

TOWN PLANNING BOARD

**Minutes of 445th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 8.7.2011**

Present

Director of Planning
Miss Ophelia Y.S. Wong

Chairperson

Mr. K.Y. Leung

Vice-chairman

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

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

Chief Traffic Engineer/Hong Kong,
Transport Department
Ms. F.F. Ying

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

Principal Environmental Protection Officer (Metro Assessment),

Environmental Protection Department
Mr. Ken Y.K. Wong

Assistant Director/Kowloon, Lands Department
Ms. Olga Lam

Deputy Director of Planning/District
Ms. Phyllis C.M. Li

Secretary

Absent with Apologies

Ms. Maggie M.K. Chan

Professor P.P. Ho

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

In Attendance

Assistant Director of Planning/Board
Mr. C.T. Ling

Chief Town Planner/Town Planning Board
Mr. J.J. Austin

Town Planner/Town Planning Board
Mr. Terence Leung

Opening

1. The Chairperson expressed condolences to the family of Mr. Daniel Heung Cheuk-kei, who passed away on 2.7.2011. Mr. Heung served on the Town Planning Board from 1990 to 2001.
2. The Chairperson congratulated Mr. Maurice Lee and Mr. Rock Chen for being awarded the Bronze Bauhinia Star in recognition of their contributions to the community.

Agenda Item 1

Confirmation of the Draft Minutes of the 444th MPC Meeting held on 17.6.2011

[Open Meeting]

3. The draft minutes of the 444th MPC meeting held on 17.6.2011 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

4. The Secretary reported that there were no matters arising.

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/K2/198 Proposed Minor Relaxation of Plot Ratio Restriction
for Permitted Composite Commercial/Residential Development
in "Residential (Group A)" and "Open Space" zones,
Nos. 91-105 Parkes Street, Yau Ma Tei
(MPC Paper No. A/K2/198)

5. The Committee noted that the applicant's representative had requested on 15.6.2011 for deferment of the consideration of the application for two months so as to allow time to address comments raised by various Government departments.

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

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

Agenda Item 4

Section 16 Application

[Open Meeting]

A/KC/370 Proposed Hotel in "Other Specified Uses" annotated "Business" zone,
No. 30-34 Kwai Wing Road, Kwai Chung
(MPC Paper No. A/KC/370)

7. The Committee noted that the applicant's representative had requested on 16.6.2011 for deferment of the consideration of the application for two months in order to allow more time to prepare additional information in response to departmental comments.

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

Agenda Item 5

Section 16 Application

[Open Meeting]

A/KC/371 Proposed Hotel in "Other Specified Uses" annotated "Business" zone,
No. 57-61, Ta Chuen Ping Street, Kwai Chung
(MPC Paper No. A/KC/371)

9. The Committee noted that the applicant's representative had requested on 16.6.2011 for deferment of the consideration of the application for two months in order to allow more time to prepare additional information in response to departmental comments.

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

[Mr. Andrew Tsang arrived to join the meeting at this point.]

Hong Kong District

[Miss Isabel Y. Yiu, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 6

[Open Meeting]

Draft Planning Brief for the "Comprehensive Development Area" Site
in Wong Chuk Hang
(MPC Paper No. 8/11)

11. The following Members declared interests on this item:

Mr. Raymond Chan - had interests in a development project in the vicinity of the “Comprehensive Development Area” (“CDA”) site;

Mr. K.Y. Leung - being an employee of the University of Hong Kong (HKU) and HKU had previously expressed interest in acquiring a site to the south of the “CDA” site but had withdrawn the bid; and

Ms. F.F. Ying - being an alternate member for the Deputy Secretary for Transport and Housing (Transport)¹ who was a member of the Board of MTRCL.

12. As the current item was only concerned with the consideration of the Planning Brief which was part of the plan-making process, Members agreed that interests of the above Members were indirect and that Mr. Chan, Mr. Leung and Ms. Ying could stay in the meeting.

13. With the aid of a Powerpoint presentation, Miss Isabel Y. Yiu, STP/HK, presented the draft Planning Brief for the “CDA” site in Wong Chuk Hang as detailed in the Paper:

The Site

- (a) the subject site (the Site), with an area of about 7.17 ha, was bounded by Heung Yip Road on the north, Police School Road on the east and south, and Nam Long Shan Road on the west. The Site was previously occupied by Wong Chuk Hang Estate. There was an existing nullah in the northern part of the Site;
- (b) to the north of the Site across Heung Yip Road was the Wong Chuk Hang industrial area which had gradually transformed to a business area. Two residential developments and low to medium-rise Government, Institution and Community (GIC) facilities including a swimming pool complex, a

home for the elderly and a rehabilitation facility were located to the west at Welfare Road. To the south-west along Nam Long Shan Road were mainly low to medium-rise GIC facilities and high-rise residential developments. To the south were an international School and its extension, a proposed community hall site and a proposed post-secondary educational institution site. The Hong Kong Police College was located to the east of the Site;

Background

- (c) the South Island Line (East) (SIL(E)) was a 7-kilometre long medium capacity railway running between Admiralty and South Horizons with three intermediate stations near Ocean Park, in Wong Chuk Hang and at Lei Tung Estate. The proposed Wong Chuk Hang Station would be located in the northern part of the Site and a railway depot would be provided in the south-eastern portion of the Site. The construction works had commenced in May 2011 and was scheduled for completion in 2015;
- (d) on 16.7.2010, the Site was rezoned “CDA” on the draft Aberdeen & Ap Lei Chau Outline Zoning Plan (OZP) No. S/H15/26 with the intended land uses, maximum domestic and non-domestic GFAs, and the maximum building height specified in the Notes of the OZP. During the exhibition of the draft OZP, a total of 12 representations and 2 comments were received on the zoning amendments related to the “CDA” zone. On 3.12.2010, after giving consideration to the representations and comments, the Board noted the 10 supportive representations and decided not to uphold the 2 adverse representations. On 3.5.2011, the draft OZP was approved by CE in C and the approved OZP No. S/H15/27 was exhibited for public inspection on 20.5.2011;
- (e) on 17.5.2011, CE in C agreed to grant the property development right of the Site to the MTRCL as a form of financial assistance to implement the SIL(E);

The Planning Brief

- (f) a draft Planning Brief had been prepared to facilitate the preparation of the Master Layout Plan (MLP) for the comprehensive development of the “CDA” site. The Planning Brief had set out the intended uses, the development parameters, and the planning and design requirements;
- (g) development within the Site was subject to a maximum domestic GFA of 357,500m² (i.e. plot ratio (PR) of about 5) and a maximum non-domestic GFA of 121,800m² (i.e. PR of about 1.7). The proposed development should comprise a podium with a maximum building height of 35mPD and site coverage of 95% accommodating the railway depot and station, public transport facilities, a shopping centre, GIC facilities and carparking facilities. Residential towers subject to a maximum building height of 150mPD would be provided above the podium. The total maximum number of flats should not exceed 4,700. No less than 850 flats to be provided should be of no more than 50m² saleable area in size;
- (h) a maximum commercial GFA of 47,000m² should be used for a shopping centre and the remaining non-domestic GFA should be used to provide for the railway and public transport facilities. The proposed shopping centre would include a performance venue of no less than 300m². About 1,500m² commercial GFA in the shopping centre would be reserved for social enterprises or other GIC facilities in case no suitable social enterprises could be identified. Moreover, no less than 1,598m² (Internal Floor Area) of social welfare facilities would also be provided;
- (i) the residential towers above podium should adopt a stepped height profile with building height ranging from 120mPD to 150mPD. Gaps between building blocks within the Site and between the buildings at the Site and those on the adjoining sites, as well as terraced podium design should be incorporated into the development scheme;
- (j) no less than 1,000m² at-grade open space should be provided and be open

to the public. Private open space of 1m² per person should be provided to serve the residents of the proposed residential development. A minimum greenery coverage of 30% of the site area should be provided to create a quality green setting. At least half of the greenery coverage should be provided at grade or at levels easily accessible to pedestrians;

- (k) at least three air/visual corridors should be provided. One of them should have a minimum width of 30m across the northeastern and southwestern parts of the Site and the other two air/visual corridors should have a minimum width of 20m in the north-south and east-west direction;
- (l) a public transport interchange (PTI) should be provided at Heung Yip Road and a bus and public light bus (PLB) termini should be provided at Nam Long Shan Road and Police School Road respectively;
- (m) there should be direct and weather-proof pedestrian connections between the rail station and the PTI as well as the bus and PLB termini for use by the public. The opening hours of the pedestrian connections should tie in with those of the MTR and bus services. In addition, a footpath of at least 4m in width should be provided along Police School Road and Nam Long Shan Road;
- (n) in view of the local traffic condition, it was intended to minimize the number of car parking spaces and to encourage the use of SIL(E) and other public transport services. To this end, the proposed car parking provision was set to a level less than the minimum requirement recommended in the Hong Kong Planning Standards and Guidelines (HKPSG). It was proposed that the total number of car parking spaces for the residential and commercial uses should not exceed 880, including 730 for the residential development and 150 for the shopping centre. The exact provision of car parking spaces should be justified in the Traffic Impact Assessment (TIA) and subject to the agreement of Transport Department (TD) at the MLP submission stage;

- (o) an urban design proposal, a visual impact assessment and an air ventilation assessment should be included in the MLP submission to ensure better air ventilation and visual permeability. A landscape master plan including a transplanting and compensatory planting proposal should also be included as part of the MLP submission. Other requirements included the submission of a TIA and a drainage and sewerage impact assessment report; and
- (p) subject to Members' agreement, PlanD would consult the Southern District Council (SDC) on the draft Planning Brief. The views collected together with the revised Planning Brief incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

14. In response to a Member's enquiry on the size of the Site and whether there were other vacant "CDA" sites of similar size, Miss Yiu said that the Site was about 7.17 ha in size and there were no other vacant "CDA" sites within the Wong Chuk Hang area. The Chairperson supplemented that there were other development sites of a comparable size in other parts of Hong Kong such as the LOHAS Park development at the MTR station and depot in Tseung Kwan O which was over 20 ha in size, the developments at the MTR station and the depot in Tai Wai, the proposed property developments at some West Rail stations, the public housing sites to be developed by Housing Department, for example, the proposed public housing site in Fo Tan, were all over 4 ha in size. These sites were under various stages in the planning and development process.

15. The same Member asked whether there were plans to change the use or redevelop the GIC facilities in the vicinity. In response, Miss Yiu said that no proposals for redevelopment had been received for the existing GIC facilities near the Site. The rehabilitation complex, the home for the elderly and the swimming pool complex to the west of the Site and the Hong Kong Police College to the east of the Site were all currently in use with no plans for redevelopment or relocation. Two sites to the south of the Site had been reserved for the proposed expansion of the Singapore International School and for a proposed community hall development.

[Ms. Julia Lau arrived to join the meeting at this point.]

16. In response to the same Member's enquiry, Miss Yiu said that floor space had been reserved within the Site for social enterprises and social welfare facilities and they would be counted as GIC facilities to serve Southern District. The Chairperson added that in general, any GIC facilities provided at the Site to meet the needs of Southern District would be included in the calculation of GIC facilities for the district. Floor space for use by social enterprises was not a requirement of the HKPSG. As the Site was quite large in size, it was considered suitable to include a requirement to reserve some floor space for use by social enterprises. The requirement to provide floor space for social enterprises was first introduced in the Urban Renewal Authority redevelopment projects such as the Lei Tung Street redevelopment project. Whether this requirement would be added to other "CDA" sites would depend on their individual circumstances.

17. In response to the same Member's enquiry on the standards for provision of social welfare facilities, the Chairperson said that there were different standards for different types of social welfare facilities in the HKPSG. For some social welfare facilities, the requirement was based on the level of population. For some other social welfare facilities, there was no set standard, and the requirement was advised by Social Welfare Department. In general, social welfare facilities serving the district would count towards the provision of GIC facilities.

18. The Member continued to ask how much open space would be provided within the Site and whether the open space to be provided would count towards the open space provision to meet the HKPSG requirements. In response, Miss Yiu said that the Planning Brief required the provision of 1m² of private open space per person to serve the residents of the development. In addition, no less than 1,000m² of at-grade open space was required to serve the general public. The Chairperson said that both the private and public open space to be provided at the Site would count towards the open space provision for Southern District.

19. In response to the enquiry on who would be responsible for the development of the Site, Miss Yiu said that the Site was still a piece of government land and it was granted to MTRCL initially on a short term tenancy for use as a works area and works site for the construction of SIL(E). Given the CE in C had agreed that the Site would be reserved for

the SIL(E) depot with above-depot property development, the Transport and Housing Bureau had been liaising with MTRCL on the development of the Site. MTRCL had presented a preliminary development proposal to the SDC on 24.5.2010. In May, the CE in C granted the property development right of the Site to MTRCL as a form of financial assistance to implement the SIL(E). The Chairperson added that the Site would be allocated to MTRCL in due course. The subject Planning Brief, if approved, would form the basis for preparation of the MLP by MTRCL for approval by the Town Planning Board prior to inviting tender for implementation of the development project.

20. A Member welcomed the provision of a large-scale shopping centre with a floor area of about 47,000m² in Southern District. Noting that 150 car parking spaces would be provided for the retail facilities, which amounted to a ratio of about one car parking space for every 300m² of retail floor area, the Member asked whether the car parking space provision would be up to the standards in the HKPSG. The Member also asked whether the patronage of the shopping centre by cars from other districts would worsen the traffic conditions in the area. In response, Miss Yiu said that as the district currently lacked a large-scale shopping centre, it was intended that the proposed shopping centre would serve the entire Southern District. Considering that the Site was located quite close to Aberdeen Tunnel and the Wong Chuk Hang Business Area where the traffic was already very busy, relevant government departments including TD considered that use of public transport to the Site should be encouraged so as not to worsen the traffic conditions. Hence, the car parking provision was set at a level below the minimum requirement specified in the HKPSG. At the MLP submission stage, the applicant would be required to submit a TIA to demonstrate that the proposed development would not have adverse impacts on the traffic conditions.

21. The Chairperson supplemented that there were different sets of parking standards for residential and retail uses. According to the HKPSG, one car parking space was required for every 200 to 300m² of retail GFA. The proposed provision of one car parking space for every 300m² of retail GFA was therefore generally in line with the HKPSG. It was only in the residential element that the car parking space provision was below the standard required under the HKPSG. To ensure that there would be no adverse traffic impacts arising from the proposed development, it was stated clearly in the draft Planning Brief that the exact level of car parking space provision should be justified by a TIA and subject to the agreement of TD.

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

22. Ms. F.F. Ying said that the provision of car parking spaces for the retail facilities was acceptable as it was comparable to the standard in the HKPSG. Based on experience from other retail facilities such as Times Square in Causeway Bay, shopping centres might attract additional traffic during weekends. TD would pay particular attention to the detailed design of the car parking facilities in the TIA to ensure that any congestion due to tailback and queuing could be internalized within the Site and would not cause congestion on the public roads. As for the residential element, the development of SIL(E) might alleviate the traffic congestion problem at Aberdeen Tunnel to a certain extent. However, as the traffic conditions at Aberdeen Tunnel were also affected by the situation at the Cross-Harbour Tunnel, the SIL(E) might not be sufficient to resolve the traffic congestion problem entirely. Hence, there was a need to promote greater use of public transport.

23. A Member asked whether assessments had been carried out with regard to the proposed development at the Site. In response, Miss Yiu said preliminary assessments had been carried out in consultation with relevant government departments when preparing the draft Planning Brief. Reference had also been made to the Air Ventilation Assessment carried out for the review of the OZP when drawing up the air/visual corridor requirements for the Site. Based on the Planning Brief, the applicant would prepare a MLP and supporting assessments for the consideration of the Committee. The Chairperson supplemented that preliminary assessments had been carried out by MTRCL and relevant government departments before the Site was rezoned to “CDA” to demonstrate that there would be no insurmountable problems arising from the proposed development.

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

24. A Member said that as Heung Yip Road and Nam Long Shan Road were narrow roads and Wong Chuk Hang Road was often congested due to the traffic conditions at Aberdeen Tunnel, there was concern whether the traffic conditions would worsen as a result of the proposed “CDA” development. In response, Ms. F. F. Ying said that to prevent the traffic conditions from worsening, it was important to ensure that the layout and design of the proposed development would guide the traffic entering and leaving the Site in such a way

that all road junctions would be able to operate satisfactorily. The Chairperson noted Members' concerns on the traffic impacts arising from the proposed development. In order to address the traffic concerns, she said that the applicant was required, when preparing the MLP and the TIA, to liaise with the relevant government departments including TD and PlanD to ensure that the number of car parking spaces would be appropriate and that traffic improvement measures, if deemed necessary, would be effective to address the traffic impact. The Committee could examine the traffic issue in greater detail when the MLP together with the TIA was submitted.

25. Mr. Andrew Tsang asked how the requirement of reserving floor space for the development of social enterprises was to be implemented. In response, Ms. Olga Lam said that in line with the requirement in the Planning Brief, a clause would be added to the lease conditions to ensure that floor space for social enterprises would be provided. However, issues on how to identify the social enterprises and how to allocate the reserved floor area would need to be considered in greater detail by MTRCL. The Chairperson said that based on past experience, the floor space reserved for social enterprises would likely be put to open tender by the MTRCL. In case no suitable social enterprises were identified, the floor space for social enterprises would be used for other GIC facilities.

26. Noting that there were a bus depot and a few car testing centres on Heung Yip Road near the Site, a Member asked whether there would be land use compatibility problem. In response, Miss Yiu said that the applicant should assess the compatibility of the proposed development with its surrounding land uses at the MLP submission stage.

27. The same Member enquired whether there would be any interface problems for the proposed social welfare facilities and the proposed residential element. In response, Miss Yiu said that there were specific design requirements for the social welfare facilities. For example, some of them had to be located at the ground level. The way these social welfare facilities were to be provided within the "CDA" development would be dealt with at the MLP submission stage. The Chairperson added that MTRCL would need to liaise with relevant government departments to address Members' concerns in the MLP submission stage.

28. The Chairperson concluded the discussion of the item and noted that Members

generally supported the draft Planning Brief.

29. After further deliberation, the Committee decided to agree that the draft Planning Brief was suitable for consultation with the SDC. The views collected together with the revised Planning Brief incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

[The Chairman thanked Miss Isabel Y. Yiu, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr. K.Y. Leung and Mr. Raymond Chan left the meeting temporarily at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/H11/100 Proposed Field Study/Education/Visitor Centre ("Caring Garden") in "Green Belt" zone, Area under Short Term Tenancy (NHX-717) and Adjacent Government Land at Hatton Road, Mid-levels West
(MPC Paper No. A/H11/100)

30. The Committee noted that the applicant's representative had requested on 20.6.2011 for deferment of the consideration of the application for one month in order to allow additional time for the applicant to address the comments raised by various government departments and members of the public.

31. 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 for its consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H15/245 Proposed Hotel in "Other Specified Uses" annotated "Business(1)" zone,
43 Heung Yip Road, Wong Chuk Hang
(MPC Paper No. A/H15/245)

32. The Secretary reported that the application was scheduled for consideration by the Committee at this meeting. However, the applicant submitted further information (FI) on 30.6.2011 and 4.7.2011 to address the departmental comments on building, traffic and landscape aspects. As the latest FI was only submitted four days before the meeting, there was insufficient time for the relevant government departments to provide their further comments. Since the departmental comments would be relevant to the consideration of the application, Planning Department (PlanD) requested that the application be deferred to the next meeting pending departmental comments.

33. After deliberation, the Committee decided to defer a decision on the application to the next meeting.

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

Kowloon District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/274 Proposed Shop and Services
 in "Other Specified Uses" annotated "Business" zone,
 Workshop B3 (Portion), Ground Floor of Block B,
 Proficient Industrial Centre, 6 Wang Kwun Road, Kowloon Bay
 (MPC Paper No. A/K13/274)

Presentation and Question Sessions

34. Mr. Richard Y.L. Siu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed ‘Shop and Services’ use at the application premises was considered generally in line with the planning intention of the “OU(Business)” zone. The proposed ‘Shop and Services’ use at the application premises was not incompatible with the other uses within the same building. It complied with TPB PG-No. 22D in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and

the adjacent area. If the current application was approved, the total approved commercial floor area would be 454.46m², which was within the maximum permissible limit of 460m² on the G/F of an industrial building with a sprinkler system.

35. Members had no question on the application.

Deliberation Session

36. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.7.2013, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the subject premises, before operation of the use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) apply to the District Lands Officer/Kowloon East, Lands Department for a temporary wavier or lease modification;
- (b) appoint an Authorised Person to submit alterations and additions proposal for the proposed change in use/alteration works to the Building Authority to demonstrate compliance with the Buildings Ordinance, e.g. :

- (i) provision of means of escape for the application premises and the remaining portion of the workshop B3 in accordance with Building (Planning) Regulation 41(1) and paragraph 14 of the Code of Practice for the Provision of Means of Escape in Case of Fire;
 - (ii) provision of 2-hour fire resisting separation wall between the application premises and the remaining portion of existing workshop on G/F in accordance with Building (Construction) Regulation 90 and paragraphs 8 and 9 of the Code of Practice for Fire Resisting Construction 1996; and
 - (iii) the provision of access and facilities for the persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
- (c) note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that the applicant's attention was drawn to the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the Building Authority had no powers to give retrospective approval or consent for any unauthorised building works.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/275 Shop and Services in "Other Specified Uses" annotated "Business" zone,
Workshop 4B on Ground Floor, Wing Fat Industrial Building,
12 Wang Tai Road, Kowloon
(MPC Paper No. A/K13/275)

Presentation and Question Sessions

38. Mr. Richard Y.L. Siu, STP/K, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. 'Shop and Services' use at the application premises was considered generally in line with the planning intention of the "OU(Business)" zone. The 'Shop and Services' use at the application premises was not incompatible with the other uses within the same building. It complied with TPB PG-No. 22D in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area. If the current application was approved, the total approved commercial floor area would be 35m², which was within the maximum permissible limit of 460m² on the G/F of an industrial building with a sprinkler system. The previous planning permission (No. A/K13/262) was revoked on 12.5.2011 due to non-compliance of approval condition on fire safety measures. Should the application be approved, the applicant should be advised that if he failed to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might not be given to any further application. A shorter compliance period of 3 months was proposed to monitor the fulfilment of the approval condition(s).

39. Members had no question on the application.

Deliberation Session

40. In response to a question from a Member concerning the licensing authority for the fast food shop, the Chairperson said that the Food and Environmental Hygiene Department would be consulted on planning applications for fast food shops but the relevant licences would be granted by the Food and Environmental Hygiene Department.

41. 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 was subject to the following conditions :

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises within three months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 8.10.2011; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

42. The Committee also agreed to advise the applicant :

- (a) that a shorter compliance period was granted in order to monitor the fulfilment of the approval conditions. Should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might not be given to any further application;
- (b) to apply to the District Lands Officer/Kowloon East, Lands Department for a temporary waiver or lease modification;
- (c) to appoint an Authorised Person to submit alterations and additions

proposal for the proposed change in use/alteration works to the Building Authority to demonstrate compliance with the Buildings Ordinance, e.g. :

- (i) provision of 2-hour fire resisting separation wall between the application premises and the remaining portion of existing workshop on G/F in accordance with Building (Construction) Regulation 90 and paragraphs 8 and 9 of the Code of Practice for Fire Resisting Construction 1996;
 - (ii) to appoint an Authorized Person to demonstrate the Provision of means of escape for the subject premises and the remaining portion of the workshop 4B in accordance with Building (Planning) Regulation 41(1) and paragraph 14 of the Code of Practice for the Provision of Means of Escape in Case of Fire; and
 - (iii) provision of access and facilities for the persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that the applicant's attention was drawn to the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the Building Authority had no powers to give retrospective approval or consent for any unauthorised building works.

[The Chairman thanked Mr. Richard Y.L. Siu, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

[Mr. Vincent T.K. Lai, STP/K, was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/243 Proposed Hotel in "Residential (Group A)" zone,
409-411 Chatham Road North, Hung Hom
(KILs 7560 and 7561)
(MPC Paper No. A/K9/243)

Presentation and Question Sessions

43. 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;
- (b) the proposed hotel with no more than 63 rooms;
- (c) departmental comments – the Commissioner for Tourism supported the application as the proposed development would increase the number of hotel rooms, broaden the range of accommodations for the visitors, and support the rapid development of convention and exhibition, tourism and hotel industries. The Chief Town Planning/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had no objection to the application and suggested that a landscape proposal should be submitted and implemented to her satisfaction;
- (d) during the statutory publication period, 26 public comments were received, 24 of which objected to the application for the reasons that the hotel was not compatible with the surrounding residential uses; the plot ratio was too high; the building would have adverse visual and air circulation impacts and would cause wall effect to the surrounding buildings; and the proposed hotel would cause adverse traffic, air and noise impacts to the surrounding buildings. One commenter expressed concerns on the lack of information on parking/loading facilities of the proposed development and the

remaining commenter did not provide any views; and

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

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed hotel use was considered not incompatible with the surrounding developments which included commercial and residential developments. The proposed plot ratio of 9.0 (excluding BOH facilities) and proposed building height of 77.47mPD at main roof level (19 storeys) did not exceed the maximum plot ratio of 9 for the non-domestic building and was far below the maximum building height of 120mPD for the “R(A)” zone. The site was subject to adverse traffic noise impact. Non noise-sensitive user such as hotel provided with central air conditioning systems could minimize the noise impact. The proposed hotel would not have significant impacts on the local traffic, the environment and infrastructure provisions in the area. Notwithstanding the public comments against the application, all concerned Government departments had no in-principle objection or adverse comments on the application.

44. A Member asked whether the subject building was under multiple ownership and, if so, whether the building was acquired through compulsory sale for redevelopment. In response, Mr. Lai said that the applicant was the sole land owner of the application site.

Deliberation Session

45. A Member supported the application for hotel development as the provision of a central air conditioning system would protect the future occupants of the hotel from unacceptable noise impacts. Noting that the application site was very small, the Member queried whether it was necessary to impose a condition requiring the provision of landscaping at the site. In response, Mr. Lai said that according to the comments of CTP/UD&L, PlanD, there were planting opportunities on the façade of the mechanical floor (2/F) and on the flat roof on 3/F. The Vice-Chairman said that while the Member's view was noted, it was still worthwhile to provide landscaping wherever feasible. The

Chairperson said that as the site was indeed very small, CTP/UD&L would be reminded that the requirement of the landscape proposal should not be too onerous.

46. A Member asked whether there was any economic incentive for the development of a hotel at the application site instead of a residential development. The Chairperson said that within the “R(A)” zone in Kowloon, the maximum plot ratio for a non-domestic building and a building that was partly domestic and partly non-domestic were both at 9.0, and therefore a proposed hotel development would not result in increased GFA. However, as the site was small and was close to a flyover, a hotel development might be a better option than a residential development. Compared with a domestic building which was subject to a maximum site coverage of 33%, the proposed hotel could have a maximum site coverage not exceeding 60%, so that the efficiency of the use of the small site would be improved if it was developed into a non-domestic building. As indicated in Plan A-1, there were a few similar applications for hotel developments within the Hung Hom area. From the planning point of view, the proposed hotel development in the subject application would have no adverse implications on the surrounding areas.

47. 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 8.7.2015, 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) submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) 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;
- (c) provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (d) submission of landscape proposal to the satisfaction of the Director of

Planning or of the TPB; and

- (e) implementation of the approved landscape proposal to the satisfaction of the Director of Planning or of the TPB.

48. The Committee also agreed to advise the applicant :

- (a) 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 maximize the greening opportunity by providing more landscape plantings in the proposed development including the façade of the mechanical floor on 2/F and the flat roof on 3/F; and
- (d) to consult the Office of the Licensing Authority of Home Affairs Department on the licensing requirements for a hotel.

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

Agenda Item 12

Any Other Business

49. There being no other business, the meeting was closed at 10:30 a.m.