

- (e) the District Officer (Wan Chai) commented that both Hing Wan Street and Kennedy Street were very narrow and short. As such, the residents and social services centres in the vicinity would likely be concerned that the proposed hotel would cause traffic problem to the area. The public would also likely consider the hotel development incompatible with the character of the area with the presence of heritage buildings nearby (e.g. the 'Blue House' cluster); and

- (f) PlanD's views – PlanD had no objection to the application based on the assessments in paragraph 11 of the Paper. The site was located in an area with predominantly residential developments mixed with some free-standing government, institution and community facilities. However, there were commercial uses and some workshops on the ground level of residential buildings. The nearby 'Blue House' cluster would be preserved for adaptive re-use as a multi-function services complex. To the further west on Queen's Road East, a cluster of commercial developments including Wu Chung House was found and the Committee had previously approved a proposed hotel development at the junction of Tai Yuen Street and Queen's Road East. As such, the proposed hotel was considered generally not incompatible with the surrounding developments in terms of land use. In considering other applications for hotel developments within the "R(A)" zones on Hong Kong Island, the Committee had taken the view that a plot ratio of about 12 was generally acceptable for such developments as the development intensity was more compatible with the residential developments with permitted plot ratio up to 8 to 10 in general. The proposed hotel with a plot ratio of 12 (plus a bonus plot ratio of 0.48211 for dedication of area/corner splay for road improvement purposes) was therefore considered acceptable in terms of development intensity. While the bonus plot ratio was subject to the approval of the Building Authority, the Commissioner for Transport (C for T) supported the provision of corner splay and setback along Hing Wan Street and Kennedy Street. Except for some recently completed developments (such as Brilliant Court at 94.5mPD) which were taller, the

prevailing BHs of the surrounding developments were of moderate scale ranging from 30mPD to 78mPD. Nevertheless, majority of these developments had a building age of over 30 years and would likely be redeveloped in future. The proposed 25-storey hotel development with a BH of 93.625mPD complied with the BH restriction of 100mPD under the subject “R(A)” zone. Given the small scale of the proposed hotel, it would unlikely generate adverse impacts, including traffic, on the surrounding areas. All relevant government departments had no objection to the application. To contain the traffic impact of the proposed hotel, an approval condition to limit the maximum number of guestrooms to 78 had been recommended in paragraph 12.2(a) of the Paper. To address the visual impact on the narrow street, an approval condition requiring the applicant to setback the tower of the proposed hotel above the podium from Hing Wan Street had also been recommended in paragraph 12.2(c) of the Paper. Regarding the public concern on pedestrian safety, the applicant had proposed to provide corner splay and to setback the development from Hing Wan Street and Kennedy Street so as to bring the footpath adjoining the site up to 2m in width. These would help improve the existing pedestrian environment. Regarding the concern on the bulk of the proposed hotel, it was not envisaged that the proposed hotel would result in a massive development due to the small size of the site. Regarding the concerns on curtain wall glare and compatibility with the nearby heritage buildings, the applicant had explained that there was no intention to build the external façades of the hotel with conventional glass curtain and a design consultant would be appointed to design the facades to match with the local built environment. An approval condition requiring the applicant to submit the exterior building design of the proposed hotel had been recommended in paragraph 12.2(c) of the Paper. The Antiquities and Monuments Office of the Leisure and Cultural Services Department also had no objection to the application from the heritage conservation point of view.

43. In response to a Member’s enquiry, Mr. Louis K.H. Kau said that the Director of Planning would be responsible for vetting the submission on the exterior building design of the proposed hotel as required under approval condition (c) in paragraph 12.2(c) of the Paper.

The Secretary said that should there be disagreement over the fulfillment of the approval condition between the applicant and the concerned government department, the matter would be submitted to the Committee for consideration.

44. The same Member noted that the BH of the proposed hotel at 93.625mPD complied with the BH restriction of 100mPD under the subject “R(A)” zone and some taller developments (e.g. King Sing House at 71.7mPD, Kenny Court at 77.9mPD and Brilliant Court at 94.5mPD) were located in the vicinity as shown in Plan A-3 of the Paper. However, as the streets fronting the site were narrow, this Member was concerned that the proposed hotel with a BH of 93.625mPD would have adverse visual impact on the area. Mr. Louis K.H. Kau said that for Members’ information, the proposed hotel had 25 storeys whereas King Sing House, Kenny Court and Brilliant Court had 21, 25 and 28 storeys respectively. As shown in Drawings A-6 and A-7 of the Paper, the applicant had submitted photomontages to illustrate that the proposed hotel would not have significant adverse visual impact on the surrounding areas. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD also considered that the proposed hotel was not incompatible with the surrounding developments and hence had no objection to the application. Notwithstanding, CTP/UD&L advised that as the site was located within a neighbourhood characterised by intimate-scaled streets and abutted on two narrow streets of less than 9m wide, she suggested to stipulate an approval condition requiring the applicant to setback the tower of the proposed hotel above the podium from Hing Wan Street to minimize the potential visual impact of the proposed hotel on the narrow streets. The approval condition suggested by CTP/UD&L was in paragraph 12.2(c) of the Paper. The Chairman added that the applicant had also proposed to setback the proposed hotel from Hing Wan Street and Kennedy Street by 0.7m and 0.45m respectively and to provide a corner splay area at the junction of these two streets for road improvement purposes. In response to the same Member’s enquiry, Mr. Louis K.H. Kau said that the above setbacks from Hing Wan Street and Kennedy Street would be provided at the street level only.

45. In response to the Chairman’s enquiry, Mr. Louis K.H. Kau said that the ‘Blue House’ cluster comprised the ‘Blue House’ at 72, 72A, 74 and 74A Stone Nullah Lane, the ‘Yellow House’ at 2, 4, 6 and 8 Hing Wan Street and the ‘Orange House’ at 8 King Sing Street. While the ‘Blue House’ and the ‘Yellow House’ were Grade 1 and 3 historic buildings respectively, the ‘Orange House’ was not a graded historic building. The ‘Blue

House' cluster would be preserved for adaptive re-use as a multi-function services complex.

46. A Member said that Hing Wan Street and the nearby streets were narrow and congested even without the proposed hotel. Hence, there was concern about the potential traffic impact of the proposed hotel on the area. Mr. David To, Assistant Commissioner for Transport (Urban) of the Transport Department, said that the proposed hotel was small in scale (with 78 guestrooms) and would not have on-site parking or loading/unloading bay. The site was also well served by public transport and was not far from the Mass Transit Railway Wan Chai Station. In this regard, it was anticipated that the proposed hotel would not generate significant traffic volume in the area. Moreover, the busy traffic of the area was mainly caused by the through traffic along Queen's Road East. Under a current traffic management scheme, through traffic from Wan Chai Road heading for west-bound direction of Queen's Road East had to first turn left to the eastbound direction of Queen's Road East and then travel via Kennedy Street, King Sing Street and Stone Nullah Lane before joining Queen's Road East westbound, without the need to route through Hing Wan Street. As such, Hing Wan Street and the streets south of the site mainly served the local residents.

47. In response to a Member's questions, Mr. Louis K.H. Kau said that the applicant was not the landowner of the application site. However, the applicant had obtained the landowner's consent in accordance with the TPB Guidelines No. 31 on 'Satisfying the "Owner's Consent/Notification" Requirements under sections 12A and 16 of the Town Planning Ordinance'. At the implementation stage, the applicant would have to liaise with the land owner to resolve any land issue relating to the development.

Deliberation Session

48. Regarding the previous deferral request recommended by PlanD on 29.10.2010, the Secretary explained that subsequent to the submission of the subject application on 13.4.2010, the draft Wan Chai OZP No. S/H5/26, incorporating amendments related to, inter alia, the imposition of BH restriction of 100mPD for the "R(A)" zone covering the site, was exhibited on 24.9.2010 for public inspection for two months under section 5 of the Town Planning Ordinance. As the exhibition period of the Wan Chai OZP would end on 24.11.2010, it was uncertain at that stage whether the site would be subject to any adverse representation. If there was adverse representation in respect of the site, the application

should be deferred until the CE in C had made a decision in accordance with the TPB Guidelines No. 33. In this regard, PlanD recommended the Committee to defer a decision on the application pending the expiration of the exhibition period of the OZP. A letter was received from the applicant on 28.10.2010 who strongly objected to the deferment of the application on the ground that all planning applications should be considered in accordance with the relevant OZP at the time of the submission of the application i.e. the previous version of the OZP. After deliberation, the Committee on 29.10.2010 agreed to defer consideration of the application pending the availability of the legal advice on whether it was proper to defer consideration of the application as recommended by PlanD. The legal advice sought was that the TPB should consider the application in the context of the current OZP, i.e. the draft OZP No. S/H5/26. On 4.1.2011, the applicant further submitted a legal opinion stating that the TPB ought to have regard to the approved OZP No. S/H5/25 in considering the application and accordingly, any adverse representations which might be received during the exhibition period of the draft OZP No. S/H5/26 was not a relevant consideration. Legal advice was further sought. DoJ did not agree to the above conclusion and maintained its previous advice. On 11.2.2011, the TPB agreed that the representer's proposals in respect of the site on the draft OZP No. S/H5/26 should be regarded invalid. The application was therefore submitted to the Committee for consideration at this meeting. In response to a Member's enquiry, the Secretary confirmed that the BH restriction for the subject "R(A)" zone still remained at 100mPD on the current draft OZP No. S/H5/26.

49. Regarding the traffic concern raised by a Member earlier at the meeting, the Chairman noted that according to the applicant, the proposed hotel would target on the long-staying business visitors rather than tour groups. Mr. David To said that given the small site area and the local character of the area, it was envisaged that the proposed hotel would unlikely be a 5-star hotel, or alike, generating substantial parking and loading/unloading demand. As the site was well served by public transport, the hotel guests who were mainly long-staying business visitors would likely utilise the public transport services. Taking into account the above and that the proposed hotel had only 78 guestrooms with no provision of on-site parking or loading/unloading facilities, it was anticipated that the proposed hotel development in the subject "R(A)" zone would unlikely cause adverse traffic impact on the surrounding areas. In addition, Hing Wan Street and the streets south of the site were mainly used by the local residents rather than the through traffic of the area. C for T therefore had no in-principle objection to the application.

50. A Member reiterated the concern about the adverse visual impact of the proposed hotel on the area as the streets fronting the site were narrow. This Member also pointed out that the design of the proposed hotel should pay due respect to the nearby heritage buildings, the 'Blue House' cluster. The Chairman added that Pak Tei Old Temple (also known as Yuk Hui Temple) on Lung On Street was also a Grade 1 historic building as shown in Plan A-2 of the Paper. To address Members' concerns/comments, the Secretary suggested to amend approval condition (c) in paragraph 12.2(c) of the Paper to require the applicant to submit building design proposal, instead of exterior building design proposal, for the proposed hotel with a view to lowering the BH of the proposed development. In addition, the Secretary suggested to add an advisory clause to remind the applicant to take note of Members' concerns/comments as expressed at the meeting in preparing the building design of the proposed hotel. In particular, the building height of the proposed hotel should be lowered as far as practicable to minimize the visual impact of the proposed hotel on the area, and the design of the proposed hotel should also be compatible with the neighbouring heritage buildings including the 'Blue House' cluster and Pak Tei Old Temple. Members agreed.

51. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.2.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the number of guestrooms in the proposed hotel development should not exceed 78;
- (b) the widening of footpath along Hing Wan Street and Kennedy Street and the provision of corner splay at the junction of Hing Wan Street and Kennedy Street as proposed by the applicant to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of building design and setback of the tower above the podium of the proposed development from Hing Wan Street to the

satisfaction of the Director of Planning or of the TPB;

- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (e) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (e) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (g) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

52. The Committee also agreed to advise the applicant of the following :

- (a) to note Members' concerns/comments regarding the building design of the proposed hotel as expressed at the meeting, particularly that the building height of the proposed hotel should be lowered as far as practicable to minimize the visual impact of the proposed hotel on the area and the design of the proposed hotel should be compatible with the neighbouring heritage buildings including the 'Blue House' cluster and Pak Tei Old Temple;
- (b) the approval of the application did not imply that the proposed non-domestic plot ratio of the proposed hotel development, the proposed gross floor area (GFA) exemption for back-of-house facilities, and the proposed bonus plot ratio and site coverage would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if the GFA concession, in particular the non-domestic plot ratio of the development, was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required;

- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department that the proposed building height in calculation of bonus site coverage should be in compliance with Building (Planning) Regulation 23(1);
- (d) to liaise with the District Lands Officer/Hong Kong East, Lands Department on the licence application for permitting the operation of the catering facilities;
- (e) the arrangement on emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue;
- (f) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department regarding the application under the Hotel and Guesthouse Accommodation Ordinance; and
- (g) to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works.

[Professor C.M. Hui and Mr. Roger K.H. Luk left the meeting temporarily at this point.]

[The Chairman thanked Mr. Louis K.H. Kau, STP/HK, for his attendance to answer Members' enquiries. Mr. Kau left the meeting at this point.]

[A short break of 5 minutes was taken at this point.]

Agenda Item 13

[Closed Meeting]

53. The minutes of this item were recorded under separate confidential cover.

Agenda Item 14

Any Other Business

54. There being no other business, the meeting was closed at 11:10 a.m..