

TOWN PLANNING BOARD

Minutes of 419th Meeting of the Metro Planning Committee held at 9:00 a.m. on 28.5.2010

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. K.Y. Leung

Vice-chairman

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Professor P.P. Ho

Professor C.M. Hui

Mr. Clarence W.C. Leung

Mr. Roger K.H. Luk

Professor S.C. Wong

Ms. L.P. Yau

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
Mr. Gary Cheung

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

Secretary

Absent with Apologies

Mr. Felix W. Fong

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

Ms. Julia M.K. Lau

Mr. Laurence L.J. Li

Professor Joseph H.W. Lee

Assistant Director(2), Home Affairs Department
Mr. Andrew Tsang

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
Mr. Terence Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 418th MPC Meeting held on 7.5.2010

[Open Meeting]

1. The draft minutes of the 418th MPC meeting held on 7.5.2010 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

(i) New Town Planning Appeals Received

Town Planning Appeal No. 8 of 2010
Temporary Outdoor Mini-Motorcycle Ground with
Ancillary Barbecue Area
for a Period of 3 Years in “Agriculture” Zone
Lots 1811 (Part), 1812 (Part), 1813, 1814 (Part),
1815s.A to s.D & s.E to s.J (Part) in DD 117
and Adjoining Government Land
Wong Nai Tun Tsuen, Yuen Long
(Application No. A/YL-TT/248)

Town Planning Appeal No. 9 of 2010
Proposed House (New Territories Exempted House (NTEH) – Small House) in
“Green Belt” zone, Government Land in D.D. 20, Ta Tit Yan Village, Tai Po
(Application No. A/TP/436)

2. The Secretary reported that two appeals had been received by the Appeal Board Panel (Town Planning) (ABP). A letter dated 20.5.2010 had been received from the ABP enclosing a Notice of Appeal in relation to planning application No. A/YL-TT/248.
3. The appeal was against the decision of the Board on 12.3.2010 to reject on

review an application for a temporary outdoor mini-motorcycle ground with ancillary barbecue area at the application site in the “Agriculture” (“AGR”) zone on the approved Tai Tong Outline Zoning Plan No. S/YL-TT/14. The application was rejected by the Board for the following reasons:

- (a) adverse noise impact and nuisance from the development were envisaged. The applicants failed to demonstrate in the submission that the development would not generate adverse environmental impact on the surrounding areas; and
- (b) no technical assessments including drainage and fire service installations proposals had been submitted to demonstrate that the applied use would have no adverse impacts on the vicinity on the drainage and fire safety aspects.

4. The second appeal was accepted by the ABP on 20.5.2010 against the decision of the Board on 22.1.2010 to reject on review an application for ‘NTEH – Small House’ in the “Green Belt” (“GB”) zone on the approved Tai Po Outline Zoning Plan No. S/TP/21. The application was rejected by the Board for the following reasons:

- (a) the proposed NTEH (Small House) was not in line with the planning intention of the “GB” zoning for the area which was to define the limits of urban development areas by natural physical features so as to contain urban sprawl and to provide passive recreational outlets. There was a general presumption against development within this zone. There was no planning justification in the submission for a departure from the planning intention;
- (b) the proposed development did not comply with Interim Criteria for Assessing Planning Applications for NTEH/Small Houses Development in the New Territories as the proposed site for the NTEH/Small House development fell within the upper indirect Water Gathering Grounds (WGGs) and the small house, if built, would not be able to be connected to existing or planned sewerage system in the area. The applicant could not demonstrate that the proposed development located within the WGGs

would not cause adverse impact on the water quality in the area; and

- (c) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such applications would encourage urban sprawl into the tranquil valley and result in adverse traffic impact and a general degradation of the natural environment in the area.

5. The hearing dates of the two appeals were yet to be fixed, and the Secretariat would represent the Board in the ABP proceedings in the usual manner.

(ii) Appeal Statistics

6. The Secretary reported that, as at 28.5.2010, a total of 27 cases were yet to be heard by the ABP. Details of the appeal statistics were as below :

Allowed	:	24
Dismissed	:	111
Abandoned/Withdrawn/Invalid	:	137
Yet to be Heard	:	27
Decision Outstanding	:	3
Total	:	302

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

Tsuen Wan and West Kowloon District

[Mr. P.C. Mok, 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/K5/692 Shop and Services (Fast Food Shop)
in “Other Specified Uses” annotated “Business” zone,
Workshop B01, G/F, New Timely Factory Building,
497 Castle Peak Road
(MPC Paper No. A/K5/692)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (fast food shop);
- (c) departmental comments – the Director of Fire Services had no in-principle objection to the application provided that the fast food shop under application should only be licensed and operated as ‘food factory’ or as ‘factory canteen’, and fire service installations should be provided to the satisfaction of his department. Detailed fire service requirements would be formulated upon receipt of formal submission of general building plans or referral from the licensing authority;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The fast food shop was considered generally in line with the planning

intention of the “OU(Business)” Zone. It also complied with the Town Planning Board Guidelines for Development within “OU(Business)” Zone (TPB PG-No. 22D) in that it would not generate significant adverse impacts on the developments within the subject building and the adjacent areas. The fast food shop at the premises was not incompatible with the uses of the subject industrial building which mainly comprised godown, management office and loading/unloading area on ground floor and offices/godowns of industrial/trading firms on the upper floors. The previous application for fast food shop submitted by the same applicant (No. A/K5/679) was approved by the Committee on 7.8.2009 but was revoked on 7.2.2010 due to non-compliance with the approval condition on the submission and implementation of fire service installations. Should the Committee decide to approve the application, a shorter compliance period was proposed to monitor the progress of compliance with the conditions. Moreover, the applicant would be advised that should he fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might not be given to any further application.

8. Members had no question on the application.

Deliberation Session

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

- (a) the submission of fire service installations proposal and implementation of fire service installations in the subject premises, within 3 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 28.8.2010; 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.

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

- (a) note that a shorter compliance period was granted in order to monitor the fulfilment of the approval condition. Should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might not be given by the Committee to any further application;
- (b) note the District Lands Officer/Kowloon West, Lands Department's comments on the application for the temporary wavier to permit the applied use;
- (c) note the Chief Building Surveyor/Kowloon, Buildings Department's comments that the applicant should ensure the change in use of the application premises would comply with the Buildings Ordinance, in particular, the provision of 2-hour fire resisting separation walls between the Premises and the remaining portion of the building in accordance with Building (Construction) Regulation 90 and Code of Practice for Fire Resisting Construction 1996;
- (d) note the Director of Food and Environmental Hygiene's comments on the application for a food licence for the fast food shop under application; and
- (e) note the Director of Fire Services' comments that the fast food shop under application should only be licensed and operated as 'food factory' and operation or licence given to a 'general restaurant' or 'light refreshment restaurant' at the premises would not be accepted.

[Prof. S.C. Wong arrived to join the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/693 Proposed Shop and Services
in “Other Specified Uses” annotated “Business” zone,
Unit 4, G/F, Elite Industrial Centre, 883 Cheung Sha Wan Road
(MPC Paper No. A/K5/693)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – the Director of Fire Services (D of FS) had no in-principle objection to the application provided that planning permission of Application No. A/K5/654 at Unit 1, G/F of the subject industrial building was considered as expired; a means of escape completely separated from the industrial portion was available; and fire service installations were provided to his satisfaction;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The shop and services use under the application was considered generally in line with the planning intention of the “OU(Business)” Zone. It also complied with the Town Planning Board Guidelines for Development

within “OU(Business)” Zone (TPB PG-No. 22D) in that it would not generate significant adverse impacts on the developments within the subject building and the adjacent areas. As the permission granted under Application No. A/K5/654 for a premises (Unit 1) on ground floor of the subject industrial building could be considered as expired, the aggregate commercial floor area on the ground floor of the subject industrial building, including the ‘shop and services’ use under the subject application, would be 180.33m², which was within the maximum permissible limit of 460m² for the subject industrial building. Furthermore, the shop and services use under application was not incompatible with the uses of the subject industrial building which mainly comprised offices ancillary to industrial and trading firms on the upper floors. Previous applications for various shop and services uses at the subject premises had been approved by the Committee before. There had been no material change in planning circumstances since the approval of these previous applications.

12. Members had no question on the application.

Deliberation Session

13. 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 28.5.2012, 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 submission and implementation of fire safety measures, including the provision of a means of escape completely separating the subject premises from the industrial portion of the building and fire service installations in the subject premises, to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition 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.

14. The Committee also agreed to advise the applicant to:
- (a) note the District Lands Officer/Kowloon West, Lands Department's comment on the application for a temporary waiver to permit the applied use;
 - (b) note the Chief Building Surveyor/Kowloon, Buildings Department's comment that the applicant should ensure that the change in use would comply with the Buildings Ordinance, in particular, the provision of 2-hour fire resisting separation walls between the Premises and the remaining portion of the building in accordance with Building (Construction) Regulation 90 and Code of Practice for Fire Resisting Construction 1996; and
 - (c) note the Director of Food and Environmental Hygiene's comment that relevant food licence/permit should be obtained for conducting relevant food business.

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

[Mr. Y.S. Lee, STP/TWK, was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/350 Proposed Hotel
in "Other Specified Uses" annotated "Business" zone,
Nos. 57-59 Kwok Shui Road, Kwai Chung
(MPC Paper No. A/KC/350)

15. Mr. Clarence Leung declared an interest in this item as his office which was a property of his family was just opposite to the application site. The Committee agreed that he should withdraw temporarily from the meeting.

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

Presentation and Question Sessions

16. Mr. Y.S. Lee, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – the Assistant Commissioner for Transport/New Territories, Transport Department (AC for T/NT, TD) had no in-principle objection to the application and commented that should the application be approved, the applicant should submit a revised Traffic Impact Assessment with a carparking and loading/unloading spaces layout, which should include a proper arrangement of the proposed taxi/private car laybys to his satisfaction;
- (d) during the statutory publication periods, two public comments were received. One commenter considered the site unsuitable for hotel use due to traffic noise, and questioned the economic viability of the proposal in view of the long travel distance between the site and public transport facilities. The other public commenter was concerned that the proposed development would exacerbate the traffic congestion problem; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper. The proposed development was in line with the planning intention of the “OU(Business)” zone and was compatible with the surrounding land uses.

It would serve as a buffer separating the residential developments to the south of Castle Peak Road – Kwai Chung from the existing industrial area. It would also help improve the existing urban environment. Furthermore, the proposed development could serve as a catalyst in phasing out the current industrial uses within the “OU(Business)” zone. The proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area. Regarding the local concern on the possible noise and traffic impacts, relevant departments including the Environmental Protection Department and Transport Department had no objection to the application.

17. In response to the Chairperson’s question, Mr. Y.S. Lee said that the proposed hotel was not very close to public transport facilities but loading/unloading facilities for coaches and taxis were provided within the development.

Deliberation Session

18. A Member asked whether the building height of the proposed hotel was in line with the building height restriction on the OZP and compatible with the height of the nearby buildings. Mr. Y. S. Lee replied that there was currently no building height restriction on the OZP for the subject zone and the building height of 22 storeys (95.15mPD) of the proposed hotel was compatible with that of nearby buildings. In response to the Chairperson’s query, Mr. Lee confirmed that the building height of the proposed hotel was not excessive.

19. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.5.2014, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a revised Traffic Impact Assessment with carparking and loading/unloading spaces layout, which included a proper arrangement of the proposed taxi/private car layby, to the satisfaction of the Commissioner

for Transport or of the TPB;

- (b) the provision of water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the implementation of the sewerage improvement measures identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services 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.

20. The Committee also agreed to advise the applicant:

- (a) that the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development and the proposed gross floor area (GFA) exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if GFA concession, in particular the non-domestic PR 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 Board might be required;
- (b) to note the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department's comment on the application for a lease modification to effect the proposed hotel development;
- (c) to consult the Chief Officer (Licensing Authority), Home Affairs Department on the licensing requirements for the proposed hotel; and
- (d) to note the Chief Building Surveyor/New Territories West, Buildings Department's comments on the provision of an emergency vehicular access, service lane, natural lighting and ventilation, openable windows for

habitable rooms, disabled access and facilities under the Building (Planning) Regulations and the relevant requirements as set out in the design manuals and Practice Notes for Authorized Persons and Registered Structural Engineers.

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/111 Proposed Shop and Services, Eating Place,
Place of Entertainment and Private Club
(Amendments to Approved Scheme)
in “Government, Institution or Community (1)” zone,
Tsing Yi Town Lot 135, No. 31 Tsing King Road, Tsing Yi
(MPC Paper No. A/TY/111)

21. The Secretary reported that the application was submitted by MTR Corporation Ltd. Mr. Anthony Loo, being an alternate member for the Deputy Secretary for Transport and Housing (Transport)¹ who was a member of the Board of MTRC, declared an interest in this item.

[Mr. Anthony Loo left the meeting temporarily at this point.]

Presentation and Question Sessions

22. Mr. Y.S. Lee, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – the application site was the subject of a previous application (No. A/TY/97) for shop and services, eating place, off-course betting centre, place of entertainment and private club with a

building height of 26.5mPD and a total GFA of not more than 21,562m² was partially approved (excluding off-course betting centre) with conditions by the Committee on 29.9.2006;

- (b) amendments to approved scheme (No. A/TY/97) – the proposed shop and services, eating place, place of entertainment and private club with a proposed building height of 30.8mPD (a change in the height level of the roof landscaped area by 4.3m from 26.5mPD to 30.8mPD), a total GFA of 23,162m² (an increase of 1,600m² due to the inclusion of the 24-hour pedestrian walkway which was proposed for exemption from GFA calculation under the previously approved application), and minor alteration to the building form and changes in internal layout of the commercial arcade;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) during the statutory publication period, 45 public comments were received, among which 21 of them objected to the application mainly for the reasons of adverse environmental, air ventilation, traffic impacts, the noise impact generated by the users at the roof-top garden and that the existing Maritime Square shopping mall could already meet the demand of the Tsing Yi residents. A total of 12 commenters supported the application for the reason that the expanded mall would increase the variety of shops which should be welcomed by the local residents. The remaining 12 public commenters expressed concern on the design of the development proposal, in that the proposed roof-top garden was too close to Tsing Tsuen Road and the bus terminus, the location of the exhaust vent shafts and the need for installations to limit the noise and greasy fumes from the exhausts. The commenters considered that the applicant should improve the noise mitigation measures at Tsing Yi Station by introducing noise barriers and roofing-over the bus terminus and the impact on the local residents during construction should be carefully considered; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper. As a major portion of the proposed development was still dedicated for GIC purpose (public lorry park and covered PTT), the revised scheme complied with TPB PG-No. 16 and did not constitute a departure from the planning intention of the “G/IC” zone. Compared with the previously approved scheme (No. A/TY/97), the current scheme mainly involved amendments to the total GFA, the height level of the roof-top garden, parking layout, transport facilities, and the design and layout of the commercial arcade of the proposed development. There was no change to the commercial GFA (i.e. 10,500 m²), open space provision (i.e. not less than 5,070m²) for public use, as well as the number of storeys (i.e. 4 storeys plus 1 mezzanine floor). The proposed building height of 30.8mPD was in compliance with the restriction on the OZP and would preserve that part of the visual corridor for north-east Tsing Yi. Although the height level of the roof-top garden had been increased, it could be conveniently accessed by the public through lift, ramp and staircases. The roof-top garden would be used as a public passive open space and the applicant would take reasonable steps to ensure that users of the roof-top garden would not generate noise nuisance to the surrounding residents. Transport Department had no in-principle objection to the reconfiguration of the lorry parking spaces, commercial and motorcycle parking spaces and the realignment of the 24-hour pedestrian walkways. Although public comments on the traffic, environmental and visual impacts arising from the proposed development had been received, Transport Department, Environmental Protection Department (EPD) and the Urban Design and Landscape Section of Planning Department had no adverse comments on these aspects. Other concerns on development intensity, building height, and air ventilation aspects had been considered by the Committee when it partially approved the previous application (No. A/TY/97) on 29.9.2006.

23. In response to a question by the Chairperson, Mr. Lee referred to Drawings A-7 and A-8 of the Paper and explained that the landscape area was at Level 5 in the amendment scheme which was one level higher as compared with the approved scheme at Level 4. He

then referred to Drawing A-2 which showed the changes in the car parking layout at the mezzanine floor.

24. Referring to Drawing A-7, a Member asked why there was no increase in total GFA, apart from the 24-hour pedestrian walkway when it was noted that one additional storey was included and whether the area of the roof-top garden had increased. Mr. Lee replied that there was no change in the total GFA and the area of open space accessible to the public. The amendment only involved a reduction in the area of the landscape deck at Level 3 and an increase in the same area (i.e. 150m²) at the garden at the roof, which was shown in the table under paragraph 1.4 of the Paper. The Secretary referred to Table 1 in Appendix 1a of the Paper and explained that there was no change in both the number of storeys (5 storeys including a mezzanine floor) and the total GFA in the amendment scheme. Mr. Lee also confirmed that the location of the mechanical and electrical rooms of the building had been rearranged.

25. Noting that some commenters were concerned about the noise impact generated by the raised roof garden, a Member asked if any response to the issue could be provided. Mr. Lee replied that EPD had been consulted and had no objection to the application. Mr. Lee also said that the roof-top garden was at a distance of about 60-70m away from Tierra Verde and there should not be adverse noise impact on Tierra Verde. Mr. C.W. Tse said that the increase in the height level of the roof-top garden by 4.3m would not lead to any adverse noise impacts on the nearby residents.

26. In response to a question from the Chairperson, Mr. Lee said that no alfresco dining facilities had been proposed at the roof-top garden.

Deliberation Session

27. 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 28.5.2014, 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 emergency vehicular access, water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the upgrading of the sewer section that served the application site to adequate capacity to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission and implementation of a traffic improvement plan which included the future maintenance and management proposal for the transport facilities and a contingency plan for the public transport terminus during construction stage to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and implementation of the local road widening works at Tsing King Road onto Tam Kon Shan Roundabout, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design, provision and maintenance of the footbridge link between the proposed development and Nga Ying Chau Garden, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services and the Commissioner for Transport or of the TPB;
- (f) the design, provision and maintenance of the stairlink between the existing footbridge to Cheung On Estate and the western pavement of Tsing King Road, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (h) the design and provision of the 24-hour internal passageways to the satisfaction of the Commissioner for Transport or of the TPB; and

- (i) the provision of parking, loading and unloading spaces to the satisfaction of the Commissioner for Transport or of the TPB.

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

- (a) apply to the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department for a lease modification for the proposed development;
- (b) comply with the Buildings Ordinance at formal building plan submission stage when the servicing strategy and the means of escape, means of access and fire resisting construction provisions would be considered in detail;
- (c) ensure that the fresh air intakes serving the proposed development would be properly located away from the areas that were likely to cause nuisances;
- (d) properly design the exhaust system of the restaurants such that the exhaust outlets would be properly located to prevent causing air nuisance to the receptors in the vicinity including the roof garden of the proposed development;
- (e) follow the Environmental Protection Department Practice Note for Professional Persons ProPECC PN 2/96 on the control of air pollution in the car parks;
- (f) liaise with the Commissioner for Transport and the Director of Highways on the implementation of the transport improvement proposals outside the application site;
- (g) liaise with the local residents on the implementation arrangements for the development proposal, in particular the owners of Cheung On Estate on the construction of the proposed stairlink that connected the existing footbridge leading to Cheung On Estate to the western pavement of Tsing King Road;
- (h) note the Director of Fire Services' comments that detailed fire safety

requirements would be formulated upon receipt of formal submission of general building plans and referral from relevant licensing authority. The emergency vehicular access provision at the Site should comply with the standard as stipulated in Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under the Building (Planning) Regulation 41D; and

- (i) take reasonable steps to ensure no noise nuisance would be generated from the landscape roof garden on 30.8mPD to the residents nearby.

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

Hong Kong District

[Mr. C.M. Li, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/392 Proposed Hotel in "Residential (Group A) 8" zone,
Nos. 17-19 Third Street, Sai Ying Pun
(MPC Paper No. A/H3/392)

29. Prof. S. C. Wong declared an interest in this item as the application site was near his office at the University of Hong Kong. The Committee noted that his interest was indirect and he should be allowed to stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed 21-storey hotel with 46 rooms;
- (c) departmental comments – the Commissioner of Police (C of P) had no objection in principle to the application but had reservation on the applicant’s statement that car parking space provision was not necessary. The Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had no objection in-principle to the proposed development in view of the small size of the proposed hotel. However, the applicant should be advised that the Government reserved the right to impose necessary traffic measures to regulate traffic in the area. The Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD) and the Director of Environmental Protection (DEP) required the applicant to prepare a detailed Sewerage Impact Assessment (SIA) for the development. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had no objection to the application and recommended that an approval condition requiring the submission and implementation of a landscape proposal be imposed;
- (d) during the statutory publication period, 10 public comments were received. They objected to the application for the reasons that the hotel development was incompatible with the surrounding residential developments and the existing character of Third Street should be preserved; the proposed development would generate adverse traffic impacts as there were insufficient car parking spaces/laybys at the proposed hotel; there were already several hotels in Sai Ying Pun and an additional hotel was not needed; and the approval of the application would set an undesirable precedent for similar applications in the area; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessment made in paragraph 10 of the Paper. The application site was located within an area with a mixture of residential developments with commercial uses on the ground floor. The proposed hotel was considered not incompatible with the surrounding developments in terms of land uses. The proposed development would unlikely generate adverse environmental, sewerage and geotechnical impacts on the surrounding areas. Although C of P had raised concern about the lack of car parking spaces within the site and the possible obstruction of traffic flow on Third Street, AC for T/U, TD had no in-principle objection to the proposed hotel development but commented that it reserved the right to impose necessary traffic measures to regulate traffic in the area. Although there were adverse public comments received, relevant Government departments consulted had no objection to the application. The public concerns on structural safety of nearby buildings would be addressed by concerned departments at the building plan submission and construction stages.

31. A Member asked whether 'hotel' use was permitted in the "R(A)8" zone. Mr. Li replied that 'hotel' was a Column 2 use in the "R(A)" zone and planning permission from the Town Planning Board was required.

32. A Member asked whether any information on the façade or massing of the proposed hotel development was provided by the applicant. Mr. Li referred to Drawing A-6 and replied that the applicant had provided photomontages showing the proposed hotel development. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) and the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD) had no objection and no adverse comments respectively on the application. The Chairperson said that normally the Committee would leave detailed design matters such as façade treatment or colour scheme etc of a proposed development to the applicant except in sensitive locations such as the waterfront.

33. A Member asked whether Government departments had considered the traffic impact generated by the proposed hotel as there might be coaches entering the proposed hotel

at Third Street, which was a narrow one-way street. Mr. Li replied that according to TD, vehicles longer than 7m would not be allowed to turn into Third Street. As the application site was also located close to an exit of the future MTR West Island Line (WIL) station, hotel guests might likely travel by MTR, buses or taxis to the hotel. The Chairperson also said that there would unlikely be coaches for group tour given the small size of the hotel with only 46 rooms.

34. Noting that the MTR WIL was not yet in operation, a Member asked whether there would be adverse traffic impact if hotel guests relied on the use of taxis. Mr. Anthony Loo replied that as the proposed hotel was small in scale, it would unlikely create serious traffic problem. He pointed out that the relevant section of Third Street was about 6m in width and thus even if a vehicle was parked along the street for loading/unloading, there would be enough space for another vehicle to pass over. He also confirmed that vehicles longer than 7m would not be allowed to turn into Third Street.

35. A Member asked whether the cumulative traffic impact generated by other similar applications on the surrounding area would be acceptable. Mr. Anthony Loo replied that TD would monitor the situation closely should further planning applications for hotel development be received. He also pointed out that according to TD's internal guidelines, hotel with more than 100 guest rooms would need to provide internal transport facilities, and such requirement would not be necessary for hotel with less than 100 rooms. Mr. C.M. Li referred to Plan A-1 of the Paper and said that two hotel developments within the Sai Ying Pun area had previously been approved by the Committee and each application was considered based on its own merits.

Deliberation Session

36. A Member said that the area where the application site was located was currently dominated by low and medium-rise residential developments and had a unique character. This Member considered that the design of the hotel development was not in keeping with such character and asked if it was possible to preserve the existing character and the ambience of the area. The Chairperson said that the subject area was zoned "R(A)" and no planning permission was required for any redevelopment to residential use. Members should carefully consider if it was appropriate to require an individual development to follow

the existing character of the area before an intention to preserve the character of the whole area was determined. The Secretary drew the Committee's attention to a previous rezoning application (Y/H3/3) on 8.5.2009 which proposed to preserve the character of the 'Old City' area around Graham Street. In considering the application, the Committee noted that the planning intention of the 'Old City' area would require a comprehensive study and an overall policy on preservation which covered not only the subject area but other parts in the territory. The Committee had conveyed the message of the need to preserve 'Old City' areas to the Development Bureau in view of the increasingly strong public sentiments.

37. The Secretary further said that for the subject application, Members would have to consider if the proposed hotel development was compatible with the character of the neighbourhood and whether the traffic impact would be acceptable.

38. In response to a question from a Member, the Chairperson said that there was no standard requirement with regard to the size of a hotel room. Another Member said that as the hotel rooms were of very small size, the hotel would likely be targeted for short-stay guests. This Member was concerned if such type of hotel would change the existing character of the subject area. One other Member held a different view and considered that hotel for short-stay backpackers would not necessarily alter the character of the area.

39. A Member asked if the hotel development was approved, whether a precedent would be set for similar planning applications which might result in cumulative traffic impact. The Chairperson replied that it would depend on how similar the future application was as compared with the current application. Another Member shared the concern on the precedent effect but noted that each application would still be considered based on its own merits.

40. The Vice-Chairman said that the small-scale hotel would unlikely create adverse traffic impact and he noted that traffic measures would be imposed if necessary. He also considered that the proposed hotel use, be it long-stay or short-stay, was compatible with the residential neighborhood. Regarding the compatibility on the design of the hotel with the surrounding residential development, the Vice-Chairman asked if an approval condition could be imposed to require the façade of the hotel be compatible with the surrounding residential buildings.

41. A Member noted that there were some commercial activities such as garages and shops on the ground floor along Third Street and hence the proposed hotel was not incompatible with the surroundings. However, this Member had doubt on the requirement for a compatible façade noting that the façade of the surrounding developments were changing. Another Member shared this Members' view on the compatibility of the hotel use.

42. A Member opined that curtain walls should not be used for the proposed hotel as it was incompatible with the surroundings and asked whether a condition could be imposed to control the design of the building. The Secretary said that the Committee could consider imposing an approval condition to require the applicant to submit a façade design to the satisfaction of the Director of Planning, or imposing a condition to prohibit the use of curtain walls. The second type of condition was less common and might only be applicable to prominent site with special design concern. Another Member said that it might not be useful to prohibit the use of curtain walls as there were other means to achieve the same effect. Another Member said that the first option was more appropriate.

43. After discussion, Members agreed that a condition could be imposed to require the applicant to submit the design of the façade of the proposed hotel to the satisfaction of the Director of Planning or of the Board. In submitting the design, the applicant should take note of Members' views expressed in the meeting, in particular the need to be compatible with the character of the neighboring residential developments.

44. In response to an enquiry from a Member, the Secretary explained that the applicant had to obtain approval from the Building Authority for hotel concession so that non-domestic plot ratio and the GFA exemption for back-of-house facilities could be adopted for the proposed hotel development. After obtaining hotel concession, the development could not be converted to residential purpose which was subject to a much lower domestic plot ratio.

45. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.5.2014, 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 of the façade of the proposed hotel development to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a Sewerage Impact Assessment (SIA) 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 SIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (e) 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.

46. The Committee also agreed to advise the applicant :

- (a) that the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development and the proposed gross floor area (GFA) exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if GFA concession, in particular the non-domestic PR 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 Board might be required;
- (b) to apply to the District Lands Officer/Hong Kong West & South, Lands Department for a licence to permit the applied use and to note the comments on lease modification and resumption of underground strata

affecting the subject lots;

- (c) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department on the non-provision of transportation facilities, provision of adequate centralized air-conditioning and hot water systems, and uses that were/were not qualified as back-of-house for exclusion from GFA calculations under the Buildings Ordinance;
- (d) to note the Assistant Commissioner for Transport/Urban, Transport Department's comments that the Government reserved the right to impose necessary traffic measures to regulate traffic and there would be no guarantee that loading/unloading activities could be carried out in front of the site;
- (e) to note the comments of the Chief Engineer/Railway Development 2-1, Railway Development Office, Highways Department (HyD) that standard railway protection conditions would be imposed in the land grant or lease. The applicant should contact HyD and the MTR Corporation Limited on the protection requirements; and
- (f) to note the comments of the Director of Fire Services regarding the requirement for compliance of the Code of Practice for Means of Access for Firefighting and Rescue.

[The Chairperson thanked Mr. C.M. Li, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms. Maggie Chan left the meeting at this point.]

Kowloon District

[Mr. Silas K.M. Liu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K/10 Renewal of Planning Approval for Temporary Public Vehicle Park
(excluding Container Vehicle) (Surplus Parking Spaces Only)
under Application No. A/K/6 for a Period of 3 Years
in “Residential (Group A)” and “Open Space” zones,
Car Parks at Ping Shek Estate, Wan Hon Estate,
Wo Lok Estate, Lei On Court and Lei Yue Mun Estate, Kwun Tong
(MPC Paper No. A/K/10)

47. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the following Members had declared interests in this item:

Mrs. Ava Ng as Director of Planning	Being a member of the Strategic Planning Committee (SPC) of the HKHA
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Mr. Andrew Y.T. Tsang as Assistant Director(2), Home Affairs Department	Being an alternate member for the Director of Home Affairs who was a member of the SPC of the HKHA
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Mr. Gary Cheung as Assistant Director (Kowloon) (Atg.), Lands Department	Being an alternate member for the Director of Lands who was a member of the HKHA
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48. Members noted that Mr. Andrew Tsang had tendered apologies for being unable to attend the meeting. As the Chairperson had to withdraw from the meeting, the Committee agreed that the Vice-chairman should take over and chair the meeting in her stead. The Vice-chairman chaired the meeting at this point.

[Mrs. Ava Ng and Mr. Gary Cheung left the meeting temporarily at this point.]

Presentation and Question Sessions

49. Mr. Silas K.M. Liu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application - the application premises was the subject of two previous applications (No. A/K/2 and A/K/6) for temporary public vehicle parks. The last planning application (No. A/K/6) was approved by the committee on 25.5.2007 for a period of three years up to 28.5.2010;
- (b) the vehicle parks at Ping Shek Estate, Wan Hon Estate, Wo Lok Estate, Lei On Court and Lei Yue Mun Estate, Kwun Tong, Kowloon;
- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had no in-principle objection to the application from traffic viewpoint subject to the conditions that (i) highest priority should be accorded to residents of the five Estates/Court in letting of monthly vehicle parking spaces in the carpark; (ii) only vacant monthly parking spaces should be let to non-residents; and (iii) should review and keep record of the conditions of the use of parking spaces regularly so as to ensure well management in utilizing the public resources and avoid exploiting the right of letting of monthly vehicle parking spaces in the carpark by the residents. The District Lands Officer/Kowloon East, Lands Department commented that lease modification/temporary waiver to effect the proposed change of use for car parks in Ping Shek Estate, Wo Lok Estate and Lei On Court was required;
- (d) during the statutory publication period, 585 public comments were received. The public comments were summarized as follows:
 - (i) two supported the application;
 - (ii) a letter from the Chairman of the Incorporated Owners of Lei On Court enclosing 550 residents' letters (in standard letter format) and

27 other commenters mainly indicated that they opposed the proposed temporary public vehicle park at Lei On Court on traffic, environmental, management cost, security, hygiene and management grounds;

- (iii) four commenters opposed the proposed temporary public vehicle parks at the five subject estates/court and mainly considered that letting of the car parking spaces to non-residents would cause security and management problems to the estates/court, and that the residents should have the priority to use the parking spaces;
- (iv) two commenters provided comments on the application. One commenter considered that the estate residents should have the priority to use the parking spaces, the revenue on the parking fee from non-residents should be equally shared by the estate residents, and the security arrangement should be reviewed. The other commenter considered that there was a large over-supply of parking spaces for private cars, which was in direct conflict with Hong Kong's traffic demand management policies which aimed to control traffic demand in line with Hong Kong's limited road capacity;
- (e) the District Officer (Kwun Tong) reported that seven comments had been received. Five of them supported the application and the other two raised objection. One of the objectors objected the application as he considered that the letting of surplus parking spaces to non-residents would affect the security and management of the car park; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The application premises were previously approved for the same use by the Committee on 28.5.2004 (Application No. A/K/2) and 25.5.2007 (Application No. A/K/6) for a total period of six years. The application complied with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning

Conditions for Temporary Use or Development (TPB PG-No. 34A) in that there was no material change in planning circumstances of the surrounding areas since the previous temporary permission was granted. The proposal did not involve any new development or redevelopment of the application premises. The proposal would not generate additional traffic flow nor worsen the environmental conditions in the area. As only the surplus monthly car parking spaces would be let to non-residents, the parking needs of the residents would not be compromised. Regarding the public comments objecting to the application, the applicant had pointed out that various measures (including the separation of entrances of the car park building and domestic blocks, the deployment of security guards on 24-hour duty and the installation of CCTVs and security locks at each entrance lobby of domestic blocks) had been put in place to address the residents' concerns and the same parking charges would be applied to both residents and non-residents without prejudice. As regards the public comment on management and maintenance problems, the applicant had responded that the current proposal would not change the management and maintenance charges. Regarding the public comment on the over-supply of the parking spaces for private cars, it should be noted that no additional vehicle parking spaces would be provided in the application. In view of the concerns raised by the commenters, the applicant should be advised to liaise with the Incorporated Owners of Lei On Court and concerned residents with a view to addressing their concerns.

50. A Member asked, as compared with the last planning application, whether there was any change in the number of parking spaces to be let out to non-residents. Mr. Liu replied that, only surplus vehicle parking spaces would be let out to non-residents and hence the number of parking spaces let out had changed as a result of the changes in the surplus rate.

Deliberation Session

51. The Vice-Chairman said that although a large number of the public comments had been received, the applicant had responded by introducing various measures to address

their concerns.

52. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 28.5.2013, on the terms of the application as submitted to the Town Planning Board and subject to the condition that priority should be accorded to the residents of Ping Shek Estate, Wan Hon Estate, Wo Lok Estate, Lei On Court and Lei Yue Mun Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

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

- (a) apply to the District Lands Officer/Kowloon East, Lands Department for lease modification/temporary waiver to permit the proposed use at Ping Shek Estate, Wo Lok Estate and Lei On Court; and
- (b) liaise with the Incorporated Owners of Lei On Court and concerned residents with a view to addressing their concerns about the letting of the surplus vehicle parking spaces to non-residents.

[Mrs. Ava Ng and Mr. Gary Cheung returned to join the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K10/236 Proposed Hotel (Guesthouse) Development
in "Residential (Group A) 2" zone,
380 Prince Edward Road West, Kowloon City (NKIL 2358)
(MPC Paper No. A/K10/236)

54. The Committee noted that the applicant's representative had requested on 5.5.2010 for deferment of the consideration of the application for two weeks in order to allow

adequate time to prepare response to address comments from Government departments.

55. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[The Chairperson thanked Mr. Silas K.M. Liu, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

[Miss Annie K.W. To, STP/K, was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/254 Shop and Services in "Other Specified Uses" annotated "Business" zone,
Portion of Unit 3A, Workshop No. 3 at Ground Floor,
Yuen Fat Industrial Building, No. 25 Wang Chiu Road, Kowloon Bay
(MPC Paper No. A/K13/254)

Presentation and Question Sessions

56. Miss Annie K.W. To, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services;

- (c) departmental comments – the Director of Fire Services (D of FS) had no in-principle objection subject to the provision of a means of escape completely separated from the industrial portion; and fire service installations being provided to the satisfaction of his Department;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The ‘Shop and Services’ use at the application premises was considered generally in line with the planning intention of the “OU(Business)” zone. It was not incompatible with the other uses within the same building. It complied with the Town Planning Board Guidelines for Development within “OU (Business)” zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area.

57. Members had no question on the application.

Deliberation Session

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

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 28.11.2010; 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.

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

- (a) apply to the District Lands Officer/Kowloon East, Lands Department for a temporary wavier or lease modification;
- (b) appoint an Authorized Person to submit building plans for the proposed change in use to demonstrate compliance with the Buildings Ordinance, in particular, the provision of :
 - (i) 2 hours fire resisting separation wall between the application premises and the remaining portion of the existing workshop on Ground Floor in accordance with paragraph 8.1 of the Code of Practice for Fire Resisting Construction 1996 and Building (Construction) Regulation 90;
 - (ii) access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual : Barrier Free Access 2008;
- (c) observe road restriction requirements in force when all loading/unloading activities were taking place;
- (d) comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by Buildings Department; and
- (e) ensure that any proposed foul drainage connection from the application premises should be made towards the building's terminal foul manhole and that proper grease trap/tank should be provided for use by the application

premises to satisfy current requirements of Environmental Protection Department/Food and Environmental Hygiene Department, if any part of the application premises was to be used for food processing.

[Mr. Raymond Chan returned to join the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/255 Proposed Shop and Services (Fast Food Shop)
 in “Other Specified Uses” annotated “Business” zone,
 Part of Lobby, Ground Floor, Continental Electric Industrial Building,
 17 Wang Chiu Road, Kowloon Bay
 (MPC Paper No. A/K13/255)

Presentation and Question Sessions

60. Miss Annie K.W. To, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (fast food shop);
- (c) departmental comments – the Director of Fire Services (D of FS) did not support the application for the reason that the application premises for ‘Shop and Services (Fast Food Shop)’ use was not separated from the passage from the fire service access point to the fireman’s lift on ground floor by walls having fire resistance period;
- (d) during the statutory publication period, one public comment from a member of the Kwun Tong District Council supporting the application was received; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 11 of the Paper. Although the proposed 'Shop and Services (Fast Food Shop)' use at the application premises was generally in line with the planning intention of the "OU(Business)" zone, the application premises was not separated from the passage from the fire service access point to the fireman's lift on ground floor by walls having fire resistance period, and FSD objected to the application from the fire fighting point of view. As such, the proposed use was not in line with the TPB Guidelines for Development within "OU (Business)" zone (TPB PG-No. 22D) in that the fire safety concern had not been properly addressed.

61. Members had no question on the application.

Deliberation Session

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

- (a) the proposed 'Shop and Services (Fast Food Shop)' use at the application premises was not separated from the passage from the fire service access point to the fireman's lift on ground floor by walls having fire resistance period. It did not comply with the Town Planning Board Guidelines for Development within "Other Specified Uses" annotated "Business" zone (TPB PG-No. 22D) in that the fire safety concern had not been properly addressed; and
- (b) the current application was not supported from fire fighting point of view.

[The Chairperson thanked Miss Annie K.W. To, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 12

Any Other Business

63. There being no other business, the meeting was closed at 10:45 a.m.