

TOWN PLANNING BOARD

Minutes of 329th Meeting of the Metro Planning Committee held at 9:00 a.m. on 7.7.2006

Present

Director of Planning
Mr. Bosco C.K. Fung

Chairman

Dr. Greg C.Y. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor Bernard V.W.F. Lim

Dr. Daniel B.M. To

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Assistant Commissioner for Transport (Urban),
Transport Department

Mr. Anthony Loo

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr. Elvis W.K. Au

Assistant Director (Kowloon), Lands Department
Mr. James Merritt

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

Secretary

Absent with Apologies

Mr. Erwin A. Hardy

Professor N.K. Leung

Mr. Stanley Y.F. Wong

Mr. Felix W. Fong

Assistant Director(2), Home Affairs Department
Miss Linda Law

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Mr. C.T. Ling

Town Planner/Town Planning Board
Ms. Kathy C.L. Chan

Agenda Item 1

Confirmation of the Draft Minutes of the 328th MPC Meeting held on 16.6.2006

[Open Meeting]

1. The draft minutes of the 328th MPC meeting held on 16.6.2006 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

(i) Approval of Urban Renewal Authority Development Scheme Plan

2. The Secretary reported that on 20.6.2006, the Chief Executive in Council (CE in C) approved the draft Urban Renewal Authority Lai Chi Kok Road/Kweilin Street and Yee Kuk Street Development Scheme Plan under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). Approval of the Plan was notified in the Gazette on 7.7.2006.

(ii) Reference Back of three Outline Zoning Plans

3. The Secretary reported that on 20.6.2006, the CE in C referred three approved Outline Zoning Plans (OZPs), namely Shau Kei Wan, Chai Wan and Yuen Long OZPs, to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Ordinance. Reference back of the approved OZPs was notified in the Gazette on 7.7.2006.

Tsuen Wan and West Kowloon District

[Ms. Heidi Y.M. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Miss Erica S.M. Wong, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

[Dr. Daniel B.M. To arrived to join the meeting at this point.]

Agenda Item 3

[Open Meeting (whole agenda item)]

Proposed Amendment to the

Draft South West Kowloon Outline Zoning Plan No. S/K20/17

(MPC Paper No. 16/06)

Presentation and Question Sessions

4. Miss Erica S.M. Wong, STP/TWK, presented the proposed amendments to the draft South West Kowloon Outline Zoning Plan (OZP) and covered the following aspects as detailed in the Paper:

- (a) rezoning of an existing petrol filling station at the junction of Lai Chi Kok Road/Sham Mong Road from “Government, Institution and Community” to “Other Specified Uses” (“OU”) annotated “Petrol Filling Station” (“PFS”). The Notes for the “OU” zone were also amended to include the new Notes for “PFS”;
- (b) amending the Notes for the “Industrial” zone to incorporate the latest refinements to the Master Schedule of Notes to Statutory Plans by deleting the provision for applications for ‘Religious Institution’, ‘Educational Institution’ and ‘Place of Entertainment’ uses on the ground floor of an industrial building, and ‘Training Centre’ in such building in Column 2 of the user schedule for the said zone, taking into account fire safety concerns;
- (c) updating the Explanatory Statement (ES) of the OZP, in particular the part on West Kowloon Cultural District to reflect the latest position; and
- (d) retaining all sites reserved for “Open Space” (“O”) after conducting a review of the “O” zone.

5. Referring to paragraph 5.2 of the Paper, a Member asked whether there was any implementation programme for the 11 reserved sites for “O” on the OZP. Ms. Heidi Y.M. Chan, DPO/TWK replied that the implementation programme was to be worked out by the

Leisure and Cultural Services Department (LCSD), taking into account the need of the district and availability of resources. The reservation of the 11 sites for “O” was supported by LCSD.

[Mr. James Merritt arrived to join the meeting at this point.]

Deliberation Session

6. After deliberation, the Committee decided to :
 - (a) agree that the draft South West Kowloon Outline Zoning Plan (OZP) No. S/K20/17A (to be renumbered as S/K20/18 upon exhibition) in Appendix I and its Notes at Appendix II of the Paper were suitable for exhibition for public inspection under section 7 of the Town Planning Ordinance; and
 - (b) adopt the updated Explanatory Statement (ES) at Appendix III of the Paper as an expression of the planning intentions and objectives of the Town Planning Board for the various land use zonings of the draft South West Kowloon OZP and the updated ES would be published together with the Plan under the name of the Town Planning Board.

Agenda Item 4

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/I-MWI/40 Proposed Hotel (Amendments to Approved Scheme) in “Comprehensive Development Area” and “Other Specified Uses” annotated “Recreation and Tourism Related Uses” zones, Ma Wan Lots 151, 214, 215 and 218(Part), Ma Wan
(MPC Paper No. A/I-MWI/40)
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Presentation and Question Sessions

7. The Committee noted that the applicant requested on 16.6.2006 for a deferment

of the consideration of the application to allow more time to resolve the issues raised by the relevant departments.

Deliberation Session

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

9. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Ms. Maggie M.K. Chan arrived to join the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/K3/483 Proposed Hotel (Guesthouse)
in “Residential (Group A)” zone,
1/F, 16-18 Boundary Street, Mong Kok (KIL 4195 and 4196)
(MPC Paper No. A/K3/483)
-

Presentation and Question Sessions

10. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed hotel (guesthouse);
- (c) departmental comments – the Chief Building Surveyor/Kowloon, Buildings

Department (CBS/K, BD) objected to the application as the proposed guesthouse contravened the Buildings Ordinance in various aspects detailed in paragraph 8.1.2 of the Paper;

- (d) two public comments were received during the statutory publication period from the Owners' Corporation of the subject building and a Yau Tsim Mong District Councillor. They strongly objected to the application mainly on the grounds of public safety and disturbance to residents living in the subject building;
- (e) the District Officer (Yau Tsim Mong) advised that the Chairman of Yau Tsim Mong North Area Committee raised objection mainly on the grounds of fire hazard and generation of nuisance and inconvenience to the residents nearby. The Owners' Corporation of the subject building also raised objection on fire hazard and public safety grounds; and
- (f) the Planning Department (PlanD)'s views – PlanD did not support the application for reasons detailed in paragraph 10.1 of the Paper. The proposed guesthouse on 1/F was not compatible with the predominantly residential uses on upper floors of the subject building. As the proposed guesthouse was not served by a separate access, its operation would create nuisance to residents within the same building. Moreover, there were local objections to the proposed guesthouse. Approval of the application would set an undesirable precedent for the penetration of guesthouse uses within predominantly residential buildings.

11. Members had no question on the application.

Deliberation Session

12. After deliberation, the Committee decided to reject the application and the reasons were :

- (a) as the access to the proposed guesthouse was not separated from that of the

domestic portion of the subject building, the operation of the guesthouse might create nuisance to the residents of the subject commercial/residential building. The operation of the proposed guesthouse was considered not compatible with the residential uses on the upper floors of the same building;

- (b) the proposed guesthouse would contravene the provisions of the Buildings Ordinance; and
- (c) the approval of the application would set an undesirable precedent for similar applications within predominantly residential buildings which had no separate access for guesthouse use.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/K3/484 Proposed Hotel
 in “Residential (Group A)” zone,
 36-38 Li Tak Street, Tai Kok Tsui (KML 28GRP)
 (MPC Paper No. A/K3/484)
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Presentation and Question Sessions

13. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed hotel;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) one public comment was received during the statutory publication period from a Yau Tsim Mong District Councillor who had no comment on the

application;

- (e) the District Officer (Yau Tsim Mong) advised that while the Chairman of Yau Tsim Mong District Council supported the application, a District Councillor and the Incorporated Owners of Tsin Shui Mansion raised objection to the application mainly on the grounds of adverse impact on traffic as well as effect on future comprehensive redevelopment of the area and public safety; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraphs 10.1 and 10.2 of the Paper.

14. Members had no question on the application.

Deliberation Session

15. The Chairman said that the current application was to convert the whole building for guesthouse use, which was different from the previously considered application (No. A/K3/483) involving conversion of only the first floor of a mixed commercial and residential building.

16. A Member noted that an approval condition was proposed on the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board (TPB). The Member asked how the TPB could ensure the compliance of such an approval condition which was technical in nature. The Chairman pointed out that in most cases, compliance of technical conditions would be checked by the relevant Government departments. The approval condition was so written to cater for situations when there were conflicting views between the applicant and the departments concerned, such cases could be submitted to the TPB for resolution.

17. A Member queried whether the Lands Department would take action if the applicant failed to maintain the existing right-of-ways mentioned in paragraph 10.4(b) of the Paper. Mr. James Merritt, Assistant Director (Kowloon), Lands Department said that this requirement would be enforced under the lease conditions.

18. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board. The permission should be valid until 7.7.2010, 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.

19. The Committee also agreed to advise the applicant to :

- (a) note that the approval of the application did not imply that the gross floor area exemption for hotel concession and back of house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval;
- (b) maintain the existing right-of-ways at the front and rear parts of the Site in accordance with the Deed of Partition dated 15.6.1962;
- (c) apply to the Director of Lands for the lease modification for hotel development on the Site;
- (d) consult the Chief Officer/Licensing Authority of Home Affairs Department on the licensing requirements for the proposed hotel; and
- (e) comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue regarding the arrangement on Emergency Vehicular Access.

[Professor Bernard V.W.F. Lim arrived to join the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (iv) A/K5/615 Proposed Shop and Services
 in “Other Specified Uses” annotated “Business” zone,
 Unit 5, G/F, Kowloon Plaza,
 485 Castle Peak Road, Cheung Sha Wan
 (MPC Paper No. A/K5/615)
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Presentation and Question Sessions

20. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed shop and services;
- (c) departmental comments – no objection from concerned Government departments, including Fire Services Department (FSD) was received;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons detailed in paragraph 11.1 of the Paper.

21. Members had no question on the application.

Deliberation Session

22. The Chairman noted that the proposed shop and services use was in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and there was no objection from FSD.

23. After deliberation, the Committee decided to approve the application, on the

terms of the application as submitted to the Town Planning Board. The permission should be valid until 7.7.2008, 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) provision of fire service installations in the subject premises to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use; and
- (b) if the above condition of approval was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

24. The Committee also agreed to advise the applicant to :

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for a temporary waiver to permit the applied use; and
- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department on the submission of building plans in respect of separation of the proposed shop and services use from the industrial portion of the subject building by proper fire resistance construction and design and provision of means of escape.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/K20/95 Proposed Integrated Service Centre and
Minor Relaxation of Non-domestic GFA
in “Residential (Group A)9” zone,
Unit 4, G/F, Hoi Chi House, Hoi Lai Estate,
West Kowloon Reclamation
(MPC Paper No. A/K20/95)
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25. The application was submitted by the Hong Kong Housing Authority (HKHA) and the following Members had declared interests in this item :

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| Mr. Bosco C.K. Fung
as the Director of Planning | - being a member of the Strategic
Planning Committee of the HKHA |
| Miss Linda Law
as the Assistant Director of
Home Affairs Department | - being an alternate member for the
Director of Home Affairs who was a
member of the Strategic Planning
Committee of the HKHA |
| Mr. James Merritt
as the Assistant Director
(Kowloon) of Lands Department | - being an alternate member for the
Director of Lands who was a member
of the HKHA |
| Dr. Greg C.Y. Wong | - having current business dealings with
the Housing Department. |
| Mr. Stanley Y.F. Wong | - being a member of the Finance
Committee of the HKHA |
| Mr. Walter K.L. Chan | - being a former member of the HKHA |

26. As both the Chairman and the Vice-chairman had declared interests in this item, Members agreed that the Chairman should stay and continue to chair the meeting out of necessity. The Committee noted that Mr. Stanley Y.F. Wong and Miss Linda Law had tendered their apologies for being unable to attend the meeting.

[Dr. Greg C.Y. Wong, Mr. Walter K.L. Chan and Mr. James Merritt left the meeting temporarily at this point.]

Presentation and Question Sessions

27. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed integrated service centre and minor relaxation of non-domestic GFA;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraph 11.1 of the Paper.

28. Members had no question on the application.

[Mr. Leslie H.C. Chen arrived to join the meeting at this point.]

Deliberation Session

29. A Member supported the application which would allow better utilization of the currently vacant ground floor space for other beneficial uses to serve the local residents.

30. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board. The permission should be valid until 7.7.2010, 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.

31. The Committee also agreed to advise the applicant to comply with Part VI of the Code of Practice for Means of Access for Fire-fighting and Rescue regarding the arrangement on emergency vehicular access which was administered by the Buildings Department.

[Dr. Greg C.Y. Wong, Mr. Walter K.L. Chan and Mr. James Merritt returned to join the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (vi) A/TW/379 Proposed Columbarium, Shop and Services (Retail Shop only),
Access Road and Taxi Rank for Religious Institution
in “Government, Institution or Community (1)”, “Government,
Institution or Community (3)” and “Green Belt” zones,
Various Lots in DD 447 and Adjoining Government Land,
Tsuen Wan
(MPC Paper No. A/TW/379C)
-

Presentation and Question Sessions

32. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed columbarium, shop and services (retail shop only), access road and taxi rank for religious institution;
- (c) departmental comments – the Director of Agriculture, Fisheries and Conservation (DAFC) pointed out that section of Sam Dip Tam stream fell within the application site. This natural stream was worth preserving and any works that would affect the stream should be avoided as far as possible. Other concerned departments raised no in-principle objection to the application;
- (d) three public comments were received during the statutory publication period. They objected to the application mainly on the grounds of adverse traffic impact of the proposed development as well as adverse

environmental, psychological and 'fung shui' impacts of the existing Yuen Yuen Institute. An additional public comment was received when further information of the application was published for public inspection, raising no objection to the application provided that the traffic condition at Lo Wai Road was improved; and

- (e) the Planning Department (PlanD)'s views – PlanD had no strong view on the application for reasons detailed in paragraphs 11.2 and 11.3 of the Paper.

33. Members had the following questions/comments on the proposed development:

Delineation of Application Site

- (a) noting that the application site cut into Sam Dip Tam stream on both sides, a Member asked whether the boundary of the application site followed the “Government, Institution or Community (3)” (“G/IC(3)”) zone on the Outline Zoning Plan (OZP) or whether the boundary was proposed by the applicant;
- (b) whether the application site followed the lot boundaries and whether the lot boundaries included the stream course;

Impacts on Natural Stream Courses

- (c) a Member noted that the application site was traversed by the natural stream courses of Sam Dip Tam, and enquired whether Sam Dip Tam was still in a natural state and whether the proposed development would adversely affect the stream course;
- (d) another Member asked whether the proposed public coach parking area would be located on Government land and running across the Sam Dip Tam water course;

Demand for Columbarium

- (e) whether there were any statistics on the demand for columbarium;
- (f) how many niches had already been provided in Yuen Yuen Institute;

Pedestrian Circulation

- (g) whether there was any assessment or analysis on pedestrian circulation within the application site, particularly to cater for the need of the children and elderly and for the large number of visitors during Ching Ming Festival and Chung Yeung Festival;

Tree Felling

- (h) a Member noted that about 30% of the existing trees on site were proposed to be felled and about 15% to be transplanted. The Member asked if relevant departments had any comment on the tree felling proposal, and whether any compensatory landscape proposal had been submitted by the applicant;

Planning Intention

- (i) while the proposed development was for religious institution use, the proposed columbarium, accounting for 42% of the total GFA of the entire development, would be run on a commercial basis. Whether it was appropriate to allow columbarium use in “G/IC” zone and whether there were any precedent cases in other “G/IC” zones;

Land Matters

- (j) noting that Government land was included in the application site, how the land matter would be dealt with if the application was approved; and

Vehicular Arrangement

- (k) whether the road within the application site would be single or double lane;
and
- (l) whether the traffic impact assessment (TIA) conducted by the applicant had included the traffic generated by the existing Yuen Yuen Institute.

34. In response to Members' questions, Ms. Heidi Y.M. Chan, DPO/TWK and Miss Erica S.M. Wong, STP/TWK made the following main points:

Delineation of Application Site

- (a) the application site covered various private lots and Government land. Making reference to the applicant's submission and the lots concerned, the boundaries of the application site and individual lots were superimposed on the OZP for easy reference by Members;
- (b) as the superimposition might not be 100% accurate, it was marked in Plan A-2 that the boundary of the application site was for identification purpose only;

Impacts on Natural Stream Courses

- (c) the proposed columbarium would indeed be on a level higher than the stream course. Concern on the impacts on the natural stream course was also raised by DAFC. In order to avoid affecting the Sam Dip Tam stream, an approval condition was proposed at paragraph 11.4(b) of the Paper requiring the applicant to submit information regarding the possible impact on the natural stream courses affected by the proposed development and implementation of mitigation measures identified therein;
- (d) site inspection showed that the water in Sam Dip Tam was still clear and natural features like waterfall were found;

- (e) the proposed coach parking area would be located on Government land running across Sam Dip Tam, but that part of the river had already been decked-over;

Demand for Columbarium

- (f) there were 6 public columbaria in Hong Kong, providing a total of 138,000 niches. By 2011, the number of niches would increase by 170,000 niches. The number of niches provided by the private sector was however not available;
- (g) referring to paragraph 9.1.1 of the Paper, the Director of Food and Environmental Hygiene (DFEH) advised that the cremation rate was anticipated to rise further in the coming decade. As the annual demand for Government niches and those of the Chinese Permanent Cemeteries was about 50-60% of the number of annual cremation sessions in the last few years, DFEH supported the provision of columbarium by private sector to meet the overall demand for niches. PlanD had also encountered difficulties in identifying suitable sites for public columbarium use because of common local objections. Hence provision of such use by private sector could help to meet the demand;
- (h) the number of niches provided in the existing Yuen Yuen Institute was about 50,000;

Pedestrian Circulation

- (i) the applicant had conducted an assessment on the traffic impacts during the Ching Ming Festival and the proposals to mitigate the traffic impact were detailed in paragraph 2(g) and Appendix If of the Paper. In gist, the proposals included provision of 19 coach parking spaces for public use; provision of proper turn-around area, drop-off area and taxi stand; and provision of special shuttle service during festival days;

- (j) there was however no information in the current submission on the assessment of pedestrian circulation and provision of related facilities. The existing arrangement in Yuen Yuen Institute was for pedestrians to use internal vehicular roads to gain access to the columbarium and other facilities;

Tree Felling

- (k) both the DAFC and the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had no adverse comment on the tree survey. CTP/UD&L noted that 33 trees out of the total 113 trees surveyed were proposed to be felled due to the fact that they were unlikely to be transplanted successfully in consideration of their health, form, condition and/or accessibility, and 40 new trees were proposed to compensate for the felled trees;

Planning Intention

- (l) according to the Town Planning Board Guidelines No. 16, for sites zoned “G/IC”, a major portion of the proposed development should be dedicated to GIC and other public uses including public open spaces. Otherwise, the proposed development was considered to constitute a significant departure from the planning intention of the “G/IC” zone;
- (m) the GFA for the proposed columbarium and ancillary retail shops was 2,695m² which accounted for about 42% of the total GFA of the entire proposed development. As the major part of the proposed development in terms of GFA (about 58%) was for religious and related uses, it could be considered as generally in line with the Town Planning Board Guidelines No. 16;
- (n) a similar case was the Lung Chuen Ging Say in Tuen Mun which was zoned “G/IC” on the OZP. The proposed redevelopment for religious

institution (temple and memorial garden) including columbarium use was first approved in January 2000 (Application No. A/TM/255). With an area of 2,790m², the redevelopment would result in a total gross floor area (GFA) of 3,625m², of which 2,379m² was for the columbarium providing 5,000 niches;

Land Matters

- (o) if the application was approved, the applicant was required to apply to the Lands Department for land exchange to effect the proposal. The application would be considered in accordance with the prevailing land administration policy subject to such terms and conditions as deemed appropriate including payment of premium;

Vehicular Arrangement

- (p) the road within the application site would be two-way single lane; and
- (q) the TIA had taken into consideration the traffic generated by the existing Yuen Yuen Institute and the proposed extension area.

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

Deliberation Session

35. Members were generally in support of the provision of columbarium by the private sector to meet the anticipated increasing demand for niches which could not fully be met by those provided by the Government, but considered there was insufficient information on various aspects in the submission.

36. The concerns/views raised by Members were summarised as follows:

Pedestrian Circulation

- (a) Noting that a parking area for 19 coaches had been reserved, the estimated number of visitors to the proposed development would be well over 1000, not to mention visitors arriving by other means. Besides, the main gate of the proposed development would have a level difference of 17m (equivalent to 5 storeys) from the coach parking area. There was no information on pedestrian circulation within the application site. The safety of the visitors, many of whom were children and elderly, would be put at risk if pedestrian circulation was not duly considered at the early planning stage;
- (b) the lack of sufficient space for picking up and dropping off of visitors and for pedestrian circulation had aroused public criticisms at the Tseung Kwan O Chinese Permanent Cemetery. The same situation should not be repeated in the current proposal;

Land Matters

- (c) the proposed provision of parking facilities on Government land should be well justified, i.e. the reasons for not providing such facilities within the applicant's private lots;
- (d) if the proposed coach parking area on Government land was allowed, the applicant should be requested to properly landscape the area and turn it into a public square for enjoyment by the visitors. Otherwise, there was no strong reason to support the granting of Government land to the applicant;

Impact on Natural Environment

- (e) the proposed layout was unacceptable as some of the facilities were in close proximity to or even encroached onto the natural stream courses. Buffer areas should be provided to avoid possible impacts on the stream courses;

- (f) the overall design and layout of the proposed development should be devised in such a way to protect and enhance the natural resources of the site and the surrounding area, i.e. the natural heritage resources of Sam Dip Tam stream;
- (g) the layout should also be reviewed to minimize the number of trees to be felled;
- (h) with the large number of visitors, the drainage impact of the proposed development on Sam Dip Tam should also be addressed;

Traffic Impact

- (i) there was still concern about the traffic impact of the proposed development on the local road network, particularly at Lo Wai Road during the two festival days with additional coaches and shuttle buses; and
- (j) a TIA should be properly carried out for the proposed development. It was noted that in the current application, the number of niches had been reduced from 50,000 to 20,000, but there was no corresponding adjustment in the findings of TIA.

37. Members considered that there was insufficient information contained in the submission to address the concerns summarized in paragraph 36 above, and such concerns should be dealt with at the planning application stage rather than to be addressed by imposition of approval conditions. Members then discussed the rejection reasons recommended in paragraph 11.6 of the Paper.

38. After further deliberation, the Committee decided to reject the application and the reasons were:

- (a) there was insufficient information in the submission to demonstrate that the proposed development would not have adverse traffic impact on the road network of the area, and that appropriate and adequate pedestrian

circulation space and facilities were provided within the application site;

- (b) there was insufficient information in the submission to demonstrate that the proposed development would not have adverse impact on the stream courses, and that the natural heritage resources of Sam Dip Tam would not be affected;
- (c) there was insufficient information in the submission to demonstrate that the proposed development would not have adverse landscaping impact on the subject site and the surrounding areas, particularly in respect of tree preservation; and
- (d) there was insufficient information in the submission to demonstrate that the proposed development would not have adverse drainage impact on the subject site and the surrounding areas.

[Open Meeting (Presentation and Question Sessions Only)]

- (vii) A/TW/385 Minor Relaxation of Building Height Restriction
for Permitted Social Welfare Facility (Home for the Aged)
in “Government, Institution or Community (2)” zone,
33 Lo Wai Road (Lot 1236RP in DD 453 and Extension Thereto),
Tsuen Wan
(MPC Paper No. A/TW/385)
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Presentation and Question Sessions

39. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) minor relaxation of building height restriction for the permitted social welfare facility (home for the aged);

- (c) departmental comments – no objection from concerned Government departments was received;
- (d) one public comment supporting the application was received during the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraph 10.1 of the Paper.

40. Members had no question on the application.

[Dr. Daniel B.M. To left, and Ms. Maggie M.K. Chan temporarily left, the meeting at this point.]

Deliberation Session

41. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board. The permission should be valid until 7.7.2010, 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.

42. The Committee also agreed to advise the applicant to :

- (a) apply to the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department for a lease modification to permit the applied use; and
- (b) ensure minimum disturbance to the existing elderly residents in the course of construction of the development.

[The Chairman thanked Ms. Heidi Y.M. Chan, DPO/TWK, and Miss Erica S.M. Wong, STP/TWK, for their attendance to answer Members' enquiries. Ms. Chan and Miss Wong

left the meeting at this point.]

Hong Kong District

[Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), and Mr. Kevin C.P. Ng, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

Agenda Item 5

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/H4/79 Proposed Government Use (Public Toilet)
in “Other Specified Uses” annotated “Bus Terminus,
Open Space and Commercial Development” zone
within future development of the ex-Central Market site,
Jubilee Street, Central
(MPC Paper No. A/H4/79)
-

Presentation and Question Sessions

43. Mr. Kevin C.P. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed government use (public toilet);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period

and no local objection was received from the District Officer; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraph 11.1 of the Paper.

44. A Member asked if the public toilet would be open 24 hours a day. Mr. Kevin C.P. Ng said that the applicant had verbally advised that the public toilet would have a separate access and would be open 24 hours a day.

[Ms. Maggie M.K. Chan returned to the meeting at this point.]

Deliberation Session

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the provision of fire services installations to the satisfaction of the Director of Fire Services or of the Town Planning Board. The permission should be valid until 7.7.2010, 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.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/H17/116 Minor Relaxation of Site Coverage from 25% to 35%
for Permitted Flat Development
(Amendments to Approved Scheme)
in “Residential (Group C)3” zone,
11-12 Headland Road, South Bay (RBL No. 1163)
(MPC Paper No. A/H17/116)
-

Presentation and Question Sessions

46. The application was submitted by a subsidiary company of Henderson Land Development Co. Ltd. (Henderson). Mr. Raymond Y.M. Chan, having current business dealings with Henderson, declared an interest in this item.

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

47. Mr. Kevin C.P. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) minor relaxation of site coverage from 25% to 35% for the permitted flat development (amendments to approved scheme);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) three public comments were received during the statutory publication period from an Eastern District Councillor, the owner of the adjacent residential development and a member of the public respectively. While all of them had no objection to the application, a commenter suggested that adequate precautions should be taken to preserve the trees along the boundary of the subject site and the adjacent lot; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraphs 11.2 and 11.3 of the Paper.

48. In response to a Member's query, Mr. Kevin C.P. Ng and Ms. Christine Tse, referring to Drawing A-8 and paragraph 1.3 of the Paper, said that the major differences between the current application and the previously approved scheme (No. A/H7/114) were the replacement of two residential blocks with 4 flats by 4 detached houses, and the increase in number of storeys from 3 storeys to 3 storeys over 1 storey of carport. The Chairman supplemented that the proposed number of storeys had not exceeded the building height restriction under the OZP and no planning permission was required, whereas the proposed minor relaxation of site coverage restriction from 25% to 35% had been approved in previous applications No. A/H17/101 and A/H17/114. As the current scheme deviated substantially from the previously approved schemes in terms of built-form and building disposition, a fresh

application was required.

Deliberation Session

49. A Member queried if there was any specific definition of carport for the purpose of the Outline Zoning Plans. To the understanding of this Member, carport should be open on both sides and could not be provided at basement level. This Member also pointed out that a large number of Electrical and Mechanical (E&M) rooms were proposed at the basement level. These rooms might easily be converted for other uses, resulting in additional gross floor areas for the proposed development which might exceed the development restrictions stipulated on the OZP. The Secretary said that should Member decide to approve the application, the applicant would be informed that planning permission was only granted for the proposed minor relaxation of site coverage from 25% to 35%. Members' concern on the excessive size and number of E&M rooms would be relayed to the Buildings Department and could be dealt with at the building plan submission stage.

50. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 7.7.2010, 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 a tree preservation scheme, a landscaping proposal and the submission of monthly monitoring reports during construction period to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the provision of water supply for fire-fighting and fire services installations to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (c) the design and provision of the ingress/egress of the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.

51. The Committee also agreed to advise the applicant to :

- (a) apply for permission from the District Lands Officer/Hong Kong West and South, Lands Department for the alteration of vehicular access points;
- (b) note the comments of the Director of Agriculture, Fisheries and Conservation to review the possibility of retaining more existing trees in-situ; and
- (c) note the comments of the Director of Fire Services regarding the compliance of the Code of Practice for Means of Access for Firefighting and Rescue.

52. The Committee also requested the Secretariat to relay Members' concern on the excessive number of E&M rooms at the basement level of the proposed development to the Buildings Department for further consideration at the building plan submission stage.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/H20/153 Shop and Services (Bank)
in "Other Specified Uses" annotated "Business" zone,
Rear Section of Portion A, Lower Ground Floor,
Hop Shi Factory Building,
29-31 Lee Chung Street, Chai Wan
(MPC Paper No. A/H20/153)
-

Presentation and Question Sessions

53. Mr. Kevin C.P. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) shop and services (bank);
- (c) departmental comments – no objection from concerned Government departments, including the Fire Services Department (FSD), was received;
- (d) four public comments were received during the statutory publication period. One of them supported the application whereas others had no objection to or comment on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons detailed in paragraph 11.1 of the Paper.

54. Members had no question on the application.

Deliberation Session

55. The Chairman said that the proposed bank was in line with the planning criteria set out in the Town Planning Board Guidelines No. 22C, and FSD had no objection to the application.

56. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 7.7.2010, 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 fire services installations to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use; and
- (b) if the above planning condition was not complied with before the operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

57. The Committee also agreed to advise the applicant to :
- (a) apply to the District Lands Officer/Hong Kong East, Lands Department on the lease modification for the bank use of the application premises;
 - (b) submit Building (Alteration and Additions) Plans for the bank use of the application premises to the Building Authority for approval; and
 - (c) comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction on the matters relating to the fire resistance period requirements.

[The Chairman thanked Ms. Christine K.C. Tse, DPO/HK, and Mr. Kevin C.P. Ng, STP/HK, for their attendance to answer Members' enquiries. Ms. Tse and Mr. Ng left the meeting at this point.]

Agenda Item 6

Any Other Business

58. There being no other business, the meeting was closed at 11:55 a.m.

(Chairman)
Metro Planning Committee