

TOWN PLANNING BOARD

**Minutes of 424th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 13.8.2010**

Present

Director of Planning
Mr. Jimmy C.F. Leung

Chairman

Mr. K.Y. Leung

Vice-chairman

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

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(2), Home Affairs Department
Mr. Andrew Tsang

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

Assistant Director/Kowloon, Lands Department
Ms. Olga Lam

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

Secretary

Absent with Apologies

Mr. Raymond Y.M. Chan

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

Ms. Julia M.K. Lau

Professor Joseph H.W. Lee

Mr. Laurence L.J. Li

In Attendance

Assistant Director of Planning/Board
Miss H.Y. Chu

Town Planner/Town Planning Board
Ms. Karina W.M. Mok

Agenda Item 1

Confirmation of the Draft Minutes of the 423rd MPC Meeting Held on 30.7.2010

[Open Meeting]

1. The draft minutes of the 423rd MPC meeting held on 30.7.2010 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

(i) Town Planning Appeals Abandoned

Town Planning Appeal No. 6/08

Temporary Open Storage of Construction Materials and Machinery
for a Period of 3 Years in “Agriculture” zone,

Lot 1595 (Part) in D.D. 113, Ma On Kong, Kam Tin, Yuen Long
(Application No. A/YL-KTS/421)

Town Planning Appeal No. 8/08

Temporary Open Storage of Construction Materials
for a Period of 3 Years in “Agriculture” zone,

Lots 1012 (Part), 1014 (Part), 1015 S.A (Part), 1015 RP (Part),
1035 (Part) and 1038 (Part) in D.D. 113, Kam Tin South, Yuen Long
(Application No. A/YL-KTS/424)

Town Planning Appeal No. 9/08

Temporary Open Storage of Construction Machinery (Excavators)
for a Period of 3 Years in “Agriculture” zone,

Lots 1012 (Part), 1013 (Part), 1014 (Part), 1015 S.A (Part), 1015 RP (Part) and
1016 (Part) in D.D. 113, Kam Tin South, Yuen Long
(Application No. A/YL-KTS/425)

2. The Secretary reported that the subject three appeals were lodged on 10.11.2008 by the same Appellant to the Appeal Board Panel (Town Planning) (ABP) against the decisions of the Town Planning Board to reject on review Application No. A/YL-KTS/421 for temporary open storage of construction materials and machinery, Application No. A/YL-KTS/424 for temporary open storage of construction materials, and Application No. A/YL-KTS/425 for temporary open storage of construction machinery (excavators), all for a period of 3 years. The three appeal sites were zoned “Agriculture” on the approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/11. On 9.8.2010, the three appeals were abandoned by the Appellant on his own accord. The abandonment was confirmed by the ABP on the same day in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

(ii) Town Planning Appeal Statistics

3. The Secretary reported that as at 13.8.2010, 22 cases were yet to be heard by the ABP. Details of the appeal statistics were as follows:

Allowed	:	25
Dismissed	:	111
Abandoned/Withdrawn/Invalid	:	142
Yet to be Heard	:	22
<u>Decision Outstanding</u>	:	<u>4</u>
Total	:	304

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

Tsuen Wan and West Kowloon District

[Mr. Philip Y.L. Chum, 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/K16/36 Proposed Eating Place, Office and Shop and Services
in “Comprehensive Development Area” zone,
G/F and 5/F, Kowloon Motor Bus Headquarters Building,
9 Po Lun Street, Lai Chi Kok (NKML 3RP)
(MPC Paper No. A/K16/36)

Presentation and Question Sessions

4. Mr. Philip Y.L. Chum, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed eating place, office and shop and services uses at the application premises on the G/F and 5/F of the Kowloon Motor Bus (KMB) Headquarters building. The KMB Headquarters building was located at the northern portion of a “Comprehensive Development Area” (“CDA”) zone, the remaining portion of which had been developed for a comprehensive residential and commercial development known as the “Manhattan Hill”;
- (c) departmental comments – concerned Government departments had no objection to or adverse comments on the application;
- (d) during the statutory publication period, one public comment supporting the

application was received; and

[Mr. C.W. Tse arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 12 of the Paper. The application premises was the subject of two previous applications. Application No. A/K16/30 for shop and services and office uses and Application No. A/K16/33 for eating place use were approved with conditions by the Committee on 4.1.2008 and 19.6.2009 respectively. The current application sought to combine the uses of the two previously approved applications in order to allow greater flexibility in the use of the application premises to meet the demand of the local community. There had been no change in the planning circumstances for the application premises since the approval of the two previous applications. The proposed conversion of the existing office lobby/staff medical centre, food premises and vacant units at the application premises to the proposed eating place, office and shop and services uses was in line with the planning intention of the subject “CDA” zone for residential and commercial uses. The proposed uses were considered not incompatible with the “CDA” zone which had been comprehensively developed for residential and commercial uses. Moreover, the proposed conversion did not involve any change in the approved total domestic and non-domestic gross floor area of the comprehensive residential and commercial development within the “CDA” zone. It would also unlikely generate adverse traffic and environmental impacts on the surrounding areas. In this connection, the relevant Government departments had no adverse comments on or no objection to the proposed conversion. One public comment in support of the application was also received.

5. Members had no question on the application.

Deliberation Session

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 13.8.2014, 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 and implementation of a revised Master Layout Plan (MLP) and development schedule incorporating the proposed eating place, office, shop and services uses on G/F and 5/F of the Kowloon Motor Bus Headquarters building to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) to note that the approved MLP together with the set of approval conditions would be certified by the Chairman of the TPB and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into a revised MLP for deposition in the Land Registry as soon as practicable;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that the applicant should submit building plans to demonstrate the proposed change in use was in compliance with the Buildings Ordinance, in particular the provision of adequate means of escape in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for the Provision of Means of Escape in Case of Fire 1996, and the provision of adequate fire resisting separation between the application premises and the remaining portion of the building in accordance with the Building (Construction) Regulation 90 and paragraph 8.1 of the Code of Practice for Fire Resisting Construction; and

- (c) to note the comments of the Director of Food and Environmental Hygiene that the applicant should obtain appropriate licence from his department prior to the commencement of food business.

[The Chairman thanked Mr. Philip Y.L. Chum, STP/TWK, for his attendance to answer Members' enquiries. Mr. Chum left the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/TW/410 Proposed Shop and Services in "Industrial" zone,
Hale Weal Industrial Building, 22-28 Tai Chung Road,
Tsuen Wan (Tsuen Wan Town Lot No. 332)
(MPC Paper No. A/TW/410A)

8. The Committee noted that the applicant's representative on 30.7.2010 requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Transport Department.

9. 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 the further information, and no further deferment would be granted unless under very special circumstances.

[Mr. C.M. Li, Senior Town Planner/Hong Kong (STP/HK), and Mr. Coway K.H. Chan, Town Planner/Hong Kong (TP/HK), were invited to the meeting at this point.]

Hong Kong District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H24/19 Proposed Exhibition Hall and Ancillary Restaurant
in “Other Specified Uses” annotated “Pier and Associated Facilities” zone,
Portions of G/F and 1/F, 2/F, 3/F (including Mezzanine Floor)
of Central Pier 8, Central
(MPC Paper No. A/H24/19)

Presentation and Question Sessions

10. Mr. C.M. Li, STP/HK, said that a replacement of page 14 of the Paper rectifying the number of public comments received in paragraphs 11.1 and 11.2 of the Paper was tabled at the meeting for Members’ information. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed exhibition hall and ancillary restaurant at the application premises at Central Pier 8 to facilitate the relocation of the Hong Kong Maritime Museum (HKMM) from its current premises at Murray House in Stanley;
- (c) the comments of the relevant Government bureaux/departments were detailed in paragraph 10 of the Paper. The key comments were summarised below :
 - the Home Affairs Bureau had no objection to the application and welcomed/encouraged the establishment of the proposed museum to promote a diverse cultural ecology and showcase Hong Kong’s unique and outstanding development in the maritime history from the broad cultural

policy perspective;

- the Head, Development Opportunities Office, Development Bureau (DEVB) advised that the Land and Development Advisory Committee (LDAC) supported the proposed relocation and expansion of HKMM. LDAC members agreed that the proposed museum would showcase Hong Kong's maritime history and heritage as a major port city, and would be a befitting public facility at Victoria Harbour which could help bringing people to the new Central harbourfront. It would also make better use of the existing under-utilised space in the pier;
- the Secretary of the Harbourfront Commission (HC), DEVB advised that HC members recognized the significant benefits that the proposed museum might accrue to the harbourfront, for instance, in offering an international quality heritage attraction in a central location of Victoria Harbour, and providing a focus of activity and adding vibrancy/variety to the new waterfront. As there was plan to further expand HKMM in future, it would be in the museum's interest to identify a bigger site as its permanent premises in the long run given the limited space at Central Pier 8. In this respect, HC supported the proposed relocation of HKMM to Central Pier 8 as an interim solution;
- the Commissioner for Tourism had no objection to the application. The application premises was the right location for a museum to tell the maritime history of Hong Kong which started from Victoria Harbour. Besides, it was located next to a public pier for harbour cruises at Central Pier 9. As such, the proposal would create synergy for both the museum itself and the harbour cruise operations;
- based on the proposed uses and the low level of delivery of exhibits (once or twice a year) and on the understanding that the modifications to be made to Central Pier 8 for the proposed museum were reversible when the pier was required to be brought back into ferry use as stated in the applicant's submission, the Commissioner for Transport had no in principle objection

to the application. However, the applicant should reinstate Central Pier 8 for ferry operations, on termination of the proposed use or as and when required by the Government at their own cost, to the satisfaction of the relevant Government departments. Should the Committee decide to approve the application, the reinstatement arrangement should be dealt with in the tenancy agreement to be worked out between the Government and the applicant;

- the Director of Environmental Protection (DEP) had no objection to the proposed exhibition hall on the assumption that it would be equipped with air-conditioning. However, DEP did not support the proposed outdoor café as it might be subject to direct adverse impact caused by the nearby air emissions from ferries at the Central Piers and the applicant had not provided sufficient information to address the concern. Should the Committee decide to approve the application and address the concern by stipulating an approval condition to require the applicant to undertake an Air Quality Assessment, such an approval condition should not be taken as a “green light” to the proposed outdoor café, and the proposed outdoor café should not be allowed to proceed if the Air Quality Assessment could not demonstrate its acceptability;
- the Chief Town Planner/Special Duties, Planning Department (CTP/SD, PlanD) had no in-principle objection to the application. While the applicant had proposed to provide direct public access to the external outdoor deck (roof terrace) at the southern tip of Central Pier 8 and the proposed public display gallery, the harbour view offered for public enjoyment at these areas would be less open. Consideration should thus be given to exploring the feasibility of providing an alternative area within the application premises with free access for the public to enjoy a panoramic view of Victoria Harbour;
- the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that the proposal was generally in line with the vision and goals of the Town Planning Board (TPB) for Victoria Harbour and had

demonstrated efforts to preserve the visual integrity of the iconic Star Ferry Pier. As it would reduce the public viewing opportunities at the application premises, the applicant should explore the feasibility of shifting the proposed public display gallery on the western side of the public viewing deck facing Central Pier 7 to the eastern side where there was a better view of the harbour; and

- while having no objection to the proposal, the Lands Unit of DEVB noted that the public areas on the 2/F of the pier and the terrace outside the proposed café on the 3/F were proposed for free use by the public. In this respect, adequate signage should be installed and public accessibility should be ensured to avoid disputes;
- (d) during the statutory publication period of the application, a total of 3,167 public comments were received with 3,018 supporting, 122 objecting to, and 27 being neutral to or having no comments on the application as detailed in paragraph 11 of the Paper. The District Officer (Central and Western) advised that the Cultural, Leisure and Social Affairs Committee of the Central and Western District Council (C&WDC) discussed the proposal on 22.4.2010 and 3.6.2010. Whilst the Committee did not reach a consensus on the proposal, members in general did not have objection to the relocation project. However, they were primarily concerned about the loss of the existing public open space at the public viewing and roof viewing decks. Some members suggested the applicant to explore the feasibility of providing a viewing corridor along the perimeter of Central Pier 8 so that the public could have continuous free access to the public viewing deck; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments in paragraph 12 of the Paper. The assessments were summarised below :

Planning Intention

- (i) the application premises would be converted into the proposed

exhibition gallery and ancillary café of HKMM with the provision of some areas for free public access as shown in Drawing A-2 of the Paper. This would introduce a new cultural and tourism attraction to the harbourfront. As such, the proposed museum was considered to be generally in line with the planning intention of the subject “Other Specified Uses” (“OU”) annotated “Pier and Associated Facilities” zone, which was to recreate the existing Star Ferry icon and identity at the new Central waterfront with provision of integrated retail/restaurant/tourism-related facilities and pier-roof open space for public enjoyment. Given that the modifications to be made for the proposed museum were reversible, the planning intention of the subject “OU” zone would not be affected in the longer term;

Harbourfront Planning

- (ii) the proposed museum was generally in line with the vision and goals of the TPB for Victoria Harbour as it would make the harbour more attractive and vibrant by providing an additional focus, variety and interests. Moreover, it would become part of a mix of recreational, entertainment, cultural, tourism and open space facilities on the harbourfront, thereby complementing and creating synergy effects with the existing and planned waterfront developments in the vicinity. In this respect, HC recognized the significant benefits that the proposal might accrue to the harbourfront. LDAC members also agreed that the proposed museum would be a befitting public facility at Victoria Harbour which could help bringing people to the new Central harbourfront;

Public Viewing Area and Open Space Provision

- (iii) although the existing public viewing deck on the 2/F of the pier would be converted for public exhibition hall use, the applicant had proposed to provide a public display gallery on the western side of the public viewing deck facing Central Pier 7 and retain direct and free public access to the roof viewing deck (roof terrace) at the

southern tip of the pier. In addition, the main exhibition hall on the 2/F of the pier would be mostly enclosed in glass, thus allowing view from inside to the harbour. Regarding CTP/UD&L, PlanD's suggestion, the applicant explained that shifting the proposed public display gallery to the eastern side was not practical as there would be limited visibility to the harbour due to the presence of displays. The existing arrangement was considered by the applicant as the best configuration to facilitate pedestrian flow within the pier. Nevertheless, should the Committee decide to approve the application, the applicant could be advised to explore the feasibility of improving the public viewing opportunities from the application premises;

- (iv) overall speaking, the impact of the loss of the existing public viewing areas arising from the proposal would not be significant in terms of the public open space provision on the new Central harbourfront. The existing public space at Central Piers 2, 3 and 7 would continue to provide viewing opportunities to the public. A minimum of 3,000m² open space would also be provided on the top decks of Central Piers 4 to 6 in future;

Visual Impact

- (v) there was no significant change in the visual context or relationship to the surrounding area as the proposal did not involve any significant change to the bulk of the existing building. The exterior design of the proposed museum also retained the similarity with Central Pier 7. This showed the appreciation of the planning intention to recreate the Star Ferry Pier as an icon on the waterfront and demonstrated efforts to preserve the visual integrity. In this respect, the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD) had no adverse comment on the application from the visual impact point of view and considered that the overall appearance of the facades appeared to be compatible with the existing building which had a unique order of external columns that should be duly expressed;

Air Quality Aspect

- (vi) should the Committee decide to approve the application, DEP's concern on the potential nuisance that might be caused by the air emissions from ferries to the proposed outdoor café could be addressed by imposing an approval condition requiring the applicant to submit an Air Quality Assessment and implement the mitigation measures identified therein to the satisfaction of DEP as recommended in paragraph 13.2(a) of the Paper. Another approval condition stipulating that the proposed café would not be allowed to operate unless the above condition had been complied with was recommended in paragraph 13.2(b) of the Paper;

Other Aspects

- (vii) regarding the suggestion of the Lands Unit of DEVB, it was recommended in paragraph 13.2(e) of the Paper to impose an approval condition requiring the applicant to provide suitable signage; and

Public Comments

- (viii) the proposed development was in line with the growing public aspirations towards a more vibrant waterfront for public enjoyment, as evidenced from the overwhelming supporting public comments received. Regarding the public concerns about the loss of public viewing area and the use of the application premises as a private museum, the assessments in sub-paragraphs (i) to (iv) above were relevant. As regards the public comments that the proposed museum use was not justified by an overriding public interest, the Protection of Harbour Ordinance only determined the reclamation limit whilst the actual land use on the reclaimed land fell within the jurisdiction of the Town Planning Ordinance.

11. Noting that a total of 3,167 public comments were received on the application, the Chairman asked what were the major views expressed by the commenters. In response, Mr. C.M. Li said that:

(a) for the 3,018 commenters who supported the application, their major grounds of support were that:

- Hong Kong did not have a proper maritime museum. The proposal was beneficial to the maritime industry and Hong Kong at large, both in terms of promoting the tourism industry and providing an icon of maritime heritage that was in the centre of the town and was easily accessible;
- the pier was at present under-utilised both as a ferry pier and by the public;
- the current maritime museum in Stanley was inconvenient to visit. More people would visit the museum if it was located at Central Pier 8. There was no place more appropriate than the Central waterfront for the museum which was related to the maritime history of Hong Kong. Having a maritime museum at Central Pier 8 would also give an early and important focus on the new Central waterfront development;
- with the completion of the proposed museum, the erection of HKMM's proposed ex-Jahre Viking/Seawise Giant's anchor for the memorial of the seamen, and the restoration of Queen's Pier, there would be a harbour themed zone which would be attractive to all people; and
- the loss of the currently under-used public viewing space would be more than substituted by galleries telling the story of Victoria Harbour. Moreover, adequate public viewing areas would still be provided at Central Pier 8. There were also plenty of other places at the existing waterfront where the public could enjoy the harbour views. When the new waterfront was completed, there would be even more public viewing areas;

(b) for the 122 commenters who objected to the application, their major grounds of objection were that:

- the public viewing deck was an ideal area for people to sit, rest, talk with friends, read a book, do exercises, or hold meetings. The harbourfront belonged to the general public and should not be converted into private

commercial spaces. Approval of the application would allow the conversion of the existing public space at the pier into a private space, thus impeding public access to the harbourfront;

- the proposed museum appeared to be a private maritime memorial hall and the public would have to pay an entry fee. Unlike other museums in Hong Kong, HKMM had not made any arrangement for free public access one day per week;
- according to the Protection of the Harbour Ordinance, any use of the harbourfront should be justified by an overriding public interest, which was not found in the application;
- Central Pier 8 was one of the public facilities at the reclamation area. The public should have free access to enjoy the panoramic view of Victoria Harbour. However, the proposed museum had adopted a completely enclosed design. A 2m wide public viewing corridor along the eastern side of the pier should be provided; and
- the Central District was already a very busy place. The proposed museum could be located at Kai Tak, West Kowloon Cultural District, Wanchai, North Point or Sai Wan Ho; and

(c) the other 27 commenters were neutral to or had no comments on the application.

12. In response to a Member's question, Mr. C.M. Li said that according to the applicant, the existing lease of HKMM at Murray House in Stanley would expire in February 2012. If the subject application was approved by the Committee, the applicant would approach the relevant Government bureau/department to lease the application premises for the proposed museum. The actual terms of the lease were being worked out by the Home Affairs Bureau and Government Property Agency and the initial thinking was to grant a 10-year lease to the applicant.

13. The same Member also asked about the time limit specified in paragraph 13.2 of the Paper. Mr. C.M. Li said that in approving an application (except those for the regularization of existing uses and those granted on a temporary basis), it was the established practice of the TPB to stipulate a specified period for the commencement of the approved

development. The specified period was usually four years i.e. up to 13.8.2014 for the subject application as stated in paragraph 13.2 of the Paper. The planning permission granted would cease to have effect on the specified date, unless prior to that date the approved development had commenced or an extension of time for commencement of development was granted. This was to ensure that the approved development would commence within a reasonable period of time.

14. Another Member noted that as stated in paragraph 12.4 of the Paper, the impact of the loss of the existing public viewing areas caused by the proposed conversion of the application premises to the museum use would not be significant. This Member asked if there was any information on the loss of the existing public viewing areas at the application premises in terms of the total area of the subject Central Pier 8. Mr. C.M. Li said that there was no such information at hand. However, within the application premises, only the public viewing and roof viewing decks on the 2/F and 3/F of the pier were currently open to the public. While part of these areas would be converted into the museum, the remaining areas would be converted into a public display gallery and an ancillary café, which would still have free public access as shown in Drawing A-4 of the Paper. Moreover, there were already existing public space at the roof decks of Central Piers 2, 3 and 7 where the public could continue to have free access to enjoy the harbour views. In future, a minimum of 3,000m² of open space would be provided on the roof decks of Central Piers 4, 5 and 6. The planned waterfront promenade along the Central harbourfront also had a total length of 2km. Against the above considerations, it was considered that the loss of the existing public viewing areas under the subject application would not be significant.

15. The same Member asked if the proposed areas that would have free public access under the subject application would be open 24 hours a day or for a specified period of time. Mr. C.M. Li said that the applicant had not provided such information in its submission. Nevertheless, there was a similar public space at the roof deck of the adjacent Central Pier 7 and its opening hours were from 6:00 a.m. to 12:00 p.m.. As regards the proposed public display gallery, its opening hours might be constrained by the need to control the temperature and humidity therein for the display of exhibits. Should the Committee consider it necessary to maintain control on the opening hours of the concerned areas, an approval condition on this aspect could be stipulated.

16. A Member asked if PlanD had conducted any survey on the public patronage of the areas within the application premises which were currently open to the public. Mr. C.M. Li replied in the negative. However, from his site inspections which were conducted on different days and at different times of a day, there were not many people at the above mentioned public areas. This might be due to the lack of facilities or attractions there to attract people. LDAC members also considered that the proposed museum would make a better use of the existing under-utilised space in the pier.

17. The same Member noted that the current premises of HKMM at Murray House in Stanley had a floor area of about 679.5m² only and asked if the applicant had provided any justifications for the expansion of the proposed museum to about 4,200m² at the application premises. Mr. C.M. Li said that the applicant had provided the justifications in its letter dated 2.8.2010 at Appendix Ib of the Paper. According to the applicant, the current floor area that were used by HKMM was about 1,009.5m², which included an area of about 679.5m² at Murray House and an off-site area of about 330m² at Ma Hang and the Government Dockyard for office, library and storage purposes. This arrangement was considered unsatisfactory for the proper operation of the museum. Besides, the current area had not allowed for the expansion of the museum. Upon relocation of HKMM to the application premises, the applicant planned to increase the collection of the museum from about 3,000 objects to about 4,500 objects and the display of galleries from about 300 objects to about 1,000 objects. Moreover, the library and staff of HKMM would be increased from about 2,000 books to 3,000 books and from about 12 to 24 members of staff respectively. For Members' reference, the size of some museums in Hong Kong were quoted. For instance, the Hong Kong Heritage Museum at Shatin had a floor area of about 7,500m² whereas the Hong Kong Museum of History at Tsim Sha Tsui East had a floor area of about 17,500m².

Deliberation Session

18. A Member gave support to the application. This Member said that the current premises of HKMM at Murray House in Stanley was small. Despite the small size of the current premises, the museum services provided by HKMM were considered among the best in Hong Kong. The proposed museum, being a kind of public facility in nature, was considered compatible with the planning intention of the subject "OU" zone. Besides, the

application premises at Central Pier 8 was considered a suitable location for the proposed museum which was about the maritime history of Hong Kong. While it might not be appropriate to make reference to the floor area occupied by the Hong Kong Heritage Museum and the Hong Kong Museum of History which had different mandates and scales of operation, it was considered that the proposed floor area of about 4,200m² for the proposed museum at the application premises was not excessive given the justifications provided by the applicant in its submission. On the other hand, this Member considered that the harbour view from the eastern side of the pier was better than that from the western side, which was blocked by Central Pier 7. As such, should the Committee decide to approve the application, this Member suggested that the applicant should be advised to explore the feasibility of providing an alternative area within the application premises with free access for the public to enjoy a better view of Victoria Harbour.

19. This Member continued to say that according to the perspective drawings of the proposed museum in Figures 7 and 8 of the Planning Statement submitted by the applicant at Appendix Ia of the Paper, some of the vertical columns of the pier would be enclosed by the glass panels of the proposed museum. As those vertical columns were an important architectural feature of the pier, this Member suggested that the glass panels should be recessed so that all the vertical columns of the pier could be exposed more prominently. While there was no objection to the proposed ancillary café use at the roof viewing deck, the applicant could draw reference to the podium roof of the IFC mall at Central where there were cafés with outdoor dining areas and the public could still have free access to the remaining area of the podium roof. To facilitate the public to enjoy the harbour view, some facilities such as seats should also be provided at the roof viewing deck of the pier. According to the applicant's submission, the admission fee of the proposed museum would be set at around \$30 per person and there would be various concessions for groups, families and students. To enable more people to get access to the proposed museum, the applicant could consider adopting a two-tier admission fee arrangement with a lower admission fee for the local people and a higher admission fee for overseas visitors. Such two-tier admission fee arrangement was not uncommon in the overseas museums. The Chairman suggested and Members agreed to advise the applicant to take into account this Member's suggestions in the design of the proposed museum and the proposed ancillary café as well as the setting of admission fee for the proposed museum.

20. While having no objection to the application, a Member raised concern about the lack of information in the applicant's submission on the opening hours of the proposed areas that would allow free public access within the application premises. If the opening hours were too short, this would defeat the intention of allowing the public to have free access to the concerned areas. There were similar situations that the public open spaces within private residential developments were being locked up, rendering them not being accessible to the public for enjoyment. Should the Committee decide to approve the application, this Member considered that an approval condition should be imposed to enable the TPB to maintain control on the opening hours of the proposed areas that would have free public access within the application premises.

21. The Secretary said that for Members' reference, there were previous planning approvals, for example, those in relation to the development schemes of the Urban Renewal Authority in which an approval condition requiring the applicant to open the public open space to the public at reasonable hours was imposed. The exact opening hours could be sorted out at the stage of land grant. The same Member noted that an approval condition relating to the signage for free access to the café terrace was recommended in paragraph 13.2(e) of the Paper. It was considered that an approval condition relating to the opening of the areas with free public access at reasonable hours should also be imposed. Other Members agreed.

22. A Member said that with a lack of facilities or attractions, the patronage of a public space by the public would inevitably be low. This might explain why there was a low level of public patronage of the areas within the application premises which were currently open to the public. This Member therefore supported the application as it would provide a new attraction to draw people to the currently under-utilised space at Central Pier 8. Apart from the proposed two-tier admission fee arrangement as suggested by another Member earlier at the meeting, the opening of the proposed museum to the public free of charge one day a week might also enable more people to get access to the proposed museum. This Member asked if there were any previous cases with such requirement imposed in the approval conditions. The Secretary said that there were two previous applications which were related to the graded historic buildings of Jessville at Pok Fu Lam under Application No. A/H10/81 and Enchi Lodge at Kwu Tung North under Application No. A/NE-KTN/131. In approving the two applications, an approval condition was imposed requiring the respective

applicant to open Jessville and Enchi Lodge to the public for at least one day a week. However, the planning circumstances of these two applications were different from the subject application in that the concerned buildings were graded historic buildings and it was the applicants who proposed to preserve and open the historic buildings to the public as a planning gain in their applications for approval of the proposed residential development and/or the proposed minor relaxation of development restrictions at the sites. Another Member said that the application premises were under-utilised at present and its conversion into the proposed museum would bring more people to the pier. This Member also opined that the planning circumstances of Applications No. A/H10/81 and A/NE-KTN/131 were different from the subject application and the Committee should not interfere with matters on admission fee arrangement. It was thus considered more appropriate to advise the applicant to take into account the Member's suggestion regarding the admission fee arrangement in the advisory clause instead of in the approval condition. Other Members agreed.

23. 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 13.8.2014, 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 Air Quality Assessment in respect of the proposed ancillary café at the roof viewing deck and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the proposed ancillary café should not commence operation until approval condition (a) above was complied with to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB;
- (d) the submission and implementation of a landscape proposal for the roof viewing deck to the satisfaction of the Director of Planning or of the TPB;

- (e) the proposed public areas should be open to the public at reasonable hours to the satisfaction of the Director of Planning or of the TPB;
- (f) the provision of signage for free access to the café terrace on 3/F to the satisfaction of the Director of Planning or of the TPB;
- (g) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (h) the implementation of the sewerage upgrading/connection works as identified in the SIA under approval condition (g) to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) to take into account Members' suggestions made in the meeting:
 - (i) to expose the vertical columns of the pier by recessing the glass panels;
 - (ii) to draw reference to the podium roof of the IFC mall at Central where areas for public use and restaurants co-exist in designing the ancillary café; and
 - (iii) to consider adopting a lower admission fee of the museum for the local people and opening the museum free of charge one day a week;
- (b) to note the comments of the Chief Town Planner/Special Duties and the Chief Town Planner/Urban Design and Landscape, Planning Department that consideration should be given to exploring the feasibility of providing an alternative area within the application premises with free access for the public to enjoy a better view of Victoria Harbour;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department that any proposed building works in the leased premises should be submitted to the Building Authority for approval under

the Buildings Ordinance;

- (d) to note the comments of the Commissioner of Transport that the applicant should reinstate Central Pier 8 for ferry operations, on termination of the proposed use or as and when required by the Government at their own cost, to the satisfaction of the relevant Government departments;
- (e) to note the comments of the Director of Environmental Protection that the air-conditioning system(s) and the fresh air intake(s) should be properly designed, located, installed and operated to ensure no unacceptable air pollution impact on the public due to the nearby air emissions from ferries, and that the applicant and/or future operators should comply with the relevant environmental pollution control ordinances;
- (f) to note the comments of the Director of Fire Services that the arrangement on emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Fighting and Rescue and the detailed fire services requirements would be formulated upon receipt of formal submission of general building plans or referral from the licensing authority; and
- (g) to note the comments of the Director of Food and Environmental Hygiene that appropriate food licence/permit should be obtained for the operation of food business.

[The Chairman thanked Mr. C.M. Li, STP/HK, and Mr. Coway K.H. Chan, TP/HK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 6

Any Other Business

25. There being no other business, the meeting was closed at 10:00 a.m..