

TOWN PLANNING BOARD

Minutes of 547th Meeting of the Metro Planning Committee held at 9:00 a.m. on 4.12.2015

Present

Director of Planning
Mr K. K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Professor P.P. Ho

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Dr Wilton W.T. Fok

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H. B. Yau

Dr Lawrence W.C Poon

Assistant Commissioner for Transport (Urban),
Transport Department
Mr W. L. Tang

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

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

Assistant Director (R1), Lands Department
Mr Simon S.W. Wang

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Frankie M.H. Yeung

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board
Mr Louis K.H. Kau

Town Planner/Town Planning Board
Mr Eric C.Y. Chiu

Agenda Item 1

Confirmation of the Draft Minutes of the 546th MPC Meeting held on 20.11.2015

[Open Meeting]

1. The draft minutes of the 546th MPC meeting held on 20.11.2015 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 and Kowloon District

Agenda Items 3 & 4

Section 12A Applications

[Open Meeting (Presentation and Question Sessions only)]

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|---------|--|
| Y/K1/3 | Application for Amendment to the Approved Tsim Sha Tsui Outline Zoning Plan No. S/K1/28, To rezone the application site from “Other Specified Uses” annotated “Gun Club Hill Barracks” to “Residential (Group A)”, Gun Club Hill Barracks, Tsim Sha Tsui, Kowloon (MPC Paper No. Y/K1/3) |
| Y/K18/8 | Application for Amendment to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/19, To rezone the application site from “Other Specified Uses” annotated “Military Camp” to “Residential (Group A)”, Kowloon East Barracks, Kowloon Tong (MPC Paper No. Y/K18/8) |
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Procedural Matters

[Closed Meeting]

3. Considering that Item 3 and Item 4 were similar in nature and both were submitted by the same applicant, Hon. Albert W.Y. Chan, the Chairman suggested and Members agreed that the representatives of Planning Department (PlanD) would first present the background of the applications, to be followed by a presentation on both applications by Hon. Albert Chan. Deliberation of the two applications would be conducted after the presentation and question sessions of both applications had been completed.

Presentation and Question Sessions

[Mr Lawrence Chau, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) and Ms Michelle M.S. Yuen, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), Mr Tom Yip, District Planning Officer/Kowloon (DPO/K) and Ms Johanna W.Y. Cheng, Senior Town Planner/Kowloon (STP/K), and the applicant, Hon. Albert Chan, were invited to the meeting at this point.]

[Mr Dominic K.K. Lam and Mr Martin W.C. Kwan arrived to join the meeting at this point.]

4. The Chairman extended a welcome and explained the procedure of the hearing. Hon. Albert Chan agreed to the arrangements as stated in paragraph 3 above.

5. The Secretary reported that the site of application No. Y/K18/8 was located in Kowloon Tong and the following Members had declared interests on the item :

- | | |
|------------------------|---|
| Ms Julia M.K. Lau | - owning a share of a property in Kowloon Tong; being the director of a company that owned a property in Kowloon Tong; and having family members living in Kowloon Tong |
| Mr Clarence W.C. Leung | - living in and owning a property in Kowloon Tong |
| Dr Lawrence W.C. Poon | - living in Kowloon Tong |

6. The Committee noted that Ms Julia M.K. Lau and Mr Clarence W.C. Leung had not yet arrived to join the meeting and agreed that as the residence of Dr Lawrence W.C. Poon did not have direct view of the site, he could stay in the meeting.

7. The Committee noted that a 2-page letter from Hon. Albert Chan dated 4.12.2015 in support of the applications had been tabled at the meeting for Members' information.

8. The Chairman then invited Ms Michelle M.S. Yuen, STP/TWK, to brief Members on the background of application No. Y/K1/3. With the aid of a PowerPoint, Ms Yuen presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the application was to rezone the site from "Other Specified Uses" annotated "Gun Club Hill Barracks" ("OU(GCHB)") to "Residential (Group A)" ("R(A)") on the approved Tsim Sha Tsui Outline Zoning Plan (OZP) No. S/K1/28 for residential development, subject to a maximum plot ratio (PR) of 7.5 and a maximum building height of 80m. The applicant estimated that the site could provide 6,000 home ownership scheme (HOS) flats;

Background

- (b) the site was previously under the direction and control of the British Garrison stationed in Hong Kong. It was one of the military sites handed over by the Government of the United Kingdom to the Government of the People's Republic of China in accordance with the Exchange of Notes (EoN) between the Government of the People's Republic of China and the Government of the United Kingdom in 1994;
- (c) the site was zoned "Government, Institution or Community" on the first statutory plan covering Tsim Sha Tsui area in 1965, and rezoned to "OU(GCHB)" on the draft Tsim Sha Tsui OZP No. LK 1/56D in 1982. The zoning had since then remained unchanged on the OZP;

Departmental Comments

- (d) departmental comments were set out in paragraph 9 of the Paper. The Secretary for Security (S for S) advised that Gun Club Hill Barracks was one of the military sites established in accordance with the EoN on the future use of military sites in Hong Kong and had been declared as a military installations closed area under the Military Installations Closed Areas Order (Cap. 245B) for use by the People's Liberation Army (PLA) Hong Kong Garrison (the Garrison) for defence purposes. It was inappropriate to rezone the site to other uses. S for S also conveyed the Garrison's strong objection to the application. The Secretary for Development (SDEV) concurred with the comments of S for S;

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

- (e) the Commissioner of Police (C of P) had reservation on the application from the traffic point of view as the increase in traffic flow associated with the proposal may lead to traffic congestion problem in a wider area. The Commissioner for Transport (C for T) advised that the applicant should demonstrate that the proposal was feasible from traffic viewpoint and a comprehensive traffic impact assessment (TIA) shall be conducted. The Director of Environmental Protection (DEP) and the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD), advised that no technical assessment on environmental, drainage and sewage impacts had been submitted. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD also had reservation on the proposal in the absence of technical assessments on landscape and air ventilation impacts. The Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO) also advised that there were a number of proposed Grade 1 historic buildings and graded historic buildings within/in the close vicinity of the site but no information was provided by the applicant on proper preservation of the buildings;

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

Public Comments

- (f) during the first three weeks of the statutory publication period, a total of 23 comments were received (12 supporting; 10 objecting and one providing suggestions). The supporting comments received from Designing Hong Kong Limited (DHK) and individuals were mainly on the grounds of better utilisation of the site; the site had high potential for public or private housing development thereby increasing housing supply; and reducing the interface issue and disturbance of the military site on the neighbouring residents. It was also suggested that the Tuen Mun Tsing Shan Firing Range could also be disposed for housing development and waste treatment purpose;
- (g) the objecting comments received from the nearby Incorporated Owners and individuals were mainly on the grounds of air pollution and ventilation, impact on landscape resources and heritage buildings; incompatibility with surrounding environment; and lack of impact assessments and legal grounds for rezoning;
- (h) a comment was received from the Hong Kong Polytechnic University suggesting that at least part of the site be used for its campus expansion. No local comment was received by the District Officer (Yau Tsim Mong); and

PlanD's Views

- (i) PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper which were summarised as follows :
 - (i) the proposal would affect the defence functions and responsibilities being performed by the Garrison. S for S and SDEV considered it inappropriate to rezone the site, which was intended for defence

purpose, to other uses;

- (ii) the applicant had not submitted development scheme nor impact assessments to substantiate the proposal. In the absence of strong planning justifications and impact assessments, it was impossible to ascertain the applicant's claims about the possible benefits that could be achieved from the proposed rezoning or to confirm that the proposed residential development would not cause adverse impacts to the surrounding area. CTP/UD&L and C of P had reservation on the proposal from urban design, landscape, air ventilation and traffic perspectives respectively and C for T advised that the feasibility of the proposal should be demonstrated from the traffic perspective;
- (iii) the approval of the application would set an undesirable precedent for similar rezoning applications of military sites, the cumulative effect of which would affect the military sites for defence purposes in Hong Kong; and
- (iv) regarding the public comments, the assessments above were relevant. As regards proposals to use the site for other uses, the site should be retained for defence purpose. As for the suggestion to rezone the Tsing Shan Firing Range for housing development, it fell outside the scope of the application.

9. Mr Clarence W.C. Leung reported that his property in Kowloon Tong had a direct view of the site of application No. Y/K18/8. The Committee considered that the interest of Mr Leung was direct and agreed that he should be invited to leave the meeting temporarily for the item.

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

10. The Chairman then invited Ms Johanna W.Y. Cheng, STP/K, to brief Members on the background of application No. Y/K18/8. With the aid of a PowerPoint, Ms Cheng presented the applications and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the application was to rezone the Kowloon East Barracks from “Other Specified Uses” annotated “Military Camp” (“OU(MC)”) to “R(A)” on the approved Kowloon Tong OZP No. S/K18/19 for residential development, subject to a maximum PR of 7.5 and a maximum building height of 100m. The applicant estimated that the site could provide 6,900 HOS flats;

Background

- (b) the site was formerly known as the Osborn Barracks and was one of the 14 military sites handed over by the Government of the United Kingdom to the Government of the People’s Republic of China for exclusive defence use by the Garrison from 1.7.1997;
- (c) the site was zoned “OU(MC)” on the first Kowloon Tong OZP No. LK18/10 gazetted on 9.2.1979. The zoning of the site since then had remained unchanged on the OZP;

Departmental Comments

- (d) departmental comments were set out in paragraph 9 of the Paper. S for S advised that Kowloon East Barracks was one of the military sites established in accordance with the EoN and had been declared as a military installations closed area under the Military Installations Closed Areas Order (Cap. 245B) for use by the Garrison for defence purposes. It was inappropriate to rezone the site to other uses. S for S also conveyed the Garrison’s strong objection to the application. The SDEV concurred with the comments of S for S;
- (e) C of P had reservation on the application from the traffic point of view as the existing traffic volume at Kowloon Tong area had already reached the saturation point and the increase in traffic flow associated with the proposal

might lead to traffic congestion problem in a wider area. C for T advised that the applicant should demonstrate that the proposal was feasible from traffic viewpoint and a TIA should be submitted. DEP advised that no technical assessment on environmental impact had been submitted. CTP/UD&L also had reservation on the proposal in the absence of technical assessments on landscape and air ventilation impacts;

Public Comments

- (f) during the first three weeks of the statutory publication period, a total of 441 comments were received (17 supporting; 418 objecting and six providing comments). The supporting comments received from DHK and individuals were mainly on the grounds that military use at the site was no longer required; residential development at the site was beneficial to the community; and the existing military facilities were in close proximity to residential area and posed potential threat;
- (g) the objecting comments received from a Kowloon City District Council Member, the nearby Incorporated Owners, Students Union and students of Hong Kong Baptist University (HKBU); principal and parents of the adjacent Mary Rose School; nearby residents and individuals were mainly on the grounds of air ventilation, environmental, traffic and visual impacts; the site should be used for defence or Government, Institution or Community (GIC) purposes (including expansion of HKBU); the development was not financially viable; and insufficient time for consultation;
- (h) the Hong Kong Baptist Hospital, the Hong Kong and China Gas Company Ltd., the Kowloon International Baptist Church, parents of Mary Rose School and individuals provided comments that the site should be used for low-density residential development/GIC purposes; there were pressure gas pipes in the vicinity and a risk assessment was required; and a direct pedestrian access between Renfrew Road and Waterloo Road should be provided at the site; and

PlanD's Views

- (i) PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper which were summarised as follows :
- (i) the proposal would affect the defence functions and responsibilities being performed by the Garrison. S for S and SDEV considered it inappropriate to rezone the site, which was intended for defence purpose, to other uses;
 - (ii) the applicant had not submitted any development scheme nor impact assessments to substantiate the proposal. In the absence of strong planning justifications and impact assessments, it was impossible to ascertain the applicant's claims about the possible benefits that could be achieved from the proposed rezoning or to confirm that the proposed residential development would not cause adverse impacts on the surrounding area. CTP/UD&L had concerns on the proposal from landscape and air ventilation perspectives while C for T and C of P had concerns on the traffic aspect;
 - (iii) the approval of the application would set an undesirable precedent for similar rezoning applications of military sites, the cumulative effect of which would affect the military sites for defence purposes in Hong Kong; and
 - (iv) regarding the public comments, the assessments above were relevant. As regards proposals to use the site for GIC uses, the site should be retained for defence purpose. As for comments on the public consultation period, the application was published for public inspection for three weeks in accordance with the provisions under the Town Planning Ordinance.

11. The Chairman then invited the applicant, Hon. Albert Chan, to elaborate on the

applications. Hon. Albert Chan made the following main points :

Alternative Use of Military Sites

- (a) in the Colonial era, there was an actual need to station troops in Hong Kong and the military barracks at that time were even not sufficient to accommodate all British soldiers. Before the return of sovereignty, the Colonial Government had returned some military sites for other purposes to enable better utilisation of land resources;
- (b) after the return of the sovereignty of Hong Kong to China, the military significance of the Barracks had declined and their existence was no longer justified. The Garrison occupied about 2,700 hectares of land in Hong Kong, almost equivalent to the total amount (some 2,600 hectares) of land planned for residential development. There had been no proper assessment to justify the vast amount of land required by the Garrison. Furthermore, Hong Kong was easily accessible and well protected by the PLA troops stationed in Shenzhen. Given that the presence of the Garrison was only symbolic in nature, there was no justification to continue to use the two subject sites for defence purpose;
- (c) based on his previous visits to Gun Club Hill and Shek Kong Barracks, they appeared to have very low utilisation or even be vacant. It had been almost 21 years since the arrangement under the EoN was made and the use of the military sites should be due for review so as to release the precious land resources for alternative uses to benefit the community;

Supply of Housing Units

- (d) the sites, if rezoned, could allow a large number of HOS flats to be built to help meet the Government's 10-year housing supply target of 480,000 units;

Potential Danger of Military Sites

- (e) there had been no information regarding what was being stored in the military sites. The Barracks might be used for storage of military weapons and dangerous goods, and would continue to pose threat to the surrounding areas;

Technical Assessments

- (f) while no technical assessments had been conducted in support of the applications, such requirements did not seem to be applicable to the rezoning proposals initiated by government departments as technical assessments were often not submitted when district council was consulted on the proposals. It appeared that there was a double-standard if technical assessments were required;

Public Comments

- (g) he noted that among the public comments received, none had disputed the fact that the sites had low utilisation. There were many new ideas on possible alternative uses of the sites and he also welcomed the proposal to use the sites for other GIC purposes including the expansion of university campuses; and

Undesirable Precedents

- (h) the applications would not create undesirable precedents as stated in the Papers. Other than the arrangement under the EoN, there had been no proof from the Garrison or the Security Bureau that the sites were required for military uses and no information had ever been provided on what was stored within the barracks. It was the appropriate time to review the need for the sites.

12. In response to the Vice-chairman's query, Mr Tom. C.K. Yip, DPO/K, said that both sites were among the 14 military sites transferred from the Government of United Kingdom to the Government of the People's Republic of China in accordance with the EoN for military uses. Hon. Albert Chan supplemented that the EoN was made some 21 years ago and the need of the military sites was due for review.

13. A Member asked whether it was within the jurisdiction of the Committee to review the uses of military sites, and whether the figures of the land area of military sites and residential sites in Hong Kong quoted by Hon. Albert Chan was correct. The Secretary said that the Town Planning Board was empowered under the Town Planning Ordinance to prepare plans as directed by the Chief Executive and according to the land use information at PlanD's website, the area of land for private and public residential uses in Hong Kong were about 26km² (2,600 hectares) and 16km² (1,600 hectares) respectively. Mr Tom C.K. Yip supplemented that the total land area for existing military sites were 2,700 hectares as quoted by Hon. Albert Chan.

14. As the applicant had no further points to raise and there were no further questions from the Members, the Chairman informed him that the hearing procedure for the applications had been completed and the Committee would deliberate on the applications in his absence and inform him of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and Hon. Albert Chan for attending the meeting. They left the meeting at this point.

Deliberation Session

15. The Vice-chairman said that the two applications were not the first of its kind that the Committee had considered. He considered that a prerequisite for rezoning military site would be that the site be first released by the Garrison, which was not the case in the current applications. Otherwise, there would be no practical mechanism for implementing the redevelopment proposal. He further added that based on the previous experience in dealing with other rezoning proposals involving military sites, such as the reprovisioned military dock at the new Central harbourfront, an important principle was that the land use zoning should reflect the military uses as agreed under the EoN.

16. Two Members said some observations made by the applicant concerning the low utilisation rate of the military sites might be valid. Another Member said that the Committee might not have the technical expertise to determine whether the military sites, even if they appeared to have low utilisation, were not serving their defence purpose and it would be inappropriate to rezone the sites to other uses without sufficient information.

17. A Member opined that while there might be scope for reviewing the use of military sites in the future, it would be premature to rezone the military sites at the current stage as the sites were still being used for defence purpose. It would be more appropriate for the Government to first liaise with the Garrison to identify sites that could be released, followed by necessary technical feasibility studies and then the Committee could consider the rezoning proposal. Another Member shared the same view.

18. In response to the above Members' views, the Chairman pointed out that in general, for government-owned sites, the Committee would consider their alternative uses only if they were no longer required/had been released by the relevant departments/bureaux. A similar approach could be applied to the current applications.

19. In response to some Members' query, the Secretary replied that the legal basis of plan-making by the Committee was derived from the Town Planning Ordinance and given the two sites were covered by the existing OZPs, the Committee had jurisdiction on their land use zonings. In considering the applications, the Committee could take account of whether sufficient information had been provided to demonstrate the technical feasibility of the proposal, relevant Government policies as well as the likelihood of the proposals to be implemented.

20. Members noted that the applicant had not provided any technical assessments in support of the applications. Regarding the applicant's statement that some rezoning proposals submitted by government departments were without technical assessments, the Chairman said that for all rezoning applications, it was the responsibility of the applicant to provide sufficient information to demonstrate the technical feasibility of the proposal and all applications would be considered by the Committee based on their individual merits. The Secretary supplemented that rezoning proposals submitted by the Government or the private sector required the submission of technical assessments. The Chairman concluded that

based on the information available, the current zonings of the sites were considered appropriate to reflect their existing military uses and there were no strong justifications to approve the applications. Members agreed.

21. The Vice-chairman said that the rejection reason as stated in paragraph 12.1(c) of the Papers regarding setting of undesirable precedent might need revision as the Committee was not in a position to determine the defence matters. The Chairman proposed and Members agreed that, subject to refinement by the Secretariat, the rejection reason (c) could be revised to the effect that the approval of the applications in the absence of technical assessments would set undesirable precedents for similar applications.

22. After further deliberation, the Committee decided not to agree to the applications for the following reasons :

For application No. Y/K1/3

- “(a) the “OU(GCHB)” zoning is considered appropriate to reflect the existing use of the site and there is no strong planning justification to rezone the site;
- (b) the applicant fails to demonstrate that the proposed development would not create adverse impact on the surrounding area; and
- (c) the approval of the application in the absence of technical assessments will set an undesirable precedent for similar applications.”

For application No. Y/K18/8

- “(a) the “OU(MC)” zoning is considered appropriate to reflect the existing use of the site and there is no strong planning justification to rezone the site;
- (b) the applicant fails to demonstrate that the proposed development would not create adverse impact on the surrounding area; and

- (c) the approval of the application in the absence of technical assessments will set an undesirable precedent for similar applications.”

Hong Kong District

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/H3/7

Application for Amendment to the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/29 and Approved Central District Outline Zoning Plan No. S/H4/14, To rezone the application site from an area shown as ‘Road’ to

(1) “Open Space (1)” and “Other Specified Uses” annotated “Environmentally Friendly Public Transport System”; or

(2) “Other Specified Uses” annotated “Pedestrian Area and Environmentally Friendly Public Transport System”, Des Voeux Road Central (from Morrison Street to Pedder Street)

(MPC Paper No. Y/H3/7)

23. The Secretary reported and the Members noted that after issuance of the Paper, the applicants submitted a letter on 1.12.2015 requesting for deferment of the application. A copy of the letter was tabled for Members’ reference.

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

24. The Secretary reported that the application was based on, inter alia, reports and study findings published by the Hong Kong Institute of Planners (HKIP) and the Chairman and himself had declared interests on the item :

- Mr K.K. Ling
(the Chairman)
- being a Fellow of HKIP and had previously participated in the work of a Working Party formed by HKIP and the Chartered Institute of Transport in putting forward the concept of pedestrianisation of Des Voeux Road Central between Western Market and Pedder Street (DVRC Scheme) in 2000. A report on the DVRC Scheme was published in 2001
- Mr Raymond K.W. Lee
- being the Immediate Past President of HKIP and had previously participated (in his capacity as President of HKIP) in HKIP's promotion of the DVRC Scheme together with other collaborating parties (including MVA Traffic Consultants, City University School of Energy and Environment, and Civic Exchange) in April 2014 when an updated Report on the DVRC Scheme was submitted to the Chief Executive Office and announced in a press conference held on 28.4.2014

25. As the application was not submitted by HKIP and HKIP had not submitted any comment on the application, the Committee agreed that the interests of Mr K.K. Ling and Mr Raymond K.W. Lee were remote and they could stay in the meeting.

26. The Committee noted that the applicants requested for deferment of the consideration of the application for two months in order to allow time for raising funds and preparation of further information on technical studies and research to address the comments from government departments. This was the applicants' first request for deferment.

27. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its

consideration within three months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants 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 Michelle M.S. Yuen, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/567 Proposed Office and Minor Relaxation of Plot Ratio Restriction in
"Residential (Group E)1" Zone and area shown as 'Road', No. 25-29
Kok Cheung Street, Tai Kok Tsui
(MPC Paper No. A/K3/567)

28. The Secretary reported that Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests on the item for having current business dealings with KTA. As they had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

29. With the aid of a PowerPoint presentation, Ms Michelle M.S. Yuen, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed office and minor relaxation of plot ratio (PR) restriction;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual opining that if the application would cause light nuisance and air pollution, he would object to the application. No local objection was received by the District Officer (Yau Tsim Mong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed wholesale conversion of the existing industrial building for office use was not incompatible with the surrounding developments. The minor relaxation of PR was to reflect the PR of the existing building and was considered acceptable.

30. In response to a Member’s query, Ms Michelle M.S. Yuen said that the applicant had proposed to convert part of the floor space currently used for industrial purpose for car parking to meet the latest requirement on car parking provision.

Deliberation Session

31. 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 4.12.2019, 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 car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;

- (b) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

32. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

[The Chairman thanked Ms Michelle M.S. Yuen, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr Philip Y.L. Chum, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/770 Proposed Shop and Services in “Other Specified Uses” annotated
“Business(3)” Zone, Workshop 1, G/F, CRE Centre, No. 889 Cheung
Sha Wan Road, Kowloon
(MPC Paper No. A/K5/770)

33. The Secretary reported that the application was submitted by Active Success Ltd., a subsidiary of Sino Land Co. Ltd. (Sino) and Kenneth To and Associates Ltd. (KTA) was one of the consultants of the applicant. The following Members had declared interests on the item :

Professor P.P. Ho	-	being a member of a school management committee of which the chairman was also the chairman of Sino
Mr Dominic K.K. Lam	}	having current business dealings with Sino and KTA
Mr Patrick H.T. Lau		

34. The Committee considered that the interests of Mr Dominic K.K. Lam and Mr Patrick H.T. Lau were direct and agreed that they should be invited to leave the meeting temporarily for the item. As the interest of Professor P.P. Ho was indirect, the Committee agreed that he could stay in the meeting.

[Mr Dominic K.K. Lam and Mr Patrick H.T. Lau left the meeting temporarily at this point.]

Presentation and Question Sessions

35. With the aid of a PowerPoint presentation, 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 at the premises;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper.

The proposed use at the premises complied with the Town Planning Board Guidelines for Development within the “Other Specified Uses (Business)” zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent areas.

36. In response to the Vice-chairman’s query on the previous planning applications, Mr Philip Y.L. Chum said that application No. A/K5/614 for the same use was revoked due to non-compliance with the approval condition on submission and implementation of fire service installations, whereas application No. A/K5/723 did not commence before the planning permission lapsed.

Deliberation Session

37. In response to the Vice-chairman’s further query on why the previous approved schemes were not implemented, it was explained that the applicant had applied to the Lands Department for lease modification to implement the approved scheme under application No. A/K5/723, but the process had yet to be completed. As there was also no building plans approved by the Buildings Department for the approved scheme, the proposed development could not be considered as having commenced. Moreover, there was no application for extension of time for the commencement of the proposed development before the expiry of the planning permission.

38. 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 4.12.2017, 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 submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the subject premises before operation of the use to the satisfaction of the Director of Fire Services or of the TPB; 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.”

39. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper.

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

[Mr Dominic K.K. Lam returned to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/TY/132 Proposed Temporary Concrete Batching Plant for a Period of 5 Years in
“Industrial” Zone, Tsing Yi Town Lot 98, Tsing Yi, New Territories
(MPC Paper No. A/TY/132)

40. The Secretary reported that AECOM Asia Co. Ltd. (AECOM) was one of the consultants of the applicant and Professor P.P. Ho, Ms Julia M.K. Lau, Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests on the item for having current business dealings with AECOM. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee also noted that Ms Lau had not yet arrived to join the meeting and Mr Lau had left the meeting temporarily. As Professor Ho and Mr Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

41. The Committee noted that the applicant on 19.11.2015 requested for deferment of the consideration of the application for two months in order to allow time for preparation of further information and technical clarifications to address the comments from government departments. This was the applicant’s first request for deferment.

42. 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. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. 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.

[The meeting was adjourned for a short break of 5 minutes.]

[Ms Ginger K. Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), Miss Jessica K.T. Lee, Senior Town Planner/Hong Kong (STP/HK) and Mr C.Y. Chan, Chief Engineer/Hong Kong/Transport Department (CE/HK, TD) were invited to the meeting at this point.]

Hong Kong District

Agenda Item 9

[Open Meeting (Presentation and Question Sessions Only)]

Proposed Amendments to the Approved Aberdeen and Ap Lei Chau Outline Zoning Plan
No. S/H15/29

(MPC Paper No.14/15)

43. The Secretary reported that the proposed amendments to the Aberdeen and Ap Lei Chau Outline Zoning Plan (OZP) were mainly related to three sites in Ap Lei Chau and Dr Wilton W.T. Fok had declared an interest on the item for owing a flat in Ap Lei Chau. The Committee agreed that as the property of Dr Fok did not have a direct view of the site, he could stay in the meeting.

[Mr Patrick H.T. Lau returned to join the meeting at this point.]

Presentation and Question Sessions

44. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, STP/HK, presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) it was stated in the 2013 Policy Address that the Government would adopt a multi-pronged approach to build up land reserve with a view to meeting housing and other development needs. Land use reviews were conducted and part of the site currently occupied by the Hong Kong School of Motoring (HKSM) was identified as one of the potential housing sites. The 2014 Policy Address further announced that except for the north of Hong Kong Island and Kowloon Peninsula, which were more densely populated, the Government considered it feasible to generally increase the maximum domestic plot ratios (PR) currently permitted for the other “density zones” in the territory by 20% as appropriate. The Government would duly consider factors such as traffic and infrastructure capacities, local character, existing development intensity and various possible impacts of the proposed development on the areas concerned. In the 2015 Policy Address, it was announced that the housing target in the next decade was 480,000 units;
- (b) in the “2009 Area Assessments of Industrial Land in the Territory”, the Ap Lei Chau West Industrial Area (the Industrial Area) was recommended to be rezoned from “Industrial” (“I”) to “Other Specified Uses” annotated “Business” (“OU(B)”) to facilitate transformation of the industrial area to business use and to provide more flexibility in the use of land in the area. On 27.3.2015, the Committee approved a s.12A planning application for rezoning the Dah Chong Hong Motor Service Centre from “I” to “OU(B)” for a new office/commercial development;

- (c) on 14.8.2015, the Town Planning Board (TPB) considered and agreed to the recommendation in the “2014 Area Assessments of Industrial Land in the Territory” to rezone the Industrial Area from “I” to “OU(B)”;

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

The Proposed Amendments to Matters shown on the OZP

- (d) Item A – to rezone a site at Lee Nam Road from “OU(Cargo Handling Area)” (“OU(CHA)”), “Government, Institution or Community” (“G/IC”) and “I” to “Residential (Group A)4” (“R(A)4”) subject to a maximum GFA of 70,800m² and a maximum building height restriction (BHR) of 110mPD for private residential development;
- (e) Item B – to rezone a strip of land fronting the Industrial Area from “OU(CHA)” to “Open Space” (“O”);
- (f) Items C1 and C2 – to rezone the Industrial Area from “I” to “OU(B)” with maximum BHRs remaining the same as those under the current “I” zone, i.e. 100mPD for “OU(B)3” and 115mPD for “OU(B)4”;

Technical Assessments

- (g) broad technical assessments on traffic, environmental and air ventilation, as well as infrastructure had been conducted to ascertain the feasibility of the proposed development. The adequacy of the provision of open space and Government, Institution and Community (GIC) facilities in the area had also been assessed :
 - (i) *Traffic Impact*

The Commissioner for Transport (C for T) had no adverse comment on the proposed rezoning. Based on C for T’s traffic review, the proposed development would not cause unacceptable traffic impact

on the nearby road networks (including the major roads in Aberdeen and Wong Chuk Hang as well as the Aberdeen Tunnel). After adding the traffic generated by the proposed residential development, the relevant road junctions would still have reserve capacities in the design year 2021. Besides, the review had not taken into account the positive effects of the commissioning of Mass Transit Railway South Island Line (East) (SIL(E)) and the relocation of HKSM which would also lower the estimated traffic volume of the road networks.

(ii) *Environmental and Infrastructural Impacts*

The proposed rezoning would not have significant adverse environmental and infrastructural impacts on the surrounding areas. The Director of Environmental Protection (DEP) had no in-principle objection to the proposed rezoning. The future developer would be required to carry out noise, air quality and sewerage impact assessments as required under the land sale conditions.

(iii) *Visual Impact*

The site was located on the south-western coast of Ap Lei Chau fronting the East Lamma Channel with Yuk Kwai Shan at the back. Based on the visual appraisal conducted, the proposed development was considered compatible with the surrounding environment and would not cause unacceptable visual impact on the surrounding settings. Appropriate visual mitigation measures could be adopted in the building design to further improve permeability and reduce bulkiness of the proposed development. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had no adverse comment on the proposed amendments.

(iv) *Landscaping*

There was no existing tree on the site and landscape impact arising from the proposed development was not expected.

(v) *Air Ventilation Impact*

The Expert Evaluation on the Air Ventilation Assessment concluded that as the site was located far from most of the existing developments and was sheltered by one of the high grounds of Yuk Kwai Shan, unacceptable adverse impact on the pedestrian wind environment in the vicinity was not expected. Appropriate design measures could be considered in the detailed design stage to further enhance the air ventilation performance.

(vi) *Safety and Geotechnical Impacts*

The Director of Electrical and Mechanical Services (DEMS) and the Geotechnical Engineering Office, Civil Engineering and Development Department (GEO/CEDD) had no adverse comment/in-principle objection to the proposed rezoning. The requirement for a natural terrain hazard study and implementation of appropriate mitigation measures would be incorporated into the land sale conditions.

(vii) *Provision of Open Space and GIC Facilities*

There was no shortfall on major GIC and open space provisions in the area. The proposed rezoning for residential use would not have impact in that regard. Additional open space would also be provided (under Amendment Item B) to complement the proposed residential development and to serve the workers in the area.

- (h) relevant departments consulted, including C for T, DEP, DEMS, GEO/CEDD, CTP/UD&L and Chief Engineer/Development(2), Water Supplies Department, had no adverse comment on Amendment Item C;

Other Revisions to the OZP

- (i) pursuant to section 13A of the Town Planning Ordinance (the Ordinance), railway scheme authorised by the Chief Executive in Council (CE in C) under the Railways Ordinance (Chapter 519) shall deem to be approved under the Ordinance. On 30.11.2010, the CE in C authorised the railway scheme for the SIL(E) under the Railways Ordinance and the authorised railway alignment was thus shown on the OZP for information. Opportunity had been taken to incorporate minor technical amendments to reflect existing developments and as-built situations;

Proposed Amendments to the Notes and Explanatory Statement (ES) of the OZP

- (j) in relation to Amendment Item A, the Notes for “R(A)” zone were amended by including a sub-area “R(A)4” with the respective maximum GFA and BHR;
- (k) in relation to Amendment Items C1 and C2, the Notes for “OU(B)” zone were amended by including sub-areas “OU(B)3” and “OU(B)4” with the respective maximum BHRs; and
- (l) to facilitate art development, it was proposed to include the ‘Art Studio (excluding those involving direct provision of services or goods)’ use under Column 1 of the Notes for Schedule II of the “Other Specified Use” annotated “Business” zone. Corresponding amendment would also be made to replace ‘Place of Recreation, Sports or Culture’ under Column 2 by ‘Place of Recreation, Sports or Culture (not elsewhere specified)’;
- (m) the Explanatory Statement (ES) would be revised to take account of the above proposed amendments, and the latest status and planning circumstances;

Consultation

- (n) relevant government bureaux and departments had no objection to or no adverse comments on the proposed amendments; and
- (o) the District Development and Environment Committee (DDEC) of the Southern District Council (SDC) had been consulted and most members expressed objection to the proposed Amendment Item A. Efforts had been taken by relevant Bureau/Departments (B/Ds), including attending a local forum and providing written response, to address the SDC and local's concerns mainly on adverse traffic impacts. SDC would be consulted again on the proposed amendments during the exhibition of the draft OZP.

45. The Chairman noted that SDC had expressed grave concern on the potential impacts of the rezoning proposal. In response to the Chairman's request, Ms Ginger K.Y. Kiang, DPO/HK, elaborated on the concerns of SDC and relevant B/Ds' responses, as follows :

SDC's Major Concerns

- (a) the traffic situation in the area would be worsened by the additional traffic generated by the proposed development and the proposed international school to be developed in the area. SDC was also concerned about the number of parking spaces to be provided in the new development.
- (b) inadequate provision of open space and community facilities;
- (c) visual impact of the proposed residential development;

Responses given by relevant B/Ds

- (d) the Transport Department (TD) had conducted a traffic review which concluded that even though the proposed residential development would bring about increased traffic flows, all major road junctions would still

have spare capacities in future. Regarding the proposed international school, measures to mitigate potential traffic impact, including the requirements to carry out Traffic Impact Assessment and for students to utilise public transport for commuting, had been incorporated into the lease conditions. As for parking space provision in the new development, it would need to comply with the requirements under Hong Kong Planning Standards and Guidelines;

- (e) there was no shortfall on major GIC and open space provisions in the Aberdeen and Ap Lei Chau area and the proposed rezoning would not have impact on major GIC and open space provisions; and
- (f) PlanD had conducted visual appraisal and prepared photomontages to assess and illustrate the potential visual impact. It was concluded that the proposed development would not have unacceptable visual impact from the public viewing points, including the waterfront promenade of South Horizons.

46. In response to the Chairman's observation that majority of local objections came from the residents of South Horizons who were concerned that the promenade and retail facilities in South Horizons would be adversely affected by the new population in the area, Ms Ginger K.Y. Kiang said that a site at Lee Nam Road, adjacent to the proposed residential development, had been proposed for rezoning to "O" to serve the users in that area (i.e. Amendment Item B); and there was provision under the proposed "R(A)4" zoning (i.e. Amendment Item A) for selected commercial uses to cater for the demand of the locals in future.

47. A Member enquired on the rationale of the proposed BHR of 110mPD for the proposed "R(A)4" zone which was a waterfront site, having noted that the BHR was higher than that (100mPD) of the proposed "OU(B)" zone in the inland. Another Member, with reference to the photomontage in Plan 12 of the Paper, said that the proposed residential development was only separated from its backdrop, Yuk Kwai Shan, by a dual carriageway and the visual openness of the area might be affected. The Member also asked whether there was any plan to widen Lee Nam Road and the cumulative traffic impact of the proposed

residential development and the previously approved hotel development on the local area. In response, Ms Ginger K.Y. Kiang said that in formulating the BHR, various factors including site configuration (narrow and elongated), proposed development intensity, compatibility with nearby developments, visual impact etc. were taken into account and the current BHR of 110mPD would allow design flexibility for the development with a plot ratio of 6. Regarding the visual openness, she said that the photomontage in Plan 12 was from a transient viewpoint from the sea which enjoyed an open view and the proposed development would not cause any significant change to the visual character from that viewpoint. As for the widening of Lee Nam Road, Mr C.Y. Chan, CE/HK, TD, said that the TD's traffic review had concluded that the nearby critical junctions would still have spare capacity even with the proposed residential development. As such, there was no plan to widen Lee Nam Road at the current stage. He further explained that given the approved hotel development in Ap Lei Chau would have different traffic patterns as compared to those of residential developments, major traffic problem in the area was not expected.

48. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Aberdeen and Ap Lei Chau OZP as mentioned in paragraphs 6, 7 and 8 of the Paper and that the draft Aberdeen and Ap Lei Chau OZP No. S/H15/29A at Attachment II of the Paper (to be renumbered as S/H15/30 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Ordinance;
- (b) adopt the revised ES at Attachment IV of the Paper as an expression of the planning intentions and objectives of the TPB for various land use zonings of the draft OZP; and
- (c) agree that the revised ES at Attachment IV of the Paper was suitable for exhibition for public inspection together with the draft OZP.

[The Chairman thanked Ms Ginger K. Y. Kiang, DPO/HK, Miss Jessica K.T. Lee, STP/HK and Mr C.Y. Chan, CE/HK, TD, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H10/89 Proposed Minor Relaxation of Site Coverage Restriction for Permitted House Use in “Residential (Group C)” Zone and Proposed House Use in an area shown as ‘Road’, No. 138-138A, Pok Fu Lam Road, Pok Fu Lam
(MPC Paper No. A/H10/89A)

49. The Secretary reported that LLA Consultancy Ltd. (LLA) was one of the consultants of the applicant and Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests on the item for having current business dealings with LLA. The Committee noted that the applicant had requested for deferment of consideration of the application and as Mr Lam and Mr Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

50. The Committee noted that the applicant on 25.11.2015 requested 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 government departments. This was the applicant’s second request for deferment.

51. 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. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since this was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

[Ms Joyce Y.S. So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/729 Shop and Services in “Other Specified Uses” annotated “Business” Zone,
Portion of Workshop, Ground Floor, Assun Pacific Centre, No. 41 Tsun
Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/729)

Presentation and Question Sessions

52. With the aid of a PowerPoint presentation, Ms Joyce Y.S. So, 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 at the premises;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The application complied with the Town Planning Board Guidelines for Development within the “Other Specified Uses (Business)” zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent areas. Since the premises had

already been used for the applied use, an approval condition requiring the submission and implementation of fire safety measures within six months from the date of approval was recommended.

53. Members had no question on the application.

Deliberation Session

54. 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 was subject to the following conditions :

- “(a) the submission and implementation of the proposal for fire safety measures, including the provision of fire service installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 4.6.2016; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

55. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper.

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

Agenda Item 12

Any Other Business

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