

TOWN PLANNING BOARD

Minutes of 362nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 30.11.2007

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Dr. Greg C.Y. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor N.K. Leung

Dr. Daniel B.M. To

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Assistant Commissioner for Transport (Urban),
Transport Department
Mr. Anthony Loo

Principle Environmental Protection Officer (Metro Assessment)
Environmental Protection Department
Mrs. Shirley Lee

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

Secretary

Absent with Apologies

Professor Bernard V.W.F. Lim

Mr. Stanley Y.F. Wong

Mr. Raymond Y.M. Chan

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

Assistant Director(2), Home Affairs Department
Ms. Margaret Hsia

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Ms. Brenda K.Y. Au

Town Planner/Town Planning Board
Miss Rowena M.F. Lee

Agenda Item 1

Confirmation of the Draft Minutes of the 361st MPC Meeting held on 16.11.2007

[Open Meeting]

1. The draft minutes of the 361st MPC meeting held on 16.11.2007 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising from the last meeting.

[Messrs. Nelson W.Y. Chan and Anthony Loo arrived to join the meeting at this point.]

Tsuen Wan and West Kowloon District

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

Agenda Item 3

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/K5/645 Proposed Shop and Services (Money Exchange)
in “Other Specified Uses” annotated “Business” zone,
Unit 4 (Portion), G/F, Elite Industrial Centre,
883 Cheung Sha Wan Road
(MPC Paper No. A/K5/645)
-

Presentation and Question Sessions

3. The Committee noted that the applicant requested on 14.11.2007 for a deferment of the consideration of the application to allow time to resolve fire safety problem.

Deliberation Session

4. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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. 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.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/TW/395 Proposed Hotel and Public Vehicle Park
(excluding Container Vehicle)
in “Residential (Group A)” zone,
118 Chuen Lung Street, Tsuen Wan (TWTL 320)
(MPC Paper No. A/TW/395)
-

Presentation and Question Sessions

5. Ms. 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 and public vehicle park (excluding container vehicle) involving conversion of an existing commercial building;
- (c) departmental comments – no objection or no adverse comment from concerned Government departments was received;

- (d) two public comments were respectively received during the statutory publication periods of the application and of the further information submitted on 12.10.2007, raising concern and objecting strongly respectively on traffic ground; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.2 of the Paper. The proposed hotel and public vehicle park (excluding container vehicle) uses were not incompatible with the surrounding uses which were predominantly composite commercial/residential developments. No adverse impacts would be resulted and concerned Government departments had no objection to or no adverse comments on the application. Regarding the local concern on traffic aspect, the traffic impact assessment (TIA) confirmed that the road network in the neighbourhood could cope with the proposed uses. The Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) and the Commissioner of Police (C of P) had no objection to the revised parking and loading/unloading arrangements.

[Ms. Sylvia S.F. Yau and Messrs. Daniel B.M. To and Felix W. Fong arrived to join the meeting at this point.]

6. In response to a Member's enquiry, Ms. Erica S.M. Wong replied that the existing commercial building had a plot ratio (PR) of 9.5.

7. In response to another Member's enquiry on whether the busy streets in the area could accommodate the additional traffic if groups of hotel guests arrived by large coaches, Ms. Erica S.M. Wong advised that the applicant proposed in the TIA to use medium size coaches of 8m long or less (not more than 29 seats). Mr. Anthony Loo added that AC for T/NT and C of P had no objection to the applicant's revised proposal of using only medium size coaches. With the small scale of the hotel providing only 140 rooms, the use of large coaches was rather unlikely.

Deliberation Session

8. Members had a lengthy discussion on the traffic issues related to coaches dropping off hotel guests. Members' views/questions were summarised below :

- (a) there was no in-principle objection to the proposed development;
- (b) although the revised TIA proposed the use of medium size coaches, it was difficult to enforce this request and there was a possibility that large coaches could still drop off hotel guests on street outside the application site;
- (c) taking into account the busy and narrow streets in the area, the addition of coaches to the road network might cause inconvenience and safety problem to the pedestrians;
- (d) two members asked whether erection of signs forbidding the use of large coaches in front of the hotel and/or the neighbouring streets, which would help alleviate the problem, would be feasible. Another Member opined that it might not be effective since the large coaches would only drop hotel guests in streets further away, resulting in the safety problem of coach passengers. As shown on the Ground Floor plan in Drawing A-2 of the Paper, the turn table and existing goods vehicle/car lift were large enough for accommodating rather large coaches; and
- (e) whether the mini-bus stops in the area would be relocated or any improvement measures would be undertaken by the Government to alleviate the congested condition of the streets in the neighbourhood.

9. In response, Ms. Erica S.M. Wong advised that the TIA had taken into consideration the existence of the mini-bus stops, traffic condition of the streets including Chuen Lung Street. While the site could accommodate larger coaches, AC for T/NT and C of P objected to the use of large coaches and recommended that medium and small coaches should be used instead.

10. In view of Members' concern on the use of large coaches, Mr. Anthony Loo said that TD could follow up with the applicant and take into consideration Members' views in vetting the applicant's future proposal to fulfil the suggested approval condition (b) regarding the provision of parking and loading/unloading facilities. Members agreed to this suggestion, taking into account the small scale of the hotel and that the existing commercial building was already generating a certain amount of traffic.

11. A Member enquired why a PR of 9.5 was allowed in the current application whilst a hotel development involving conversion in Hung Hom had been restricted to a PR of 9. In response, the Secretary advised that the current application site fell within the Tsuen Wan OZP, under which PR control was not the same as that in the OZPs covering Kowloon. The Tsuen Wan OZP was restricted to a maximum non-domestic PR of 9.5 and a maximum domestic PR of 5. The appeal decision related to the proposed conversion of an existing commercial/office building for hotel use in the "Residential (Group A)" ("R(A)") zone in the Hung Hom OZP. The contention was whether paragraph (1) or (2) of the Remarks of the Notes for the "R(A)" zone in that OZP should cover the proposed conversion to hotel use. It had been confirmed by the Town Planning Appeal Board that the proposed conversion was covered by paragraph (2) of the Remarks and was subject to a PR restriction of 9. Hence, there was no provision for the Town Planning Board to grant permission for the development under application which would result in the finished building having a PR of more than 9.

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 should be valid until 30.11.2011, 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 design and provision of water supply for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the provision of parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB; and

- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

13. The Committee also agreed to advise the applicant :

- (a) that the approval of the application does not imply that necessary approvals would be given by any Government department. The applicant should approach the relevant Government departments direct for any necessary approvals;
- (b) that the approval of the application does not imply that the proposed gross floor area exemption for hotel back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval;
- (c) to apply to the Director of Lands for lease modification for hotel and public vehicle park on the site;
- (d) to consult the Chief Officer (Licensing Authority), Home Affairs Department on the licensing requirements and apply to him for a licence for the proposed hotel; and
- (e) to submit building plans to the Building Authority for approval and comply with the Code of Practice for Means of Access for Firefighting and Rescue.

14. The Committee also requested the Transport Department to take note of the concerns raised by Members relating to the loading/unloading activities associated with the possible use of large coaches in vetting the proposal to be submitted by the applicant in fulfilling approval condition (b).

17. The same Member considered that that adjoining site was large enough for the pump house. Since the container was left unattended on Government land, the Government could remove it and develop the pump house on that site. This would then avoid affecting the roots of the trees adjoining the application site.

18. In response to another Member's enquiry, Ms. Erica S.M. Wong advised that the site fell within both the Shing Mun Country Park and the "Green Belt" ("GB") zone of the Tsuen Wan Outline Zoning Plan (the OZP). According to the Notes of the OZP, planning application was needed for public utility installation in the "GB" zone.

Deliberation Session

19. In response to the Chairperson's enquiry, Ms. Erica S.M. Wong advised that she had no information on whether the adjoining Government land was suitable and could be released for the development of the proposed pump house.

20. The Chairperson suggested and Members agreed that a decision on the application should be deferred pending confirmation from concerned Government departments, including the applicant, on the feasibility of building the pump house on the adjoining Government land to the west of the application site.

21. After deliberation, the Committee decided to defer a decision on the application pending confirmation from concerned Government departments, including the applicant, on the feasibility of using the alternative location to the west of the application site for the development of the proposed pump house to avoid affecting the trees adjoining the application site.

[The Chairperson thanked Ms. Erica S.M. Wong, STP/TWK, for her attendance to answer Members' enquires. Ms. Wong left the meeting at this point.]

[Mr. Leslie H.C. Chen arrived to join the meeting while Ms. Starry W.K. Lee left the meeting at this point.]

Kowloon District

[Ms. Helen L.M. So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 4

[Open Meeting]

Proposed Amendments to the

Approved Kwun Tong (North) Outline Zoning Plan No. S/K14N/9

(MPC Paper No. 20/07)

Presentation and Question Sessions

22. With the aid of a powerpoint presentation, Ms. Helen L.M. So, STP/K, presented the proposed amendments to the Kwun Tong (North) Outline Zoning Plan (the OZP) and covered the following aspects as detailed in the Paper :

- (a) background to the proposed amendments as set out in paragraph 3 of the Paper;
- (b) the proposed amendments as detailed in paragraphs 4 to 6 of the Paper, highlighting that the irregular configuration of the “Government, Institution or Community (1)” site in the s.12A application (No. Y/K14N/1) agreed by the Committee on 2.11.2007 was proposed to be rationalised and minor boundary adjustments be made;
- (c) no adverse comments were received from relevant Government departments on the proposed amendments; and
- (d) the Kwun Tong District Council (KTDC) had been kept informed on the proposal to relocate the four temples to the subject site in previous KTDC meetings held in January 2006 and March 2007. KTDC would be consulted after the Board’s agreement to the proposed amendments and during the

exhibition of the amendments to the OZP under section 5 of the Town Planning Ordinance.

23. In response to the Chairperson's enquiry, Ms. Helen L.M. So, advised that the northern part of the previously proposed site boundary for the four temples was on a slope and of irregular shape. The boundary adjustments mainly involved rationalising the northern site boundary on the OZP.

24. The Chairperson asked whether the boundary adjustments would affect the trees on the slope. In response, Ms. Helen L.M. So advised that the slope and the trees on it would anyhow be affected by the site formation works for the whole site of the Anderson Road public housing development and the construction of the road to its north. The slope would subsequently be maintained by the Highways Department.

25. A Member commented that the boundary of the "Other Specified Uses" annotated "Amenity" zone as currently shown on the OZP should also be amended to avoid encroaching onto the road and footpath in the south.

Deliberation Session

26. After deliberation, the Committee decided to defer a decision on the proposed amendments pending the Planning Department's reconsideration of the zoning boundaries of the "Government, Institution or Community(1)" and "Other Specified Uses" annotated "Amenity" zones.

[The Chairperson thanked Ms. Helen L.M. So, STP/K, for her attendance to answer Members' enquires. Ms. So left the meeting at this point.]

Hong Kong District

[Ms. Donna Y.P. Tam and Mr. David C.M. Lam, Senior Town Planners/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/H5/364 Proposed Commercial Bathhouse and Massage Establishment in “Commercial/Residential” zone,
Rear Portion of 1/F, Portion of the Canopy on 1/F and Rear Portion of G/F, Yue King Building, 26-30 Canal Road West,
1-7 Leighton Road
(MPC Paper No. A/H5/364)
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Presentation and Question Sessions

27. Ms. Donna Y.P. Tam, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed commercial bathhouse and massage establishment;
- (c) departmental comments – no objection or no adverse comment from concerned Government departments was received;
- (d) one public comment was received during the statutory publication period objecting on grounds of incompatibility of use and adverse impacts on public order; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper. The proposed use was not incompatible with the surrounding developments in the “Commercial/Residential” (“C/R”) zone which comprised a mixture of commercial and composite C/R buildings. The proposed use was located within the non-domestic portion of the subject building, which was physically separated from the residential portion on upper floors and accessed through its own direct entrances, and would unlikely cause

inconvenience and nuisances to the residents of the same building. Although there was one public objection on public order aspect and incompatibility of use, no adverse comments was raised by relevant Government departments. The Commissioner of Police would monitor the public law and order through the massage establishment licensing system.

Deliberation Session

28. Members noted that the application premises were located at the non-domestic portion of the subject building with separate entrances and that similar applications in the “C/R” zone had generally been approved.

29. 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 30.11.2011, 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 condition that the provision of fire service installations should be to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) apply to the Police Licensing Office for a massage establishment licence;
and
- (b) resolve any land issues relating to the development with the concerned owner(s) of the application premises.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/H8/385 Proposed Hotel in “Residential (Group A)” zone,
98-100 Tung Lo Wan Road and 8-12 Lin Fa Kung Street West,
Causeway Bay
(MPC Paper No. A/H8/385)
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Presentation and Question Sessions

31. The Committee noted that the applicant’s representative on 28.11.2007 requested for a deferment of the consideration of the application for two weeks to allow time to address the comments of concerned Government departments.

Deliberation Session

32. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the 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. The Committee also agreed to advise the applicant that a period of two weeks were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/H19/54 Proposed Eating Place, and Shop and Services
(Redevelopment of Existing Building)
in “Residential (Group A)1” zone,
90 Stanley Main Street, Stanley
(MPC Paper No. A/H19/54)
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Presentation and Question Sessions

33. Mr. David C.M. Lam, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed redevelopment for eating place, and shop and services uses;
- (c) departmental comments – no objection or no adverse comment from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper.

Deliberation Session

34. Members noted that the land use of Stanley Main Street had generally been changed to eating places and entertainment uses and considered the application acceptable.

35. 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 30.11.2011, 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 to the satisfaction of the Director of Fire Services or of the TPB ;
- (b) submission and implementation of sewerage and drainage proposals to the satisfaction of the Director of Drainage Services or of the TPB ;
- (c) submission and implementation of a proposal on the exterior design of the building to the satisfaction of the Director of Planning or of the TPB; and

- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) apply to the District Lands Officer/Hong Kong West & South, Lands Department for lease modification to permit the applied uses at the application site;
- (b) note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department regarding the submission of the sewerage and drainage proposals and the requirements to submit drainage connection plans to the Building Authority and to maintain the drainage system within the premises;
- (c) note the comments of the Director of Food and Environmental Hygiene that construction works for the proposed uses under application should not affect the operation of the restaurants on Stanley Main Street during the pedestrianisation hours;
- (d) apply for the relevant licence under the Public Health and Municipal Services Ordinance (Cap. 132) for the proposed eating place and, if applicable, for liquor licence to be issued by the Liquor Licensing Board; and
- (e) note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department on the design of the proposed commercial building.

[The Chairperson thanked Ms. Donna Y.P. Tam and Mr. David C.M. Lam, STP/HK, for their attendance to answer Members' enquires. They left the meeting at this point.]

Agenda Item 6

Any Other Business

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