

## **TOWN PLANNING BOARD**

### **Minutes of 584<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 14.7.2017**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L. H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Patrick H.T. Lau

Mr Stephen H. B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W. C. Poon

Mr K. K. Cheung

Mr Wilson Y. W. Fung

Mr Thomas O.S. Ho

Mr Franklin Yu

Assistant Commissioner for Transport (Urban), Transport Department  
Mr Wilson W. S. Pang

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

Principal Environmental Protection Officer (Metro Assessment)  
Environmental Protection Department  
Mr Richard W.Y. Wong

Deputy Director of Planning/District  
Ms Jacinta K.C. Woo

Secretary

**Absent with Apologies**

Mr Dominic K.K. Lam

Professor T. S. Liu

Ms Sandy H. Y. Wong

**In Attendance**

Assistant Director of Planning/Board  
Miss Fiona S.Y. Luk

Chief Town Planner/Town Planning Board  
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board  
Ms Sincere C.S. Kan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 583<sup>rd</sup> MPC Meeting held on 23.6.2017

[Open Meeting]

1. The draft minutes of the 583<sup>rd</sup> MPC meeting held on 23.6.2017 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Hong Kong District**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/H10/9                      Application for Amendment to the Approved Pok Fu Lam Outline Zoning Plan No. S/H10/15, To rezone the application site from “Residential (Group B)” to “Other Specified Uses” annotated “Eco-heritage Park”, Government Land to the east of Chi Fu Fa Yuen, Pok Fu Lam  
(MPC Paper No. Y/H10/9B)

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3.            The Committee noted that the applicant’s representative requested on 28.6.2017 deferment of the consideration of the application until November 2017 in order to allow more time to complete a field survey on freshwater creature within the site and revise the implementation plan of the proposed park to address departmental comments. As there were some historic structures of the Old Dairy Farm within the site, the grading of which was being processed by the Antiquities Advisory Board (AAB), the applicant considered that the deferment could also enable the Town Planning Board to make an informed decision when the grading status became clear or results were confirmed by AAB. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised schedule of uses for the proposed zoning, a revised internal layout, updated records on mature trees and fauna species, supporting letters from academics, professionals and the public, and responses to departmental comments.

4.            After deliberation, the Committee decided to defer a decision on the application for two months and not until November 2017 as requested by the applicant for submission of further information. 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 applicant. If the further information submitted by the applicant was not substantial and could be processed within 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, instead of a longer period until November 2017, were allowed for

preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

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

#### **Agenda Item 4**

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

[Open Meeting]

A/DPA/TW-CLHFS/5 Proposed Low-density Residential Development, Land Filling and Excavation of Land in “Unspecified Use” Zone, Lots No. 385, 386 RP, 387, 388, 389, 392, 394, 395, 396, 400 and 404 (Part) in D.D. 433 and Adjoining Government Land, Route Twisk, Chuen Lung, Tsuen Wan  
(MPC Paper No. A/DPA/TW-CLHFS/5B)

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5. The Secretary reported that AIM Group Ltd. (AIM) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item as his firm had current business dealings with AIM. The Committee noted that Mr K.K. Cheung had not yet arrived to join the meeting.

6. The Committee noted that the applicant’s representative requested on 20.6.2017 deferment of the consideration of the application for two months in order to allow time for preparation of responses to address the comments from government departments and the public. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including various technical assessments in response to the comments from government departments.

7. 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 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 it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

[Ms Esther M.Y. Tang, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

[Mr Sunny L.K. Ho arrived to join the meeting at this point.]

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/781                      Shop and Services (Real Estate Agency) in "Other Specified Uses" annotated "Business (1)" Zone, Flat D1B (Portion), G/F, Garment Centre, 576-586 Castle Peak Road, Cheung Sha Wan  
(MPC Paper No. A/K5/781)

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### **Presentation and Question Sessions**

8.                      With the aid of a PowerPoint presentation, Ms Esther M.Y. Tang, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received; 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. The applied use was in line with the planning intention of the “Other Specified Use” annotated “Business” (“OU(Business)”) zone, and would not be incompatible with the current uses within the subject building. The application complied with the Town Planning Board Guidelines No. 22D for Development within “OU(Business)” zone in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area. The aggregate commercial floor area on the G/F, including the premises if approved, would amount to 27m<sup>2</sup>, which was still within the permissible limit of 460m<sup>2</sup>. The premises was the subject of a previous planning application submitted by the same applicant which was revoked due to non-compliance with the approval condition related to the fire safety measures by due date. A shorter compliance period was recommended to monitor the progress of compliance with the concerned approval condition.

9. A Member noted that the premises was currently occupied by a real estate agency which was operated without a valid planning permission.

#### Deliberation Session

10. Given the applied use was currently operated without a valid planning permission, a Member asked whether the Committee should adopt a lenient approach in considering the application. Another Member queried whether the permission for the subject application should only be granted after the approval condition related to the fire safety measures was complied with.

11. In response, the Chairman made the following points:

- (a) each application would be considered based on individual merits. For the

subject application, it was noted that the applicant had demonstrated effort to comply with the approval condition related to the fire safety measures under the previously approved planning application. However, the applicant was unable to seek approval from the Fire Services Department within the specified time limit, and thus the planning permission was then revoked. In view of that, a shorter compliance period was recommended to monitor the progress of compliance with the concerned approval conditions; and

- (b) it was recommended in the Paper that the approval of the application would be subject to a number of approval conditions. The applicant also needed to apply to the Lands Department (LandsD) for a temporary waiver to permit the applied use. Should the applicant fail to comply with the terms and conditions stipulated in the waiver, LandsD might take appropriate actions.

12. 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 of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the premises and means of escape completely separated from the industrial portion within three months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 14.10.2017 ;
- (b) the implementation of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the premises and means of escape completely separated from the industrial portion within six months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018 ; and
- (c) if any of the above planning conditions (a) or (b) 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.”

13. 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 Esther M.Y. Tang, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr K.K. Cheung arrived to join the meeting at this point.]

### **Agenda Item 6**

#### **Section 16 Application**

[Open Meeting]

A/KC/444 Proposed Comprehensive Development for Flat, Eating Place, Shop and Services and Office with Minor Relaxation of Building Height Restriction from 120mPD to 145mPD in "Comprehensive Development Area" Zone and an area shown as 'Road', Kwai Chung Town Lot No. 432 and Adjoining Government Land, 1-7 Cheung Wing Road, Kwai Chung  
(MPC Paper No. A/KC/444A)

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14. The Secretary reported that MVA Hong Kong Ltd. (MVA) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho - his firm having current business dealings with MVA;
- Mr Patrick H.T. Lau - having current business dealings with MVA; and
- Mr Franklin Yu - having past business dealings with MVA.

15. The Committee noted that the applicant had requested deferral of consideration of the application. The Committee also noted that Mr Franklin Yu had not yet arrived to join the meeting and agreed that Mr Thomas O.S. Ho and Mr Patrick H.T. Lau could stay in the

meeting as they had no involvement in the application.

16. The Committee noted that the applicant's representative requested on 26.6.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information providing minor clarification on the calculation of the proposed gross floor area.

17. 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 it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

[Dr Wilton W.T. Fok arrived to join the meeting and Dr Lawrence W.C. Poon left the meeting temporarily at this point.]

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/447                      Proposed Minor Relaxation of Domestic Plot Ratio Restriction for Public Housing Development; and inclusion of part of the “Green Belt” Zone (about 1%) as part of the Public Housing Development in “Green Belt” and “Residential (Group A)” Zones, Vacant site adjacent to Lok King House of Lai King Estate, Lai King Hill Road, Kwai Chung  
(MPC Paper No. A/KC/447)

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18.                      The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) with the Housing Department (HD) as its executive arm. Llewelyn-Davies Hong Kong Ltd. (LD) was one of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Raymond K.W. Lee<br>(the Chairman)<br><i>as the Director of Planning</i>              | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA;                                 |
| Mr Martin W.C. Kwan<br><i>as the Chief Engineer (Works),<br/>Home Affairs Department</i> | - being a representative of the Director of Home Affairs who was a member of SPC and the Subsidised Housing Committee of HKHA; |
| Mr Patrick H.T. Lau  | - having current business dealings with HKHA and LD;   |
| Mr Thomas O.S. Ho  | - having current business dealings with HKHA;  |
| Mr K.K. Cheung   | - his firm having current business dealings with HKHA;   |

- Mr Franklin Yu - having past business dealings with HKHA; and
- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work.

19. The Committee noted that Mr Franklin Yu had not yet arrived to join the meeting and Dr Lawrence W.C. Poon had already left the meeting temporarily. As the interests of the Chairman, Mr Martin W.C. Kwan, Mr Patrick H.T. Lau and Mr Thomas O.S. Ho were direct, the Committee agreed that they should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting. The Vice-chairman took over the chairmanship at this point.

[Dr Frankie W.C. Yeung arrived to join the meeting and the Chairman, Mr Martin W.C. Kwan, Mr Patrick H.T. Lau and Mr Thomas O.S. Ho left the meeting temporarily at this point.]

#### Presentation and Question Sessions

20. 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 public housing development with minor relaxation of domestic plot ratio restriction;
- (c) departmental comments – departmental comments were set out in paragraph 8 and Appendix IV of the Paper. Concerned government 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 submitted by an individual was received. Major objection grounds were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed increase in plot ratio (PR) by 20% could be considered minor in scale and was in line with the government policy. It was not incompatible with the surrounding developments which were mainly high-rise residential blocks. The site only slightly encroached onto the “Green Belt” (“GB”) zone and the proposed development would not have significant impact on the “GB” zone. The existing basketball court would be re-provided within the site and the provision of open space and the neighbourhood elderly centre in the proposed development would benefit the future and nearby residents. Regarding the public comment, the above planning assessments and departmental comments were relevant.

[Mr Franklin Yu arrived to join the meeting at this point.]

21. The Vice-chairman and some Members raised the following questions:
- (a) what would constitute ‘minor relaxation’;
  - (b) any similar applications for residential development with minor relaxation of domestic PR restriction in Kwai Chung district rejected by the Committee;
  - (c) noting that the Kwai Tsing District Council (KTDC) members were concerned about the possible glare impact on the proposed public housing development from the nearby container terminal, whether there were any mitigation measures to minimise the glare impact;
  - (d) whether the proposed landscape deck would be opened to the public;
  - (e) if the proposed social welfare facilities would be provided only on the premise that the PR of the proposed public housing development was relaxed; and

- (f) if the domestic PR of 6 was adopted in other districts.

22. Ms Fannie F.L. Hung, STP/TWK, made the following responses:

- (a) there was no set criteria for determining what constituted ‘minor relaxation’ and each application would be considered based on individual merits;
- (b) there were three similar applications in Kwai Chung district which were all approved by the Committee between 2014 and 2017 on the considerations that the proposed development was in line with the government policy to boost housing supply by increasing the development intensity by 20% in areas where feasible, and technical assessments were submitted by the applicant to justify the feasibility of the proposed development;
- (c) although there was no stipulated standard for assessment of glare impact under the Environmental Impact Assessment Ordinance (EIAO), the applicant had demonstrated effort to address KTDC members’ concerns on glare impact. The site was situated on a higher level platform and was about 200m away from the container terminal. The orientation of the proposed building had already taken into account the potential glare impact from the container terminal;
- (d) the landscape deck which would be located on 1/F of the proposed public housing development would only serve the future residents;
- (e) the social welfare facility was planned to be provided in the proposed public housing scheme but there was no indication that the PR increase was due to the provision of the social welfare facility; and
- (f) the maximum domestic PR for New Towns was normally 5, while a higher domestic PR was adopted in the urban areas.

Deliberation Session

23. Noting the maximum domestic PR for New Towns was normally 5, a Member asked if the PR of 6 could be generally applied to New Towns in order to fully utilise land resources and facilitate redevelopment. In response, the Secretary said that some of the recent proposed amendments to the Outline Zoning Plans (OZPs) New Towns and New Development Areas had already adopted a domestic PR of 6, where appropriate, following the initiatives in the 2014 Policy Address to boost housing supply by increasing the development intensity by 20% subject to infrastructural capacity.

24. A Member was concerned whether the proposed increase of PR from 5 to 6, i.e. 20%, could be considered as minor. The Committee noted that the provision for minor relaxation under the OZP was to allow flexibility and each application would be considered based on individual merits.

25. 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 14.7.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“ the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

[The Chairman, Mr Martin W.C. Kwan, Mr Patrick H.T. Lau, Mr Thomas O.S. Ho and Dr Lawrence W.C. Poon returned to join the meeting at this point.]

**Hong Kong District**

**Agenda Item 8**

Section 16 Application

[Open Meeting]

A/H3/435                      Comprehensive Development with Residential Flats, Shop and Services, and Open Space Uses in "Comprehensive Development Area" Zone, 60-66 and 88-90 Staunton Street; 4-6 Chung Wo Lane; 8 and 13 Wa In Fong East; 2-10 and 16 Wa In Fong West; 2-10 Shing Wong Street; Inland Lots No. 3014RP (Part), 3013RP (Part), 3012RP (Part), 3011RP (Part), 94 (P) (Part), 94 S.E. ss.1 S.A & RP (Part) and Adjoining Government Land  
(MPC Paper No. A/H3/425)

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[Withdrawn]

**Agenda Item 8A**

Section 16 Application

[Open Meeting]

A/H6/82                      Proposed Access Road for Residential Development at 4-4C Tai Hang Road in "Green Belt" Zone and an area shown as 'Road', Inland Lot 7426 (Part) and Adjoining Government Land, Tai Hang Road  
(MPC Paper No. A/H6/82A)

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27.                      The Secretary reported that the site was located at Tai Hang. Townland Consultants Ltd. (TCL) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Ms Jacinta K.C. Woo (the Secretary)	}	owning a flat in Tai Hang;
Ms Sandy H.Y. Wong		

- Mr Patrick H.T. Lau - having current business dealings with MVA and past business dealings with TCL;
- Mr Thomas O.S. Ho - his firm having current business dealings with MVA and past business dealings with TCL; and
- Mr Franklin Yu - having past business dealings with MVA.

28. The Committee noted that Ms Sandy H.Y. Wong had tendered an apology for being unable to attend the meeting. The Committee also noted that the applicant had requested deferral of consideration of the application and agreed that as Mr Patrick H.T. Lau, Mr Thomas O.S. Ho and Mr Franklin Yu had no involvement in the application and Ms Jacinta K.C. Woo as Secretary would not participate in the discussion of the application, they could stay in the meeting.

29. The Committee noted that the applicant's representative requested on 10.7.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments raised by relevant government departments and the public. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had been pursuing solutions for the proposed development in relation to the comments received from government departments and the public, and to address the technical matters relating to geotechnical, drainage, traffic, landscape and visual aspects.

30. 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 it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/H7/172                      Proposed Office, Shop and Services and Eating Place in “Residential (Group A)” Zone, 8 Leighton Road, Causeway Bay  
(MPC Paper No. A/H7/172A)

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31.            The Secretary reported that the application was submitted by Concord Way Ltd., Kenneth To & Associates Ltd. (KTA) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr K.K. Cheung                      -    his firm having current business dealings with Concord Way Ltd.;
  
- Mr Patrick H.T. Lau                      -    having current business dealings with KTA and MVA;
  
- Mr Thomas O.S. Ho                      -    his firm having current business dealings with MVA; and
  
- Mr Franklin Yu                              -    having past business dealings with MVA.

32.            The Committee noted that the applicant had requested deferral of consideration of the application and agreed that Mr K.K. Cheung, Mr Patrick H.T. Lau, Mr Thomas O.S. Ho and Mr Franklin Yu could stay in the meeting as they had no involvement in the application.

33.            The Committee noted that the applicant’s representative requested on 29.6.2017 deferment of the consideration of the application for two months so as to allow time to prepare responses to further comments of the Transport Department and to review the

proposed parking provision. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to comments of various government departments supplemented with comparison plan, section and photomontages of the existing and proposed development, an Environmental Appraisal and a Queue Analysis for the car lift.

34. 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 it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

[Miss Josephine Y.M. Lo, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/77                      Proposed Temporary Religious Institution for a Period of Three Years in  
"Residential (Group A) 2" Zone, Shop No. 2, 1st Basement, Marina  
House, 68 Hing Man Street, Shau Kei Wan  
(MPC Paper No. A/H9/77)

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35. The Secretary reported that the premises was located in Shau Kei Wan. Ho & Partners Architects Engineers & Development Consultants Ltd. (HPA) was the consultant of the applicant. The following Members had declared interests on the item:

- Ms Jacinta K.C. Woo - owning a flat in Shau Kei Wan; and
- Mr K.K. Cheung - his firm having current business dealings with HPA.

36. The Committee agreed that as Mr K.K. Cheung had no involvement in the application and Ms Jacinta K.C. Woo as Secretary would not participate in the discussion of the application, they could stay in the meeting.

#### Presentation and Question Sessions

37. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary religious institution for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was not incompatible with the existing uses within the subject building, or with the residential neighbourhood where commercial uses on the lower floors were common.

38. Some Members raised the following questions:

- (a) if there were separate access and lift to the application premises; and

- (b) the reason for allowing six months for the applicant to comply with the approval condition related to the provision of fire service installations and water supplies for firefighting given that the renovation of the premises seemed completed.

39. Miss Josephine Y.M. Lo, STP/HK, made the following responses:

- (a) as shown on Drawings A-1 and A-2 of the Paper, the premises was accessible from Hing Man Street via two entrances with separate staircases on G/F of the subject building. A disabled lift was also provided to serve B1/F of the subject building; and
- (b) the applicant had not yet carried out any renovation works of the premises, and the existing renovation of the premises was done by the owner of the subject building. As to the compliance period for the concerned approval condition, the applicant was required to fulfil all fire services requirements to the satisfaction of the Fire Services Department (FSD) before the proposed development came into operation and sufficient time should be given to FSD for vetting the submission prepared by the applicant and checking the completion of the required fire service installations. For a temporary use for a period of three years, a six-month compliance period would normally be recommended.

#### Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 14.7.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 14.1.2018; and

- (b) if the above planning condition 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.”

41. The Committee also agreed to advise the applicant to note the advisory clauses as set out in paragraph 11 of the Paper.

[The Chairman thanked Miss Josephine Y.M. Lo, STP/HK for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

[Mr Wilson Y.W. Fung left the meeting at this point.]

### **Kowloon District**

#### **Agenda Item 11**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/744           Renewal of Planning Approval for Proposed Temporary Shop and Services (Real Estate Agency) for a Period of Five Years in "Other Specified Uses" annotated "Business" Zone, Car Parking Space C1, G/F, Yip Win Factory Building, 10 Tsun Yip Lane, Kwun Tong  
(MPC Paper No. A/K14/744)

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

42. 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 renewal of planning approval for proposed temporary shop and services (real estate agency) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Building Surveyor/Kowloon, Buildings Department (BD) raised objection to the application as the total gross floor area of the subject building after the provision of the proposed shop might exceed the permissible limit under the Buildings Ordinance. The Commissioner for Transport considered that the applicant had not yet complied with the condition on reprovisioning of a private car parking space, and temporary removal of the parking space might not be desirable in view of the strong parking demand in the area. Other concerned government 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 from an individual owner of the subject building objecting to the application was received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Although there had been no material change in the zoning and land uses of the surrounding areas since the approval of the same applied use in 2012, BD maintained the same objection to the plot ratio issue as in the previous application. The applicant had not fully complied with any of the approval conditions in the previous application. In the current application, the applicant had not provided information or justification for the renewal of the application. The application did not comply with the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses (Business)” Zone in that the applicant had not demonstrated that the parking provision of the subject building would not be adversely affected by the proposed conversion of a parking space for commercial use.

43. Members had no question on the application.

### Deliberation Session

44. After deliberation, the Committee decided to reject the application. The reason was :

“ the application does not comply with the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses (Business)” Zone in that the applicant has not demonstrated that the parking provision of the subject building would not be adversely affected by the proposed conversion of a parking space for commercial use.”

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

[Mr Tom C.K. Yip, District Planning Officer/ Kowloon (DPO/K) was invited to the meeting at this point.]

### **Agenda Item 12**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/322                      Proposed Religious Institution (Redevelopment of Bethel Bible Seminary with In-situ Preservation of Sun Hok Building) in “Government, Institution or Community (12)” Zone, 45 - 47 Grampian Road (part), Kowloon City  
(MPC Paper No. A/K18/322C)

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45. The Secretary reported that Ho Tin & Associates Consulting Engineers Ltd. (HTA) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared an interest on the item as he had current business dealings with HTA. The Committee agreed that Mr Patrick H.T. Lau could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

46. With the aid of a PowerPoint presentation, Mr Tom C.K. Yip, DPO/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed Religious Institution (Redevelopment of Bethel Bible Seminary with in-situ preservation of Sun Hok Building (SHB));
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had some reservation on the application from the landscape planning point of view due to inadequate information on possible tree and landscape impacts, open space provision and landscape proposal. The Commissioner of Police (C of P) had concerns on the application from traffic policing point of view based on their daily observation of traffic congestion conditions on Grampian Road and Dumbarton Road mainly due to traffic from the adjacent Munsang College. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of thirteen public comments objecting to the application were received from two residents of a residential development on Dumbarton Road opposite the site, a member of the Kowloon City District Council, four members of the public and the Central and Western Concern group. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed seminary use, which was regarded as ‘Religious Institution’, was always permitted under the subject “Government, Institution or Community (12)” (“G/IC”)

zone, and the proposed development parameters were in full compliance with the restrictions under the “G/IC(12)” zone. The main planning consideration of the subject application was on whether the design of the proposed new block was compatible with the setting of SHB which would be preserved in-situ. Both the Architectural Services Department and PlanD considered the design of the proposed new block acceptable, while both the Commissioner for Heritage’s Office and the Antiquities and Monuments Office indicated that the indicative design of the proposed new block had addressed their previous comments regarding the façade and integration between the new block and SHB. The applicant had also submitted relevant technical assessments to demonstrate that the proposed development would not have insurmountable impacts. Although C of P had reservation on the application, the Commissioner for Transport considered that the traffic impact assessment submitted by the applicant was in order and had no objection to the application. To address the concern of CTP/UD&L, PlanD, an approval condition requiring submission and implementation of tree preservation and landscape proposals was recommended. The relevant implementation issues would be addressed at the lease modification stage. Regarding the adverse public comments, the above planning assessments and departmental comments were relevant.

47. A Member asked if land premium would be involved for the proposed development. In response, the Chairman said that generally speaking, if the future land use of an individual site was different from the user restrictions under the existing lease and would lead to an increase in land value, the developer would be liable to pay a land premium for the proposed development. Mr Tom C.K. Yip, DPO/K, also supplemented that the site was restricted for educational purposes under the lease.

48. In response to the Chairman’s enquiry, Mr Tom C.K. Yip said that the applicant submitted a section 12A application in 2012 for rezoning 45 – 47 Grampian Road partly for residential use, which was approved by the Committee and the amendment had been incorporated into the Outline Zoning Plan. In the current submission, the applicant had included an indicative scheme for the proposed residential development, but no building plans had been received so far.

Deliberation Session

49. The Chairman said that since the proposed seminary use was permitted under the “G/IC(12)” zone, the main planning consideration of the application was on design compatibility with SHB.

50. 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 14.7.2021, 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 of a Conservation Management Plan (CMP) including a detailed conservation proposal for the graded building prior to the commencement of any works and implementation of the works in accordance with the CMP to the satisfaction of the Antiquities and Monuments Office of the Leisure and Cultural Services Department or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB; and
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

**Agenda Item 13**

Any Other Business

52.           There being no other business, the meeting closed at 10:20 a.m..