

**TOWN PLANNING BOARD**

**Minutes of 428th Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 15.10.2010**

**Present**

Director of Planning  
Miss Ophelia Y.S. Wong

Chairperson

Mr. K.Y. Leung

Vice-chairman

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

Mr. Maurice W.M. Lee

Professor P.P. Ho

Professor C.M. Hui

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Mr. Laurence L.J. Li

Mr. Roger K.H. Luk

Professor S.C. Wong

Ms. L.P. Yau

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

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Mr. Wong Hong Meng

Assistant Director/Kowloon, Lands Department  
Ms. Olga Lam

Deputy Director of Planning/District  
Mr. Lau Sing

Secretary

**Absent with Apologies**

Dr. Winnie S.M. Tang

Professor Joseph H.W. Lee

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

**In Attendance**

Chief Town Planner/Town 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 427<sup>th</sup> MPC Meeting Held on 24.9.2010

[Open Meeting]

1. The Secretary reported that Ms. Olga Lam, Assistant Director/Kowloon, Lands Department, had proposed amendments to paragraphs 13, 14 and 34 of the draft minutes of the 427<sup>th</sup> MPC meeting held on 24.9.2010, which had been tabled at the meeting and summarised below:

13. A Member asked .... Ms. Olga Lam said that if a site was disposed of by private treaty grant, there *would* be a clause in the lease conditions stipulating that *if the site ceased to be used for the specific purpose, it would be lawful for Government to re-enter upon the lot.*

14. In response to a question from the same Member, Ms. Olga Lam replied that it was not uncommon *in those days* for school sites disposed of by way of public tender. She did not have the information at hand *how the adjacent G/IC sites were disposed of.* If a non-profit making organization had obtained policy support to use *Government land* for a specific non-profit making purpose, then a private treaty grant might be granted.

34. A Member said .... Ms. Olga Lam replied that the Government reserved the right to re-enter the site *but the lot* owner could also appeal against the decision of the Government. *Moreover, there was an established mechanism for lease modification of sites previously granted by private treaty.*

2. The Committee agreed to the proposed amendments and confirmed the minutes of the 427<sup>th</sup> MPC meeting subject to the incorporation of the amendments.

[Mr. Anthony Loo and Ms. Julia M.K. Lau arrived to join the meeting at this point.]

**Agenda Item 2**

Matters Arising

[Open Meeting]

(i) Approval of Draft Outline Zoning Plans (OZPs)

3. The Secretary said that the Chief Executive in Council (CE in C) on 5.10.2010 approved the draft Hung Hom OZP (to be renumbered as S/K9/24), the draft Fu Tei Au and Sha Ling OZP (to be renumbered as S/NE-FTA/12) and the draft Cheung Chau OZP (to be renumbered as S/I-CC/5) under section 9(1)(a) of the Town Planning Ordinance. The approval of these OZPs was notified in the Gazette on 15.10.2010.

(ii) Reference Back of Approved OZPs

4. The Secretary said that the CE in C on 5.10.2010 referred the approved Tsuen Wan OZP No. S/TW/26 and the approved Wan Chai North OZP No. S/H25/2 to the Town Planning Board (TPB) for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of these OZPs was notified in the Gazette on 15.10.2010.

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/K3/2                      Application for Amendment to the  
Draft Mong Kok Outline Zoning Plan No. S/K3/28  
from “Residential (Group E)” to “Other Specified Uses”  
annotated “Business”, Kowloon Inland Lot 2789 S. D RP,  
18 Bute Street, Mongkok  
(MPC Paper No. Y/K3/2)

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5. The following representative from the Planning Department (PlanD) was invited

to the meeting at this point :

Mr. C.K. Soh - Senior Town Planner/Tsuen Wan and West Kowloon  
(STP/TWK)

6. The following applicant's representatives were also invited to the meeting at this point :

Mr. Cheung Koon Wan, Johnson

Mr. Man Kit Biu, Bill

Mr. Chan Kit Hong, Wilson

Mr. Suen Chun Wai, Andrew

7. The Chairperson extended a welcome and explained the procedures of the hearing. The Secretary said that as the authorized agent of the applicant, Hongplus Professional Consultants Limited (HPC), was a subsidiary of Sun Hung Kai Properties Limited (SHK), the following Members had declared their interests in this item :

- Mr. Raymond Y.M. Chan and Mr. Felix W. Fong for having current business dealings with SHK; and
- Ms. Julia M.K. Lau for being the former employee of SHK.

8. The Committee noted that Mr. Raymond Y.M. Chan and Mr. Felix W. Fong had not yet arrived at the meeting.

9. Mr. Man Kit Biu, Bill said that although HPC was a subsidiary of SHK, the provision of consultancy services by HPC to the applicant was not related to SHK. The applicant, Kowloon Investment Company Limited, also had no relationship with SHK. In this regard, the Committee considered that the above Members did not have any interest in this item.

#### Presentation and Question Sessions

10. Mr. C.K. Soh, STP/TWK, informed Members that the applicant's representatives

had tabled supplementary information at the meeting. With the aid of a Powerpoint presentation, Mr. Soh then briefed Members on the background to the application as detailed in the Paper and made the following main points :

The Application

- (a) the applicant proposed to rezone the application site from “Residential (Group E)” (“R(E)”) to “Other Specified Uses” annotated “Business” (“OU(B)”) on the draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/28 in order to facilitate the conversion of the existing 6-storey industrial building, Kowloon Investment Company Limited Building, for office and shop and services uses. The subject building was currently vacant;
- (b) the application site was oblong and elongated in shape. Its frontage facing Bute Street had a width of 4.5m. Adjacent to the south and east of the site as well as to the north of the site across Bute Street were existing industrial buildings. To the west of the site was a 4.5m-wide service lane and some industrial buildings;
- (c) according to the applicant’s submission, the proposed conversion would not result in any change in the number of storeys, gross floor area (GFA) and plot ratio of the existing building. Upon conversion, the ground floor of the subject building would be used for shops whereas the upper floors (i.e. 1/F to 5/F) would be used as offices. The applicant’s justifications were summarised in paragraph 2 of the Paper;

Comments of the Relevant Government Departments

- (d) the comments of the relevant Government departments were detailed in paragraph 8 of the Paper. The Commissioner for Transport (C for T) had no objection in principle to the non-provision of car parking and loading/unloading facilities for the proposed uses given the constrained site layout. However, he had reservation on the proposed rezoning from “R(E)” to “OU(B)” as there was no information/assessment provided in the submission for consideration of the traffic impact. The service lane was intended for scavenging use. Should the applicant wish to establish shop

frontage along the service lane, he would be required to identify and implement appropriate improvement and management measures. The applicant should therefore make further submission in this regard for consideration;

Public Comments

- (e) during the statutory publication period, two public comments were received. A comment was submitted by a District Council member who did not support the application due to traffic and street management concerns. The other commenter supported the application as the proposed development could revitalize the retail business in the area; and

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

PlanD's Views

- (f) PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The application site was situated at the boundary between the "R(E)" and "OU(B)" zones of a cluster of industrial developments. While the planning intention of the "R(E)" zone was to phase out existing industrial uses through redevelopment (or conversion) for residential use, the proposed office and shop and services uses at the site through wholesale conversion of the existing building would help phasing out the industrial uses in the area. As such, the proposed uses were not unacceptable from the land use planning point of view. However, the applicant had not submitted detailed information/assessment to demonstrate that the proposed rezoning or the proposed uses would not result in adverse traffic impact on the surrounding areas. Without such assessment, C for T had reservation on the proposed rezoning. A commenter also indicated that traffic and street management problems at the adjoining roads were common. In addition, office and shop and services uses were under Column 2 of the subject "R(E)" zone. The applicant could submit a planning application with the required technical assessments (including traffic assessment) to the Town Planning Board (TPB) for consideration under section 16 of the Town Planning Ordinance.

This would enable the TPB to exert better planning control over the proposed development.

[Professor P.P. Ho arrived to join the meeting at this point.]

11. The Chairperson then invited the applicant's representatives to elaborate on the application. With the aid of a Powerpoint, a physical model and plans, Mr. Man Kit Biu, Bill made the following main points :

- (a) the owner of the application site and another Kowloon Investment Company Limited Building at 2-12 Bute Street was a retired professor. These buildings were his ancestral properties;
- (b) the street block covering the application site was partly zoned "OU(B)" and partly zoned "R(E)". Along the eastern boundary of the "OU(B)" zone was the 4.5m-wide service lane. During day-time, this service lane was a major thoroughfare used by the residents and workers in the surrounding areas;

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

- (c) the oblong and elongated configuration of the site made it difficult to redevelop the subject building. While the demolition/redevelopment of the site might affect the adjacent buildings, the demolition/redevelopment process would also generate construction waste and cause environmental nuisances to the surrounding areas;
- (d) the proposed rezoning of the site from "R(E)" to "OU(B)" was to facilitate the conversion of the subject building for office use on the upper floors and shop and services uses (e.g. retail shops, convenience stores or automated teller machines) on the ground floor. These uses could serve the "R(E)" and other sites in the neighbourhood. The conversion approach as against the demolition/redevelopment approach would also help minimize construction waste and environmental nuisances;

- (e) if the subject application was approved by the Committee, the applicant would liaise with the relevant Government departments to improve the existing condition of the service lane. For instance, quality paving surface and enhanced street lighting would be provided. At present, the pedestrian flow in the area was mainly concentrated along Tong Mi Road and Canton Road. The proposed improvement to the service lane could also help divert and improve the pedestrian flow in the area;

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

- (f) the ground floor of the nearby industrial buildings was mainly occupied by metal ware or timber workshops. It was not uncommon for these uses which required much working space to encroach onto the pavement outside their premises. The owner of the subject site, however, was a law-abiding person. He preferred to leave his building vacant rather than leasing it to tenants who would violate the laws or Government regulations. In fact, the introduction of shop and services uses on the ground floor of the subject building upon conversion could help avoid the above obstruction problem;

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

- (g) the total developable floor area of the application site was only about 12,000 sq.ft. Given the small scale of the development, the proposed rezoning would not cause adverse traffic, environmental and sewerage impacts on the surrounding areas;
- (h) the application site was well served by public transport such as buses, light buses and Mass Transit Railway. The subject building had no parking facilities. Besides, the proposed office and shop and services uses at the site were intended to serve the residents and workers in the neighbourhood. As such, it was envisaged that the users of the subject building would unlikely come by private cars. As compared with industrial uses, the proposed office and shop and services uses would generate less traffic

impact on the surrounding areas. In light of the above and the small scale of the development, the applicant had not submitted a traffic impact assessment (TIA); and

- (i) the subject industrial building had been left vacant for years. The proposed rezoning was to facilitate the conversion of the currently vacant industrial building to office and shop and services uses. As such, it was in line with the recent Administration's initiatives to optimise the use of industrial buildings through redevelopment and wholesale conversion. It could also increase the employment opportunities within the neighbourhood.

12. Mr. Cheung Koon Wan, Johnson supplemented that upon conversion, the owner intended to rent the premises at the subject building to small and medium enterprises as well as business start-ups.

13. Mr. Anthony Loo, the Assistant Commissioner for Transport (Urban) of Transport Department (TD), said that the service lane adjoining the application site was a well used thoroughfare in the area and that according to the presentation of the applicant's representatives and the supplementary information tabled at the meeting, the ground floor of the subject building would be converted to uses such as restaurants, fast food shops, etc. In this regard, Mr. Loo asked if the applicant had any measures to prevent such uses from encroaching onto the adjoining service lane.

[Mr. Laurence L.J. Li arrived to join the meeting at this point.]

14. In response, Mr. Man Kit Biu, Bill said that the ground floor of the subject building would not be confined to restaurant and fast food shop uses. As the intention was to serve the residents and workers in the neighbourhood, different kinds of shop and services uses such as laundry shops, convenience stores, automated teller machines, etc. would be provided. Moreover, a restaurant operator had to obtain a restaurant licence from the Director of Food and Environmental Hygiene (DFEH). The application for a restaurant licence would not be approved by DFEH if there was any encroachment of the restaurant operation onto the public area. The staff of the Food and Environmental Hygiene

Department would carry out site inspections. Any encroachment of the restaurant operation onto the public area might lead to cancellation of the restaurant licence. Moreover, the owner of the subject building was a law-abiding person. He had left his building vacant rather than leasing it to tenants who would violate the laws or Government regulations.

15. A Member asked why the applicant did not apply for the proposed office and shop and services uses through a section 16 planning application. Mr. Cheung Koon Wan, Johnson said that in response to the recent Administration's initiatives to optimise the use of industrial buildings, the applicant did not want to continue leaving the subject industrial building vacant and idle. The subject rezoning application was therefore made in order to make good use of the vacant industrial building for conversion into the proposed office and shop and services uses.

16. In response to a Member's question, Mr. Man Kit Biu, Bill said that the other Kowloon Investment Company Limited Building at 2-12 Bute Street was zoned "OU(B)" on the OZP.

17. As the applicant's representatives had no further points to add and Members had no further questions to raise, the Chairperson informed them that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairperson thanked the applicant's and PlanD's representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

18. A Member said that as the subject site was small, the potential traffic impact caused by the proposed rezoning would not be significant. Moreover, the site was elongated and oblong in shape. With such constrained site configuration, the site could hardly be put to any economic uses unless it could be amalgamated with the adjacent sites.

19. The Chairperson said that under the current "R(E)" zoning of the site, residential use was permissible on application to the TPB. The site could also be amalgamated with the adjacent "R(E)" sites for redevelopment into residential use.

20. Mr. Anthony Loo said that the applicant's representatives at the meeting had explained about the reasons of not submitting a TIA in support of the rezoning application and the types of shops and services uses that would be provided on the ground floor of the subject building. While there was no in-principle objection to the application, TD had expressed concern earlier that the proposed shop and services uses such as restaurants on the ground floor of the subject building might encroach onto the adjoining service lane. Apart from relying on DFEH, the applicant had not provided other measures to prevent the encroachment of such uses onto the service lane. Notwithstanding, as the proposed development was small in scale, it was not envisaged that the encroachment would cause unacceptable blockage of the service lane.

21. Apart from the encroachment issue, a Member was also concerned that the applicant had not provided any assessment to demonstrate that the service lane could support the increase of pedestrian flow upon conversion of the subject building to the proposed office and shop and services uses. Moreover, the other Kowloon Investment Company Limited Building at 2-12 Bute Street was currently zoned "OU(B)", under which some shop and services uses were under Columns 1 and 2 of Schedule II of the Notes. In other words, the ground floor of that building could also be converted into shop and services uses with or without planning permission from the TPB. That would further increase the pedestrian flow at the service lane. Another Member shared the same views.

22. A Member said that approval of the subject rezoning application might set an undesirable precedent for other similar applications in the "R(E)" zone. This might result in an undesirable mixture of "R(E)" and "OU(B)" sites within the same street block.

23. In response to a Member's enquiry about the planning history of the subject site, the Chairperson said that on 12.1.2001, the Committee considered the proposed amendments to the draft Mong Kok OZP No. S/K3/15. Amongst these was the proposed rezoning of the area generally bounded by Tong Mi Road, Canton Road, Arran Street and Mong Kok Road, including the subject site, from "Industrial" ("I") to "R(E)" in order to facilitate the phasing out of industrial buildings which were surrounded by mainly residential developments in the area whilst allowing adequate planning control on the new residential developments to address the industrial/residential interface problems. At the meeting, Members agreed to the above proposed rezoning, except for the "I" sites abutting Tong Mi Road as they were subject

to traffic noise problem and hence it was not appropriate to rezone them to “R(E)” for residential use. Instead, Members agreed that they should be rezoned to “OU(B)” as the business use under this zoning was less susceptible to traffic noise impact.

24. In response to another Member’s question, the Chairperson said that under the recent Administration’s initiatives to optimize the use of industrial buildings, owners might apply at a nil waiver fee for change of use of the entire existing industrial building for the lifetime of the building or the current lease period, whichever was earlier. The nil waiver fee concession was only available to applications meeting the specified criteria, including that the industrial building had to be situated in “I”, “Commercial” and “OU(B)” zones. However, whether the subject building could enjoy the above concession was a separate land matter under the jurisdiction of the Lands Department.

25. A Member supported the adaptive re-use of an existing building as a matter of principle. However, for the subject case, this Member considered that the applicant could submit a section 16 planning application for the proposed office and shop and services uses, instead of applying for rezoning the subject site from “R(E)” to “OU(B)”. Through the section 16 planning application mechanism, the applicant would be required to submit all necessary technical assessments to the Committee for consideration. This would also enable the Committee to exert better planning control over the proposed development.

26. In response to a Member’s question, the Chairperson said that should the application site be rezoned to “OU(B)” as applied for under the subject application, the Column 1 uses under the zone would be permitted as of right and planning permission from the TPB would not be required.

27. The Chairperson summarized Members’ views that the application could not be supported. Members then went through the reason for rejection as stated in paragraph 11.1 of the Paper and agreed to suitably amend the wordings of the rejection reason to reflect Members’ concerns raised at the meeting. Members also agreed to advise the applicant that a planning application for the proposed office and shop and services uses could be submitted to the TPB for consideration under section 16 of the Town Planning Ordinance.

28. After further deliberation, the Committee decided not to agree to the application

for the following reason :

- there was insufficient information in the submission to demonstrate that the proposed development arising from the proposed zoning amendment would not cause any adverse impact on the adjoining service lane.

29. The Committee also agreed to advise the applicant that a planning application for the proposed office and shop and services uses could be submitted to the Town Planning Board for consideration under section 16 of the Town Planning Ordinance.

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

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/191                      Proposed Hotel (Guesthouse) in “Residential (Group A)” zone,  
G/F (Part), 1/F and 2/F, 391-393 Shanghai Street, Yau Ma Tei  
(Kowloon Inland Lot 1175 S.A RP)  
(MPC Paper No. A/K2/191)

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##### **Presentation and Question Sessions**

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

- (a) background to the application, including that part of the application premises (i.e. 1/F and 2/F only) was the subject of a previous application (No. A/K2/182) for the same use which was rejected by the Committee on 16.11.2007 for the reasons that the proposed guesthouse, with no provision of separate access, was incompatible with the approved domestic uses within the subject building and approval of the application would set an

undesirable precedent for other similar applications;

- (b) the proposed hotel (guesthouse) use;
- (c) departmental comments – concerned Government bureau/departments had no objection to or adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Yau Tsim Mong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 10 of the Paper. The proposed guesthouse was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential in nature. There were existing hotel developments and approved planning applications for hotel/guesthouse developments in the vicinity. As compared with the previously rejected application (No. A/K2/182), the current application had included part of the ground floor area to provide a guesthouse lobby and a new lift to serve as separate access for the proposed guesthouse. It was envisaged that the current development proposal with the provision of separate access would not adversely affect the residential use on the upper floors of the subject building. Concerned Government departments had no objection to or adverse comments on the application and no public comment on the application was received.

31. Members had no question on the application.

#### Deliberation Session

32. The Chairperson concluded that the proposed guesthouse use was considered not incompatible with the surrounding land uses. It was also envisaged that the current development proposal with the provision of separate access would not adversely affect the residential use on the upper floors of the subject building. Members agreed.

33. 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 15.10.2014, 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 fire service installations and equipment to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that subject to compliance with the criteria under PNAP APP-40 and no adverse comments from all relevant departments, the application for hotel concession under the Building (Planning) Regulation 23A would be considered upon the formal submission of building plans. Besides, building (alteration and addition) plans should be submitted to the Buildings Department for consideration under the Buildings Ordinance;
- (b) to note the comments of the District Lands Officer/Kowloon West, Lands Department that any bar and restaurant provided in the proposed development would be in breach of the non-offensive trades clause under the lease;
- (c) to note the comments of the Chief Officer/Licensing Authority, Home

Affairs Department that as the premises was originally approved by the Building Authority (BA) for non-domestic use, the applicant should submit documentary evidence showing that the BA had granted prior approval for the proposed use when making an application under the Hotel and Guesthouse Accommodation Ordinance. Besides, the proposed licence area should be physically connected;

- (d) to note the comments of the Director of Fire Services that fire service installations and equipment should be provided in accordance with the current Code of Practice for Minimum Fire Service Installations and Equipment. Pressurization of staircases and smoke extraction system might be required; and
- (e) to note the comments of the Director of Environmental Protection to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works.

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/192                      Proposed Hotel (Guesthouse)  
in “Government, Institution or Community” zone,  
7/F (Part), The Cityview, 23 Waterloo Road, Yau Ma Tei  
(Kowloon Inland Lot 1483 and the Extension)  
(MPC Paper No. A/K2/192)

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#### **Presentation and Question Sessions**

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

- (a) background to the application, including that the subject building (known as The Cityview) was an existing 25-storey composite building with 420 guestrooms and ancillary facilities, youth centre and continuing education facilities;
- (b) the proposed hotel (guesthouse) use by converting part of 7/F of the subject building from hotel office and staff quarters to nine guestrooms;
- (c) departmental comments – concerned Government bureau/departments had no objection to or adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Yau Tsim Mong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 11 of the Paper. The proposed addition of nine guestrooms at the existing development was considered minor in scale and would unlikely cause adverse traffic and environmental impacts on the surrounding areas. In this regard, concerned Government departments had no objection to or adverse comments on the application. The proposal was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential and government, institution or community in nature. Besides, there were existing hotel developments and approved planning applications for hotel/guesthouse developments in the vicinity.

36. Members had no question on the application.

#### Deliberation Session

37. The Chairperson concluded that the proposed addition of nine guestrooms at the existing development was considered minor in scale. The proposal was not incompatible with the surrounding land uses and would unlikely cause adverse traffic and environmental

impacts on the surrounding areas. Members agreed.

38. 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 15.10.2014, 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 fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department that the proposed conversion of portion of 7/F of the building for guestrooms would be acceptable if the lessee had confirmed that the proposed guestrooms were essential and only for the purpose of promoting the formation of Christian character and cultivating the Christian spirit of service amongst young men as permitted under the lease;
- (b) to note the comments of the Chief Officer/Licensing Authority, Home Affairs Department that:
  - (i) as the premises was originally approved by the Building Authority (BA) for non-domestic use, the applicant should submit documentary evidence showing that the BA had granted prior

approval for the proposed use when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO);

- (ii) the premises was outside the hotel under Licence No. H/0954 and the proposed extension should be physically connected with the licensed hotel; and
  - (iii) upon receipt of the formal application under the HAGAO, detailed licensing requirements would be formulated;
- (c) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with the Code of Practice for Means of Access for Firefighting and Rescue; and
- (d) to note the comments of the Director of Environmental Protection to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works.

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

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

### **Agenda Item 6**

[Open Meeting]

Proposed Amendments to the Draft Kwai Chung Outline Zoning Plan No. S/KC/23  
(MPC Paper No. 23/10)

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40. The Secretary said that as the proposed amendments to the draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/23 involved On Yam Estate developed by the Hong

Kong Housing Authority (HKHA), the following Members had declared their interests in this item :

- |  |   |
|--|---|
| Miss Ophelia Y.S. Wong<br>as the Director of Planning                        | - being a Member of the Strategic Planning Committee and Building Committee of HKHA;  |
| Mr. Andrew Tsang<br>as the Assistant Director of the Home Affairs Department | - being an assistant to the Director of Home Affairs who was a Member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA; and |
| Ms. Olga Lam<br>as the Assistant Director of the Lands Department            | - being an assistant to the Director of Lands who was a Member of the HKHA.   |

[Miss Ophelia Y.S. Wong and Ms. Olga Lam left the meeting temporarily at this point.]

41. The Committee noted that Mr. Andrew Tsang had tendered an apology for being unable to attend the meeting whereas Miss Ophelia Y.S. Wong and Ms. Olga Lam had left the meeting temporarily for the item. As the Chairperson had withdrawn from the meeting, the Vice-chairman took over and chaired the meeting in her stead. The Vice-chairman chaired the meeting at this point.

42. With the aid of plans, Mr. Y.S. Lee, STP/TWK presented the proposed amendments to the draft Kwai Chung OZP No. S/KC/23 as detailed in the Paper and covered the following main points:

*Proposed Amendments to the OZP*

- (a) Item A1: it was proposed to rezone a strip of land between Cheung Pei Shan Road and two existing schools (i.e. the Sheung Kung Hui Li Ping Secondary School and Ho Fung College Sponsored by Sik Sik Yuen) from “Government, Institution or Community” (“G/IC”) to “Green Belt” (“GB”) to tally the zoning boundaries with the lot boundaries of the two schools. The proposed “GB” zone would also provide a buffer between the two schools and Cheung Pei Shan Road;
  
- (b) Item A2: it was proposed to rezone an area which was mainly occupied by

water intake structures and an adjoining slope area allocated to the Drainage Services Department and the Water Supplies Department from “GB” to “G/IC” to reflect the current uses of the site;

- (c) Items B1 and B2: it was proposed to rezone various strips of land along the northern, eastern and south-eastern boundaries of On Yam Estate from “Residential (Group A)” (“R(A)”) to “GB” and small strips of land along the eastern boundary of the estate from “GB” to “R(A)” to tally the zoning boundaries with the lot boundary of the estate;
- (d) Item C1: it was proposed to rezone an area from “GB” to “G/IC” which was occupied by the existing Tai Wo Tsuen Fresh Water Service Reservoir (covered) to reflect the current use of the site;

Notes and Explanatory Statement of the OZP

- (e) while there was no amendment to the Notes of the OZP, opportunity would be taken to update the Explanatory Statement of the OZP to reflect the latest status and planning circumstances of the area;

Departmental and Public Consultation

- (f) the concerned Government bureaux/departments consulted had no objection to or adverse comments on the proposed amendments to the OZP; and
- (g) upon agreement of the Committee, the proposed amendments to the OZP would be published for public inspection under section 7 of the Town Planning Ordinance. The Kwai Tsing District Council would be consulted on the amendments during the exhibition period of the draft Kwai Chung OZP No. S/KC/23A (to be renumbered as S/KC/24 upon exhibition).

43. In response to a Member’s enquiry about the background of the OZP, Mr. Y.S. Lee said that the Chief Executive in Council on 5.6.2007 referred the approved Kwai Chung OZP No. S/KC/21 to the Town Planning Board (TPB) for amendment under section

12(1)(b)(ii) of the Town Planning Ordinance (the Ordinance). Since then, the OZP had been amended twice. The draft Kwai Chung OZP No. S/KC/22 gazetted on 20.2.2009 mainly involved the rezoning of the ex-Kwai Chung Police Married Quarters site at Kwai Yi Road from “G/IC” and area shown as ‘Road’ to “Residential (Group E)1” for public rental housing development and other rezoning amendments to reflect the current uses of the site. A total of 765 representations and 39 comments were received. Upon consideration of the representations and comments, the TPB on 28.8.2009 decided to defer a decision on the representations related to the ex-Kwai Chung Police Married Quarters site and not to uphold the representations related to the Shek Lei Catholic Primary School. The draft Kwai Chung OZP No. S/KC/23 gazetted on 24.12.2009 involved various zoning boundary adjustments and clarification of the Remarks of the Notes for various zones which were technical in nature. No representation was received. The Secretary said that the OZP was subject to on-going review and amendments would be proposed to reflect the latest proposals and planning circumstances of the area.

44. After further deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the draft Kwai Chung OZP No. S/KC/23 as mentioned in paragraph 3 of the Paper and that the draft Kwai Chung OZP No. S/KC/23A (to be renumbered as S/KC/24 upon exhibition) at Annex B of the Paper and its Notes at Annex C were suitable for exhibition for public inspection under section 7 of the Ordinance;
- (b) agree to adopt the updated Explanatory Statement at Annex D of the Paper as an expression of the planning intentions and objectives of the TPB for the various land use zonings of the OZP under the name of the TPB; and
- (c) agree that the updated Explanatory Statement was suitable for exhibition together with the draft Kwai Chung OZP No. S/KC/23A (to be renumbered as S/KC/24 upon exhibition).

[The Vice-chairman thanked Mr. Y.S. Lee, STP/TWK, for his attendance to answer Members’ enquiries. Mr. Lee left the meeting at this point.]

[Miss Ophelia Y.S. Wong and Ms. Olga Lam returned to join the meeting at this point.]

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/TW/416                      Proposed Flat in “Residential (Group E)” zone,  
13-17 Fu Uk Road, Tsuen Wan (KCTL 169)  
(MPC Paper No. A/TW/416)

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45.            The Secretary said that as the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd. (SHK), the following Members had declared their interests in this item :

- Mr. Raymond Y.M. Chan and Mr. Felix W. Fong for having current business dealings with SHK; and
- Ms. Julia M.K. Lau for being the former employee of SHK.

46.            The Committee noted that Mr. Raymond Y.M. Chan had not yet arrived at the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that other Members with interests declared could be allowed to stay at the meeting.

47.            The Committee noted that the applicant’s representative on 6.10.2010 requested for deferment of the consideration of the application for two months in order to allow time for the preparation of additional technical information to address the departmental comments received.

48.            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.

**Agenda Item 8**

**Section 16 Application**

[Open Meeting]

A/TWW/99                      Proposed Residential Development and  
Minor Relaxation of Building Height Restriction  
in “Green Belt” and “Residential (Group C)3” zones,  
Lot 495 in D.D. 399, Ting Kau, Tsuen Wan West  
(MPC Paper No. A/TWW/99)

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49.            The Secretary said that as the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd. (SHK), the following Members had declared their interests in this item :

- Mr. Raymond Y.M. Chan and Mr. Felix W. Fong for having current business dealings with SHK; and
- Ms. Julia M.K. Lau for being the former employee of SHK.

50.            The Committee noted that Mr. Raymond Y.M. Chan had not yet arrived at the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that other Members with interests declared could be allowed to stay at the meeting.

51.            The Committee noted that the applicant’s representative on 4.10.2010 requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare further information and responses to address the departmental comments received.

52.            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.

### **Hong Kong District**

#### **Agenda Item 9**

##### **Section 12A Application**

[Open Meeting]

Y/H15/7                      Application for Amendment to the Draft Aberdeen &  
Ap Lei Chau Outline Zoning Plan No. S/H15/26  
from “Industrial” to “Other Specified Uses” annotated  
“Open Space and Boatyard”, A Strip of Land to the East of  
Ap Lei Chau Praya Road, Ap Lei Chau  
(MPC Paper No. Y/H15/7A)

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53.            The Secretary said that as the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd. (SHK), the following Members had declared their interests in this item :

- Mr. Raymond Y.M. Chan and Mr. Felix W. Fong for having current business dealings with SHK; and
- Ms. Julia M.K. Lau for being the former employee of SHK.

54.            The Committee noted that Mr. Raymond Y.M. Chan had not yet arrived at the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that other Members with interests declared could be allowed to stay at the meeting.

55.            The Committee noted that the applicant’s representative on 14.9.2010 requested for deferment of the consideration of the application for two months as additional time was

required to address the departmental and public comments.

56. 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 three 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. Clarence W.C. Leung returned to join the meeting at this point.]

[Mr. K.S. Ng, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H1/91                      Proposed Residential Institution (Post-graduate Residence)  
in ‘Residential (Group C)1’ zone and area shown as ‘Road’,  
10 Ching Lin Terrace, Kennedy Town  
(MPC Paper No. A/H1/91A)

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57. The Secretary said that the application was submitted by The University of Hong Kong (HKU). Mr. K.Y. Leung, Professor Joseph H.W. Lee and Professor S.C. Wong had declared their interests in this item as they were the employees of HKU. The Committee noted that Professor Lee had tendered an apology for being unable to attend the meeting. The Committee also considered that the interests of Mr. Leung and Professor Wong were direct and they should leave the meeting temporarily for the item.

[Mr. K.Y. Leung and Professor S.C. Wong left the meeting temporarily at this point.]

Presentation and Question Sessions

58. Mr. K.S. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential institution (post-graduate residence) by converting the former Hon Wah Middle School building to a post-graduate residence of HKU for the provision of not more than 127 dormitory rooms for about 140 post-graduate students;
- (c) departmental comments – concerned Government bureaux/departments had no objection to or adverse comments on the application;
- (d) during the statutory publication periods of the application and further information, a total of 17 public comments with 14 supporting, one objecting to and two providing comments on the application were received. Their comments were summarised below :
  - (i) the Central and Western District Council (C&WDC), Chairman, Vice-chairman and a member of the C&WDC supported the application mainly on the grounds that the proposal was compatible with the surrounding environment; the historical value and collective memory of the building could be retained; the shortfall of student hostels could be addressed; the environmental nuisance during construction could be minimized; the old trees in front of the building could be preserved; the scheme had been revised to meet the relevant legislation/requirements; and the multi-function hall on G/F was proposed to be open to the public. Besides, proper mechanism should be introduced to ensure that the school would not be demolished upon granting the planning permission;
  - (ii) Designing Hong Kong Ltd. and the Conservancy Association

supported the adaptive re-use of the subject school building from the sustainability and historical conservation points of view. Should the application be approved, stringent conditions relating to heritage impact assessment (HIA) and conservation management plan for the building and the terrace should be imposed. The plot ratio and site coverage restrictions under the Building (Planning) Regulation could be waived subject to compliance with the approval conditions;

- (iii) other commenters who supported the application considered that the subject school building had social/historic values and thus supported the proposed adaptive re-use of the school building. The conversion approach would generate less construction waste and nuisance to the local residents during construction. Besides, some former school facilities were open for community use. By retaining the building for post-graduate residence, there would be opportunity for the local residents to use the hostel facilities. The proposal would also support the development of Hong Kong as a regional hub of tertiary education;
- (iv) a commenter wished to have a quiet environment and hence objected to the application; and
- (v) two commenters expressed the views that the proposal might be acceptable if the nuisances generated by the students could be minimized, the retaining wall would be properly maintained, the trees would be preserved, and the appearance of the building would be compatible with the surrounding environment. Besides, it was hoped that the subject school building could be preserved to house a piece of history. However, the present design lacked such purpose and sensitivity to the environment/neighbours. As detailed in paragraph 8.3(i) of the Paper, there were also suggested improvements to the design of the building such as relocating the courtyard to the front facade;

- (e) the District Officer (Central and Western) advised that at the C&WDC meeting held on 18.3.2010, DC members supported the preservation of the former Hon Wah Middle School building and its in-situ conversion into a post-graduate hostel. The Committee should also take into account the local views when considering the application; and
  
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 9 of the Paper. The application was for the conversion of the former school building to the post-graduate residence of HKU. There was no expansion of the existing building. As the existing form and structure of the building would be largely preserved and the dormitory use was residential in nature, the proposed development was not incompatible with the nearby private residential developments and was generally in line with the planning intention of the subject “Residential (Group C)1” (“R(C)1”) zone. The proposed plot ratio of 5.02 was also generally in line with the plot ratio restriction of 5 under the “R(C)1” zone. The local character of Ching Lin Terrace would remain largely intact. As the proposal would help meet the shortfall of accommodation for post-graduate students, the Secretary for Education supported the application from the education policy point of view. Members of the Lands and Development Advisory Committee also supported the proposal as it provided the much needed university student hostel places in a more environmentally friendly way and helped maintain the heritage ambience of the adjoining historic buildings. While the height of the existing building at 30.94m would remain unchanged, the applicant had proposed to provide vertical greening and roof garden which could enhance the local amenity, natural lighting and air ventilation. Besides, a courtyard would be provided by demolishing portion of the rear part of the building fronting To Li Terrace. Although there was no direct vehicular access to the site, public transport was readily available at Belcher’s Street and Pok Fu Lam Road. The main campus and student recreational facilities of HKU were also within walking distance from the site. The proposed development would unlikely generate significant adverse environmental and infrastructure impacts on the area. There was

a general public support for the proposed development, including that from the C&WDC. Among the public comments received, there was a suggestion to impose conditions relating to HIA and conservation management plan. In this regard, according to the Technical Circular (Works) No. 6/2009 issued by the Development Bureau, a HIA was required for a Government Capital Works project. Besides, a conservation management plan, if required, was usually applied to works involving monuments/graded buildings. As for the subject application, the proposed development was not a Government project and the former Hon Wah Middle School was not a monument/graded building. Notwithstanding, an advisory clause had been recommended in paragraph 10.2(c) of the Paper to advise the applicant to exercise due care and take appropriate precautionary/monitoring measures to ensure that the nearby historic buildings would not be adversely affected by the proposed development works. Regarding the public comments on building design and tree preservation, the Chief Town Planner/Urban Design and Landscape, PlanD advised that the proposed rear courtyard was a landscape design merit and would be beneficial to the micro-climate and environment. The suggested provision of courtyard in the front might not be appropriate as it violated the objective to preserve the original exterior building façade as far as possible. Besides, according to the photomontages submitted by the applicant, the existing trees at Ching Lin Terrace would be preserved in-situ and an approval condition relating to the submission and implementation of tree preservation and landscape proposals had been recommended in paragraph 10.2(b) of the Paper.

59. In response to two Members' questions, Mr. K.S. Ng said that the former Hon Wah Middle School moved out of the subject site in around 2006 and the applicant had acquired the subject site for the proposed post-graduate residence. The subject site was partly zoned "R(C)1" and partly shown as 'Road' on the relevant Outline Zoning Plan (OZP). However, there was no information at hand as to when the "R(C)1" zoning of the site had come into effect. As the subject site was formerly occupied by school use, a Member asked for the reason of not zoning it as "Government, Institution or Community" on the OZP. The Chairperson said that the land use zonings on OZPs were generally broadbrush in nature.

As for the subject school site, it fell amidst of an area which was considered suitable for residential use and was therefore zoned as “R(C)1” on the OZP.

60. Given the site was situated at Ching Lin Terrace without direct vehicular access, a Member asked how the loading/unloading activities related to the proposed use would be carried out. In reply, Mr. K.S. Ng said that vehicles could stop at Sands Street from where people could walk up Ching Lin Terrace and reach the subject site.

61. The same Member asked whether there was any measure to preserve the architectural merits of the former Hon Wah Middle School, other than keeping the Antiquities and Monuments Office informed of the progress of the development planning of the site as stated in paragraph 7.1.5(d) of the Paper. Mr. K.S. Ng said that the former Hon Wan Middle School building was neither a graded historic building nor a proposed one under the assessment of 1,444 historic buildings being carried out by the Antiquities Advisory Board. Notwithstanding, an advisory clause had been recommended in paragraph 10.2(c) of the Paper to advise the applicant that the design of the building should be carefully devised to preserve the significant architectural features as far as possible.

[Mr. Raymond Y.M. Chan arrived to join the meeting at this point.]

#### Deliberation Session

62. The Chairperson concluded that the proposed development was generally in line with the planning intention of the subject “R(C)1” zone and would unlikely generate significant adverse environmental and infrastructure impacts on the area. Moreover, an advisory clause had been recommended in paragraph 10.2(c) of the Paper to advise the applicant that the design of the building should be carefully devised to preserve the significant architectural features as far as possible and that appropriate precautionary/monitoring measures should be taken to ensure that the nearby historic buildings would not be adversely affected by the proposed development works. Members agreed.

63. 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 15.10.2014, 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 water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) the approval of the application did not imply that modifications for the site coverage of 1/F to 7/F to exceed the permissible domestic site coverage and the under-provision of open space for 1/F to 7/F for the proposed change of use would be approved by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if modifications were not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required;
- (b) to note the comments of the District Lands Officer/Hong Kong West & South, Lands Department that the right-of-way in the front portion of the site should be provided in accordance with the lease conditions;
- (c) to note the comments of the Antiquities and Monuments Office (AMO), Leisure and Cultural Services Department that the design of the building

should be carefully devised to preserve the significant architectural features as far as practical, due care should be exercised and appropriate precautionary and monitoring measures should be taken to ensure that the nearby historic buildings would not be adversely affected by the proposed development works. AMO should also be informed of the progress of the development planning in due course;

- (d) to note the comments of the Commissioner of Police with regard to the requirements of temporary traffic arrangement involving works on the footpath and/or carriageway; and
- (e) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Fire Fighting and Rescue and detailed fire safety requirements would be formulated upon the receipt of formal submission of general building plans.

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

[Mr. K.Y. Leung and Professor S.C. Wong returned to join the meeting at this point.]

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

**Agenda Item 11**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/68                      Proposed Eating Place, Hotel, Private Club, Shop and Services,  
Training Centre, Place of Entertainment and Place of Recreation, Sports  
or Culture in “Other Specified Uses” annotated “Residential Development  
with Historical Site Preserved In-Situ” zone and area shown as ‘Road’,  
the Haw Par Mansion site and adjacent Government land,  
15A Tai Hang Road, Hong Kong  
(MPC Paper No. A/H6/68)

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65.                      The Secretary said that Professor P.P. Ho had declared an interest in this item as he was the director of the Centre for Architectural Heritage Research, Chinese University of Hong Kong and that centre was a consultant of the applicant. The Committee agreed that his interest was direct and he should leave the meeting temporarily for the item.

66.                      Mr. Laurence L.J. Li, being a Member of the Antiquities Advisory Board (AAB), also declared an interest in this item as the subject Haw Par Mansion (HPM) was assessed and graded by AAB. As the subject application was not about the heritage value of the HPM, the Committee considered that Mr. Li’s interest was indirect and he could stay at the meeting.

[Professor P.P. Ho left the meeting temporarily at this point.]

**Presentation and Question Sessions**

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

- (a) background to the application. As an important initiative of the Government’s heritage conservation policy, the applicant planned to invite interested corporations from the private sector to submit revenue tenders

for the revitalisation of the HPM. The project included restoration, upgrading and renovation of the HPM site, which included the HPM building and its garden, to become a local heritage attraction with commercial uses. To provide greater certainty on the permissible uses of the site for the prospective tenderers and to offer flexibility for a diversity of uses for the project, the subject application was therefore made before the invitation of tender for the project;

- (b) the proposed eating place, hotel, private club, shop and services, training centre, place of entertainment and place of recreation, sports or culture uses at the HPM site (main site) and a piece of adjacent Government land (ancillary site). According to the applicant's proposal, the main site would be used for any of or any combination of the proposed uses whereas the ancillary site would be used as an ancillary car park;
- (c) departmental comments – concerned Government departments had no objection to or adverse comments on the application;
- (d) during the statutory publication period, 13 public comments were received from a Wan Chai District Council Member, True Light Middle School of Hong Kong, the Owners' Committee and Management Company of The Legend, Designing Hong Kong Limited and members of the public. They objected to or had reservation on the application. Their comments were summarised as follows:

Wan Chai District Council Member

- the HPM was an important heritage site which belonged to the public. The planning of the site should involve careful public consultation. There was, however, lack of public consultation;
- the site was currently open to the public for visit free of charge. It should remain for public rather than private use;
- the public had suggested that the site should be used as an Asian Cultural Museum. This suggestion had not been addressed;

True Light Middle School of Hong Kong

- the picking up and dropping off of students had already caused traffic jams during the school arrival/dismissal times. The traffic flow on Tai Hang Road would be further increased with the completion of several new private residential developments. Any future business operation at the site would further increase the traffic flow in the area;
- the nearby parking lots were always fully occupied and inadequate to meet the demand, especially during the school arrival/dismissal times;
- the revitalization works would affect the environment and increase noise pollution;

Owners' Committee and Management Company of The Legend

- the proposed development would cause noise pollution, hygienic problem and safety concern to The Legend. There should be prior consultation with The Legend on the tender issue, traffic arrangement, pedestrian flow, operation method, nature of activities/facilities and target population;
- regarding the proposed place of entertainment use, pubs, pornographic place and gambling activities should be strictly prohibited;

Designing Hong Kong Limited

- the site would become a high-end recreational place. This would threaten the opportunity of the public to enjoy the historic building at the site;

Members of the Public

- the proposal would worsen the traffic problem at Tai Hang Road, increase air pollution and overload the sewers in the area;
- with the proposed uses, the existing HPM might lose its heritage attraction;
- commercial uses would destroy the tranquility of the adjoining pure residential area and generate air, noise and odour nuisances to the residents and the nearby schools. Besides, there was objection to hotel use as taller building would jeopardize the planning intention to keep the low-rise character of the area; and

- the historic site should be for the enjoyment of the public and not just for those privileged few who could afford to pay. It might be more appropriate to provide a museum or an exhibition centre at the site to promote Chinese arts and crafts. Consultation with the Wan Chai District Council was also required; and
- (e) the Planning Department (PlanD)'s views – based on the assessments in paragraph 10 of the Paper, PlanD had no objection to the proposed eating place, hotel, shop and services, training centre, place of entertainment and place of recreation, sports or culture uses, but did not support the proposed private club use. The assessments were summarised below:

Planning Intention

- the planning intention of the subject “Other Specified Uses” annotated “Residential Development with Historical Site Preserved In-Situ” (“OU(RDHSPI)”) zone was to facilitate the preservation, restoration and conversion of the HPM together with its garden to become a local heritage attraction with the provision of cultural and selected commercial facilities for the enjoyment of the public. In order to provide greater certainty for the permissible uses for the prospective tenderers while allowing reasonable flexibility in determining the development mix, a number of uses were included in the application so that the applicant could implement any one or any combination of them;
- amongst the proposed uses, ‘Place of Entertainment’, ‘Place of Recreation, Sports or Culture’ and ‘Shop and Services (Retail Shop)’ were Column 1 uses within the “OU(RDHSPI)” zone for the HPM site. The other uses including ‘Eating Place’, ‘Hotel’, ‘Training Centre’, ‘Private Club’ and ‘Shop and Services (not elsewhere specified)’ were Column 2 uses within the “OU(RDHSPI)” zone. While all the proposed uses required planning permission within the ‘Road’ area, the ancillary site which fell partly on the ‘Road’ area and partly within the “OU(RDHSPI)” zone would only be used as an ancillary car park;

- although the HPM site was close to The Legend, it was located at the periphery of the residential neighbourhood. The scale of the proposed development with a gross floor area (GFA) of 1,900m<sup>2</sup> (including a 40m<sup>2</sup> interpretation room) was small. As such, whilst the Column 2 uses at the HPM site under application were commercial in nature and would attract outsiders, they would unlikely create unacceptable nuisances to the residents nearby nor land use incompatibility problem;
- although the aforesaid Column 2 uses might be fee-paying facilities, they could be patronized by the general public except for 'Private Club'. For 'Hotel' use, there would be dining and other facilities that would open to non-hotel guests. As such, the proposed uses, other than 'Private Club', were considered to be generally in line with the planning intention for the site, i.e. provision of cultural and selected commercial facilities for the enjoyment of the public. Besides, an interpretation room of not less than 40m<sup>2</sup> would be provided and free and regular guided tours of the HPM at reasonable hours would also be arranged;
- as 'Private Club' was a use restricted to the club's members, it might not be able to achieve the planning intention of the "OU(RDHSPI)" zone should the whole HPM site be used as a private club. As such, it was not considered desirable to approve this use under application. Should the future operator come up with a scheme with a small amount of private club use without unduly depriving the opportunity of the general public to enjoy the HPM, future planning application could be submitted in the form of a specific scheme for the Committee's consideration;

Technical Aspects

- the proposed uses were small in scale. While the Commissioner for Transport (C for T) had no in-principle objection to the application, two approval conditions relating to the submission of a traffic impact assessment (TIA) and implementation of the identified improvement measures as well as the design and provision of vehicular access, parking spaces and loading/unloading space together with traffic control and

management measures had been recommended in paragraphs 11.2(b) and (c) of the Paper. Relevant Government departments also had no objection to the application from the visual, environmental, drainage and water supplies points of view;

Public Comments

- regarding the comment on the public consultation aspect, the applicant and the Antiquities and Monuments Office consulted the Wan Chai District Council on 20.1.2009 on the revitalization projects of Blue House Cluster, HPM and King Yin Lei. The publication of the subject application had also allowed the public to express views on the proposed uses for the site;
- on the comment that the HPM site should be retained for public use, PlanD did not support the proposed 'Private Club' use as it was restricted to the members of the club. However, PlanD had no objection to the other proposed uses under application as they would not prohibit the general public to enjoy the HPM. An interpretation room and free guided tours to the site would also be provided to the public. The suggested Asian Cultural Museum was a kind of 'Place of Recreation, Sports or Culture' use which was one of the applied uses and could be pursued at the tender stage subject to the initiative of the interested parties;
- regarding the concerns on traffic, sewerage capacity, environment and hygiene aspects, relevant Government departments had no adverse comments on the application. The Director of Environmental Protection advised that the applicant had to observe all relevant pollution control ordinances during construction and operation stages;
- regarding the concern of the possible nuisances to the residents nearby, the site was located at the periphery of the residential neighbourhood and the scale of the proposed development was small. Besides, the proposed commercial uses would be confined to the existing building and hence no tall building would be allowed;

- the District Commander (Wan Chai) of the Hong Kong Police Force advised that the control of illegal activities could be through the relevant licensing authorities and the police. He did not envisage that the use of the HPM for the proposed uses would induce such illegal activities and had no objection to the application; and
- regarding the heritage concern, the existing layout, façade and height of the HPM building would not be affected by the proposed uses. Should there be any major alterations to the existing building, a fresh planning application had to be submitted for the Committee's consideration.

68. Members had no question on the application.

#### Deliberation Session

69. In response to a Member's question, Mr. Tom C.K. Yip said that the ancillary site was currently occupied by the Drainage Services Department as a works area for implementation of a drainage project. It would be handed over to the applicant upon completion of the drainage project in around June 2012.

70. A Member was concerned that the application was not supported by a TIA. It would only be undertaken in future by the successful tenderer. Another Member also raised the same concern in view of the heavy traffic flow at Tai Hang Road and the attraction of visitors to the HPM upon revitalisation. However, the only parking area to serve the proposed development would be provided at the ancillary site which was small in area. Besides, the section of Tai Hang Road near the site was narrow without any turnaround space for vehicles. In this regard, it would be prudent to undertake a TIA before the invitation of tenders. The findings of the TIA could shed light on whether any one or some of the proposed uses (e.g. hotel) was/were not feasible from the traffic point of view.

71. Mr. Tom C.K. Yip said that the subject application was to seek planning permission for a range of uses to facilitate the invitation of tenders for the revitalisation of the HPM. The actual use(s) on site would be subject to the proposal of the successful tenderer. As there was yet a specific development scheme for the site, a TIA had not been undertaken

at this stage. However, as the proposed development with a GFA of 1,900m<sup>2</sup> was small in scale, it was envisaged that it would not cause significant adverse traffic impact on the area. In this regard, the Transport Department (TD) considered it acceptable that the TIA would be carried out by the successful tenderer at the implementation stage. Moreover, it was recommended to stipulate an approval condition requiring the submission and implementation of a TIA as stated in paragraph 11.2(b) of the Paper should the Committee approve the application. The applicant had advised that the approval conditions imposed by the Committee would be incorporated in the document for the invitation of tenders. In the submission of tenders, the prospective tenderers would have to prepare their own development proposals for the site including the parking and ingress/egress arrangements. The applicant would assess the submitted tenders with regards to the requirements of the relevant Government departments, including those on the traffic aspect.

72. The Chairperson said that TD had broadly examined the potential traffic impact of the proposed development. In this regard, TD advised that the proposed development would not cause insurmountable traffic problems in the area and considered that the TIA could be undertaken at the implementation stage.

73. In response to the Chairperson's enquiry, Mr. Anthony Loo, Assistant Commissioner for Transport (Urban) of TD, said that as the proposed development was small in scale, it was envisaged that it would not cause insurmountable traffic problems in the area. It was therefore considered acceptable that the TIA for the proposed development be undertaken by the successful tenderer when working out the detailed revitalisation scheme for the HPM, and that the submission and implementation of the TIA would be to the satisfaction of TD.

74. In response to a Member's questions, the Chairperson said that in order to provide greater certainty for the permissible uses for the prospective tenderers while allowing reasonable flexibility in determining the development mix, a number of uses were included in the subject application so that the applicant could implement any one or any combination of them. As such, the subject application did not contain specific development scheme. The Committee had previously approved other section 16 planning applications which did not contain specific development scheme. An example was the applications submitted by the Lands Department to facilitate the sale of the concerned sites for hotel use, which was a

Column 2 use requiring the planning permission from the Town Planning Board (TPB) in accordance with the relevant Outline Zoning Plans.

75. In response to another Member's question, Mr. Tom C.K. Yip said that the current application was only for the proposed uses on site. According to the Notes for the subject "OU(RDHSPI)" zone, any demolition of, or addition, alteration and/or modification to (except those minor alteration and/or modification works where were always permitted under the covering Notes) or redevelopment of an existing building or the associated garden/features would still require planning permission from the TPB.

76. Regarding the traffic concern raised by two Members earlier at the meeting, a Member said that the proposed development would not have significant adverse traffic impact on the area in view of its small scale.

77. A Member opined that the revitalisation of the HPM, which was a Grade 1 historic building, and opening it for public enjoyment was supported. It was also envisaged that the proposed development which was small in scale would not generate insurmountable traffic problem. Hence, the proposed arrangement of requiring the successful tenderer to undertake the TIA at the detailed design stage of the revitalisation project was considered acceptable. This Member also considered that the proposed 'Private Club' use should not be approved as it was against the planning intention of the subject "OU(RDHSPI)" zone. The above views were shared by other Members.

78. In response to a Member's question, Mr. Tom C.K. Yip said that according to his understanding, the applicant in proposing the uses for the site had taken into account the planning intention of the "OU(RDHSPI)" zone and the need to allow greater flexibility for a combination of possible uses which had potential market demand. As detailed in paragraph 10.6 of the Paper, private club could only be enjoyed by a limited number of users and hence was considered not in line with the planning intention of the "OU(RDHSPI)" zone should the whole HPM site be used as a private club. It was therefore not supported from the planning point of view. If the future operator in working out the detailed uses of the revitalisation scheme would like to incorporate a small amount of 'Private Club' use on the HPM site, he could submit a section 16 planning application in the form of a specific scheme to the Committee for consideration.

79. After further deliberation, the Committee decided to partially approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) but excluding the 'Private Club' use proposed in the application. The permission should be valid until 15.10.2014, 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 Conservation Plan for the conservation and management of the Haw Par Mansion (HPM) site, including the provision of guided tours to the HPM site for the public, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (b) the submission of a traffic impact assessment and implementation of the improvement measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of vehicular access, parking spaces and loading/unloading space together with traffic control and management measures to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission and implementation of tree preservation and landscape proposals 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.

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

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department in paragraph 8.1.1 of the Paper regarding the agreement of the applicant to take over the management and maintenance of the existing

Pavilion located to the west of HPM within IL 8972 RP (The Legend);

- (b) to note the comments of the Director of Food and Environmental Hygiene in paragraph 8.1.5 of the Paper regarding the licensing requirement for the proposed eating place and place of entertainment uses;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department in paragraph 8.1.6 of the Paper regarding the need to comply with the means of escape requirement under the Buildings Ordinance for the proposed place of entertainment use;
- (d) to note the comments of the Director of Environmental Protection in paragraph 8.1.8 of the Paper regarding the need to comply with the relevant pollution control ordinances; and
- (e) to note the comments of the Chief Engineer/Development (2) Division, Water Supplies Department in paragraph 8.1.13 of the Paper regarding the provision of a waterworks reserve within the site.

81. The Committee also agreed to reject the 'Private Club' use proposed in the application for the following reason :

- the proposed private club could only be enjoyed by a limited number of users, and was considered not in line with the planning intention of the "Other Specified Uses" annotated "Residential Development with Historical Site Preserved In-Situ" zone which was to preserve, restore and convert the HPM site to become a local heritage attraction with provision of cultural and selected commercial facilities for the enjoyment of the public.

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

[Professor P.P. Ho returned to join the meeting at this point.]

**Agenda Item 12**

**Section 16 Application**

[Open Meeting]

A/H8/407                      Proposed Minor Relaxation of Building Height Restriction  
for a Proposed Church Development  
in “Government, Institution or Community” zone,  
11 Cheung Hong Street, North Point  
(MPC Paper No. A/H8/407)

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82.            The Committee noted that the applicant’s representative on 24.9.2010 requested for deferment of the consideration of the application for two months in order to allow more time for the applicant to prepare additional technical information to address the departmental comments on the application.

83.            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.

**Agenda Item 13**

**Section 16 Application**

[Open Meeting]

A/H7/152                      Proposed Minor Relaxation of Building Height Restriction  
from 100mPD to 108mPD for a Proposed Residential Development  
in “Residential (Group B)” zone,  
29-31 Yuk Sau Street and 21-23 Village Road, Wong Nai Chung  
(MPC Paper No. A/H7/152B)

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84. The Committee noted that the applicant's representative on 13.10.2010 requested for deferment of the consideration of the application for two months to allow time for the applicant to address the outstanding technical issues, in particular the feasibility of basement car park.

85. 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. David C.M. Lam, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

#### **Agenda Item 14**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H18/62                      Proposed Minor Relaxation of Plot Ratio and Site Coverage Restrictions  
for Permitted House Development in "Residential (Group C)4" zone,  
45 Tai Tam Road, Hong Kong  
(MPC Paper No. A/H18/62)

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##### **Presentation and Question Sessions**

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

- (a) background to the application, including that the application site was the subject of a previous application (No. A/H18/61) submitted by the same

applicant for minor relaxation of site coverage (SC) restriction to not more than 33% to facilitate a proposed residential redevelopment, which comprised two 4-storey houses with a plot ratio (PR) of 0.9. Application No. A/H18/61 was approved with conditions by the Committee on 16.7.2010. A comparison of the approved scheme and the proposed scheme under the subject application were detailed in paragraph 1.2 of the Paper;

- (b) the proposed minor relaxation of PR and SC restrictions to not more than 0.9 and 33% respectively to facilitate a proposed residential redevelopment which comprised two 3-storey domestic houses over a 1-storey basement carport;
- (c) departmental comments – the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/A&SC, ArchSD) had no comment on the application from the visual impact point of view. However, he pointed out that the design merits used in supporting the SC relaxation in the previously approved scheme such as setbacks, exterior and interior articulation, creation of green courtyard and terraces had diminished in the current scheme;
- (d) during the statutory publication period, two public comments from the property management office of a nearby residential development, namely, Pacific View, and a resident of Pacific View were received. They objected to the application due to the concerns on the possible environmental impacts and nuisances during construction and the potential impacts of the proposed development on the environmentally sensitive area, water gathering ground and country park. They requested the developer to hold monthly progress briefing to the neighbourhood and the inclusion of local tree species in the replanting scheme for the site; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments in paragraph 11 of the Paper. As stated in the Explanatory Statement of the relevant Outline Zoning Plan,

minor relaxation of the PR and SC restrictions might be considered by the Town Planning Board through the planning permission system to provide flexibility for innovative design adapted to the characteristics of particular sites. Each application would be considered on its individual planning merits. The applicant claimed that when compared with the approved scheme (No. A/H18/61), the reduced building height (i.e. above-ground portion from 15m to 11.5m) and reduced SC by removing the 3/F were considered as improvement and having planning merits. However, CA/A&SC, ArchSD advised that the design merits used in supporting the SC relaxation in the previously approved scheme such as setbacks, exterior and interior articulation, creation of green courtyard and terraces had diminished in the current scheme. Under the current scheme, there was a reduction in the number of above-ground storeys from 4 to 3 and the absolute building height of the above-ground portion by 3.5m, and the overall SC remained at 33%. However, there was a corresponding increase in the coverage of 1/F from 24% to 31.83% and 2/F from 23% to 26.9%. Due to the increase in the coverage of the two floors, there was very limited scope of achieving a terraced house design in the current scheme. As such, the current scheme was not considered much of an improvement over the previously approved scheme. There were insufficient merits in the current proposal to justify the proposed minor relaxation of the PR and SC restrictions.

87. In response to a Member's question, Mr. David C.M. Lam said that the total gross floor area (GFA) of 2,708m<sup>2</sup> for the proposed residential redevelopment under the subject application was the same as that of the approved scheme (No. A/H18/61). The aggregate total GFA concessions would be increased from about 97m<sup>2</sup> under the approved scheme to about 634.27m<sup>2</sup> under the current scheme, which comprised 71.64m<sup>2</sup> for plant rooms and 562.63m<sup>2</sup> for carport. Under the approved scheme, the proposed four car parking spaces were located in open-air area and hence did not involve any GFA. However, under the current scheme, the proposed four car parking spaces were located in a basement carport and hence had to be taken into account in calculating the GFA concessions.

88. In response to the Chairperson's question on why a carport of 562.63m<sup>2</sup> would be required to accommodate just four car parking spaces, Mr. David C.M. Lam referred to Drawing A-2 of the Paper and said that apart from the proposed four car parking spaces, the basement carport had to accommodate a driveway which would take up a considerable amount of space on that floor.

89. The Chairperson concluded that under the current scheme, there was a reduction in the number of above-ground storeys from 4 to 3 and the absolute building height of the above-ground portion by 3.5m, and the overall SC remained at 33%. However, there was a corresponding increase in the coverage of 1/F from 24% to 31.83% and 2/F from 23% to 26.9%. In this regard, CA/A&SC, ArchSD had advised that the design merits used in supporting the previously approved scheme such as setbacks, exterior and interior articulation, creation of green courtyard and terraces had diminished in the current scheme. Members agreed. Members then went through the reason for rejection as stated in paragraph 12.1 of the Paper and considered that they were appropriate.

90. After further deliberation, the Committee decided to reject the application for the following reason :

- there were insufficient merits to justify the proposed relaxation of plot ratio and site coverage restrictions for the proposed development.

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

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

**Agenda Item 15**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H24/20                      Proposed Bank, Retail Shop, Fast Food Shop,  
   Restaurant and Service Trades  
   in “Other Specified Uses” annotated “Pier and Associated Facilities” zone,  
   Shop Nos. 1, 2 and 3 on 1/F of Central Terminal Building,  
   Central Piers 7 and 8, Central  
   (MPC Paper No. A/H24/20)

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**Presentation and Question Sessions**

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

- (a) background to the application. The subject premises formed part of a larger application premises of a previous application (No. A/H24/7) for retail and gallery/restaurant uses which was approved with conditions by the Committee on 13.9.2002;
- (b) the proposed bank, retail shop, fast food shop, restaurant and service trades uses;
- (c) departmental comments – concerned Government bureaux/departments had no objection to or adverse comments on the application;
- (d) one public comment was received during the statutory publication period. The commenter supported the proposed uses as they would bring more visitors to the area, thereby enhancing the economic activities in the vicinity; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments in paragraph 10 of the Paper. The

current application was to extend the types of uses at the application premises from retail use, as approved under the previous application (No. A/H24/7), by incorporating bank, fast food shop, service trades and restaurant uses. All these uses were generally in line with the planning intention of the subject “Other Specified Uses” annotated “Pier and Associated Facilities” zone, which was intended to recreate the existing Star Ferry icon and identity at the new Central waterfront with the provision of integrated retail/restaurant/tourism-related facilities and pier-roof open space for public enjoyment. A similar application (No. A/H24/15) to extend the approved uses under Application No. A/H24/7 for bank, retail shop, fast food shop, service trades and restaurant uses in other shop premises on the 1/F of the Central Terminal Building was approved with conditions by the Committee on 17.4.2009. The proposed uses under the subject application were considered compatible with the other uses in the entire pier structure. They would also unlikely cause disruption to the pier operation, passenger circulation and pedestrian access to the public viewing decks on the piers.

92. Members had no question on the application.

#### Deliberation Session

93. Members noted that the renewal of the ferry licences in relation to the existing ferry routes of Hung Hom to Central and Hung Hom to Wan Chai was not related to the subject application.

94. The Chairperson concluded that the proposed uses were generally in line with the planning intention of the subject “Other Specified Uses” annotated “Pier and Associated Facilities” zone and were considered compatible with the other uses in the entire pier structure. Members agreed.

95. 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 15.10.2014, 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 fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of an assessment to demonstrate that the existing public sewerage facilities would not be adversely affected by the proposed uses to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the sewerage upgrading/connection works as identified under approval condition (b) to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the loading/unloading activities should be carried out outside peak hours outside Central Pier 8 to the satisfaction of the Commissioner for Transport or of the TPB.

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

- (a) to note the comments of the Director of Food and Environmental Hygiene that appropriate food licence/permit for conducting the relevant food business should be obtained; and
- (b) to note the comments of the Director of Environmental Protection that the air-conditioning system(s) and the fresh air intake(s) would be properly designed, located, installed and operated to ensure no unacceptable air pollutant impact on the public due to the nearby air emissions from ferries, and the relevant environmental pollution control ordinances should be complied with.

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

[Mr. K. Y. Leung, Mr. Raymond Y.M. Chan and Mr. Roger K.H. Luk left the meeting temporarily whereas Mr. Felix W. Fong left the meeting at this point.]

[A short break of three minutes was taken at this point.]

## **Kowloon District**

### **Agenda Item 16**

#### **Section 12A Application**

[Open Meeting]

Y/K9/7                      Application for Amendment to the  
Draft Hung Hom Outline Zoning Plan No. S/K9/23 from  
“Other Specified Uses” annotated “Business” to  
“Other Specified Uses” annotated “Mixed Use”, 9-13 Hok Yuen Street,  
18-28 Man Lok Street and 37-53 Man Yue Street, Hung Hom  
(MPC Paper No. Y/K9/7)

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97.            The Secretary said that the application was submitted by a subsidiary of Cheung Kong (Holdings) Ltd. (CKH) and Ove Arup & Partners Hong Kong Ltd. (OAP) was the consultant of the applicant. The following Members had declared their interests in this item :

- Mr. Felix W. Fong for having current business dealings with CKH;
- Professor S.C. Wong for being the traffic consultant of OAP; and
- Mr. Raymond Y.M. Chan for having a property in the vicinity of the application site.

98.            The Committee noted that Mr. Raymond Y.M. Chan had left the meeting temporarily for the item whereas Mr. Felix W. Fong had left the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Professor S.C. Wong could be allowed to stay at the meeting.

99. The Committee noted that the applicant's representative on 28.9.2010 requested for deferment of the consideration of the application for one month in order to allow more time to address the departmental comments on the rezoning proposal.

100. 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 three 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. Roger K.H. Luk returned to join the meeting at this point.]

[Miss Annie K.W. To, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/199            Proposed Hotel  
                          in "Other Specified Uses" annotated "Business" zone,  
                          Paxar Building, 210-212 Choi Hung Road and 15-17 Ng Fong Street,  
                          San Po Kong  
                          (MPC Paper No. A/K11/199)

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101. The Secretary said that Charterwealth Professional Limited (CPL) was the consultant of the applicant. Mr. Raymond Y.M. Chan had declared an interest in this item as CPL was owned by his brother. The Committee noted that Mr. Raymond Y.M. Chan had already left the meeting temporarily for the item.

Presentation and Question Sessions

102. 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 hotel use through in-situ conversion of an existing 14-storey industrial building into a 19-storey hotel. Upon addition of five new floors as proposed under the subject application, the height of the subject building would be increased from 54.8mPD to 72.07mPD (both at main roof level) by 17.27m;
- (c) departmental comments – concerned Government bureau/departments had no objection to or adverse comments on the application;
- (d) during the statutory publication period, one public comment from a management company was received. The commenter objected to the application as Ng Fong Street, a one-way street surrounded by industrial and industrial-office buildings, had reached its maximum traffic capacity. The proposed hotel would further increase the traffic of the street. The District Officer (Wong Tai Sin) had no adverse comment on the application on the understanding that the conversion of the building would not lead to drastic increase in the building height; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments in paragraph 11 of the Paper. The proposed hotel use was generally in line with the planning intention of the subject "Other Specified Uses" annotated "Business" ("OU(B)") zone which was for general employment uses and development or redevelopment/conversion of the whole buildings for commercial and clean industrial uses within the zone were encouraged. The proposed hotel complied with the maximum plot ratio restriction of 12 and the maximum building height restriction of 120mPD under the subject "OU(B)" zone.

Besides, it was generally in line with the Town Planning Board Guidelines No. 22D for ‘Development within “OU(B)” Zone’ in that it was not incompatible with the surrounding developments. It would also help improve the existing built environment of the industrial area and serve as a catalyst to phase out the existing industrial uses. The proposed hotel would unlikely generate adverse environmental, sewerage and traffic impacts on the surrounding areas. In this respect, the relevant Government departments had no adverse comments on the application. As central air-conditioning system would be provided in the proposed hotel, it would unlikely be susceptible to adverse environmental impacts arising from the industrial activities in the vicinity. The location of fresh air intake could be dealt with at detailed design stage. On sewerage aspect, two approval conditions relating to the submission of Sewerage Impact Assessment and implementation of the local sewerage upgrading/connection works had been recommended in paragraphs 12.2(c) and (d) of the Paper. Regarding the public comment, the Commissioner for Transport estimated that the proposed hotel would generate around 50 passenger car units during peak hour periods. In view of the estimated traffic flow, the provision of parking spaces inside the proposed hotel and that no on-street loading/unloading spaces would be provided at Ng Fong Street and Choi Hung Road, he considered that the impact of the proposed hotel on the existing traffic conditions at Ng Fong Street would be minimal and the proposed development was acceptable from the traffic point of view.

103. In response to a Member’s question, Miss Annie K.W. To referred to Drawings A-1 and A-2 of the Paper and said that the run-in/run-out of the proposed hotel would be via Ng Fong Street whereas the proposed parking, loading/unloading and lay-by facilities would be located on the G/F. The hotel guests could go up to the hotel lobby on the 1/F via the two lifts provided on the G/F.

#### Deliberation Session

104. The Chairperson concluded that the proposed hotel use was generally in line with

the planning intention of the subject “OU(B)” zone and would unlikely generate adverse environmental, sewerage and traffic impacts on the surrounding areas. Members agreed.

105. 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 15.10.2014, 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 fire service installations and equipment to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the provision of parking spaces, vehicular access and vehicular maneuvering space to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) to liaise with the District Lands Officer/Kowloon East, Lands Department for lease modification;
- (b) to note the comments of the Director of Fire Services that fire service installations and equipment should be provided in accordance with the current Code of Practice for Minimum Fire Service Installations and

Equipment, and pressurization of staircases and smoke extraction system might also be required;

- (c) to note the comments of the Director of Environmental Protection that the Sewerage Impact Assessment should be prepared and submitted as early as possible in view of the time required for implementation of any required sewerage works;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department as stated in paragraph 9.1.7 of the Paper, in particular the compliance of plot ratio, site coverage and hotel concession under Building (Planning) Regulation 23A and PNAP 111 (i.e. PNAP APP-40), lighting and ventilation requirement under Building (Planning) Regulation Part V, and the prescribed window requirement under Building (Planning) Regulations 30 and 31; and
- (e) to consult the Chief Officer/Licensing Authority of the Home Affairs Department on the licensing requirements for the proposed hotel at the subject premises.

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

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting]

A/K15/100                      Proposed Flat cum Shop and Services Development  
in "Residential (Group E)" zone,  
8 Sze Shan Street, Yau Tong, Kowloon (YTIL 36)  
(MPC Paper No. A/K15/100)

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107.            The Secretary said that Ove Arup & Partners Hong Kong Ltd. (OAP) was the

consultant of the applicant. Professor S.C. Wong, being the traffic consultant of OAP, had thus declared an interest in this item. As the applicant had requested for deferral of consideration of the application, the Committee agreed that Professor Wong could be allowed to stay at the meeting.

108. The Committee noted that the applicant's representative on 28.9.2010 requested for deferment of the consideration of the application in order to allow time for further consultation with the Environmental Protection Department to resolve the technical issues relating to the noise and air quality assessments and to refine the submitted environmental assessment.

109. 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. K.Y. Leung and Mr. Raymond Y.M. Chan returned to join the meeting at this point.]

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting]

A/K15/96

Proposed Comprehensive Development including Residential, Commercial, Hotel and Government, Institution or Community Uses, and Minor Relaxation of Building Height and Plot Ratio Restrictions in "Comprehensive Development Area" zone, Various Yau Tong Marine Lots and Adjoining Government Land at Yau Tong Bay, Yau Tong  
(MPC Paper No. A/K15/96B)

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110. The Secretary said that the application was submitted by the joint venture of the owners of Yau Tong Marine Lots, including Sun Hung Kai Properties Ltd. (SHK), Henderson Land Development Ltd. (Henderson), Hang Lung Properties Ltd., Swire Properties Ltd., Wheelock Properties Ltd., Central Development Ltd., Moreland Ltd., and Fu Fai Enterprises Ltd. Besides, Ove Arup & Partners Hong Kong Ltd. (OAP) was the consultant of the applicant. The following Members had declared their interests in this item :

- Mr. Raymond Y.M. Chan for having current business dealings with SHK, Henderson and Swire Properties Ltd.
- Mr. Felix W. Fong for having current business dealings with SHK;
- Mr. Roger K.H. Luk for being the former independent Non-executive Director of Wheelock Properties Ltd.;
- Ms. Julia M.K. Lau for being the former employee of SHK;
- Mr. Clarence W.C. Leung for being the director of a non-government organization (NGO), the Hong Kong Spirit Ambassadors, and a member of the Lee family was a donor of this NGO; and
- Professor S.C. Wong for being the traffic consultant of OAP.

111. The Committee noted that Mr. Felix W. Fong had already left the meeting. As the applicant had requested for deferral of consideration of the application, the Committee agreed that other Members with interests declared could be allowed to stay at the meeting.

112. In response to a Member's question, the Chairperson said that the application site covered the entire Yau Tong Bay "Comprehensive Development Area" ("CDA") zone. According to the Notes for the subject "CDA" zone, an applicant seeking planning permission for development therein had to submit a Master Layout Plan (MLP) for the whole "CDA" site for the Committee's consideration. Part of the Yau Tong Bay "CDA" site was the subject of another application (No. A/K15/98), which was for the conversion of an existing industrial building, Wing Shan Industrial Building, for hotel and shop and services uses and was approved with conditions by the Committee on 10.9.2010 for the life-time of the building. Unlike the subject application which was for the redevelopment of the Yau Tong Bay "CDA" site, Application No. A/K15/98 was for the conversion of an existing

industrial building. Nevertheless, the applicant of Application No. A/K15/98 had taken into account the development proposal submitted by the applicants of this application in proposing its conversion scheme to ensure that it could be integrated with the redevelopment of the remaining areas of the Yau Tong Bay “CDA” site.

113. The Committee noted that the applicant’s representative on 15.9.2010 requested for deferment of the consideration of the application for two months in order to allow time to address the departmental comments received on the Technical Note in relation to the proposed noise barrier along Cha Kwo Ling Road.

114. After further 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. Vincent T.K. Lai, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/273                      Proposed Minor Relaxation of Plot Ratio Restriction from 3 to 3.28  
in “Residential (Group C)6” zone,  
G/F(Part), 2-8 Ho Tung Road, Kowloon Tong (NKIL 2506 S.A)  
(MPC Paper No. A/K18/273)

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115. The Secretary said that Mr. Clarence W.C. Leung had declared an interest in this item as he lived in the vicinity of the application site. However, as the application site could not be viewed from his flat, the Committee considered that Mr. Leung’s interest was indirect

and he could be allowed to stay at the meeting.

### Presentation and Question Sessions

116. Mr. Vincent T.K. Lai, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, including that the subject 10-storey building (including one storey of carport) with a plot ratio (PR) of 3.22 (subject to assessment) was completed in 1960. The site was previously zoned “Residential (Group B)” (“R(B)”) which was not subject to any PR control on the extant Kowloon Tong Outline Zoning Plan (OZP). On 24.12.1993, the site was rezoned to “Residential (Group C)” (“R(C)”) subject to a maximum PR of 3 or that of the existing building. On 24.2.2006, the site was further rezoned to “R(C)6” with the imposition of building height restriction of 13 storeys or that of the existing building;
- (b) the proposed minor relaxation of PR restriction from 3 to 3.28 to facilitate the extension of a residential unit on the G/F of the subject building for a living room, a dining room and a covered terrace with sun shading device. As a planning gain, the applicant also proposed to reserve an area of 0.36m<sup>2</sup> on the G/F within the site for the installation of equipment to monitor the roadside air quality for a period of 10 years subject to renewal. The proposed extension would involve an additional gross floor area (GFA) of 64.93m<sup>2</sup> (or PR of 0.06), resulting in a total GFA of 3,707.68m<sup>2</sup> and a total PR of 3.28;
- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that the scale of the proposed additional development was small and hence no major adverse visual impact was envisaged. However, the applicant’s justification that “the proposed green roof with vegetation blanket would have a lot of benefits to the community, such as providing visual attractiveness to the environment” might be overstated. CTP/UD&L,

PlanD also had reservation on the application from the landscape planning perspective. There was a mature *Michelia alba* at the southern boundary of the application premises and it contributed as an important landscape resource on site. According to the record, the existing *Michelia alba* had a spread of about 10m, which was much larger than that illustrated in the applicant's submission. Due to the discrepancies of information, any direct conflict between the proposed development and the existing tree could not be assessed;

- (d) during the statutory publication period of the application, a total of 12 public comments were received. Amongst them, two were from the Incorporated Owners of the subject building, six from the owners of the subject building, one from the Property Management Office of an adjoining residential development (i.e. Kent Court) enclosing 23 signatures, one from a District Council member, and two other from the nearby residents/general public. They all objected to the application mainly due to the concerns on structural safety, pedestrian safety, potential fire hazard, visual impact, unauthorized building works, nuisances caused during construction, land use compatibility, lack of planning merits and undesirable precedent effect. During the statutory publication of the further information, two public comments were received from the same Property Management Office and individual member of the public. They reiterated their objections conveyed in the previous statutory publication period; and

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

- (e) PlanD's views – PlanD did not support the application based on the assessments in paragraph 11 of the Paper. According to the Notes for the subject “R(C)” zone, based on the individual merits of a development/redevelopment proposal, minor relaxation of the PR restriction might be considered by the Town Planning Board (TPB) on application to provide design/architectural flexibility. Such restriction was imposed to maintain and preserve the special character and amenity of the neighbourhood and to prevent excessive development/redevelopment in

areas with limited road access. With the proposed extension under the subject application, the PR of the subject building would be increased to 3.28, which represented a PR increase of 0.06 (about 1.9%) as compared with the existing PR of 3.22 and a PR increase of 0.28 (about 9.3%) as compared with the maximum PR restriction of 3 as stipulated under the OZP. The current application was to facilitate the extension of a residential unit on the G/F for private use. The applicant claimed that the proposed green roof with vegetation blanket would have a lot of benefits to the community such as providing visual attractiveness to the environment. However, CTP/UD&L, PlanD commented that this justification might be overstated. He also had reservation on the application from the landscape planning perspective. Although the visual impact of the proposed extension would not be substantial, there were no planning and design merits to justify the proposed minor relaxation of PR. DEP confirmed that they had no plan to set up a roadside air quality monitoring system and considered that the applicant's proposal to reserve an area of 0.36m<sup>2</sup> within the subject site for installation of equipment to monitor the roadside air quality was not necessary. The proposed reservation was therefore not a planning gain. Approval of the application would set an undesirable precedent for similar applications. The cumulative effect of approving such applications would jeopardize the intention of imposing the PR restriction. There were also local objections to the application particularly those raised by the Incorporated Owners and the residents of the subject building.

117. A Member noted that the application premises was located on top of the carport on Plan A-3 of the Paper and asked if the application premises was actually located on the 1/F instead of the G/F of the subject building. In response, Mr. Vincent T.K. Lai said that according to the building plans approved on 25.11.1959, the carport floor was named as the basement floor and the application premises was located on the G/F.

#### Deliberation Session

118. In response to a Member's question, Mr. Vincent T.K. Lai said that the application premises was owned by the applicant.

119. Mr. Wong Hong Meng, Principal Environmental Protection Officer of the Environmental Protection Department (EPD), said that EPD had not required the reservation of an area on the G/F of the subject building for the installation of a roadside air quality monitoring system as proposed by the applicant. The proposed area of 0.36m<sup>2</sup> was also inadequate to accommodate the concerned system.

120. The Chairperson concluded that the application could not be supported as there were no planning and design merits to justify the proposed relaxation of plot ratio for the proposed development. Members agreed. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and considered that they were appropriate.

121. After further deliberation, the Committee decided to reject the application for the following reasons :

- (a) there were no planning and design merits to justify the proposed relaxation of plot ratio for the proposed development; and
- (b) the approval of the application would set an undesirable precedent for similar applications. The cumulative effect of approving such applications would jeopardize the intention of imposing the plot ratio restriction.

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/242                      Proposed Hotel in “Residential (Group A)4” zone,  
84-102 (Even Number) Wuhu Street, Hung Hom  
(HHILs 508, 511, 512, 513, 516, 519, 520 and 529)  
(MPC Paper No. A/K9/242)

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**Presentation and Question Sessions**

122. Mr. Vincent T.K. Lai, STP/K, informed Members that the application site was covered by the approved Hung Hom Outline Zoning Plan (OZP) No. S/K9/24 which was exhibited on 15.10.2010 under section 9(5) of the Town Planning Ordinance for public inspection. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application, including that part of the application site was the subject of three previous applications (No. A/K9/197, 217 and 232) for hotel (guesthouse) use which were approved with conditions by the Committee on 17.2.2006, 24.8.2007 and 9.10.2009 respectively;
- (b) the proposed hotel use;
- (c) departmental comments – while having no objection to the application from landscape planning perspective, the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that given the configuration of the site, the proposed hotel would inevitably be in a linear form. To enhance the visual amenity of the proposed hotel, in particular the continuous façade of about 50m along Wuhu Street and its surrounding pedestrian environment for public benefit, the applicant should consider exploring means to reduce the visual bulkiness of the building and provide appropriate greening/landscaping where possible. The proposed building height of the proposed hotel at 51.748mPD (main roof level) was well below the maximum building height restriction of 100mPD under the subject “Residential (Group A)4” (“R(A)4”) zone and there was a flat roof on the 3/F facing the back service lane. As such, there was still room for further improvement of the building form and disposition of the proposed hotel and incorporation of appropriate greening/landscaping;
- (d) three public comments were received during the statutory publication period. Two commenters objected to the application as there were sufficient hotel developments in the Hung Hom district and the proposal would have adverse impacts on the traffic and pedestrian flows at Wuhu

Street. The other commenter supported the application as it could stimulate the redevelopment of the old urban area; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments in paragraph 10 of the Paper. The application site was located at the predominant vibrant commercial/residential area in Hung Hom. The proposed hotel use was considered not incompatible with the surrounding developments. The proposed plot ratio of 8.999 (excluding back-of-house (BOH) facilities) and the proposed building height of 51.748mPD (main roof level) had not exceeded the maximum plot ratio of 9 for non-domestic building and the maximum building height of 100mPD under the subject “R(A)4” zone respectively. Compared with the last previously approved scheme (No. A/K9/232), there was an increase in the total gross floor area (GFA) (excluding BOH facilities) from 4,889.382m<sup>2</sup> to 6,168.202m<sup>2</sup> by 1,278.82m<sup>2</sup> (26.16%) with the extension of the application site boundary to include 84 Wuhu Street. The proposed number of guestrooms was reduced from 434 to 433 units while the average size of the guestroom was increased from 6m<sup>2</sup>-9m<sup>2</sup> to 7.8m<sup>2</sup>-11.7m<sup>2</sup> to provide more spacious accommodation. The height of the hotel building was reduced by one storey to 16 storeys, but the main roof level was at similar height. A restaurant and lounge would be provided on the entire 2/F of the proposed hotel. It was envisaged that the proposed hotel would not cause significant adverse impact on the traffic, environment and infrastructure provisions in the area. The proposed vehicular ingress/egress points, car parking layout and loading/unloading bays were also considered acceptable by the Commissioner for Transport (C for T). Other relevant Government departments had no in-principle objection to the application. Regarding CTP/UD&L, PlanD's suggestions, approval condition (c) requiring the applicant to submit and implement a landscape proposal and advisory clause (d) advising the applicant to adopt sensitive design and treatment for the exterior of the proposed development to reduce the visual bulkiness of the building had been recommended.

123. A Member said that the proposed hotel with 433 guestrooms was not small in scale and therefore asked if there was sufficient provision of parking and loading/unloading facilities for the proposed hotel. This Member was also concerned about the traffic impact of the proposed hotel on Wuhu Street, which was heavily used by buses and mini buses and had traffic congestion problem. In response, Mr. Vincent T.K. Lai referred to the comparison table in paragraph 1.4 of the Paper and said that while the site area of the subject application was larger than the previous approved scheme (No. A/K9/232), the number of guestrooms (with 434 units under No. A/K9/232 and 433 units under the current scheme) and the provision of parking and loading/unloading facilities were more or less the same under the previously approved scheme and the current scheme. C for T had been consulted and had no objection to the application.

124. Mr. Anthony Loo, Assistant Commissioner for Transport (Urban) of Transport Department (TD), said that the provision of parking spaces, coach bays and loading/unloading bays for the proposed hotel had met the relevant requirements as set out in the Hong Kong Planning Standards and Guidelines (HKPSG). Moreover, the proposed vehicular access arrangement with the ingress point at Walker Road and the egress point at Wuhu Street was considered acceptable. This could help prevent the tailing back of vehicles at Wuhu Street while waiting to enter the application site. In view of the above, the proposed development was considered acceptable from the traffic point of view.

125. In response to a Member's question, Mr. Vincent T.K. Lai said that for an application for hotel use, the applicant had to submit the proposed floor layout plans for the Committee's consideration. However, the building design of the proposed hotel such as elevation and façade design as enquired by this Member was generally not required in order to provide design flexibility for the applicant. Notwithstanding the above, should the application be approved by the Committee, approval condition (c) requiring the applicant to submit and implement a landscape proposal and advisory clause (d) advising the applicant to adopt sensitive design and treatment for the exterior of the proposed development to reduce the visual bulkiness of the building had been recommended in paragraph 11.2 of the Paper. The Chairperson supplemented that the amount of details to be submitted by the applicant would depend on the circumstances of individual cases. For the subject case, the proposed hotel was not located in visually sensitive area. Members were invited to consider if the building design of the proposed hotel should be submitted for the Committee's consideration.

126. The same Member explained that according to the typical floor plans submitted by the applicant, the toilets of guestrooms would face Wuhu Street. With such layout, the windows of the proposed hotel facing Wuhu Street would be small and the resulting exterior façade facing that street would look very compact. In addition, the G/F of the proposed hotel was mainly occupied by parking and loading/unloading facilities. This would dampen the pedestrian activities at that section of Wuhu Street. In this regard, this Member considered that the elevation and façade design of the proposed hotel should take into account its impact on the pedestrian street environment, especially at Wuhu Street, for the public benefit.

127. In response to another Member's question, Mr. Vincent T.K. Lai referred to Plan A-1 and Appendix III of the Paper and said that the Committee had previously approved ten similar applications for hotel use within the "R(A)" zone on the Hung Hom OZP.

#### Deliberation Session

128. Regarding the traffic concern raised by a Member earlier at the meeting, Mr. Anthony Loo said that the busy traffic in the Hung Hom area, which was mainly attributed by the close proximity of the area to the Cross Harbour Tunnel, was a district-wide traffic issue which would be addressed at a strategic level. Unlike residential use, most of the vehicle trips to be generated by the subject hotel use would take place outside peak hours, and hence would not contribute to the traffic congestion in the area during the peak hours. Besides, the application site was well served by public transport. As such, it was envisaged that the traffic to be generated by the proposed hotel would not be substantial.

129. A Member opined that the traffic congestion problem at Wuhu Street was a district-wide traffic issue in the Hung Hom area. It was unfair to require the applicant of a specific development scheme to address a district-wide traffic issue. Besides, the subject site could be developed for residential use which was permitted as of right under the subject "R(A)4" zone and would also generate traffic in the area. Hence, the main concern was whether the proposed hotel would cause adverse traffic impact on the surrounding areas. In this regard, the applicant had submitted a traffic impact assessment (TIA) for the proposed hotel. The TIA, which was accepted by C for T from the traffic point of view, concluded

that the nearby junctions would still have reserve capacity with the proposed hotel. C for T had also confirmed that the provision of parking spaces, coach bays and loading/unloading bays for the proposed hotel had met the relevant requirements as set out in the HKPSG. The above views were shared by two other Members.

130. Regarding the concern raised by another Member earlier at the meeting regarding the visual impact of the proposed hotel development on its surrounding area, the Chairperson said that the Committee had previously approved three applications for guesthouse use at part of the application site. In considering the above applications, the Committee had not raised concerns on the building design of the proposed guesthouse nor requested the applicant to submit such information. The current scheme was essentially an amendment to the last approved scheme with the inclusion of 84 Wuhu Street within the application site boundary. Notwithstanding the above, the Committee could defer the case and request the applicant to submit further information on the elevation and façade design of the proposed hotel to address the Committee's concerns before making a decision. Alternatively, Members could consider imposing an appropriate approval condition requiring the applicant to submit such information to the satisfaction of the relevant Government department.

131. While two Members supported deferring the consideration of the application and requesting the applicant to submit the detailed elevation and façade design of the proposed hotel development, the other Members did not agree to deferring the case. They considered that as the application site was located in an urban area which was not visually sensitive, it was unnecessary for the Committee to directly scrutinize the detailed design of the proposed hotel development. Instead, it would be more appropriate to address the subject concern by imposing an approval condition requiring the applicant to submit and implement the detailed elevation and façade design of the proposed development.

132. The Chairperson summarised that the majority of Members considered that the concern regarding the visual impact of the proposed hotel development on its surrounding area could be addressed by imposing an approval condition requiring the applicant to submit and implement the elevation and façade design of the proposed hotel. The approval conditions as detailed in paragraph 11.2 of the Paper would be amended accordingly. Members agreed. In response to a Member's question, the Chairperson said that the relevant Government department to ensure fulfilment of the above approval condition would

be CTP/UD&L, PlanD.

133. 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 15.10.2014, 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 traffic measures from the proposed hotel egress to Wuhu Street to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (d) the submission and implementation of the elevation and façade design of the proposed hotel to the satisfaction of the Director of Planning or of the TPB.

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

- (a) to note that the approval of the application did not imply that the gross floor area exemption for back-of-house facilities included in the application would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval;
- (b) to consult the District Lands Officer/Kowloon West, Lands Department about the lease matter of the proposed development;
- (c) to consult the Office of the Licensing Authority of the Home Affairs Department on the licensing requirements for a hotel; and

- (d) to adopt sensitive design and treatment for the exterior of the proposed development to reduce the visual bulkiness of the building.

[The Chairperson thanked Mr. Vincent T.K. Lai, STP/K, for his attendance to answer Members' enquiries. Mr. Lai left the meeting at this point.]

**Agenda Item 22**

[Closed Meeting]

- 135. The minutes of this item were recorded under separate confidential cover.

**Agenda Item 23**

Any Other Business

- 136. There being no other business, the meeting was closed at 1:15 p.m..