

TOWN PLANNING BOARD

**Minutes of 373rd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 23.5.2008**

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. Stanley Y.F. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Professor Bernard V.W.F. Lim

Dr. Daniel B.M. To

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

Ms. Starry W.K. Lee

Mr. Maurice W.M. Lee

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr. C.W. Tse

Assistant Director (Kowloon), Lands Department
Ms. Olga W.H. Lam

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

Secretary

Absent with Apologies

Mr. Leslie H.C. Chen

Professor N.K. Leung

Mr. K.Y. Leung

Dr. Ellen Y.Y. Lau

Dr. Winnie S.M. Tang

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. Christine K.C. Tse

Town Planner/Town Planning Board
Ms. Doris S.Y. Ting

Agenda Item 1

Confirmation of the Draft Minutes of the 372nd MPC Meeting held on 9.5.2008

[Open Meeting]

1. The draft minutes of the 372nd MPC meeting held on 9.5.2008 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

Proposed Amendments to the Draft Cha Kwo Ling, Yau Tong,
Lei Yue Mun Outline Zoning Plan No. S/K15/15

2. The Secretary reported that during the consideration of the proposed amendments to the draft Outline Zoning Plan (OZP) on 9.5.2008, the Committee noted that there were some minor inconsistencies in the proposed amendments between the OZP and the Notes. Upon further vetting by the Secretariat, two minor inconsistencies in the Notes with respect to the Remarks for the “Government, Institution or Community” zone and a set of schedule of uses for the “Other Specified Uses” annotated “Lorry Park” zone, which were technical in nature, had been rectified. The relevant extracts of the revised Notes had been tabled for Members’ information. Members noted the proposed rectifications.

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

Tsuen Wan and West Kowloon District

[Mr. C.K. Soh, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/505 Proposed Industrial Use (Metal Workshop) and Ancillary Office
in “Residential (Group E)” zone,
Workshop B, G/F, Yip Kwong Industrial Building,
39 - 41 Beech Street, Tai Kok Tsui (KIL 6351 and 6352)
(MPC Paper No. A/K3/505)

Presentation and Question Sessions

3. Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed industrial use (metal workshop) and ancillary office;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) one public comment from a Yau Tsim Mong District Councillor was received during the statutory publication period. The commenter objected to the proposed industrial use on the grounds of adverse impact on the environment and causing obstruction and safety problem to the pedestrians. The District Officer (Yau Tsim Mong) advised that his office had received the same objection letter from the same District Councillor; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment given in paragraph 11 of the Paper. The proposed industrial use at the application premises was considered not incompatible with the existing industrial-related offices and warehouses uses within the subject industrial building and the existing uses at G/F of the surrounding developments. The proposed use would have no adverse

impact on the nearby developments and all concerned departments had no objection to the application. Regarding local concerns on the possible environmental impact, and obstruction and safety problems to the pedestrians, the Director of Environmental Protection had no objection to the application and the applicant advised that there were parking and loading/unloading facilities provided on ground floor to serve the subject industrial building including the application premises.

4. Members had no question on the application.

Deliberation Session

5. The Committee noted that there was a previous application within the same application premises and a number of similar applications approved for industrial use in other existing industrial buildings within the “Residential (Group E)” zone of the area.

6. 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 23.5.2012, 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 service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the implementation of the sewerage improvement and upgrading works, if necessary, to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for lease modification/waiver for the proposed use at the application premises;

- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department on the provision of access and facilities for persons with disability at the application premises according to Building (Planning) Regulations 72 and Design Manual – Barrier Free Access 1997; and
- (c) note that the Commissioner for Transport had the right to impose, alter or cancel any parking, loading/unloading facilities and/or any no-stopping restrictions, etc. on any road to cope with changing traffic conditions and needs. The applicant should not expect the Government to provide or modify such facilities for his uses.

[The Chairperson thanked Mr. C.K. Soh, STP/TWK, for his attendance to answer Member's enquiries. Mr. Soh left the meeting at this point.]

[Mr. P.C. Mok, STP/TWK, was invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/658 Shop and Services (Fast Food Counter/Local Provisions Store)
in "Other Specified Uses" annotated "Business" zone,
Unit 4 (Portion), G/F, Elite Industrial Centre,
883 Cheung Sha Wan Road, Kowloon
(MPC Paper No. A/K5/658)

Presentation and Question Sessions

8. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, highlighting that part of the application premises was currently used as fast food counter without planning permission and the other part was currently vacant;

- (b) shop and services (fast food counter/local provisions store);
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment given in paragraph 11 of the Paper. The uses under application were in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and complied with the Town Planning Board Guidelines for Development within “OU(B)” Zone in terms of fire safety, land use, traffic and environmental impacts. The applied uses were not incompatible with the uses of the subject industrial building and would unlikely generate adverse traffic or environmental impacts on the surrounding areas. Relevant Government departments consulted had no objection to the application.

9. Members had no question on the application.

Deliberation Session

10. The Committee noted that the application complied with the relevant Town Planning Board Guidelines for Development within “OU(B)” zone and there were a number of similar applications approved for shop and services use on the G/F of the subject industrial building.

11. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the submission and implementation of fire service installations in the application premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.11.2008; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for the temporary wavier to permit the applied uses;
- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department regarding the provision of access and facilities for persons with a disability; and
- (c) consult the Director of Food and Environmental Hygiene regarding the application for food licence.

13. The Committee also agreed to remind the applicant that prior planning permission should have been obtained before commencing the applied use at the application premises.

[The Chairperson thanked Mr. P.C. Mok, STP/TWK, for his attendance to answer Members' enquiries. Mr. Mok left the meeting at this point.]

Kowloon District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/181 Temporary Public Vehicle Park (excluding container vehicle)
(Surplus car parking spaces only) for a Period of 3 Years
in “Residential (Group A)” zone,
Multi-storey Car Park, Upper Wong Tai Sin Estate,
8 Wong Tai Sin Road, Wong Tai Sin, Kowloon
(MPC Paper No. A/K11/181)

14. The Committee noted the Chairperson (in the capacity of the Director of Planning), Ms. Olga Lam (in the capacity of an assistant to the Director of Lands), and the Vice-chairman were members of the Hong Kong Housing Authority (HKHA) or its Committee; Mr. Walter K.L. Chan was a former HKHA member; and Mr. Raymond Y.M. Chan was having current business dealings with the HKHA. However, as the application was submitted by the Link Properties Limited and not by the HKHA, Members considered that their interests were indirect and remote and agreed that they could remain in the meeting.

Presentation and Question Sessions

15. Mr. Y.S. Wong, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, highlighting that the application site was involved in a previous application for conversion of surplus ancillary car parking spaces to public vehicle park which was approved by the Committee on 26.3.2004 for a period of 3 years up to 26.3.2007;
- (b) temporary public vehicle park (excluding container vehicle) (surplus car parking spaces only) for a period of 3 years;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;

- (d) no public comment was received during the statutory publication period. The District Officer (Wong Tai Sin) was not aware of any local objection and advised that some locals opined that residents should be given priority to use the concerned parking spaces; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment given in paragraph 10 of the Paper. The proposal was considered to be a more efficient utilization of resources and there was no change in planning circumstances since the approval of the previous application. The conversion of ancillary car park to public vehicle park would not generate additional traffic flow nor worsen the environmental conditions. Relevant Government departments had no adverse comments on the application and no local objection was received. As priority would be given to residents for renting the car parking spaces, the rights of the residents would not be compromised and no complaint was received since the approval of the previous application.

16. Members had no question on the application.

Deliberation Session

17. The Committee noted that previous approval had been given to allow the temporary conversion of surplus ancillary car parking spaces to public vehicle parks in other public housing estates/Home Ownership Scheme developments.

18. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.5.2011, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of car parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

19. The Committee also agreed to advise the applicant :

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for

a waiver for the proposal; and

- (b) to note that in letting the surplus parking spaces, priority should be given to residents of the public housing estate concerned.

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/232 Proposed Minor Relaxation of Building Height for Permitted Development (including Office and Shop and Services) in “Other Specified Uses” annotated “Business” zone, 18 Wang Chiu Road, Kowloon Bay, Kowloon (NKIL 5856)
(MPC Paper No. A/K13/232)

20. The Secretary reported that the application was submitted by a subsidiary of the Sino Land Company Limited (the Sino). Messrs. Raymond Y.M. Chan and Felix W. Fong, having current business dealings with the Sino, had declared interests in this item.

[Professor Bernard V.W.F. Lim arrived to join the meeting whilst Messrs. Raymond Y.M. Chan and Felix W. Fong left the meeting temporarily at this point.]

Presentation and Question Sessions

21. Mr. Y.S. Wong, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, highlighting that a set of building plans for a 27-storey commercial/office development of a building height of 120mPD was approved by the Building Authority on 27.2.2008. The storey height was 4.18 m for typical floors and 5.14 m for the two uppermost storeys;
- (b) proposed minor relaxation of building height for permitted development (including office and shop and services) from 120mPD to 126mPD to

incorporate a sky garden of 6m into the proposed 27-storey commercial/office development;

- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department commented that it was advisable to make every endeavour to minimize the deviation from the building height restriction such as exploring the possibility of reducing the floor-to-floor heights of the proposed development and/or accommodating the car park storeys in basement;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment in paragraph 11 and for reasons given in paragraph 12.1 of the Paper. The application was for minor relaxation of building height restriction to incorporate a sky garden. However, it was considered that there were ways to accommodate the proposed sky garden while maintaining the maximum building height as prescribed in the Outline Zoning Plan. Consideration could be given to, for example, slightly reducing the floor-to-floor height and/or by accommodating the car park facilities in the basement levels. There were no strong justifications and design merits in the submission for a minor relaxation of building height restriction. Regarding a similar application (No. A/K13/212) for minor relaxation of building height restriction of the proposed commercial/office development from 120mPD to 126mPD to accommodate a 6m high communal sky garden, the proposed development comprised 3 levels of basement car park and the floor-to-floor height of the office floors, which ranged from 4.05m to 4.20m, was lower than the current application.

22. A Member asked whether any data was submitted by the applicant to demonstrate that the provision of a sky garden in the proposed development would improve the air

ventilation and environment in the area, and whether any planning merits for the benefit of the community had been proposed. In reply, Mr. Y.S. Wong said that the applicant mainly claimed that the proposed sky garden was in full compliance with the criteria set out in the JPN but had not provided any technical assessment on how the sky garden would improve the environment.

23. Referring to Annex B of the applicant's submission at Appendix Ib of the Paper which included a comparison of floor height amongst other office developments in the territory, a Member enquired whether there was any guideline on a reasonable floor-to-floor height for office development. Mr. Y.S. Wong replied that based on the information gathered from the approved building plans for office development in Kowloon Bay area in 2008, the floor-to-floor height of the typical floors of other proposed commercial/office developments previously approved by the Committee under Applications No. A/K13/212 and A/K13/217 was 4.05m and 3.975m respectively. As for another site at No. 1 Wang Kwong Road in the vicinity, the floor-to-floor height of the proposed commercial/office building was 4.465m but the site was subject to a higher building height restriction of 140mPD under the OZP.

24. In response to another Member's query, Mr. Y.S. Wong confirmed that the proposed scheme currently submitted was basically the same as the one with building plans approved in February 2008, except that the current scheme had incorporated a sky garden of 6m high at 9/F. He reiterated that minor relaxation of the building height restriction should only be granted on merits and he considered that the applicant could explore other means to accommodate a sky garden into the proposed development without increasing the overall building height.

Deliberation Session

25. A Member opined that the imposition of building height restriction in the Kowloon Bay area was necessary. The building height profile would help preserving the overall townscape. The current building height restriction under the OZP should not be relaxed unless with very strong justifications and merits. The proposed sky garden located at 9/F did not provide sufficient merits to justify the proposed relaxation in building height.

26. Another Member shared similar views that minor relaxation of building height restrictions should only be allowed based on individual merits. There was reservation on the current application as the applicant could explore alternative design to accommodate the proposed sky garden without increasing the building height, such as accommodating the carpark at basement.

27. A Member said that the applicant had not submitted sufficient information to demonstrate that the inclusion of the proposed sky garden would benefit the overall environment in the area. Besides, there were no planning merits such as setback proposal which would bring benefit to the community.

28. A Member commented that the proposed sky garden at 9/F might not be of good design. The Secretary explained that the provision of sky garden would have to follow the criteria laid down in the JPN in terms of the location and landscaping aspects. The Chairperson added that there was insufficient planning merits in the current proposal to justify the proposed relaxation of building height restriction.

29. After deliberation, the Committee decided to reject the application and the reason was that there was no strong justifications and design merits in the submission for a minor relaxation of building height restriction.

[The Chairperson thanked Mr. Y.S. Wong, STP/K, for his attendance to answer Members' enquiries. Mr. Wong left the meeting at this point.]

[Miss Helen L.M. So, STP/K, was invited to the meeting at this point.]

[Messrs. Raymond Y.M. Chan and Felix W. Fong returned to join the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/85 Proposed Flat in “Residential (Group E)” zone,
28 Sze Shan Street, Yau Tong, Kowloon (YTIL 27)
(MPC Paper No. A/K15/85C)

Presentation and Question Sessions

30. Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed flat;
- (c) departmental comments – the Director of Environmental Protection (DEP) had difficulties in lending support to the application from the environmental noise planning perspective as the application site was subject to severe industrial/residential (I/R) interface problem on noise and was incompatible with the surrounding industrial uses. It was not appropriate to create an environmental interface problem by permitting residential development to be built in close proximity to industrial uses. The Chief Town Planner/Urban Design and Landscape, Planning Department advised that according to the Waterfront Building Height Concept in the Stage II Study on Review of Metroplan and the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines which were promulgated in 2003, lower developments on the waterfront were recommended. The proposed building height of 139.725mPD was considered not desirable at such a waterfront location. Given that the application site was visually exposed to the existing and potentially upgraded tourist attractions in Lei Yue Mun to its southeast, the physical appearance of the proposed development should be of good quality;

- (d) a total of 18 and 6 public comments were received during the respective statutory publication period of the application and the further information. Amongst the first 18 comments received, one supported the application, eight objected mainly on the grounds that the proposed building height was considered excessive, the proposed development was close to the adjacent building (Canaryside) which would lead to wall effect and environmental nuisance would be created during the redevelopment process. The other commenters considered that the building height of the waterfront sites should be confined to 80-100mPD and the site should be for non-domestic use, school development or maritime museum. For the six comments on the further information, three objected mainly on excessive building height. The other three were of the opinion that the building height was excessive and should be lowered to 20 storeys or below 100m. Besides, it was also too close to the existing residential building, Canaryside and would likely block the wind from the southeast.; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment in paragraph 11 and for reasons given in paragraph 12.1 of the Paper. Although the proposed residential use was generally in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone of encouraging the phasing out of obsolete industrial uses, there had been a change in planning circumstance in respect of the Yau Tong Industrial Area (YTIA). On 9.5.2008, in considering the Review of the Building Height of the YTIA prepared by PlanD, the Committee agreed a distinct height profile with descending building height towards the harbourfront should be adopted for future development within the YTIA. As the application site fell within the YTIA and was located near the waterfront, the Committee agreed that the maximum building height for the application site should be 100mPD. The height restrictions for the YTIA, including the application site, had been incorporated into the OZP and gazetted on 23.5.2008. As such, the proposed building height of 139.725mPD was considered excessive. Although the applicant had proposed various environmental mitigation measures, DEP had difficulties in lending support to the application since it was not appropriate to create

an environmental interface problem by permitting residential development to be built in close proximity to the industrial uses.

31. Members had no question on the application.

Deliberation Session

32. A Member said that the proposed flat use within the “R(E)” zone was in line with the planning intention. However, the application should not be supported as the I/R interface problems had not been satisfactorily addressed.

33. The same Member asked whether the application should be rejected for the reason that building height had exceeded the restriction of 100mPD as stipulated in the OZP, noting that the concerned OZP was only gazetted today.

34. The Secretary said that the current application was not supported based on two reasons. The first one was related to the potential I/R interface problem of the proposed development with the neighbouring industrial uses and the second one was related to the excessive building height. The review of building height of YTIA agreed by the Committee had adopted the concept of stepped building height profile with descending building height towards the waterfront. The Committee agreed that the maximum building height for the height band, including the application site which was located right at the waterfront, should be 100mPD. The building height restriction for YTIA had been incorporated into the OZP. She reminded the Committee that the current application should be considered under the OZP valid at the time of submission of the application, the latest planning intention of the application site could be taken into account in considering the application. However, if the application was rejected by the Committee, the rejection reason should be based on excessive building height at the waterfront, not the exceedance of the height restriction on the extant OZP.

35. A Member commented that the building height at the application site should not be too high given its waterfront location. Allowing a tall building would defeat the rationale of adopting a stepped height profile for the YTIA. This Member also noted that the plot ratio, gross floor area and site coverage of the proposed scheme were basically the same as

the previously approved application, except that a number of additional storeys to accommodate sky garden, car park, E&M facilities and vehicular circulation area, which were not accountable for gross floor area, had been incorporated into the current scheme thus resulting in an increase in the overall building height.

36. Another Member said that in order to preserve the view from Lei Yue Mun which was an important tourist node, the buildings along this waterfront location should not be too tall. The existing residential building, Canaryside, to the immediate east of the application site had created adverse visual impact on the environment.

37. Taking into account the above discussion, the Chairperson suggested that the rejection reason as stated in paragraph 12.1 of the Paper should be modified to state clearly that the application was not supported as there was insufficient planning merits to justify the proposed building height at the waterfront location. Members agreed.

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

- (a) there was insufficient planning merits to justify the proposed 41-storey development with a building height of 139.725 mPD which was considered excessive at the waterfront location; and
- (b) the applicant had failed to demonstrate that the proposed development would be environmentally acceptable and that the potential industrial/residential interface problems would be satisfactorily addressed.

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

[Professor Bernard V.W.F. Lim left the meeting temporarily at this point.]

Hong Kong District

[Ms. Brenda K.Y. Au, District Planning Officer/Hong Kong (DPO/HK), Ms. Donna Y.P. Tam and Mr. Tom C.K. Yip, Senior Town Planners/Hong Kong (STPs/HK), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H1/84 Proposed Hotel in “Residential (Group A)” zone,
2 & 4 Hau Wo Street, Kennedy Town, Hong Kong
(MPC Paper No. A/H1/84)

Presentation and Question Sessions

39. Ms. Brenda K.Y. Au, DPO/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed hotel;

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

- (c) departmental comments – the District Lands Officer/Hong Kong West and South, Lands Department had no objection to the proposal from lease point of view subject to a licence to be issued to allow for the proposed hotel use. The Assistant Commissioner for Transport/Urban, Transport Department had no objection in principle to the application on the understanding that the applicant would not target for tour group customers who demanded for coach loading/unloading facilities and the applicant’s proposed setback of development would create wider public footpath;

- (d) three comments were received during the statutory publication period of the application. A Central and Western District Council (C&WDC) member and a local resident objected to the application mainly on traffic congestion, pedestrian safety, and air and noise pollution grounds. A green group commented that openable windows should be provided for the hotel guest rooms in order to allow better air ventilation during winter. The District Officer (Central and Western) had no particular comment on the application but advised that the C&WDC had all along been quite sensitive about hotel developments in the district. DC members were particularly concerned that the proposed hotel would cause traffic burden and adverse impact on the environment; and
- (e) the Planning Department (PlanD)'s views – PlanD had reservation on the application based on the assessment in paragraph 10 of the Paper. The use, development intensity and building height of the proposed hotel might not be incompatible with the existing developments in the surrounding areas. The proposed development would unlikely generate adverse visual, environmental, traffic, sewerage and drainage impacts on the surrounding areas. Relevant Government departments consulted had no adverse comment on the application. However, in considering another similar application approved for hotel development in the area on 9.5.2008, the Committee expressed concern on the proposed plot ratio of 12 as the application site had a rather small site area (i.e. 310m²). For the subject application, the same plot ratio of 12 was proposed but the site area of 109.4m² was even much smaller than the aforementioned application, and the average size of the guest rooms was only 12.5m². PlanD was concerned that the small area of the site might not be conducive to the design of a hotel development with proper supporting facilities. Regarding the public concern on traffic impact, although Transport Department (TD) had no objection to the application on the understanding that the hotel would not target for tour group customers, and hence loading/unloading facilities for coach was not required, there was no mechanism to ensure that there would be no group customers. In respect of the provision of openable windows as suggested by a commenter, the

existing statutory requirements, e.g. Buildings Ordinance, were adequate in controlling the provision of openable windows for new buildings.

[Ms. Starry W.K. Lee arrived to join the meeting at this point.]

40. Members had the following questions/views on the application:

- (a) when would the planned Kennedy Town Station of the Mass Transit Railway West Island Line commence operation;
- (b) given that there was a requirement to set back the site and provide a corner splay for future junction improvement, the site area of the proposed hotel would be reduced which might affect the built form and disposition. Would the proposed plot ratio be changed subsequent to the reduction in site area?
- (c) whether the proposed landscaped area (sky garden) at 2/F, the E&M and back-of-house (BOH) facilities at 1/F of the proposed scheme had been included in the currently proposed plot ratio of 12. If not, there was concern that the actual building bulk of the proposed development would exceed a plot ratio of 12 as claimed by the applicant;
- (d) what would be the maximum permissible plot ratio for residential development on the application site; and
- (e) how many hotels were there in the Kennedy Town area.

41. In response, Ms. Brenda K.Y. Au made the following main points:

- (a) the planned Kennedy Town Station, which would be located at the existing Kennedy Town public swimming pool site, would commence operation in around 2013;
- (b) the set-back requirement had been taken into account by the applicant in

the current design and the provision of corner splay would only affect the footpath. The set-back area was part of the application site and was included in the hotel site area for plot ratio calculation;

- (c) according to the Chief Building Surveyor/Hong Kong West, Buildings Department, the sky garden at 2/F of the proposed hotel was gross floor area (GFA) accountable. Referring to Plan 15 of the Supplementary Planning Statement submitted by the applicant at Appendix Ia of the Paper, the GFA for the BOH and E&M facilities at 1/F and the sky garden at 2/F had not been included in the plot ratio calculation. Should the applicant fail to obtain approval from the Building Authority to exempt the BOH and E&M facilities and sky garden from GFA calculation in the building plan submission stage, the total GFA of the proposed development would exceed a plot ratio of 12;
- (d) as there were no plot ratio and building height restrictions for “Residential (Group A)” (“R(A)”) zone under the current OZP, the maximum permissible plot ratio for residential development on the application site would need to comply with the Building (Planning) Regulations. As the application site was a Class B site, should the proposed building height exceed 61m, a residential building could be developed up to a maximum domestic plot ratio of 9; and
- (e) the number of hotel developments approved by the Town Planning Board in the area had been reflected in Plan A-1 of the Paper but not all of the hotel schemes had been implemented. In sum, there were two existing hotels, namely Novotel Century Harbourview Hotel and Cosco Hotel, two approved hotels under construction, and one recently approved hotel in the area.

Deliberation Session

42. A Member expressed no objection to the hotel use and small site area involved. However, there was strong reservation on the overall building bulk of the proposed hotel as

the large amount of exempted GFA (the proposed BOH, E&M facilities and sky garden) and the excessive height of the entrance lobby (5.5m) and roof-top structures (6.3m) were not proportionate to a development of the current scale.

43. Three Members shared similar views that the use of the application site for hotel development was not disputed but the building bulk and the design of the proposed development were of concern. One of them further opined that a small scale hotel at the application site could be developed into a boutique hotel instead of budget hotel as currently proposed. Consideration should be given to introducing some planning incentives to encourage the developers to focus more on the design of hotel instead of maximising the development potential of the site. The Government should consider taking the lead to encourage different types of hotel in the market to suit market demand.

44. The Chairperson said that the issue on encouraging boutique hotels should more appropriately be considered by the Commissioner for Tourism in formulating the tourism policy. The Chairperson agreed that the views of the Member could be conveyed to the Tourism Commission for further consideration.

45. Referring to Plans 16 and 17 of the applicant's Supplementary Planning Statement at Appendix Ia of the Paper, a Member commented that the slim built form was not proportional in scale to other developments in the surrounding area when viewed from Hau Wo Street, and was much taller than the adjoining developments when viewed from Smithfield. The visual impact created by the proposed development was considered not desirable.

46. Noting that the application site was not provided with any loading/unloading facilities, one Member raised concern that the proposed hotel might cause traffic burden on the local road network.

47. Mr. Anthony Loo responded that as the number of guest rooms was only 46, the existing capacity of Hau Wo Street, with a peak hour traffic count of 70 vehicles per hour, should be able to absorb the traffic generated by the proposed hotel. Even if there were tour buses, Hau Wo Street should still be able to accommodate the loading/unloading activities without affecting the overall traffic condition. It was also undesirable to include an

ingress/egress point at the application site in view of its location at the junction of Hau Wo Street/Smithfield.

48. The Chairperson noted that Members generally had no strong view against the use of the application site for hotel purposes but were concerned about the overall building bulk. She drew Members' attention to the recently approved hotel application in the area which was also of a plot ratio of 12 with GFA for BOH facilities excluded.

49. One Member expressed doubt on whether the sky garden at 2/F would be readily accessible to the hotel guests. Another Member had reservation on the pencil-like design of the proposed hotel development which would result in adverse visual impact.

50. In response to the Chairperson's enquiry on whether there were other previous approvals of hotel development with small site area, Ms. Brenda K.Y. Au said that in the past five years, the Committee had approved 2 hotel applications in Stanley with respective site area of 92m² and 150m² and 4 applications in Yau Ma Tei with site area ranging from 110m² to 147m².

51. A Member opined that the main concern was not on the site area but the lack of information to justify that the GFA for the supporting facilities occupy a reasonable proportion in terms of the overall scale of the proposed hotel. The Committee should be cautious to avoid setting a bad precedent in approving hotel developments with excessive provision of supporting facilities.

52. Another Member commented that approval of hotel development on small sites should not set be a precedent for the current application and each case should be considered on its own merits.

53. The Chairperson summarised Members' views that the use of hotel on the application site was acceptable. The main concerns were the lack of information to justify the GFA of the supporting facilities in proportion to the whole development, and to demonstrate the compatibility of the building bulk of the hotel with the surrounding area. Members should consider whether the application should be deferred or rejected.

54. One Member asked if the application could be approved subject to the imposition of conditions requiring the applicant to provide further justifications and information. The Secretary advised that if the imposition of condition would likely require substantial revision to the original scheme, it would not be appropriate to recommend approval with conditions.

55. The Chairperson explained that if the application was deferred, the applicant would be requested to submit further information to address the Committee's concern. If an application was rejected, the applicant could present his case in front of the Town Planning Board at section 17 review hearing or submit a new scheme as a fresh application.

56. Two Members opined that it was more appropriate to reject the application if the current proposal was considered not acceptable. Another Member said that the applicant should be given a clear message to derive a revised scheme with planning and design merits for submission to the Town Planning Board for consideration.

57. After deliberation, the Committee decided to reject the application and the reason was that there was insufficient information to demonstrate that the overall building bulk of the proposed development was compatible with the surrounding developments.

[Messrs. Nelson W.Y. Chan and Felix W. Fong left the meeting temporarily at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/381 Proposed Comprehensive Residential and Commercial Development with Government Institution or Community Facilities and Public Open Space in "Comprehensive Development Area" zone, the Site of Urban Renewal Authority Development Scheme at Staunton Street/Wing Lee Street
(MPC Paper No. A/H3/381)

58. The Secretary reported that the application was submitted by the Urban Renewal Authority (URA), the following Members had declared interests in this item:

Mrs. Ava Ng as the Director of Planning)	being a non-executive director of URA
Ms. Olga Lam as the Assistant Director/Kowloon of Lands Department)	
Mr. Walter K.L. Chan)	
Mr. Maurice W.M. Lee)	
Ms. Margaret Hsia as the Assistant Director (2) of Home Affairs Department	-	being a co-opt member of the Planning, Development and Conservation Committee of URA
Prof. Bernard V.W.F. Lim	-	having current business dealings with URA

59. The Committee noted that Ms. Margaret Hsia had tendered apologies for not attending the meeting. Since the applicant had requested the Committee to defer consideration of the application in order to allow time for preparing responses to the comments of Government departments, the Committee agreed that the above Members could stay in the meeting.

Deliberation Session

60. 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.

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/368 Proposed Hotel in “Residential (Group A)” zone,
8-12 Hennessy Road, Wan Chai, Hong Kong
(MPC Paper No. A/H5/368)

61. The Secretary reported that the application was submitted by the applicant with Raymond Chan Surveyors Limited as the authorized agent. Mr. Raymond Y.M. Chan had declared interest in this item. The Committee noted that Mr. Chan had already left the meeting.

[Mr. Nelson W.Y. Chan returned to join the meeting at this point.]

62. The Committee noted that the applicant submitted a letter dated 22.5.2008 clarifying that the building height of the existing commercial/office building should be 94.08mPD instead of 86mPD as shown in the supplementary planning statement. The applicant’s letter and a replacement page rectifying the building height of the proposed hotel in the table at paragraph 1.4 of the Paper were tabled for Members’ reference.

Presentation and Question Sessions

63. 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;

[Mr. Felix W. Fong returned to join the meeting at this point.]

- (b) proposed hotel involving conversion of an existing 27-storey commercial/office building on the application site;
- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department had no objection to the hotel proposal subject to the

conditions that (i) the number of guest rooms be limited to 68; (ii) picking up/setting down of passengers and loading/unloading of goods should be carried out during off-peak period and at Anton Street as stated in the supplementary information to the Traffic Impact Assessment report; and (iii) any request for alteration of traffic arrangement at or in the vicinity of the proposed development would not be approved in the future. Other concerned Government departments had no objection to or no adverse comments on the application;

[Dr, Daniel B.M. To left the meeting temporarily at this point.]

- (d) two comments were received during the statutory publication period of the application. A member of public supported the application as the proposed development could alleviate the high demand for hotel accommodation. The green group commented that openable windows should be provided to improve air ventilation during winter. The District Officer (Wan Chai) had no objection to the application but advised that the residents were very concerned about the likely traffic condition which was already very heavy in the area; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as detailed in paragraph 9 of the Paper. The proposed hotel development was considered not incompatible with the nearby developments which were commercial and mixed commercial/residential in nature. The proposed conversion would not adversely affect the character of the neighbourhood. An in-situ conversion of an existing commercial/office building would not result in any increase in plot ratio, site coverage and building height of the building. It would unlikely generate adverse environmental, traffic, sewerage and drainage impacts on the surrounding areas. Relevant Government departments consulted had no adverse comment on the application. Regarding the commenter's concern on provision of openable windows, the existing statutory requirements, e.g. Buildings Ordinance, were adequate in controlling the provision of openable windows for new buildings. To ensure

that the proposed conversion would not result in an increase in the physical bulk of the existing building, an approval condition to stipulate that the maximum gross floor area (GFA) for the proposed hotel should be inclusive of the area for back-of-house (BOH) facilities was recommended.

64. A Member was concerned about the effectiveness of minimising possible adverse traffic impact caused by the proposed hotel through the inclusion of an advisory clause should the application be approved. Mr. Anthony Loo replied that as there was no-stopping restriction along Hennessy Road outside the proposed hotel, loading/unloading activities would not be permitted.

65. Noting that the traffic in this area was very busy, a Member enquired whether there was other existing hotel in the area in which loading/unloading activities were prohibited along its street frontage.

66. Ms. Brenda K.Y. Au said that another hotel (i.e. Wesley Hong Kong) nearby was provided with internal loading/unloading facilities. Some other existing hotels in the area fell within “Commercial/Residential” (“C/R”) zone under the Wan Chai Outline Zoning Plan in which hotel use was always permitted. There was no specific information on the arrangement of loading/unloading activities for these hotels.

Deliberation Session

67. In response to the Chairperson’s enquiry, Mr. Anthony Loo said that although the proposed hotel was not provided with any internal loading/unloading facilities, it was acceptable on traffic terms taking into account the number of guest rooms of 68 and that the application site was in close proximity to Mass Transit Railway Station and bus stops, and hence was conveniently served by public transport. In view of the very busy traffic along Hennessy Road, it would be undesirable to provide an ingress/egress point along Hennessy Road to facilitate on-site loading/unloading activities. Any loading/unloading activities for the hotel would need to be carried out at Anton Street.

68. A Member raised grave concern on the potential adverse traffic impact created by the hotel development as it might encourage illegal loading/unloading activities and

pedestrian jaywalking along the busy roads in the area.

69. The Chairperson asked if there were hotels without internal loading/unloading facilities in the area. Ms. Brenda K.Y. Au said that Transport Department (TD) would determine the need for internal loading/unloading facilities for hotel development.

70. Mr. Anthony Loo said that paragraph 7.1.3 of the Paper had clearly spelt out the views of TD. In responding to the Chairperson's question on whether TD had an internal guidelines to waive the internal loading/unloading requirements for hotel development with number of guest rooms less than 50, Mr. Anthony Loo replied that in determining whether on-site transport facilities was required for a hotel development, consideration would be given to the number of guest rooms as well as traffic condition of individual sites.

71. On the aspect of potential traffic impacts, two Members opined that the hotel application should be considered based on objective information available.

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

72. Another Member supported hotel development at the application site as it was located near Admiralty which was a business centre. There was a need for more hotels in this area to meet the rising demand. Besides, the proposal involved just an in-situ conversion of an existing office building to hotel use without any change to the building bulk. To ease the concern on possible traffic impact, this Member asked if the traffic generated by the proposed hotel development would be less than that of the existing office development, as claimed by the applicant.

73. Mr. Anthony Loo replied that in general traffic generated by a hotel would be less than that of an office building during peak hours since the traffic generated by a hotel would spread out during the day.

74. Another Member also supported the application which would complement the hotels at Admiralty. A Member also considered that the application should be approved in view of its small scale with only 68 guest rooms, and the traffic impact created by the proposed hotel might not be worse than the existing office development.

75. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.5.2012, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the proposed hotel development was subject to a maximum gross floor area (GFA) of 5,695.4m². Any floor space that was constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations should be included in GFA calculation;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

76. The Committee also agreed to advise the applicant :

- (a) to note that the approval of the application did not imply that the non-domestic plot ratio of the proposed hotel development would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession, in particular the non-domestic plot ratio of the development, was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required;

- (b) to note the comments of the Assistant Commissioner for Transport/Urban, Transport Department regarding the number of guest rooms, the picking up/setting down of passengers, loading/unloading of goods and no alteration of traffic arrangement in the vicinity of the application site;
- (c) to note the comments of the Chief Officer/Licensing Authority, Home Affairs Department regarding the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance;
- (d) to note the comments of the Director of Fire Services regarding the arrangement on Emergency Vehicular Access to comply with the Code of Practice for Means of Access for Firefighting and Rescue; and
- (e) to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works.

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/63 Proposed Hotel in “Residential (Group A)” zone,
68 Hing Man Street, Shau Kei Wan, Hong Kong
(MPC Paper No. A/H9/63)

77. The Secretary reported that the application was submitted by a subsidiary of Sino Land Company Limited (the Sino) with Raymond Chan Surveyors Limited as the authorized agent. Messrs. Raymond Y.M. Chan and Felix W. Fong, having current business dealings with the Sino, had declared interest in this item. The Committee noted that Mr. Chan had already left the meeting.

[Mr. Felix W. Fong left the meeting at this point.]

78. The Committee noted that the applicant submitted a letter dated 22.5.2008 clarifying that the building height of the existing commercial/office building should be 66.92mPD instead of 86mPD as shown in the supplementary planning statement. The applicant's letter and a replacement page rectifying the building height of the proposed hotel in the table at paragraph 1.4 of the Paper were tabled for Members' reference.

Presentation and Question Sessions

79. Mr. Tom C.K. Yip, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

[Mr. Nelson W.Y. Chan left the meeting temporarily at this point.]

- (b) proposed hotel involving conversion of an existing 23-storey commercial/office building;
- (c) departmental comments – concerned departments had no objection to or adverse comments on the application;
- (d) five public comments were received during the statutory publication period. One of the commenters (i.e. a general public) supported the proposed development as it could meet the rising demand of hotel accommodation in the Eastern District. Two commenters (i.e. a District Council member and a general public) raised concerns on the inadequate provision of parking and loading/unloading facilities in the proposed development and the resultant traffic impact on adjacent roads. A commenter (i.e. a green group) commented that the guest rooms of the proposed hotel should be provided with openable windows to enhance indoor air ventilation. Another commenter (i.e. a tenant of the commercial/office building) enquired about the timing of implementation of the conversion works; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the

application based on the assessments in paragraph 10 of the Paper. The proposed hotel development was considered not incompatible with the surrounding developments which were predominantly residential buildings with commercial uses on the lower floors. The proposed conversion, which would not result in any increase in plot ratio, site coverage and building height of the building, was considered acceptable in environmental, traffic and infrastructural terms. Concerned Government departments had no objection to or no adverse comment on the application. Regarding the public concerns, the Transport Department advised that the provision of parking and loading/unloading facilities for the hotel was in accordance with the requirements of Hong Kong Planning Standards and Guidelines and use of adjacent roads for parking and loading/unloading activities was not required. In respect of the provision of openable windows as suggested by a commenter, the Architectural Services Department advised that the existing statutory requirements, e.g. Buildings Ordinance, were adequate in controlling the provision of openable windows for new buildings. To ensure that the proposed conversion would not result in an increase in the physical bulk of the existing building, an approval condition to stipulate that the maximum gross floor area for the proposed hotel should be inclusive of the area for back-of-house facilities was recommended.

[Mr. Nelson W.Y. Chan returned to join the meeting at this point.]

80. In response to a Member's question on the classification of the proposed hotel in terms of number of stars, Ms. Brenda K.Y. Au, DPO/HK said that no such information was available in the application. The applicant claimed that the hotel would aim at providing accommodation for business travellers. In response to the Chairperson's enquiry, Mr. Brenda K.Y. Au replied that the average room size was about 18m².

Deliberation Session

81. 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 23.5.2012, and after the said date, the permission should cease to have

effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the proposed hotel development was subject to a maximum gross floor area (GFA) of 10,498.9m². Any floor space that was constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations should be included in the GFA calculation;
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB.

82. The Committee also agreed to advise the applicant :

- (a) to note that the approval of the application did not imply that the non-domestic plot ratio of the proposed hotel development would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession, in particular the non-domestic plot ratio of the development, was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required;
- (b) to note the comments of the District Lands Officer/Hong Kong East, Lands Department regarding the need for lease modification to implement the proposed hotel development;

- (c) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance;
- (d) to note the comments of the Chief Building Surveyor/Hong Kong East, Buildings Department regarding the requirements under the Buildings Ordinance in respect of hotel development; and
- (e) to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works.

[The Chairperson thanked Ms. Brenda K.Y. Au, DPO/HK, and Ms. Donna Y.P. Tam and Mr. Tom C.K. Yip, STPs/HK, for their attendance to answer Members' enquiries. Ms. Au, Ms. Tam and Mr. Yip left the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H19/56 Proposed Religious Institution (Monastery including Ancillary Library, Museum, Gallery, Park and Garden)
in "Government, Institution or Community" and "Open Space" zones,
89 Cape Road and Adjoining Government Land, Stanley, Hong Kong
(MPC Paper No. A/H19/56)

Presentation and Question Sessions

83. The Committee noted that the applicant requested on 6.5.2008 for a deferment of the consideration of the application for two months in order to allow time for preparation of additional information to address departmental and public comments.

Deliberation Session

84. 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 the preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 13

Any Other Business

85. There being no other business, the meeting was closed at 11:30 a.m..