

## **TOWN PLANNING BOARD**

### **Minutes of 499<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 25.10.2013**

#### **Present**

Director of Planning Mr K. K. Ling	Chairman
Professor S.C. Wong	Vice-chairman
Mr Maurice W.M. Lee	
Professor P.P. Ho	
Professor Eddie C.M. Hui	
Ms Julia M.K. Lau	
Mr Clarence W.C. Leung	
Mr Roger K.H. Luk	
Mr H.W. Cheung	
Mr Sunny L.K. Ho	
Mr Dominic K.K. Lam	
Mr Patrick H.T. Lau	
Mr Stephen H. B. Yau	

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr W.B. Lee

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr K.F. Tang

Assistant Director (Kowloon), Lands Department  
Mr Edwin W.K. Chan

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

Secretary

**Absent with Apologies**

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Chief Engineer (Works), Home Affairs Department  
Mr Frankie W.P. Chou

**In Attendance**

Assistant Director of Planning/Board  
Ms Brenda K.Y. Au

Chief Town Planner/Town Planning Board  
Ms Donna Y.P. Tam

Assistant Town Planner/Town Planning Board  
Miss Floria Y.T. Tsang

### **Agenda Item 1**

Confirmation of the Draft Minutes of the 498<sup>th</sup> MPC Meeting held on 11.10.2013

[Open Meeting]

1. The draft minutes of the 498<sup>th</sup> MPC meeting held on 11.10.2013 were confirmed without amendments.

### **Agenda Item 2**

Matters Arising

[Open Meeting]

2. The secretary reported that there were no matters arising.

### **Tsuen Wan and West Kowloon District**

### **Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TW/5 Application for Amendment to the Draft Tsuen Wan Outline Zoning Plan No. S/TW/29 from “Comprehensive Development Area (3)” to “Commercial (7)”, 368-370 Sha Tsui Road, Tsuen Wan (TWTL 126)  
(MPC Paper No. Y/TW/5)

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3. The Secretary reported that Lawson David & Sung Surveyors Ltd. (Lawson David & Sung) and BMT Asia Pacific Ltd. (BMT) were the consultants of the applicant. The following Members had declared interests in this item:

Ms Bonnie J.Y. Chan

- had current business dealings with Lawson David & Sung

Mr Patrick H.T. Lau                    - had current business dealings with BMT

Mr Dominic K.K. Lam                    - had current business dealings with BMT

4.                 The Committee noted that Ms Bonnie J.Y. Chan had tendered her apologies for being unable to attend the meeting. As Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no direct involvement in this application, Members agreed that they could stay in the meeting.

5.                 The Secretary informed Members that replacement page 13 of the Paper had been sent to Members to rectify typographical errors.

#### Presentation and Question Sessions

6.                 The following representatives of the Planning Department (PlanD) and the applicant were invited to the meeting at this point:

Mr Wilson W.S. Chan                    - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), PlanD

Mr K.T. Ng                                - Senior Town Planner/TWK (STP/TWK), PlanD

Ms Mimi Cheng  
Mr Joe Poon  
Mr Cheng Kim Chung  
Mr Vincent Sung  
Miss Cannis Lee

} Applicant's representatives

7.                 The Chairman extended a welcome and explained the procedure of the hearing. He then invited the representatives of PlanD to brief Members on the background of the application. With the aid of a powerpoint presentation, Mr K.T. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

The application

- (a) the applicant proposed to rezone the application site (the Site) from “Comprehensive Development Area (3)” (“CDA(3)”) to “Commercial (7)” (“C(7)”) with a maximum plot ratio (PR) of 14.4 on the Tsuen Wan Outline Zoning Plan (OZP) to facilitate the wholesale conversion of an existing 24-storey industrial building (i.e. Wong’s Factory Building) into a hotel. Under the proposed “C(7)” zone, ‘hotel’ was the only Column 1 use;

Proposed wholesale conversion of the industrial building to hotel

- (b) the application was made on the basis of a proposed hotel development scheme with a total gross floor area (GFA) of 25,360.531m<sup>2</sup>, maximum PR of 14.367 and a maximum building height of 84.42mPD. The proposed hotel development would have 24 storeys to accommodate 299 hotel rooms with an average room size of about 45.451m<sup>2</sup>. All the car parking and loading/unloading spaces would be provided on the ground floor of the proposed hotel. A landscaped roof would be provided on 4/F;
- (c) in order to facilitate vehicle manoeuvring on the ground floor, the applicant proposed to relocate and reconstruct two existing building columns on the ground floor (the proposed building column works);

Background to the zoning of the Site

- (d) the Site was previously zoned as “Industrial” (“I”) on the then approved Tsuen Wan OZP No. S/TW/26. According to the Area Assessments 2009 of Industrial Land in the Territory (the Area Assessments) undertaken by PlanD, the vacancy rate of the northern part of Tsuen Wan East Industrial Area (TWEIA), where the Site was situated, was over 10%. The Area Assessments recommended, amongst others, to rezone this area mainly to “CDA” to facilitate comprehensive residential development with commercial facilities and open space provision. On 17.9.2010, the Board endorsed in principle the findings and recommendations of the Area

Assessments;

- (e) on 24.12.2010, the Board exhibited the draft Tsuen Wan OZP No. S/TW/27 incorporating amendments to rezone the northern part of TWEIA from “I” to five “CDA” zones, i.e. “CDA(2)” to “CDA(6)”. The Site, together with three adjoining buildings, were rezoned to “CDA(3)”. Redevelopment of the Site was restricted to a maximum PR of 5, of which a minimum PR of 4.5 should be for domestic use;
- (f) the “CDA” zones in the northern part of TWEIA were undergoing the process to realise the planning intention for comprehensive development/redevelopment primarily for residential use. The proposed Home Ownership Scheme (HOS) development at the ex-Tai Wo Hau Factory Estate in the “CDA(2)” zone had been approved by the Committee under application No. A/TW/451. The HOS development was under construction and scheduled to be completed in year 2016/17. In addition, the owner of Edward Wong Industrial Centre within the subject “CDA(3)” zone had submitted another s.16 application (No. A/TW/452) for comprehensive residential development for the entire “CDA(3)” zone. The subject site was proposed to be redeveloped for residential use in a separate phase in the Master Layout Plan (MLP) submitted under that application;

*Departmental Comments*

- (g) the departmental comments on the application were detailed in paragraph 9 of the Paper. The key departmental comments were summarised as follows:
  - (i) the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) was unable to comment on the structural feasibility of the proposed building columns works at this stage unless further information was submitted. The Commissioner for Transport (C for T) had no comment on the

proposal provided that it was feasible to relocate the building columns as proposed by the applicant;

- (ii) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) was unable to lend support for the application as the proposed rezoning would jeopardise the planning intention of comprehensive residential development/redevelopment in TWEIA. The Piecemeal rezoning would frustrate the design integrity and reduce design flexibility of the remaining area of the “CDA(3)” zone from urban design and visual perspectives. The proposed wholesale conversion of the existing industrial building would provide limited opportunities for enhancement of the local environment and streetscape improvement, particularly along Sha Tsui Road. Also, the applicant had yet to demonstrate the design merits of the proposed redevelopment;
- (iii) the Commissioner for Tourism (C for Tourism) supported the application as the proposed development would increase the number of hotel rooms, broaden the range of accommodations for our visitors, and support the rapid development of convention and exhibition, tourism and hotel industries. The Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department (CO(LA), OLA, HAD) considered the siting of the proposed hotel development was acceptable from licensing point of view;
- (iv) other government departments consulted generally had no objection to or no adverse comment on the application;
- (v) the District Officer (Tsuen Wan) reported that he had consulted the concerned District Council (DC) Members, the Chairperson and Vice-chairperson of Tsuen Wan Central Area Committee (TWCAC), as well as the Owners’ Incorporations of adjacent buildings. No reply had been received;

Public Comments

- (h) during the statutory public inspection periods of the application and the further information, five public comments were received. A Kwai Tsing District Council (KTDC) Member, a Tsuen Wan District Council (TWDC) Member and an individual objected to the application mainly due to the grave concern over the traffic impacts of the proposed hotel development on the surrounding area. An individual proposed to develop the Site for residential use. The Incorporated Owners of New Haven on the opposite side of Sha Tsui Road objected to the application in light of the traffic impact of the application on the surrounding road networks and the access to New Haven;

PlanD's views

- (i) PlanD did not support the application based on the assessment set out in paragraph 11 of the Paper which was summarised below:
- (i) the Area Assessments recommended rezoning of the northern part of TWEIA to “CDA” to facilitate comprehensive residential development with commercial facilities and open space provision. The rezoning of the industrial area into residential area would, to a certain extent, help address the inadequacy of housing supply in the territory. The current s.12A application to rezone the Site from “CDA(3)” to “C(7)” for hotel development would defeat the planning intention of comprehensive development/redevelopment primarily for residential use in the “CDA(3)” zone. Approval of the application would also result in a permanent loss of land available for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over the territory;
- (ii) the “CDA” zones would be subject to review under the established

mechanism as stipulated in the Town Planning Board Guidelines for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB PG-No.17). It would be more appropriate to conduct review of the “CDA” zones in the area in one go rather than to consider the Site in isolation;

- (iii) the “CDA(3)” zone did not rule out the possibility of phased development by individual landowners within the zone. In fact, in the s.16 application (No. A/TW/452) for comprehensive residential development within the “CDA(3)” zone submitted by the owner of Edward Wong Industrial Centre, it was demonstrated in the submitted MLP that the Site could be developed by phases. Besides, the applicant could also submit a s.16 application for hotel development for the life-time of the existing industrial building if they wished to pursue hotel development on the Site, provided that the Site remained to be part of the “CDA(3)” zone for comprehensive residential development in the long term;
- (iv) the proposed piecemeal rezoning of the Site to “C(7)” would frustrate the design integrity and reduce design flexibility of the remaining area of the “CDA(3)” zone. The proposed wholesale conversion within the proposed “C(7)” zone would also provide limited opportunity for enhancement of the local environment and streetscape improvement, particularly along Sha Tsui Road. Further, the applicant had not demonstrated any design merits of the rezoning proposal;
- (v) the “CDA” zones in the northern part of TWEIA were undergoing the process to realise the planning intention for comprehensive development/redevelopment primarily for residential use. Approval of the rezoning application would set an undesirable precedent for similar applications from other landowners in the surrounding “CDA” zones, defeating the planning intention of the previous rezoning of the northern part of TWEIA to “CDA”; and

(vi) the applicant had also not provided any further information to ascertain that the proposed building column works was technically feasible. Since ‘Hotel’ was proposed as a Column 1 use under the proposed “C(7)” zone, which was always permitted, there would be no planning mechanism to require the applicant to submit the structural assessment of the proposed building column works if the application was agreed by the Committee.

8. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a powerpoint presentation, Miss Cannis Lee made the following main points:

*The rezoning proposal*

- (a) the proposed rezoning from “CDA(3)” to “C(7)” was to facilitate the proposed wholesale conversion of the existing Wong's Factory Building into a hotel;
- (b) the applicant submitted an application about a year ago, proposing to redevelop the Site into a hotel with 454 hotel rooms. To address government departments’ comments on the previous application, the applicant had revised the development proposal and reduced the number of hotel rooms to 299 in the current application;

*Justifications*

- (c) whilst the applicant acknowledged that there was a shortage in the housing supply in the territory and appreciated the Government’s initiatives to increase housing land supply, the applicant considered that a balance between housing land and other land uses, should be struck. It was noted in C for Tourism’s comments that the total visitor arrivals had reached the record-high in 2011 and would continue to grow. C for Tourism considered it necessary to ensure adequate provision of hotel facilities in

Hong Kong to support the rapid development of convention, exhibition and tourism industries and thus supported the application;

- (d) the applicant had submitted technical assessments to address the departmental comments on the application. All relevant departments, including the Transport Department (TD), Environmental Protection Department (EPD), Landscape Unit of Urban Design and Landscape (UD&L) Section, PlanD, Hong Kong Police Force (HKPF) and Drainage Services Department (DSD) had no objection to or no comment on the application;
- (e) the proposed development was in line with the Government's policy to revitalise old industrial buildings. The proposed hotel use was compatible with the surrounding environment and could eliminate the industrial/residential (I/R) interface problem between the future developments in the northern part of TWEIA and the existing industrial uses to the south of Yeung Uk Road as well as upgrading of the environment of Tsuen Wan East Area;
- (f) a long lead time was required for the applicant to reach agreement among different parties (individual owners and tenants) within the "CDA(3)" zone for site amalgamation to realise the planning intention of the zone for comprehensive residential development. The review of the "CDA" zones would only be undertaken by the Government 3 years after the first designation;

[Professor P.P. Ho and Ms Julia M.K. Lau arrived to join the meeting at this point.]

- (g) the approval of the application would not set an undesirable precedent, as there was a precedent case in the Yau Tong Industrial Area (YTIA) where the original "CDA" zone designated in 1998 was subsequently sub-divided into smaller sites with appropriate zonings to facilitate redevelopment of the area. The major problem encountered by the owners under the then "CDA" zone was also on site amalgamation. The redevelopment of YTIA had been frozen for more than 10 years owing to the "CDA" zoning;

- (h) the applicant had considered submitting a s.16 application for hotel development on the Site. However, it was difficult for the applicant to submit a MLP to fulfill the requirement of the “CDA(3)” zone as the applicant did not intend to include other sites within the “CDA(3)” zone into the MLP without other owners’ agreement. Also, the maximum PR of 5 stipulated for the “CDA(3)” zone did not meet the applicant’s intention for wholesale conversion of the Site. The s.16 application for conversion of the existing industrial building at the applicant’s site for hotel use would also jeopardise the development potential of other lots within the “CDA(3)” zone;
- (i) in response to CTP/UD&L’s comments that piecemeal rezoning of the Site would frustrate the design integrity and reduce design flexibility, it should be noted that the Site was located at the northeast corner of the “CDA(3)” zone. Carving out the Site would neither affect the future comprehensive development of the remaining “CDA(3)” site to achieve a coherent and integrated design layout, nor the ingress/egress of the other lots, as demonstrated in the recent s.16 application (No. A/TW/452) for comprehensive residential development in the “CDA(3)” zone;
- (j) the applicant had submitted a landscape proposal as requested by CTP/UD&L, PlanD. Owing to site constraints, a landscaped roof was proposed on the 4/F flat roof area of the hotel. Greening and amenity planting would be provided. CTP/UD&L, PlanD considered the landscape proposal acceptable; and
- (k) as shown in the section and photomontage of the approved HOS development at the adjacent “CDA(2)” zone, the proposed maximum building height of the converted hotel building (24 storeys) was lower than and compatible with the adjacent HOS development with a maximum building heights of 29 to 38 storeys. The applicant would also refurbish the façade of the industrial building to improve the local environment.

The proposed building column works

9. With the aid of a powerpoint presentation, Mr Cheng Kim Chung made the following main points:

- (a) the existing industrial building adopted a beam and column structure and on a caisson foundation;
- (b) in view of the design requirements of the proposed hotel development, two columns had to be relocated. The works would involve installation of temporary pillars to support the entire building, removal of floor slabs and beams around the building columns, demolition of the two columns and rebuilding two columns at the new locations; and
- (c) the works would neither involve any transfer of major structures nor increase the overall loading of the building. Overall, it was considered that the proposal building column works were structurally feasible.

10. With the aid of a powerpoint presentation, Miss Cannis Lee continued to make the following points:

Responses to Public Comments

- (a) regarding the public comments raising concerns on the adverse traffic impact, a traffic impact assessment (TIA) had been conducted and C for T and Commissioner of Police (C of P) had no comment on this aspect;

Conclusion

- (b) the justifications for the proposed rezoning were summarised as follows:
  - (i) the proposed “C(7)” zone was appropriate to serve the immediate neighbourhood and future residents in Tsuen Wan East area. It would bring about more economic activities and job opportunities in

the area;

- (ii) the proposed hotel development could meet the increasing demand for hotel rooms and support tourism development in Hong Kong;
- (iii) the proposed wholesale conversion of the existing industrial building for hotel development was considered more environmentally friendly and sustainable as compared with redevelopment;
- (iv) the proposed rezoning would have no adverse traffic, environmental, sewerage and visual impacts;
- (v) due to the huge differences in building age and the multiple ownerships of the existing industrial buildings, it was extremely difficult for different parties (individual owners and tenants) within the “CDA(3)” zone to reach a consensus for comprehensive redevelopment. The adjacent Asia Tone I-centre was only 19 years old and had been recently refurbished for data centre use. The chance for redevelopment of it in the short term would be minimal. The multiple ownership (over 20 owners) of Bonsun Industrial Building would also make it difficult for reaching consensus for redevelopment; and
- (vi) the existing floor area of the Site was about 26,458m<sup>2</sup>. Should the applicant redevelop the Site in accordance with the maximum PR of 5 under the “CDA(3)” zone, there would be a loss of a GFA of about 17,633m<sup>2</sup>. In view of the above and considering the applicant’s intention, Members were requested to give favourable consideration to the application.

11. Miss Cannis Lee then read out a letter from the applicant which was tabled at the meeting and covered the following points:

- (a) the applicant had submitted a planning application for wholesale

conversion of the Site for hotel use in 2010 in response to the revitalisation policy. He had also raised objection to the rezoning of the Site to “CDA(3)”, but it was not upheld by the Board;

- (b) the proposed development was in line with the Government’s policy to revitalise industrial buildings. Whilst the applicant acknowledged that there was a shortage in housing land supply in the territory and appreciated the Government’s initiatives to increase housing land supply, there were doubts whether such initiative could be realised under the current “CDA(3)” zone with a maximum PR of 5 only and the requirement for comprehensive redevelopment within the entire zone;
- (c) although the applicant was the sole owner of Wong’s Factory Building, it was a family-owned property and the applicant did not want to give up the property rights of the building;
- (d) the applicant was not able to acquire other properties within the “CDA(3)” zone for redevelopment or redevelop the Site without consensus from other owners within the “CDA(3)” zone as it would jeopardise others’ property rights;
- (e) it was noted that the owners of any adjacent industrial building had submitted a s.16 application (No. A/TW/452) for residential redevelopment within the entire “CDA(3)” zone. Such application was made without consent of the applicant. Approval of the planning application and the MLP would limit the development of the Site and jeopardise the property rights of the applicant; and
- (f) as a long lead time would be required for different parties to reach consensus for redevelopment, the applicant applied to the Board for amendments to the OZP in order to implement the proposed development as soon as possible and avoid the freezing of the development of the area.

### Planning intention of TWEIA

12. In response to a Member's question, Mr Wilson W.S. Chan, DPO/TWK, said that as the Site fell within the "CDA(3)" zone, planning permission would be required if the applicant intended to convert the existing industrial building for hotel use. He also informed Members that the policy of revitalization of industrial buildings did not apply to sites zoned "CDA". Hence, the applicant needed to apply for rezoning so that conversion of the existing industrial building could be considered under the revitalization policy.

13. In response to a Member's questions on the impacts of the proposed rezoning/wholesale conversion of the existing industrial building on realising the planning intention for the area, Mr Wilson W.S. Chan made the following main points:

- (a) the designation of the northern part of TWEIA into five "CDA" zones had taken into account, amongst others, the land ownership of the area. The land ownership pattern of the area was relatively simpler than the "CDA" zones in other urban areas. Among the four lots in the "CDA(3)" zone, except for Bonsun Industrial Building which was under multiple ownership with 22 owners, the other three industrial buildings were under single ownership. Under such circumstance, there was a reasonable chance for the owners to reach a consensus for comprehensive redevelopment of the area;
- (b) a phased redevelopment for the "CDA(3)" zone would be allowed if individual phases of redevelopment were implemented as parts of a MLP approved by the Board and the comprehensiveness of the MLP would not be jeopardised as a result of the phased development. It should be noted that in the s.16 application (No. A/TW/452) submitted by the owner of Edward Wong Industrial Centre within the same "CDA(3)" zone, a MLP for phased residential development with a total PR of not more than 5 was proposed;
- (c) the applicant might also submit a s.16 application for hotel development for the life-time of the existing industrial building provided that the Site

remained to be part of the “CDA(3)” zone for comprehensive redevelopment for residential use in the long term;

- (d) although the proposed hotel use was not incompatible with the surrounding developments, the proposed rezoning would defeat the planning intention of comprehensive development/redevelopment primarily for residential use in TWEIA; and
- (e) approval of the application would also result in a permanent loss of land available for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over the territory. It would set an undesirable precedent for similar applications from other landowners in the surrounding “CDA” zones.

14. Noting that the planning intention was to redevelop TWEIA for residential use, a Member asked if PlanD had considered rezoning the northern part of TWEIA to “Residential (Group E)” (“R(E)”). Mr Wilson W.S. Chan responded that as there were existing industrial uses within TWEIA, according to advice of the Director of Environment Protection (DEP), a “R(E)” zoning would not be as effective as “CDA” in addressing the I/R interface problem during the course of redevelopment of the area. Hence, the area had been rezoned to five “CDA” sub-zones to facilitate comprehensive redevelopment of the area.

15. In response to a Member’s question on the impact of proposed hotel development on the development potential of the remaining lots within the “CDA(3)” zone, Mr Wilson W.S. Chan said that maximum domestic PR 5 was adopted for residential developments in Tsuen Wan. Hence, maximum PR 5 was also adopted for the subject “CDA(3)” zone. However, it was noted that the existing Wong’s Factory Building already had a PR of 14.99. The Secretary supplemented that according to the Covering Notes of the draft OZP, no action was required to make the existing use of any land or building conform to the OZP until there was a material change of use or the building was redeveloped. If the applicant applied for planning permission for wholesale conversion of the existing industrial building for hotel use, it was arguable whether the conversion, which would not involve demolition of existing building, would need to comply with the PR restriction. However, she noted that the Board had once approved a s.16 application for hotel use within a “CDA” zone which also involved

conversion, with the existing PR remained unchanged. The application was for life-time of the building. Nevertheless, future redevelopment of the Site should conform with the provisions of the “CDA(3)” zone including the maximum PR of 5. The conversion into hotel use for the life-time of the building, if approved, would not affect the development potential of the residential development on other sites within the “CDA(3)” zone.

16. In response to the Chairman’s question, Mr Wilson W.S. Chan said that the applicant had submitted a s.12A application for rezoning the Site to “Other Specified Uses” annotated “Hotel” (“OU(Hotel)”) when the Site was under the previous “Industrial” (“I”) zone on the OZP. The Site was subsequently rezoned to “CDA(3)”. The applicant had withdrawn the application before it was submitted to the Committee for consideration.

17. The Chairman asked if the applicant had considered submitting a s.16 planning application to facilitate the wholesale conversion of the existing industrial building on the Site into hotel use for the life-time of the building. In response, Miss Cannis Lee said that the applicant had considered submitting a s.16 planning application prior to the submission of the current s.12A application. However, it was noted that as required under the Notes of the “CDA(3)” zone, a MLP for the entire “CDA(3)” zone should be submitted. In addition, as development within the “CDA(3)” zone was subject to a maximum PR of 5, there might be concerns on the proposed PR of 14.4 under the proposed hotel scheme, which was substantially higher than the maximum PR 5 permitted under the “CDA(3)” zone. In order not to jeopardise the development potential of other lots within the “CDA(3)” zone, the applicant decided not to proceed with a s.16 application, but to submit the current s.12A application for rezoning the Site to facilitate the proposed hotel development.

18. In response to a Member’s question, the Secretary said that if the applicant submitted an application for the subject hotel scheme, he had to indicate in the application that the proposal was for wholesale conversion of the existing industrial building for hotel use for the life-time of the building. There was a precedent case at the Yau Tong Bay. A proposal for conversion of Wing Shan Industrial Building into hotel use for the life-time of the building within the “CDA” zone had been approved before.

#### Technical concerns

19. The Vice-chairman and a Member asked whether the applicant had conducted any structural analysis on the existing industrial building and the feasibility of the proposed relocation of the structural columns. In response, Mr Cheng Kim Chung made the following points:

- (a) the preliminary assessment on the loading of the existing caisson foundation revealed that it could generally support the relocated columns and the proposed hotel development, as the columns were to be shifted only a few metres away from their existing locations and the proposed hotel use would generally have less loading than the existing industrial use;
- (b) the existing caisson foundation extended downwards to the bed rock. In view of the design of the beams and columns of the existing industrial building, removal of any beams/columns would only affect the structure of the area between columns, i.e. the bay. The works for the relocation of columns would be conducted with caution and temporary pillars would be installed on every floor of the affected bay prior to the demolition of the existing and construction of the new columns;
- (c) strengthening works on the existing beams would be undertaken to improve the loading of the foundation of the building if necessary, and no additional foundation works were required; and
- (d) detailed analysis would be undertaken at the detailed design stage.

20. Mr Joe Poon supplemented that during the planning application stage, the Buildings Department (BD) would only provide preliminary comments on the application. BD would provide detailed comments on the proposed building columns works upon submission of General Building Plans for the subject development after the approval of the application by the Committee. Detailed structural analysis of the building would be conducted at the detailed stage during which the overall structure of the building would be thoroughly assessed. The detailed design of the proposed hotel development, including the locations of the relocated building columns, would then be confirmed.

21. The Vice-chairman asked if TD had any comment on the application in traffic terms if the proposed building column works were structurally feasible. In response, Mr Joe Poon explained that TD was not in a position to comment on the proposed building column works. The parking and loading/unloading provisions for the proposed hotel were provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). The applicant had also submitted swept-path analyses to demonstrate that with relocation of the existing building columns, all vehicles could manoeuvre freely within the Site.

22. Mr Wilson W.S. Chan made the following points in response to the Vice-chairman's question:

- (a) for large-scale hotel developments, coach parking spaces had to be provided in accordance with HKPSG. The applicant had previously proposed to provide coach parking spaces along Yeung Uk Road, which was a very busy road. This proposal was not supported by C for T;
- (b) in the current submission, the applicant proposed to provide coach parking spaces within the Site. As shown on the drawing submitted by the applicant, it was proposed to relocate two building columns on the ground floor of the building in order to facilitate the manoeuvring of coaches. C for T had no comment on the application provided that it was feasible to relocate the building columns. If the proposed building column works were not feasible and coach parking spaces could not be provided within the Site, C for T would not support the application in view of the potential traffic impact. Since C for T was not in a position to comment on the structural feasibility of the proposed building column works, C for T provided comments on the application on the assumption that the building column works were technically feasible; and
- (c) BD was unable to comment on the structural feasibility of the proposed relocation of columns unless further information, including but not limited to the structural appraisal on the existing structures and the structural assessment on the proposed column relocation/reconstruction works and

strengthening works was provided.

23. Miss Cannis Lee clarified that the applicant had not proposed to provide coach parking spaces outside the Site in the current application. The applicant had been in close liaison with TD on the parking and loading/unloading arrangements since the submission of the application and revised the swept-path analyses to address TD's comments. The parking and loading/unloading spaces were provided in accordance with HKPSG and TD had no comment on the provisions as well as the swept-path analyses for different vehicles provided that the existing building columns could be relocated.

#### Proposed zoning amendments

24. In response to the Vice-chairman's questions on the details of the zoning amendments proposed by the applicant in the application, Mr Wilson W.S. Chan made the following main points:

- (a) the application was to rezone the Site to "C(7)" with 'Hotel' being the only Column 1 use. The applicant did not intend to develop the Site for office and shops and services uses; and
- (b) the "C(7)" zone was proposed to have a maximum PR of 14.4. It should be noted that other commercial developments in the Tsuen Wan area were in general subject to a maximum non-domestic PR of 9.5.

25. Mr Vincent Sung supplemented the justifications of the application as follows:

- (a) the context of the Site was similar to that of Harbour Plaza North Point in Quarry Bay, which was a hotel surrounded by a housing estate, commercial and other uses. A hotel development would bring in tourists and enhance vibrancy of the northern part of TWEIA. It could mix with the residential/commercial developments nearby to better achieve the intention of comprehensive development in the "CDA(3)" zone. The proposed rezoning would not bring adverse impacts to the area but could help revitalise the northern part of TWEIA as in the area of Harbour Plaza North

Point; and

- (b) with reference to his experience in land acquisition, under no circumstances would any developer amalgamate the lots, which had an existing PR of 15, in the subject “CDA(3)” zone for comprehensive redevelopment, as the zone was subject to a maximum PR of 5 only.

26. In response to a Member’s question, the Chairman said that nil waiver fee for wholesale conversion of existing industrial buildings into other uses was effected under the land policy on revitalization of industrial buildings. Mr Wilson W.S. Chan further explained that according to the policy, wholesale conversion of industrial buildings aged 15 years or above situated in “T”, “Other Specified Uses” annotated “Business” and “C” zones were eligible to enjoy a nil waiver fee. Such arrangement was not applicable to buildings falling within “CDA” zone.

27. As the applicant’s representatives had no further points to raise and there was no further question from Members, the Chairman informed them that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairman thanked the applicant’s representatives and PlanD’s representatives for attending the hearing. They all left the meeting at this point.

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

#### Deliberation Session

28. The Chairman invited Members to consider the application which involved a proposal to rezone the Site from “CDA(3)” to “C(7)” with ‘Hotel’ being the only Column 1 use and a maximum PR of about 14.4 stipulated in the Notes to facilitate the wholesale conversion of the existing industrial building into hotel use.

29. A Member said that the impact of the rezoning for hotel use on the supply of housing land should be a material consideration.

30. Another Member said that the planning intention of the “CDA(3)” zoning was to encourage comprehensive redevelopment for residential use to improve the environment of the area. However, the applicant had not made sufficient effort to discuss with the owners of other lots in the “CDA(3)” zone for comprehensive redevelopment.

31. A Member was concerned that with a maximum domestic PR of 5 for the “CDA(3)” zone might not provide sufficient incentive for comprehensive development/redevelopment of the area, as the existing buildings had a PR of around 15. In view of the difficulties in amalgamating sites for comprehensive residential development, the landowners would prefer to retain sites as industrial use. This would not help address I/R interface problem during the course of redevelopment in the area. This Member considered that the wholesale conversion of the existing industrial building would improve the environment of the area and help eliminate I/R interface problem.

32. Sharing the same concern, another Member said that when the Committee considered the application for the HOS development in the adjacent “CDA(2)” zone, concerns were raised on the I/R interface problem with the adjacent existing industrial buildings. Noting that the HOS development was already at an advanced stage, some mechanism should be identified to encourage development/redevelopment of the area in order to provide a good living environment to the future residents. To allow wholesale conversion for life-time of the existing building without compromising the long-term planning intention for comprehensive redevelopment for residential use might be an option. The view was also shared by two other Members.

33. The Vice-chairman considered that the proposed wholesale conversion for hotel use would help improve the environment of the area. However, the proposed rezoning of the Site to “C(7)” for hotel development with a maximum PR of about 14.4 was not in line with the intention for comprehensive redevelopment of the area for residential use. The proposed “C(7)” zone was also not desirable as it would result in the permanent existence of a hotel with a PR of 14.4 in the area and there would be no control on future redevelopment of the Site.

34. Two other Members considered that approval of the application would create an undesirable precedent for similar cases. One of the Members also had concern over the

rezoning to “C(7)” for a hotel with a PR of about 14.4 as it would deviate from the permissible development intensity of other commercial developments in Tsuen Wan which were subject to a maximum non-domestic PR of 9.5. In addition, if the Site was rezoned to “C(7)”, there was no control on redevelopment of the existing building.

35. The Chairman concluded that Members generally did not agree to the application. Given TWEIA was undergoing transformation to residential use with the HOS development in “CDA(2)” zone being implemented, Members considered that alternative ways should be explored to facilitate the redevelopment of the area.

36. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper. The Vice-chairman said that the rejection reason (f) should be suitably amended to accurately reflect the concerns on technical feasibility of the proposed building column works to facilitate the traffic arrangements, but not the feasibility of the traffic arrangements *per se*. After deliberation, Members agreed to modify the rejection reason (f) to state that the applicant failed to prove the technical feasibility of the proposed building columns works in structural terms to address the traffic arrangements of the proposed development.

37. After further deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) taking into account the planning intention of land use restructuring and upgrading the environment of the northern part of Tsuen Wan East Industrial Area, elimination of interim industrial/residential interface problem and comprehensive development/ redevelopment primarily for residential use with adequate supporting facilities, the “CDA(3)” zoning for the Site is considered appropriate;
- (b) given the current shortfall in housing supply, the “CDA(3)” zone should be retained for comprehensive development/redevelopment primarily for residential use. The approval of the rezoning application would result in a permanent loss of land for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over the territory;

- (c) approval of the rezoning application will set an undesirable precedent for similar applications from other landowners in the surrounding “CDA” zones and defeat the planning intention of rezoning the northern part of TWEIA;
- (d) the “CDA(3)” zone does not rule out the possibility of phased redevelopment by individual landowners within the “CDA(3)” zone provided that the redevelopment is implemented in accordance with an approved Master Layout Plan (MLP) and the comprehensiveness of the MLP would not be affected as a result of the phased redevelopment;
- (e) the applicant fails to demonstrate that the rezoning would not frustrate the design integrity and reduce design flexibility of the remaining area of the “CDA(3)” zone. The opportunity for enhancement of the local environment and streetscape improvement is considered limited since the proposed rezoning is for piecemeal in-situ wholesale conversion of an industrial building; and
- (f) the applicant fails to prove the technical feasibility of the proposed removal and reconstruction of the building columns on the ground floor in structural terms to address the traffic arrangements of the proposed development.”

#### **Agenda Item 4**

##### Section 16 Application

[Open Meeting]

A/K3/554              Proposed Flat, Shop and Services and Minor Relaxation of Building Height Restriction in “Residential (Group E)1” Zone and area shown as ‘Road’, No. 25-29 Kok Cheung Street, Tai Kok Tsui, Kowloon  
(MPC Paper No. A/K3/554)

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38.              The Secretary reported that Kenneth To & Associates Ltd. (KTA), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd. (Dennis Lau & Ng Chun Man), CKM Asia

Ltd. (CKM) and Parsons Brinckerhoff (Asia) Ltd. (Parsons Brinckerhoff) were the consultants of the applicant. The following Members had declared interests in this item:

- |                     |  |
|---------------------|--|
| Mr Dominic K.K. Lam | - had current business dealings with KTA and Parsons Brinckerhoff  |
| Mr Patrick H.T. Lau | - had current business dealings with KTA and Dennis Lau & Ng Chun Man  |
| Professor P.P. Ho   | - had current business dealings with CKM and Dennis Lau & Ng Chun Man had given donations to the School of Architecture of the Chinese University of Hong Kong, of which he was the Director |
| Professor S.C. Wong | - CKM had financially sponsored some activities of the Institute of Transport Studies of the University of Hong Kong, of which Professor Wong was the Director of the Institute              |

39. As the Planning Department (PlanD) had recommended a deferment of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam, Mr Patrick H.T. Lau, Professor P.P. Ho and Professor S.C. Wong could stay in the meeting.

40. The Secretary reported that as the application site was subject to outstanding adverse representations yet to be submitted to the Chief Executive in Council for consideration and the substance of the representations was relevant to the subject application, it was recommended to defer a decision on the subject application. A similar application submitted by the applicant was deferred by the Committee on 11.1.2013.

41. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD pending the submission of the draft Mong Kok Outline Zoning Plan to the Chief Executive in Council and its final decision.

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting]

A/K3/555              Proposed Hotel and Minor Relaxation of Plot Ratio Restriction in  
“Residential (Group A)” Zone, 4/F and 6/F, Mong Kok City Centre,  
74-84 Sai Yeung Choi Street South, Mong Kok, Kowloon  
(MPC Paper No. A/K3/555)

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42.        The Secretary reported that the applicant requested on 25.9.2013 for deferment of the consideration of the application for two months in order to allow time for the applicant to prepare a traffic impact assessment report to address the comments of the Commissioner for Transport. This was the first time that the applicant requested for deferment.

43.        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 agreed that the application should be submitted for its 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 Wilson W.S. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) and Mr. Philip Y.L. Chum, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

## **Agenda Item 6**

[Open Meeting (Presentation and Question Sessions only)]

Draft Planning Brief for the “Comprehensive Development Area” Site at the North West Kowloon Reclamation Area Site 6  
(MPC Paper No.15/13)

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44. The Secretary reported that as the subject site was proposed for public rental housing (PRH) development by the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item:

Mr K.K. Ling as the Director of Planning	-	being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA
Mr Edwin W.K. Chan as the Assistant Director of Lands Department	-	being an assistant to the Director of Lands who was a member of HKHA
Mr Frankie W.P. Chou as the Chief Engineer (Works), Home Affairs Department	-	being a Chief Engineer of the Home Affairs Department, which Director was a member of the SPC and Subsidised Housing Committee of HKHA
Ms Julia M.K. Lau	-	being a member of HKHA and Commercial Properties Committee and Tender Committee of HKHA
Mr Dominic K.K. Lam	-	having current business dealings with HKHA

45. The Committee noted that Mr Frankie W.P. Chou had tendered his apologies for being unable to attend the meeting. The Committee also considered that the interests of the other four Members were direct, and they should leave the meeting temporarily for this item.

As the Chairman had to withdraw from the meeting, the Committee agreed that the Vice-chairman should take over to chair the meeting for this item.

[Mr K.K. Ling, Mr Edwin W.K. Chan, Ms Julia M.K. Lau and Mr Dominic K.K. Lam left the meeting temporarily at this point.]

### Presentation and Question Sessions

46. With the aid of a powerpoint presentation, Mr Philip Y.L. Chum, STP/TWK, presented the draft planning brief (PB) as detailed in the Paper and covered the following main points :

#### Background

- (a) the North West Kowloon Reclamation (NWKR) Site 6 (the Site) was first zoned “Comprehensive Development Area” (“CDA”) on the draft South West Kowloon Outline Zoning Plan (OZP) No. S/K20/5, which was gazetted on 24.4.1998. The Site was confirmed for PRH development and this intention had been stipulated in Explanatory Statement (ES) of OZP since May 2009. The Site remained as “CDA” on the approved South West Kowloon OZP No. S/K20/28;
- (b) the Site, with an area of 4.49 ha, was bounded by Sham Mong Road, Tokin Street West, Hing Wah Street West and West Kowloon Highway. It was a piece of government land which was mainly used as works area to facilitate the construction of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) and a temporary public transport interchange (PTI);
- (c) consultations with the Sham Shui Po District Council (SSPDC) on the proposed comprehensive development at the Site were conducted on several occasions between 2009 and 2013. On 5.3.2013, the Housing Department (HD) and Planning Department (PlanD) consulted SSPDC on a revised preliminary development proposal for the Site. Majority of SSPDC members had no objection to the proposed PRH development. On

9.7.2013, HD conducted a community engagement workshop to collect local and stakeholders' views;

- (d) the major views received from the public as well as those solicited during HD's community engagement workshop had been considered and incorporated in the draft PB where appropriate. The public views collected since March 2013 were summarised as follows:
- the proposed development at the Site would generate adverse air ventilation and visual impacts on the Sham Shui Po district;
  - to lack of supporting facilities including transportation and Government, Institution or Community (GIC) facilities;
  - too many PRH developments in the Sham Shui Po district;
  - inadequate public consultation;
  - the proposed PRH development could help address the severe housing need in the society; and
  - the proposed GIC facilities within the Site should be completed in an early manner for public enjoyment;

The Draft PB

- (e) the draft PB was to guide the proposed PRH development in the "CDA" site and to set out the intended uses, development parameters, and the planning and design requirements to facilitate the preparation of a Master Layout Plan (MLP) submission by the future applicant to the Board;
- (f) HD intended to develop the Site in a comprehensive manner for PRH development with retail facilities (including wet market stalls), GIC facilities (including indoor sports centre, library and social welfare facilities), 1 ha of public open space (POS) and a PTI;

Major Development Parameters

- (g) the gross site area was about 4.49ha and the net site area was about 2.88ha (excluding the open-air portion of the PTI, POS, the ventilation building of XRL, open-air portion of public road and pedestrian pavement). The development on the Site would be restricted to a maximum domestic plot ratio (PR) of 6.5 and non-domestic PR of 1.5, both calculated based on net site area, and a maximum building height of 140mPD;

Urban Design Requirements

- (h) a number of urban design features, including variations in building profile and building height, stepped terrace design to reduce podium bulk, and provision of a 22m wide non-building area (NBA) aligning with Fat Tseung Street West to enhance visual and air permeability were adopted;
- (i) a visual impact assessment (VIA), an air ventilation assessment (AVA) and an urban design concept plan with brief descriptions on the key urban design principles adopted should be included in the MLP submission to ensure better air ventilation and visual permeability;

Landscape Requirements

- (j) a Landscape Master Plan (LMP) should be submitted as part of the MLP submission. A minimum greenery coverage of 30% based on the net site area should be adopted (excluding the greening part of the proposed POS) with minimum half of the greening should be provided at grade. Existing trees should be preserved at their original locations as far as possible and the proposed PRH development should optimize greening opportunity;

Open Space Provision

- (k) POS of not less than 1ha, which would be managed and maintained by HD, should be located at grade as far as possible for public enjoyment;

- (l) an open space of not less than 0.15ha with a 5-a-side soccer pitch for reprovisioning of the existing one at Fat Tseung Street West should be provided to the satisfaction of the Leisure and Cultural Services Department (LCSD) and handed over to LCSD for management and maintenance upon completion;
- (m) private open space of not less than 1m<sup>2</sup> per person should be provided to serve the residents of the proposed PRH development;

*GIC Facilities*

- (n) an indoor sports centre with minimum net operating floor area (NOFA) of 2,809m<sup>2</sup>, a district library with minimum NOFA of 2,885m<sup>2</sup> and the reserve stack for Hong Kong Central Library with minimum NOFA of 7,264m<sup>2</sup> should be provided in the proposed PRH development and handed over to LCSD for management and maintenance upon completion. The arena of the indoor sports centre should be flexibly used for community activities with a seating capacity of about 1,000;
- (o) an Integrated Children & Youth Services Centre with minimum NOFA of 631m<sup>2</sup>, a 50-place Day Activity Centre cum 50-place Hostel for severely mentally handicapped persons with minimum total NOFA of 980m<sup>2</sup>, a 60-place Special Child Care Centre cum 60-place Early Education and Training Centre with minimum total NOFA of 511m<sup>2</sup>; a 120-place Integrated Vocational Rehabilitation Services Centre with minimum NOFA of 654m<sup>2</sup>, a 50-place Hostel for moderately mentally handicapped persons with minimum NOFA of 534m<sup>2</sup>, and a 30-place Supported Hostel for mentally and physically handicapped persons with a minimum NOFA of 355m<sup>2</sup> should be provided in the PRH development and handed over to Social Welfare Department (SWD) for management and maintenance upon completion;

*Other Facilities*

- (p) other facilities including a PTI, a market for wet and/or dry goods with

minimum 60 stalls, a kindergarten with a minimum of 6 classrooms (gross floor area (GFA) of approximately 840m<sup>2</sup>) should be provided in the PRH development. Ancillary car parking spaces and loading/unloading bays should be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and subject to the traffic impact assessment (TIA);

*Other Technical Requirements*

- (q) a TIA, an environmental assessment (EA) and a sewerage impact assessment (SIA) should be prepared and submitted as parts of the MLP submission; and

*Way Forward*

- (r) subject to Committee's agreement, PlanD would consult SSPDC on the draft PB. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

[Mr Maurice W.M. Lee arrived to join the meeting at this point.]

47. In response to a Member's question, Mr Philip Y.L. Chum said that the draft PB had been circulated to concerned government departments for comments. The relevant departments had already agreed to take up the management and maintenance responsibilities of the GIC facilities in the proposed PRH development.

48. In response to another Member's question on the compatibility of the proposed PRH development with the surrounding residential developments, Mr Wilson W.S. Chan, DPO/TWK, said that the maximum PR of 6.5 for the proposed PRH development was similar to those of other residential developments in the vicinity. All of the proposed GIC facilities would be counted as non-domestic GFA. In response to the same Member's question on whether PlanD had conducted any assessments on the environmental, urban design and air ventilation aspects for the proposed development, Mr Wilson W.S. Chan said that HD would conduct detailed assessments, including AVA, which would be submitted together with the MLP for consideration by the Committee under the requirements of the "CDA" zone.

### Deliberation Session

49. After deliberation, the Committee decided to agree that the draft PB was suitable for consultation with SSPDC. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

[The Vice-Chairman thanked Mr Wilson W.S. Chan, DPO/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr K.K. Ling, Mr Edwin W.K. Chan, Ms Julia M.K. Lau and Mr Dominic K.K. Lam returned to join the meeting at this point.]

[Professor P.P. Ho and Mr Patrick H.T. Lau left the meeting at this point.]

### Agenda Item 7

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/740      Proposed Shop and Services in "Other Specified Uses" annotated "Business(1)" Zone, Unit No. 1 (Namely 1A, 1B, 1C, 1D and 1E) on Ground Floor, Peninsula Tower, 538 Castle Peak Road, Cheung Sha Wan, Kowloon  

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(MPC Paper No.A/K5/740)

#### Presentation and Question Sessions

50. The Secretary reported that Ms Julia M.K. Lau had declared an interest in this item as she had current business dealings with Knight Frank Petty Ltd., the consultant of the application. As Ms Julia M.K. Lau had no direct involvement in this application, Members agreed that she could stay in the meeting.

51. Mr Philip Y.L. Chum, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection or no comment on the application;
- (d) no public comment was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

52. Members had no question on the application.

#### Deliberation Session

53. After 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 25.10.2015, 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 submission and implementation of fire safety measures, including the provision of fire service installations and a means of escape completely separated from the industrial portion, before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) to note the comments of the District Lands Officer/Kowloon West, Lands Department on the need to apply for a temporary waiver or lease modification;
- (b) to note the comments of the Director of Fire Services that the requirements as stipulated in the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department should be complied with;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that an Authorized Person should be appointed to submit building plans for the change in use to demonstrate compliance with the Buildings Ordinance, in particular:
  - (i) the provision of adequate means of escape to the premises and the remaining portion of Flat A on G/F in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for the Fire Safety in Buildings 2011;
  - (ii) the subject premises should be separated from the remaining portion of the building including the car park on 1/F above by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011;
  - (iii) adequate provision of sanitary fitments and fittings. Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation and PNAP ADV-28 refer;
  - (iv) access and facilities for persons with a disability should be provided in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008;

- (d) to note the comments of the Chief Engineer/Development(2), Water Supplies Department (CE/D(2), WSD) that applicant should liaise with their consultants Atkins China Ltd. about any interface issues between the proposed development and the rehabilitation works; and
- (e) to note the comments of the Director of Food and Environmental Hygiene for obtaining appropriate licence/permit from the Food and Environmental Hygiene Department.”

[The Chairman thanked Mr Philip Y.L. Chum, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms Fannie F.L. Hung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

[Mr Clarence W.C. Leung left the meeting temporarily at this point.]

## **Agenda Item 8**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/410              Proposed Hotel in “Other Specified Uses” annotated “Business” Zone,  
                          12 Ka Hing Road, Kwai Chung, New Territories  
                          (MPC Paper No. A/KC/410)

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### **Presentation and Question Sessions**

55.         The Secretary reported that Raymond Chan Surveyors Ltd., Environ Hong Kong Ltd. (Environ) and CKM Asia Ltd. (CKM) were the consultants of the applicant. The following Members had declared interests in this item:

Mr Dominic K.K. Lam	- had current business dealings with Raymond Chan Surveyors Ltd. and Environ
Professor S.C. Wong	CKM had financially sponsored some activities of the Institute of Transport Studies of the University of Hong Kong, of which Professor Wong was the Director of the Institute
Professor P.P. Ho	- had current business dealings with CKM

56. Members noted that Professor P.P. Ho had already left the meeting. As Mr Dominic K.K. Lam and Professor S.C. Wong had no direct involvement in the subject application, the Committee agreed that they could stay in the meeting.

57. With the aid of a powerpoint presentation, Ms Fannie F.L. Hung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel development involving wholesale conversion of an existing 21-storey industrial building into a hotel, with a total gross floor area (GFA) of 4,912.12m<sup>2</sup> or a plot ratio (PR) of 13.47 and a maximum building height (BH) of 82.25mPD or 21 storeys;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Tourism (C for Tourism) supported the application and considered that the proposed hotel development would increase the number of hotel rooms, broaden the range of accommodations for visitors, and support the rapid development of convention and exhibition, tourism and hotel industries. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that greening opportunity should be maximised within available space of the Site upon conversion of the building in order to improve the landscape quality of the area. Other concerned departments

had no objection or no adverse comment on the application;

- (d) the District Officer (Kwai Tsing), Home Affairs Department advised that no public comment on the application was received by him. However, he considered that from the local sentiment perspective, the owners of the industrial buildings in the vicinity might have concern over the proposed development, including but not limited to traffic flow;

[Mr Clarence W.C. Leung returned to join the meeting at this point.]

- (e) during the first three weeks of the statutory publication period, two public comments were received. Both of them objected to the application on grounds that the proposed development would exacerbate the traffic condition of the local area and was not compatible with the surrounding environments; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 12 of the Paper. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone which was for general business uses and would help improve the existing urban environment. It would serve as a catalyst in phasing out the current industrial uses within the “OU(B)” zone and would refurbish the façade and exterior of the building and thus improved the visual amenity of the area. C for Tourism also supported the application from tourism development perspective. The proposed hotel development with PR of 13.47 did not exceed the PR of the existing building and the BH of 82.25mPD was also within the permissible BH limit. The proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area. On landscape aspect, CTP/UD&L, PlanD had no objection to the application subject to the incorporation of a suitable approval condition on the submission and implementation of the landscape proposal. As to the public concerns on the possible adverse traffic impact arising from the proposed development,

Commissioner for Transport (C for T) had no adverse comments on the submitted Traffic Impact Assessment and no objection to the application on the traffic aspect.

58. Members had no question on the application.

#### Deliberation Session

59. After 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 25.10.2017, 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 proposed development is subject to a maximum gross floor area (GFA) of 4,912.12m<sup>2</sup>. Any floor space that is constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations shall be included in the GFA calculation;
- (b) the design and provision of vehicular access, car park and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the provision of fire service installations and water supply for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.”

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

- “(a) the approval of the application does not imply that the proposed non-domestic plot ratio of the proposed hotel development and the proposed gross floor area exemption for back-of-house facilities would

be granted by the Building Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval;

- (b) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) that the applicant should apply to a modification/special waiver for the proposed conversion. The application will be processed by LandsD acting in its capacity as Landlord at its sole discretion. Any approval, if given, would be subject to such terms and conditions including, inter alia, payment of premium/waiver fee and administrative fee as may be approved by LandsD;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department's comments on the provision of prescribed windows under Building (Planning) Regulations 30 and 31, the provision of service lane under Building (Planning) Regulation 28 and the requirements for granting hotel concessions under Building (Planning) Regulation 23A and PNAP APP-40;
- (d) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access shall comply with the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department;
- (e) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department that as the building is originally approved by BA for non-domestic use, the applicant should submit documentary evidence showing that the BA has granted prior approval for the proposed use when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO). The proposed licence area should be physically connected and the siting of the proposal is considered acceptable from licensing point of view. The applicant's attention should be drawn to Para. 4.28 of Code of Practice for Minimum Fire Service Installations and Equipment. The licensing requirements will be formulated after inspections by the

Building Safety Unit and Fire Safety Team of his office upon receipt of a licence application under HAGAO; and

- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department to improve the landscape quality of the area by maximizing the greening opportunity within available space of the application site upon conversion of the building and to explore the possibility of providing a roof garden.”

[The Chairman thanked Ms Fonnie F.L. Hung, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Hong Kong District**

#### **Agenda Item 9**

##### **Section 16 Application**

[Open Meeting]

A/H19/67              Proposed Utility Installation for Private Project (Cable Trench, Drainage, Water Pipe and Maintenance Staircase) in “Green Belt” Zone, Government Land adjoining 18 Carmel Road (Rural Building Lot No. 701), Stanley, Hong Kong  
(MPC Paper No. A/H19/67)

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61.        The Committee noted that the applicant requested on 9.10.2013 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from Chief Town Planner/Urban Design and Landscape, Planning Department. This was the first time that the applicant requested for deferment.

62.        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 agreed that the application should be submitted for its 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 10**

### **Section 16 Application**

[Open Meeting]

A/H20/179              Shop and Services (Money Exchange) in “Other Specified Uses” annotated “Business” Zone, Workshop 2B, G/F, Cheung Tat Centre, 18 Cheung Lee Street, Chai Wan, Hong Kong  
(MPC Paper No. A/H20/179)

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63.              The Secretary reported that Mr Dominic K.K. Lam’s company owned a workshop at subject site. As the applicant had requested for deferment of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam could stay in the meeting.

64.              The Committee noted that the applicant requested on 23.10.2013 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the issue of fire services provision. This was the first time that the applicant requested for deferment.

65.              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 agreed that the application should be submitted for its 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 11**

### **Section 16 Application**

[Open Meeting]

A/H21/137      Proposed Office with Eating Place, Shops and Services in “Residential (Group A)” Zone, 21-39 Mansion Street and 852-858 King's Road, Quarry Bay, Hong Kong  
(MPC Paper No. A/H21/137)

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66.      The Secretary reported that Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests in this item as they had current business dealings with LLA Consultancy Ltd., one of the consultants of the application. Members noted that Mr Patrick H.T. Lau had already left the meeting. As the applicant had requested for deferment of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam could stay in the meeting.

67.      The Committee noted that the applicant requested on 10.10.2013 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the concerns of relevant government departments. This was the first time that the applicant requested for deferment.

68.      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 agreed that the application should be submitted for its 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 12**

### **Section 16 Application**

[Open Meeting]

A/H9/72              Proposed Electricity Substation with Gallery and Public Open Space Development in “Open Space” Zone, Government Land at Tung Kin Road, A Kung Ngam, Shau Kei Wan, Hong Kong  
(MPC Paper No. A/H9/72)

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69.        The Secretary reported that the application was submitted by the Hongkong Electric Co., Ltd. (HK Electric) and Kenneth To & Associates Ltd. (KTA), LLA Consultancy Ltd. (LLA) and Urbis Ltd. (Urbis) were the consultants of the applicant. Mr Patrick H.T. Lau who had current business dealings with HK Electric, KTA and LLA, had declared interest in this item. Mr Dominic K.K. Lam who had current business dealings with KTA , LLA and Urbis, had declared interest in this item. Members noted that Mr Patrick H.T. Lau had already left the meeting. As the applicant had requested for deferment of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam could stay in the meeting.

70.        The Committee noted that the applicant requested on 21.10.2013 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments and concerns from relevant government departments. This was the first time that the applicant requested for deferment.

71.        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 agreed that the application should be submitted for its 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.

[Ms Karen F.Y. Wong, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

## **Kowloon District**

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/689      Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Workshop on Ground Floor of Assun Pacific Centre, 41 Tsun Yip Street, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/689)

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#### **Presentation and Question Sessions**

72.      Ms Julia M.K. Lau had declared an interest in this item as her office was near the proposed shop and services. As the interest of Ms Julia M.K. Lau was remote, Members agreed that she could stay in the meeting.

73.      With the aid of a powerpoint, Ms Karen F.Y. Wong, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned department had no objection to or no comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comment were received. One comment was from the Chairman of Kwun Tong Central Area Committee who supported the application without stating the reason. Another commenter considered that the unit was too small for shop and services use and enquired the business nature and whether the ingress/egress on the applicant’s plan was for pedestrian or

vehicle use. The remaining comment was submitted by the management company of the subject building. It included a letter from the Incorporated Owners (IO) of the subject building indicating their disapproval of granting additional resources to the management company. The management company opposed to the application on the grounds that the proposed use would require additional resources which were not granted by the IO and there was traffic and fire safety concerns arising from the application. It also stated that both the management company and the IO would not be responsible for any accidents and loss related to the proposed use. Nine questionnaire responses were attached to the comment, with six raising objection, two indicating support and one having no comment on the application. While one of the supporting responses considered that the proposed use could enhance the visual amenity and provide a quiet environment and supported the business development in the area, the others did not state any supporting/objecting reasons; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. As to the public comment on the business nature and whether the ingress/egress of the premises was for pedestrian or vehicle use, the applicant had already specified in his submission that the proposal was for 'Shop and Services' use and no vehicular access was proposed. Regarding the comments raised by the management company on the possible traffic and fire safety impacts, the Commissioner for Transport and Director of Fire Services (D of FS) had no objection to or no comment on the application, and appropriate approval condition requiring the submission and implementation of fire safety measures before the operation of use was recommended to be imposed in the application. Regarding the comments on the need for additional management resources, it was not a planning consideration.

74. Members had no question on the application.

Deliberation Session

75. After 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 25.10.2015, 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 submission and implementation of fire safety measures, including the provision of means of escape completely separated from the industrial portion and fire service installations and equipment in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use; and
- (b) if the above planning condition is not complied with before the operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) to note the comments of the District Lands Officer/Kowloon East, Lands Department for application of lease modification or temporary waiver for the ‘Shop and Services’ use at the application premises;
- (b) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings administrated by the Buildings Department, and to observe the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises; and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that the applicant should appoint an Authorized Person to submit building plans for the proposed change of use and/or alteration and addition works to the Building Authority (BA) under the Buildings Ordinance (BO), in particular, the provision of adequate means of escape

and access & facilities for persons with a disability; for unauthorized building works (UBW) erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary; the granting of any planning approval should not be construed as an acceptance of any UBW on the application site under the BO; and detailed comments under the BO can only be formulated at the building plan submission stage.”

[The Chairman thanked Ms. Karen F.Y. Wong, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

**Agenda Item 14**

**Any Other Business**

77. There being no other business, the meeting closed at 11:05 a.m.