

TOWN PLANNING BOARD

**Minutes of 449th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 2.9.2011**

Present

Director of Planning
Mr. Jimmy C.F. Leung

Chairman

Mr. K.Y. Leung

Vice-chairman

Mr. Raymond Y.M. Chan

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. David To

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
Mr. Wilson Y.L. So

Secretary

Absent with Apologies

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

In Attendance

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

Chief Town Planner/Town Planning Board
Ms. Christine K.C. Tse

Town Planner/Town Planning Board
Mr. Terence Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 448th MPC Meeting held on 19.8.2011

[Open Meeting]

1. The draft minutes of the 448th MPC meeting held on 19.8.2011 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising from the last meeting.

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TW/2

Application for Amendment to the
Draft Tsuen Wan Outline Zoning Plan No. S/TW/27
from “Green Belt”
to “Other Specified Uses” annotated “Columbarium” zone,
Lots 613 RP (Part), 614, 1229 in D.D. 453 and
Adjoining Government Land, Lo Wai, Tsuen Wan
(MPC Paper No. Y/TW/2)

3. The Committee noted that on 17.8.2011, the applicant’s representative requested for deferment of the consideration of the application for two months in order to allow sufficient time to address the comments of the Commissioner for Transport and Commissioner of Police on the application.

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

[Ms. Olga Lam arrived to join the meeting at this point.]

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

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/707 Proposed Shop and Services
in “Other Specified Uses” annotated “Business(2)” zone,
G/F (Portion), 794 Cheung Sha Wan Road, Kowloon
(MPC Paper No. A/K5/707)

5. The Secretary reported that the application was submitted by Trendy Square Ltd. represented by Raymond Chan Surveyors Ltd (RCS), and Mr. Raymond Chan had declared an interest in this item as he was the director of RCS.

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

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the proposed shop and services;

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

- (c) departmental comments – no objection from concerned government departments was received;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The shop and services use under application was generally in line with the planning intention of the “OU(Business)” zone. It was not incompatible with the other uses of the subject industrial building which mainly comprised various types of commercial operations. It also complied with the Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent area. The subject building was subject to a maximum permissible limit of 230m² for aggregate commercial floor area on the ground floor. If the subject application was approved, the aggregate commercial floor area approved by the Committee on the ground floor of the subject building would be 191.80m², which had not exceeded the maximum permissible limit of 230m².

- 7. Members had no question on the application.

Deliberation Session

- 8. 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 2.9.2013, 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.

9. The Committee also agreed to advise the applicant to note :

- (a) the comments of the District Lands Officer/Kowloon West, Lands Department on the application of a temporary waiver or lease modification;
- (b) the comments of the Director of Fire Service that the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by the Buildings Department should be complied with;
- (c) the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures of Commercial Uses in Industrial Premises' issued by the TPB;
- (d) the comments of the Chief Building Surveyor/Kowloon on the appointment of an Authorized Person to submit building plans for the proposed change in use to demonstrate compliance with the Buildings Ordinance, including the provision of :
 - (i) 2-hour fire resisting separation walls between the Premises and the

remaining portion of the building in accordance with the Building (Construction) Regulation 90 and paragraph 8.1 of the Code of Practice for Fire Resisting Construction 1996; and

- (ii) access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008;
- (e) the comments of the Director of Environmental Protection on the observance of the pamphlet “Control of Oily Fume and Cooking Odour from Restaurants and Food Business” and the application of best practical control measures in preventing oily fume and cooking odour from causing air pollution problems; and
- (f) the comments of the Director of Food and Environmental Hygiene on the obtaining of appropriate licence/permit from the Food and Environmental Hygiene Department prior to the commencement of food business or other trade of business that operated under the relevant legislation enforceable by the Food and Environmental Hygiene Department.

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/708 Proposed Shop and Services
in “Other Specified Uses” annotated “Business(2)” zone,
Workshops A9 and A10, G/F, Block A, Hong Kong Industrial Centre,
489-491 Castle Peak Road, Kowloon
(MPC Paper No. A/K5/708)

Presentation and Question Sessions

10. Mr. Philip Y.L. Chum, STP/TWK, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – no objection from concerned government departments was received;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The proposed shop and services use under application was generally in line with the planning intention of the “OU(Business)” zone. It was not incompatible with the other uses of the subject industrial building which mainly comprised showrooms and a factory canteen on the ground floor and workshops and offices ancillary to industrial/trading firms on the upper floors. It also complied with the Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area. The industrial building was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on the ground floor. If the current application was approved, the aggregate commercial floor area approved by the Committee on the ground floor of the subject building would be 404m², which would be less than the maximum permissible limit of 460m². There had been no material change in planning circumstances since the approval of the previous application (Application No. A/K5/670) for shop and services (showroom for garments) use on 13.3.2009 to merit a departure from the previous decision of the Committee.

11. In response to a question from a Member, the Chairman referred to paragraph 4 of the Paper and said that TPB PG-No. 22D was promulgated in September 2007.

Deliberation Session

12. Referring to Plan A-2a of the Paper, a Member asked whether any enforcement action would be taken against the property agency in Unit A6 on the ground floor of the subject building for which no valid planning permission from the Board had been obtained. The Chairman said that as the Cheung Sha Wan area was not previously covered by a Development Permission Area (DPA) Plan, the Planning Authority did not have enforcement powers against developments and uses which did not comply with the Outline Zoning Plans. Instead, enforcement action would have to be taken by the Lands Department under the lease conditions. Ms. Olga Lam supplemented that if the use in question did not comply with the lease conditions, the Lands Department would take appropriate lease enforcement action against the development. The Chairman said that relevant information should be relayed to Lands Department for their follow-up action.

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

13. In response to a Member's enquiries, the Chairman said that TPB PG-No. 22D was applicable to development within the "OU(Business)" zone only. It was not applicable to development within the "Industrial" zone. The Chairman continued to point out that in Kowloon, most of the areas zoned "Industrial" had been rezoned to "OU(Business)" to allow greater flexibility in the use of existing industrial ('I') and industrial-office ('I-O') buildings and to facilitate the development of buildings for commercial and clean industrial uses. The increased flexibility would inevitably lead to a greater mix of industrial and commercial uses in the 'I' and 'I-O' buildings, and the Fire Services Department (FSD) was concerned about the fire risks that would arise as a result of the increase in commercial uses on the ground floor of these buildings. In this regard, FSD had set out the requirements that the aggregate commercial floor areas on the G/F of an existing 'I'/'I-O' building with and without sprinkler systems should not exceed 460m² and 230m² respectively. TPB PG-No. 22D, by incorporating the requirements of FSD, had been effective in helping the Board to assess these planning applications. Although the Planning Authority did not have enforcement

powers in the urban and new town areas which were not previously covered by DPA Plans, the Lands Department would issue warnings to the operators of the commercial establishments in 'I' or 'I-O' buildings and advise them to seek planning permission from the Board if they had not done so. The Secretary supplemented that there was another set of guidelines, Town Planning Board Guidelines for Use/Development within "Industrial" Zone (TPB PG-No. 25D), that was applicable to the "Industrial" zone. Representatives from FSD had been invited to the Board in the past to explain their concerns regarding fire safety and the corresponding limits of 230m²/460m² for buildings without and with sprinkler system.

14. The same Member asked whether TPB PG-No. 22D and 25D would contradict the measures introduced by the Government in recent years to facilitate revitalization of old industrial buildings. The Chairman said that, as a result of the decrease in demand for industrial land and in anticipation of further economic restructuring, the Town Planning Board had already rezoned about 200 ha of industrial land to other uses, including the "OU(Business)" zone and the "Residential (Group E)" zone. To provide further impetus for the redevelopment and wholesale conversion of under-utilized industrial buildings, the Chief Executive announced in his 2009-2010 Policy Address a package of measures to facilitate these transformation processes, including, for example, the concession of "nil waiver fee" for change of use of the entire existing industrial building. TPB PG-No. 22D and 25D, which explained in details the uses that were permitted within the "OU(Business)" and "Industrial" zones, shared the same objective as the Government's measures to revitalize industrial buildings, i.e. facilitating the conversion of under-utilized industrial buildings into other uses.

15. In response from a question from the same Member, the Secretary said that the maximum permissible limit of 230m²/460m² for aggregate commercial floor area on the ground floor of an industrial or industrial-office building was also applicable for the "Industrial" zone under TPB PG-No. 25D.

16. 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 2.9.2013, 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.

17. The Committee also agreed to advise the applicant to note the comments of :

- (a) the Director of Fire Service that the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by the Buildings Department should be complied with; and
- (b) the Chief Building Surveyor/Kowloon on the appointment of an Authorized Person to submit building plans for the proposed change in use to demonstrate compliance with the Buildings Ordinance, in particular, the provision of :
 - (i) adequate means of escape in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for the Provision of Means of Escape in Case of Fire 1996;
 - (ii) adequate fire resisting separation between the Premises and the remaining portion of the building in accordance with the Building (Construction) Regulation 90 and paragraph 8.1 of the Code of Practice for Fire Resisting Construction 1996; and
 - (iii) access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and

- (c) the Director of Food and Environmental Hygiene on the obtaining of appropriate licence/permit from the Food and Environmental Hygiene Department (FEHD) prior to the commencement of food business or other trade of business that operated under the relevant legislation enforceable by FEHD.

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

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K1/229 Proposed Commercial Bathhouse and Massage Establishment
in "Commercial" zone,
B105-B122, B131-B132 and Coffee Shop A at Basement Level 1, and
Unit G16 on G/F, East Ocean Centre, 98 Granville Road, Tsim Sha Tsui
(MPC Paper No. A/K1/229)

18. Noting that the School of Continuing and Professional Studies (CUSCS) of the Chinese University of Hong Kong (CUHK) was an occupant of the premises adjacent to application premises and had lodged an objection to the proposed establishment, Mr. Roger Luk declared an interest in this item as he was a Council Member of CUHK. Prof. P. P. Ho also declared an interest in this item as he was the Chairman of the Advisory Board of CUSCS. Members agreed that Mr. Luk's interest was indirect and he should be allowed to stay in the meeting, while Prof. Ho's interest was direct and he should leave the meeting temporarily during the presentation and deliberation of the item.

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

Presentation and Question Sessions

19. Mr. C.K. Soh, STP/TWK, presented the application and covered the following

aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed commercial bathhouse and massage establishment;
- (c) departmental comments – no objection from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, 683 public comments objecting to the application were received. The comments were from users of the subject building including CUSCS, a district councillor and members of the public. They objected to the application for the following main reasons:
 - (i) the establishment was incompatible with the existing uses including CUSCS and nearby museums, public open spaces and Tsim Sha Tsui East promenade. It would cause nuisance to other users of the same building and would generate security problems;
 - (ii) the establishment was not in compliance with the Deed of Mutual Covenant and fire safety regulations. It might affect the water supply of the building; and
 - (iii) it would adversely affect the property value of the subject building.
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed establishment was located in a predominant commercial neighbourhood. It occupied a unit on G/F and part of Basement Level 1 of an existing commercial/office building. An educational institution was located on the same basement floor adjacent to the application premises. Although an entrance to the proposed establishment would be provided at Granville Road with a staircase leading to the basement, the proposed

establishment could also be accessed through the lifts and the staircases serving the whole building. It would also share the same lift lobby with the adjacent educational institution. There were concerns on potential nuisances to other users of the same building as the applicant did not provide an exclusive access for the proposed establishment. Strong local objections to the proposed establishment had been received. Under the circumstances, the premises was considered not suitable for the proposed establishment which was not fully compatible with the adjacent educational institution on the same basement floor, and was not in compliance with the planning criteria set out in the Town Planning Board Guidelines for Application for Commercial Bathhouse and Massage Establishment Under Section 16 of the Town Planning Ordinance (TPB PG-No. 14B). PlanD's reasons for not supporting the application were stated in paragraphs 12.1(a) and (b) of the Paper, although the word "an" in paragraph 12.1(b) should be deleted.

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

20. In response to a question from the Vice-Chairman, Mr. Soh said that the application premises had not been the subject of any previous application for commercial bathhouse and massage establishment.

21. In response to a question from a Member, Mr. Soh said that according to the submission of the applicant, the subject premises could be accessed via the existing escalator leading from the ground floor of the building to the basement floor.

Deliberation Session

22. The Vice-Chairman said that he did not support the application because the proposed commercial bathhouse and massage establishment would share some of the access routes with the adjacent educational institution on the basement floor and other premises of the subject commercial building. In this regard, he noted that a large number of public comments objecting to the application had been received.

23. In response to a question from the Chairman, Mr. Soh said the public commenters who objected to the application were mostly users of the subject commercial building.

24. In response to a further question from the Chairman, Mr. Soh said that TPB PG-No. 14B stipulated that there had to be a separate access for a proposed bathhouse and massage establishment within a composite commercial/residential building to avoid causing nuisance to the occupants in the same building. However, there was no such requirement for a proposed bathhouse and massage establishment within a commercial building.

25. A Member asked whether it was possible to close down the lifts and other shared access routes so that there would only be an exclusive access leading to the establishment. Mr. Soh said that the lifts and staircases might be needed to meet the fire safety requirements and for providing barrier-free access for people with disabilities. To avoid the problem of sharing access routes with other users of the same building, applicants in other similar applications had proposed the installation of guard posts at the relevant access points so that other users of the building would be directed to different entrances. However, no such proposal had been submitted for the subject application.

26. A Member said that although the proposed commercial bathhouse and massage establishment could be accessed via an exclusive entrance at Granville Road, it could also be accessed via the main entrance, lifts and staircases serving the whole commercial building. With such shared access routes, the proposed establishment would likely cause nuisance to the adjacent educational institution and other users of the building, as some patrons to the proposed establishment might prefer to use the lifts rather than the exclusive access. The concerns of the existing users of the building, including the educational institutions, were reflected in the large number of public comments objecting to the application. In view of its incompatibility with the adjacent educational institution and that it might create nuisance to other users of the same building, the proposed commercial bathhouse and massage establishment could not be supported. The above views were generally shared by other Members.

27. In response to a question from a Member, Mr. Soh said that the application premises was previously used as a restaurant and a coffee house. The same Member continued to ask whether there would be enough emergency access for the educational

institution if the proposed establishment blocked off some of the access routes for its own exclusive use. Mr. Soh said that the applicant had not provided sufficient information to the Committee concerning the emergency access for the premises. In this respect, the Director of Fire Services said that he would only provide more detailed comments upon formal submission of general building plans.

28. A Member did not support the application as the proposed establishment might be incompatible with the educational institution, considering that female students would be around the concerned areas of the same basement floor during evening or night classes.

29. In response to a question from a Member, Mr. Soh said that he was not aware of any previous planning permission for a proposed commercial bathhouse and massage establishment that was located adjacent to an educational institution. As 'educational institution' was always permitted within the "Commercial" zone, PlanD might not have detailed record of the history of the 'educational institution' use within the zone.

30. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and agreed to revise the reasons. The revised rejection reasons were :

- (a) the proposed commercial bathhouse and massage establishment was undesirable as it was incompatible with the education institutions within the same building; and
- (b) as the application premises and other premises of the same building would share some of the access routes, the proposed commercial bathhouse and massage establishment would cause nuisance to other users of the same building.

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

Agenda Item 7

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)

31. The Committee noted that on 25.8.2011, the applicant’s representative requested for deferment of the consideration of the application for two months so as to address comments raised by various government departments.

32. 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 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 (Presentation and Question Sessions Only)]

A/K2/199 Proposed Hotel (Guesthouse) in “Residential (Group A)” zone,
1st Floor, Wing Wah Building, Nos. 33-39A Pitt Street, Yau Ma Tei
[Kowloon Inland Lots No. 8897 RP and 9071 RP]
(MPC Paper No. A/K2/199)

Presentation and Question Sessions

33. Mr. C.K. Soh, STP/TWK, presented the application and covered the following

aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (guesthouse);
- (c) departmental comments – no objection from concerned government departments was received;
- (d) no public comment was received during the first three weeks of 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 did not support the application based on the assessments set out in paragraph 10 of the Paper. The premises was located on the first floor of the subject building where 2/F to 8/F were for domestic use. Although the premises could be accessed by a separate staircase from Pitt Street leading to the flat roof on the first floor, the premises was also accessible by way of two staircases leading from the main entrance on ground floor fronting Portland Street and an access at the western service lane used by all users of the building. In this regard, the applicant had not provided any information on the measures to avoid the residential use at upper floors from being affected by the shared use of the other two staircases of the subject building. Under the circumstances, the proposed hotel/guesthouse was considered incompatible with the domestic use on 2/F to 8/F as its operation might create nuisance to the residents of the subject building. The approval of the application would set an undesirable precedent for other similar hotel/guesthouse applications in composite commercial/residential buildings, which would lead to intrusion of guesthouse use into composite buildings in the “R(A)” zone, as there would be sharing of the use of the existing staircases between the proposed guesthouse and the residential use on other floors and might cause nuisance to the residents of the building. Besides, some of the proposed guestrooms were not provided with any

windows and the applicant had not indicated that an air conditioning system would be provided. The proposed layout was considered not reasonable and not appropriate for the proposed guesthouse use.

34. In response to a Member's question, Mr. Soh said that the staircase leading from Pitt Street was a separate access used exclusively by the proposed guesthouse. However, the other two staircases would be shared by the proposed guesthouse and other users of the building.

35. In replying to a Member's question, Mr. Soh referred to Drawing A-1 and pointed out that the service counter of the proposed guesthouse was located near the staircase leading to Portland Street. The same Member said that based on the location of the service counter, it was likely that the staircase leading from the Portland Street entrance, which would also serve the residential units on the upper floors of the building, would serve as the main access point for the proposed guesthouse.

36. Noting that the application was submitted in July 2011 but a revised layout with the addition of the service counter and the staircase leading from Pitt Street was submitted in August 2011, a Member asked whether the staircase from Pitt Street was an unauthorized building structure. Mr. Soh said that the subject staircase had been approved by the Building Authority. The applicant had added the staircase in his revised submission in August 2011 because he had omitted the staircase in the original layout plan submitted to the Board.

Deliberation Session

37. A Member said that other than the separate access leading from Pitt Street, the patrons to the proposed guesthouse could also gain access to the guesthouse via the staircase leading from the main entrance at Portland Street and the staircase at the western service lane, which were also used by other occupants of the building. With the shared access, the proposed guesthouse was considered incompatible with the domestic use on 2/F to 8/F of the building as its operation would create nuisance to the residents of the building. Hence, the subject application could not be supported. The above views were shared by other Members.

38. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 11 of the Paper and agreed to fine-tune the wording of the rejection reasons. The revised reasons were :

- (a) the proposed hotel/guesthouse was considered incompatible with the domestic use within the subject building as it would share the use of the existing staircases serving the building and would cause nuisance to the residents on the upper floors; and
- (b) the approval of the application would set an undesirable precedent for other similar hotel/guesthouse applications which would lead to intrusion of guesthouse use into composite buildings with shared use of the existing staircases with the residential use at other floors.

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

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/KC/373 Proposed Hotel in "Other Specified Uses" annotated "Business" zone,
No. 26-38 Ta Chuen Ping Street, Kwai Chung
(MPC Paper No. A/KC/373)

39. The Secretary reported that the application was submitted by CRM One Ltd. represented by Raymond Chan Surveyors Ltd (RCS), and Mr. Raymond Chan had declared an interest in this item as he was the director of RCS. Members noted that Mr. Raymond Chan had already left the meeting temporarily.

40. The Committee noted that on 18.8.2011, the applicant's representative requested

for deferment of the consideration of the application for two months in order to allow the applicant sufficient time to revise and update the submitted Traffic Impact Assessment in response to the comments of the Transport Department.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/KC/374 Proposed Hotel in “Other Specified Uses” annotated “Business” zone,
Nos. 15-19 Chun Pin Street, Kwai Chung
(MPC Paper No. A/KC/374)

42. The Secretary reported that the application was submitted by Full Luck Hotel Ltd. represented by Raymond Chan Surveyors Ltd (RCS), and Mr. Raymond Chan had declared an interest in this item as he was the director of RCS. Members noted that Mr. Raymond Chan had already left the meeting temporarily.

43. The Committee noted that on 18.8.2011, the applicant’s representative requested for deferment of the consideration of the application for two months in order to allow the applicant sufficient time to revise and update the submitted Traffic Impact Assessment in response to the comments of the Transport Department.

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

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

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/103 Proposed Minor Relaxation of Plot Ratio Restriction
from 0.4 to 0.75 for Permitted 'House' Development
in “Residential (Group C)” zone,
Lot 408 in D.D. 399 & the Extension Thereto,
No. 291 Castle Peak Road, Ting Kau, Tsuen Wan
(MPC Paper No. A/TWW/103)

Presentation and Question Sessions

45. Mr. K.T. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio restriction from 0.4 to 0.75 for permitted ‘House’ development;
- (c) departmental comments – the Director of Environmental Protection advised that she had no comment on the Traffic Noise Impact Assessment (TNIA) report submitted by the applicant and she had no objection to the proposal. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had no objection to the application as the proposed house was relatively small in scale and it was unlikely that the

proposed house would have significant visual impact on the local area;

- (d) during the first three weeks of the statutory publication period, one public comment supporting the application was received. The commenter considered that the domestic plot ratio as permitted under the Buildings Ordinance should be applied in the redevelopment of the application site and other sites along the sea front in Ting Kau; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed scale and intensity of the development were compatible with the surrounding low-rise low-density residential developments. According to the Notes of the “R(C)” zone on the OZP, the maximum plot ratio of a development in the “R(C)” zone might be increased from 0.4 to 0.75 provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board. To support the application, the applicant had submitted a TNIA report with the provision of a self-protecting building layout to alleviate traffic noise from Castle Peak Road. In this regard, DEP had no objection to the application.

Deliberation Session

46. A Member asked about the background of the two-tier system for the plot ratio restriction of the “R(C)” zone on the Tsuen Wan West Outline Zoning Plan. In response, Mr. K.T. Ng said that in 1989, the application site was zoned “R(C)” with a maximum plot ratio of 0.4 and a maximum building height of 3 storeys including car park. After considering the findings of a land use review undertaken by PlanD, the Board endorsed the introduction of a two-tier system for the plot ratio restriction of the “R(C)” zone and the Tsuen Wan West OZP was amended on 8.7.2003. According to the Notes of the “R(C)” zone, the maximum plot ratio of 0.4 might, upon obtaining permission from the Board under section 16 of the Town Planning Ordinance, be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated to the satisfaction of the Board. Since then, the zoning of the application site and its development restrictions had remained unchanged.

47. A Member asked whether it was common for the “R(C)” zone to have a maximum plot ratio of 0.4. The Chairman said that in general, the “R(C)” zone was subject to a maximum plot ratio of 0.4. However, there were some exceptions where the maximum plot ratio was higher than 0.4, and the “R(C)” zone in the Shouson Hill area was one of the examples.

48. 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 2.9.2015, 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) the design and provision of noise mitigation measures to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the provision of emergency vehicular access, water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB.

49. The Committee also agreed to advise the applicant to note :

- (a) the comments of the Chief Building Surveyor/New Territories West, Buildings Department on the submission of building plans to the Building Authority to demonstrate compliance with the Buildings Ordinance and its regulations;
- (b) the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department on the requirement for investigation of stability of all geotechnical features within or in the

vicinity of the Site; and

- (c) the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department on the application for lease modification or a short term tenancy of the proposed staircase linking to the proposed 2-storey house.

Agenda Item 12

Section 16 Application

[Open Meeting]

A/TY/114 Proposed Residential Institution (Student Hostel)
in “Government, Institution or Community” zone,
Hong Kong Institute of Vocational Education (Tsing Yi),
Nos. 20, 20A and 22 Tsing Yi Road, Tsing Yi
(Tsing Yi Town Lot 123)
(MPC Paper No. A/TY/114)

50. The Secretary reported that the application was submitted by Vocational Training Council (VTC) represented by Ove Arup & Partners Hong Kong Limited (OAP). Prof. S.C. Wong had declared an interest in this item as he had current business dealing with OAP. Mr. Clarence Leung also declared an interest in this item as his father was the Chairman of VTC. As the applicant had requested to defer consideration of the application, Prof. Wong and Mr. Leung could be allowed to stay at the meeting.

51. The Committee noted that on 18.8.2011, the applicant’s representative requested for deferment of the consideration of the application for two months in order to allow time for the preparation of supplementary information to address the departmental comments.

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 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 preparation of the submission of further information, and no further deferment would be

granted unless under very special circumstances.

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

Hong Kong District

[Ms. April K.Y. Kun, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

[Prof. S.C. Wong left the meeting temporarily at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H4/86	Proposed Shop and Services (Beauty Parlour, Fast Food Shop, Service Trades, Retail Shop, Showroom excluding Motor-vehicle Showroom), Eating Place (Restaurant), Public Utility Installation (Telecommunication Radio Base Station) in "Comprehensive Development Area (2)" zone, Part of the Upper Decks of Central Pier Nos. 4, 5 and 6, Central (MPC Paper No. A/H4/86)
---------	---

53. The Secretary reported that the application was submitted by the Transport Department. Mr. David To, being a representative of the Transport Department, had declared an interest in this item. Mr. K.Y. Leung also declared an interest in this item as he was the alternate member representing the Chartered Institute of Logistics and Transport in Hong Kong in the Harbourfront Commission, and he had participated in the discussion of the relevant proposal in the Task Force of Harbourfront Developments on Hong Kong Island under the Harbourfront Commission (the Task Force). As the Task Force did not pass a motion on the relevant proposal, Members considered that Mr. K.Y. Leung's interest was indirect and he could be allowed to stay at the meeting.

[Mr. David To left the meeting temporarily at this point.]

Presentation and Question Sessions

54. Ms. April K.Y. Kun, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

[Ms. Julia Lau left the meeting temporarily at this point.]

- (b) the proposed shop and services (beauty parlour, fast food shop, service trades, retail shop, showroom excluding motor-vehicle showroom), eating place (restaurant) and public utility installation (telecommunications radio base station);
- (c) departmental comments – the Project Manager, Hong Kong Island and Islands, Civil Engineering and Development Department (PM/HK&I, CEDD) commented that in order not to preempt the comprehensive consideration of the future uses and operation of the piers pending the final design of the additional floors to be constructed in 2012, it would be prudent that approval of the application should be granted on a temporary basis. The Harbour Unit of the Development Bureau commented that a member of the Harbourfront Commission expressed support to the application. However, the member was concerned about the lack of details regarding the public access and the layout of the areas open to the public. The Director-General of Telecommunications (DG of T) supported the application as telecommunications radio base stations should be allowed to enhance the mobile phone services in Victoria Harbour and Central;
- (d) during the first three weeks of the statutory publication period, one public comment from Designing Hong Kong Limited supporting the application was received. However, the commenter was concerned about the lack of details regarding the public access and the layout of areas open to the

public; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The “Urban Design Study for the New Central Harbourfront” (UDS) covering the subject “CDA(2)” site was completed in April 2011. The proposed shop and services (beauty parlour, fast food shop, service trades, retail shop, showroom excluding motor-vehicle showroom), and eating place (restaurant) uses at the upper decks of the three piers were generally in line with the design concept and uses proposed in the UDS. DG of T considered that telecommunications radio base stations should be allowed to enhance the mobile phone services in Central. These uses were considered not incompatible with the existing pier use and would unlikely cause disruption to the pier operation and passenger circulation. Under the UDS, an additional one and a half storey of commercial floor space would be constructed above Central Piers Nos. 4 to 6. CEDD had advised that in order not to pre-empt the comprehensive consideration of the future uses and operation of the piers, it would be prudent that approval of the application should be granted on a temporary basis. To tie in with the completion of the construction works of the additional floors in 2015, it was suggested that a temporary approval for a period of four years could be granted. Regarding the comments on the lack of details regarding the public access and the layout of the areas open to the public, the applicant had responded that arrangement of public access would be subject to the layout suggested by future tenants, and it would not cause obstruction to the public in any case. In this regard, an approval condition requiring the submission of a layout plan for the application premises was recommended.

55. Referring to Plans A-3 to A-5, a Member asked why the upper deck of the piers appeared vacant even though there was a previous temporary planning permission covering the subject site. Ms. Kun said that after the previous temporary planning permission was granted by the Committee, the subject site had been used as a restaurant. However, the restaurant was subsequently closed down and the subject site was currently vacant.

56. Referring to Plan A-2, a Member asked whether there were any development proposals for the “G/IC”, “CDA(2)” and “C” sites near the subject piers. Ms. Kun said that the “G/IC” site was currently used as an electricity sub-station, while the “CDA(2)” and “C” sites were being used as a bus terminus. Under the UDS, the areas zoned as “CDA(2)” and “C” would serve as a civic node in the waterfront area.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 4 years until 2.9.2015, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- (a) the submission of a layout plan for the application premises to the satisfaction of the Director of Planning or of the TPB;
- (b) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB.

58. The Committee also agreed to advise the applicant to note:

- (a) the comments of the Government Property Agency that the tenants should have the written consent of the Transport Department for granting of commercial concessions for the proposed uses under the tenancy agreement;
- (b) the comments of the Director of Food and Environmental Hygiene (DFEH) on the requirement to obtain a Temporary Places of Public Entertainment

License if public entertainment activities were involved and food licences/permits from DFEH should food business activities be conducted;

- (c) the comments of the Director of Environmental Protection that it was the responsibility of the applicant's and/or future operators of the proposed uses to ensure that the air-conditioning system(s) and fresh air intake(s) would be properly designed, located, installed and operated to ensure no unacceptable air quality impact on the public at the proposed uses due to the nearby air emissions from ferries and that the applicant and/or future operators were required to comply with the relevant environmental pollution control ordinances; and
- (d) the comments of the Commissioner for Transport that the future tenants should carry out loading/unloading activities outside peak hours to optimize the use of the loading/unloading facilities outside the piers.

[The Chairman thanked Ms. April K.Y. Kun, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Prof. Wong and Mr. To returned to join the meeting at this point.]

[The meeting adjourned for a break of 5 minutes and resumed at 10:30 a.m.]

[Mr. Louis K.H. Kau, STP/HK, was invited to the meeting at this point.]

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/392 Proposed Hotel in "Residential (Group A)" zone,
5-9 (odd numbers), Hing Wan Street, Wan Chai
(MPC Paper No. A/H5/392)

Presentation and Question Sessions

59. Mr. Louis K.H. Kau, STP/HK, said that a replacement page to page 10 of the Paper revising the wording of the comment of the Chief Officer (Licensing Authority), Home Affairs Department had been tabled at the meeting for Members' information. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – the Commissioner for Transport (C for T) had no objection in principle to the application subject to a number of conditions including that the number of guestrooms should be limited to 50 and the applicant should liaise with other agents of building construction site(s) in the vicinity to minimize the cumulative construction traffic impact. The Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD) and the Director of Environmental Protection (DEP) advised that the applicant should submit a sewerage impact assessment. The District Officer (Wan Chai) commented that a hotel development proposal with a building height of 81.4m at 17-19 Hing Wan Street was approved by the Committee in February 2011. It was anticipated that the subject application with a building height of 88.45m would probably attract opposition from the nearby residents and Wan Chai District Councillors as the two developments were close to each other. They would likely be worried about the traffic and environmental problems to be caused during the construction phases of the two hotel developments and by the operation of the subject hotel development;
- (d) public comments -
 - (i) during the first three weeks of the statutory publication period, 58 public comments were received. Among them, 18 supported the application, 28 objected to it, three had no objection, while the other nine provided comments on the application;

- (ii) during the first three weeks of the statutory publication period for the further information, 41 comments were received. Among them, 35 were in support of the application, four objected to it, one had no objection, while the remaining one provided comments on the application;
- (iii) the comments could be summarized as follows -

Support/No objection

Wan Chai Visual Archive, local residents and members of the public

- the proposed development could improve the business environment of Wan Chai, speed up redevelopment process, improve the environment and upgrade the streetscape, and contribute to the community, economy, tourism and employment opportunity; and
- the scale of small hotel could complement with the Blue House as tourist destination.

Objections

A WCDC Member, St. James Settlement, Green Sense, Blue House Residents Right and Interests Group, H15 Concern Group, Wanchai Cultural Tour Group, 2 Owners' Incorporations, local residents and members of the public

- the area was not suitable for hotel development and was incompatible with local residential character and historic ambience of the area;
- the proposed development would lead to adverse traffic impact, particularly in the light of the narrow road network and the dead-end configuration of Kennedy Street and Stone Nullah

Lane. There would be safety hazards to the pedestrians. An overall traffic study should be conducted on the cumulative effect as there were many applications for hotels in the immediate area;

- the proposed development would also result in air and noise pollution, curtain wall glare and heat impacts on the surrounding buildings;
- the proposed development would affect the structural safety of the historic buildings in the vicinity during the piling and foundation works; and
- rental values of the premises in the neighbourhood would be increased during the redevelopment process. Existing workshops and small businesses would be adversely affected due to the high operating cost.

Comments

Local residents and members of the public

- the design of the external façade of the proposed hotel should be compatible with the nearby Blue House development;
 - the living culture of the old district and community network should be preserved and the nearby Blue House community development should also be considered; and
 - there was no large-scale public consultation on the proposed development.
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper for the following main reasons:

Planning intention and land use compatibility

- (i) the application site was within the “R(A)” zone with predominantly residential developments and some free-standing government, institution and community facilities. There were commercial uses and some workshops on the ground level of the residential buildings. Moreover, the nearby ‘Blue House’ cluster would be preserved for adaptive re-use as a multi-function services complex. There was a cluster of commercial developments to the further west on Queen’s Road East and a proposed hotel development approved by the Committee in February 2011 near the application site. The proposed hotel under application was considered generally in line with the planning intention and not incompatible with the surrounding developments.

Plot ratio and building height

- (ii) in considering other applications for hotel developments within the “R(A)” zones on Hong Kong Island, the Committee had taken the view that a plot ratio of about 12 was generally acceptable for hotel developments within “R(A)” zones as the development intensity was more compatible with the residential developments with a permitted plot ratio up to 8 to 10 in general. The proposed hotel with a plot ratio of 12 was therefore considered not unacceptable. As regards building height, the proposed 25-storey hotel with a building height of 94mPD was within the building height restriction stipulated on the OZP.

Traffic impacts and other public concerns

- (iii) given the small scale of the proposed hotel development, it would unlikely generate adverse traffic impact on the surrounding area. Nevertheless, to address the public concerns on the traffic aspect,

approval conditions on the maximum number of guestrooms and the submission of a construction traffic impact assessment were recommended. To ensure compatibility with the nearby heritage buildings, an approval condition on the submission of exterior building design of the proposed development was also suggested.

60. Noting that Hing Wan Street was quite narrow, a Member asked whether there was any requirement on the setback of the proposed hotel. Mr. Kau said that the Transport Department had commented that a footpath with an overall width of 2m should be provided by the applicant along Hing Wan Street in front of the application site. In this regard, the applicant had proposed a setback of 3.75m from the building line to meet the requirement of the Transport Department.

Deliberation Session

61. A Member supported the application and the approval condition on the submission of exterior building design of the proposed development. He suggested that the exterior building design of the proposed development should correspond and take into account the historic buildings near the proposed hotel.

62. In response to a question from the Chairman, Mr. Kau said that with the stipulation of the maximum building height of 94mPD as an approval condition of the planning permission, further increase in the building height of the proposed hotel development would fall outside the scope of Class A Amendment to the approved scheme.

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

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 2.9.2015, 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) the building height of the development (at main roof) should not exceed

94mPD;

- (b) the number of guestrooms in the proposed hotel development should not exceed 50;
- (c) the submission of a construction traffic impact assessment and implementation of the necessary measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of exterior building design of the proposed development to the satisfaction of the Director of Planning or of the TPB;
- (e) the widening of footpath along Hing Wan Street to 2m in width to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (g) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (h) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (g) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (i) 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.

64. The Committee also agreed to advise the applicant that :

- (a) the approval of the application did not imply that any proposal on building design elements to fulfill the requirements under the Sustainable Building Design Guidelines, and any proposal on gross floor area (GFA) concession for the proposed development would be approved/granted by the Building

Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval. If the building design elements and the GFA concession were not approved/granted by the BA and major changes to the current scheme were required, a fresh planning application to the Board might be required;

- (b) to note the comments of the Commissioner for Transport regarding the following :
 - (i) the Transport Department would not accede to any future request for exemption from the existing traffic control requirements, such as permission for vehicles stopping at No Stopping Restriction, and might in future implement other appropriate traffic control measures in the vicinity in the interest of the public; and
 - (ii) during the construction stage, the applicant should liaise with other agents of building construction site(s) in the vicinity to minimize the cumulative construction traffic impact;
- (c) to liaise with the District Survey Office, Hong Kong for site area calculation and the District Lands Office, Hong Kong East on the licence application for permitting the operation of hotel facilities;
- (d) to note the comments of the Director of Fire Services regarding the arrangement on Emergency Vehicular Access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue;
- (e) to note the comments of the Chief Officer (Licensing Authority) of Home Affairs Department regarding the application under the Hotel and Guesthouse Accommodation Ordinance; and
- (f) to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works.

[The Chairman thanked Mr. Louis K.H. Kau, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms. Brenda K.Y. Au, District Planning Officer/Hong Kong (DPO/HK), and Mr. Jeff K.C. Ho, Town Planner/Hong Kong (TP/HK), were invited to the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H18/67 Proposed Minor Relaxation of Plot Ratio and Site Coverage
to not more than 0.9 and 30.7% respectively
for Permitted House Development in "Residential (Group C) 4" zone,
45 Tai Tam Road, Hong Kong
(MPC Paper No. A/H18/67)

Presentation and Question Sessions

65. Mr. Jeff K.C. Ho, TP/HK, said that a replacement page to page 11 of the Paper rectifying a typo had been tabled at the meeting for Members' information. He then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio and site coverage restrictions of 0.75 and 25% under the OZP to 0.9 and 30.7% respectively to facilitate the development of seven houses within three domestic storeys above one level of basement for car park and plant rooms;
- (c) further information submitted by the applicant - the applicant had submitted a revised landscape plan in Appendix IC of the Paper, showing the landscape area calculation;
- (d) comparison of the application with previous applications;

- (e) comparison of the application with the OZP-complying scheme (the approved building plan) as requested by the applicant;
- (f) departmental comments – the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on the applicant's claim that the proposed reduction in building height from four to three storeys above ground represented a significant planning merit. While there was a reduction in building height, the increase in site coverage in the proposed scheme resulted in less greenery. As compared with the previous approved scheme for two houses (Application No. A/H18/65), the proposed scheme for seven houses presented a longer and bulkier building mass. The proposed seven houses stood very close together with only a 2m building gap between them. The narrow building gaps provided less opportunity for landscaping to enhance the amenity of the area. They were mostly under shade and landscape planting in these areas was impractical or would require high maintenance. The Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD) commented that some plant rooms and lift and associated lobbies at the basement floor were excessive. Compared with a scheme which complied with the OZP requirements and for which general building plan approval had been obtained, the area of the basement floor had been increased from 515m² to 1 911m²;
- (g) during the first three weeks of the statutory publication period, four public comments were received. The commenters objected to the application for the reasons that (i) the increase in the number of car parks from four to 14 would generate traffic congestion and potentially cause traffic accidents in the area; (ii) the roof garden under the proposed scheme would increase the height of the development and there would be no control on the height and outlook of the planting at the roof garden; and (iii) the increase in site coverage from 22.5% to 30.7% was not considered minor and would result in less greenery and a more bulky development;
- (h) the Planning Department (PlanD)'s views – PlanD did not support the

application based on the assessments set out in paragraph 11 of the Paper. Although the applicant claimed that the proposed relaxation of the site coverage restriction was required mainly for the reduction of the building height and the adoption of classical architectural features including columns and horizontal elements, the proposed design of the houses was rather box-like with only limited setback at the upper level, and similar façade treatment might be adopted in the OZP-complying scheme without any site coverage relaxation. There were insufficient planning and design merits to justify the proposed relaxation of plot ratio and site coverage restrictions. Moreover, the current scheme provided less opportunity for landscaping to enhance the amenity of the area as compared with the OZP-complying scheme. The landscape areas comprised mostly paving and swimming pools with only grasses or shrubs at the roof gardens. Some plant rooms and lift and associated lobbies in the basement floor of the proposed development were considered excessive.

66. Members had no question on the application.

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

Deliberation Session

67. A Member asked whether the OZP-complying scheme under the approved building plans required planning permission from the Board. Ms. Au said that a table comparing the OZP-complying scheme and the proposed scheme was shown in Appendix II of the Paper. As the development parameters of the OZP-complying scheme did not exceed the development restrictions stipulated in the Notes for the “R(C)4” zone, no planning permission from the Board was required.

68. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12 of the Paper and considered that they were appropriate. The reasons were :

(a) there were insufficient planning and design merits to justify the proposed

relaxation of plot ratio and site coverage restrictions for the proposed development; and

- (b) the proposed plant rooms and lift and associated lobbies at basement were considered excessive.

[The Chairman thanked Ms. Brenda K.Y. Au, DPO/HK, and Mr. Jeff K.C. Ho, TP/HK, for their attendance to answer Members' enquiries. They left the meeting 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)

69. The Secretary reported that the application was submitted by a subsidiary of Cheung Kong (Holdings) Ltd. with Ove Arup & Partners Hong Kong Ltd. (OAP) as one of its consultants. Mr. Felix Fong and Prof. P.P. Ho had declared interests in this item as they had current business dealings with Cheung Kong (Holdings) Ltd. Prof. S.C. Wong had also declared an interest in this item as he had current business dealings with OAP. As the applicant had requested to defer consideration of the application, they should be allowed to stay at the meeting.

70. The Secretary also reported that a letter dated 31.8.2011 submitted by the applicant requesting a deferral of consideration of the application for two weeks had been tabled at the meeting for Members' consideration.

71. The Committee noted that the applicant's representative had requested on

30.8.2011 and 31.8.2011 for deferment of the consideration of the application for two weeks in order for the applicant to sort out some unforeseen matters.

72. 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 advised that the application should be submitted for its consideration on 23.9.2011.

[Mr. Richard Y.L. Siu, 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/K13/276 Proposed Religious Institution (Extension of Temple)
 in “Green Belt” zone,
 3 Shun Lee Tsuen Road and adjoining Government Land, Kwun Tong
 (MPC Paper No. A/K13/276)

73. The Secretary reported that the application was submitted by Chiu Lei Saint Kwun Old Temple Co. Ltd. One of the consultants was Oriental Landscapes Ltd., which was a subsidiary of Swire Properties Ltd. Ms. Maggie Chan had declared an interest in this item as she had current business dealings with the applicant. Mr. Raymond Chan had also declared an interest in this item as he had current business dealings with Swire Properties Ltd. Members noted that Ms. Maggie Chan had tendered an apology for being unable to attend the meeting. Members also agreed that as the interest of Mr. Raymond Chan was indirect, he could be allowed to stay at the meeting.

Presentation and Question Sessions

74. 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 religious institution (extension of temple);

- (c) departmental comments – the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD) objected to the proposed temple extension and commented that the Government had no intention to grant the concerned area to the subject temple and the relevant “Green Belt” (“GB”) area should be retained for public use. The tenant had also signed an undertaking agreement not to encroach onto the adjacent government land for temple use. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application for the reasons that the concrete platform within the current application boundary appeared to have been constructed without planning approval. The removal of existing vegetation and the concrete platform had damaged the integrity and effectiveness of the “GB” zone. No landscape proposal had been submitted to mitigate the landscape impacts. The Director of Environmental Protection (DEP) commented that the site was located near a basketball court with a buffer distance less than that recommended under the Hong Kong Planning Standards and Guidelines (HKPSG). There was insufficient information in the application to demonstrate that air pollution nuisance arising from the incense burner, after the temple expansion, could be avoided;

- (d) during the first three weeks of the statutory publication period, two public comments objecting to the application were received. One commenter objected to the application on the grounds that the proposed use was not in line with the planning intention of the “GB” zone and was not compatible with the surrounding area. Approval of the application would set an undesirable precedent. The other commenter also objected to the application for the reasons that it was too soon for the existing temple, which was completed in January 2010, to expand (from 33m² to 136.50m²). Any additional land to be occupied by the temple would be at the expense of the “GB” area and was undesirable. The

current design and layout of the temple was already conveniently accessible by the public and worshippers. The operator of the temple should apply to the Chinese Temples Committee for registration before this application could be further considered; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. Under the proposed temple extension scheme, the site area would be expanded from 33m² to 136.5m². There was no strong justification for such a substantial extension (four times of its original size) within the “GB” zone. The proposed temple extension was considered not in line with the planning intention of the “GB” zone and there was no strong planning justification in the submission for a departure from this planning intention. The application did not comply with TPB PG-No. 10 in that there was a general presumption against development in the “GB” zone. No strong justification had been provided by the applicant to support the proposed development. The removal of vegetation and the formation of concrete platform had damaged the integrity and effectiveness of the “GB” zone and involved “destroy first and build later” activities, which should not be allowed.

75. A Member asked how long the temple had been established at the present location. Mr. Siu said that the temple was built after planning permission was granted by the Committee for a ‘Proposed Religious Institution (Temple)’ use at the application site on 14.1.2005.

76. In response to a question from another Member, Mr. Siu said that prior to 2005, the temple was in another location, but was required to be relocated to facilitate the Sau Mau Ping Estate Redevelopment Scheme. Therefore, the operator of the temple sought planning permission from the Board for a ‘Proposed Religious Institution (Temple)’ use at part of the application site.

Deliberation Session

77. A Member asked whether enforcement action would be taken against the temple operator who had constructed a concrete platform on Government land without planning permission. The Chairman said that as the Ngau Tau Kwok and Kowloon Bay area was not previously covered by a Development Permission Area Plan, the Planning Authority did not have enforcement powers against developments and uses which did not comply with the Outline Zoning Plans. Instead, enforcement action would have to be taken by the Lands Department under the lease conditions. As the area concerned was a piece of government land, the Director of Lands could take enforcement action against any unauthorized structures and uses thereon. Ms. Olga Lam said that the existing temple was held under a short term tenancy, and its tenant had signed an undertaking agreement not to encroach onto the adjacent government land for temple use. Lease enforcement action could be taken for the unauthorized extension of the temple on government land.

78. A Member asked whether the subject temple was registered under the Chinese Temples Committee. Mr. Siu said that he did not have the relevant information at hand. However, Mr. Siu noted that a public commenter had suggested that the temple operator should apply to the Chinese Temples Committee for registration.

79. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 11 of the Paper and considered that they were appropriate. The reasons were :

- (a) the proposed temple extension was not in line with the planning intention of the “Green Belt” (“GB”) zoning for the area which was primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There was no strong planning justification in the submission for a departure from this planning intention; and
- (b) the application did not comply with the Town Planning Board Guidelines for “Development within “Green Belt” zone under section 16 of the Town Planning Ordinance” in that clearance of natural vegetation was involved, creating adverse landscape impact on the surrounding area.

[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. Silas K.M. Liu, STP/K, was invited to the meeting at this point.]

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/656 Shop and Services in "Other Specified Uses" annotated "Business" zone,
Unit E4, G/F, Phase 4, Kwun Tong Industrial Centre,
436-446 Kwun Tong Road, Kwun Tong
(MPC Paper No. A/K14/656)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services;
- (c) departmental comments – no objection from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, two public comments were received. One commenter supported the application without providing any reason, while the other commenter had no objection to the application provided that (i) the use under application did not contravene the lease conditions; (ii) the applicant should comply with the requirements of relevant government departments; and (iii) permission for a definite period on a temporary basis might be granted, if necessary; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The shop and services use at the application premises was considered generally in line with the planning intention of the “OU(Business)” zone. It complied with TPB PG-No. 22D in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent areas. The total commercial floor area for the shop and services use approved by the Committee on the G/F of the subject building was 34.4m². Should the Committee approve the current application, the total commercial floor area would be 139.9m² (i.e. 34.4m² + 105.5m²) which was within the maximum permissible limit of 460m² on the ground floor of an industrial building with a sprinkler system.

81. Members had no question on the application.

Deliberation Session

82. A Member asked whether the premises on the basement floor, which was being used as a furniture shop, was part of the application premises. Referring to Plan A-5 and Drawing A-1 of the Paper, Mr. Silas Liu said that the basement floor was not part of the application premises.

83. A Member asked whether enforcement action would be taken against the furniture shop at the basement floor for which no planning permission had been obtained. Mr. Silas Liu said that as the Kwun Tong (South) area was not previously covered by a Development Permission Area Plan, the Planning Authority did not have enforcement powers against developments and uses which did not comply with the Outline Zoning Plans. Enforcement action, if necessary, would have to be taken by the Lands Department or Buildings Department. However, he had no information at hand on whether enforcement action had been taken under the lease.

84. 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 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 2.3.2012; 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.

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

- (a) apply to the District Lands Officer/Kowloon East for lease modification or waiver for the shop and services use at the application premises;
- (b) note the comments of the Chief Building Surveyor/Kowloon, Buildings Department on the appointment of an Authorised Person to submit alteration and addition proposal to the Building Authority to demonstrate compliance with the Buildings Ordinance, in particular :
 - (i) adequate means of escape should be provided in accordance with Building (Planning) Regulation 41(1) and Code of Practice for the Provision of Means of Escape in case of fire 1996;
 - (ii) the provision of 2-hour fire resisting separation wall between the application premises and the remaining portion of the premises pursuant to Building (Construction) Regulation 90 and Code of Practice for Fire Resisting Construction; and
 - (iii) the provision of access and facilities for persons with a disability in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008;

- (c) note the comments of the Director of Fire Services that the applicant should:
 - (i) comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by Buildings Department; and
 - (ii) observe the ‘Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures of Commercial Uses in Industrial Premises’ issued by the TPB; and
- (d) note the comments of the Commissioner for Transport that the traffic to be generated from the shop and services use at the application premises should not affect the main stream traffic at Kwun Tong Road.

[Mr. Raymond Chan and Mr. Andrew Tsang left the meeting at this point.]

Agenda Item 19

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/658 Temporary Office (Urban Renewal Authority – Neighbourhood Centre)
for a Period of 3 Years in “Comprehensive Development Area (1)” zone,
71 Hip Wo Street, Kwun Tong
(MPC Paper No. A/K14/658)

86. The Secretary reported that as the application was submitted by the Urban Renewal Authority (URA) and the application site fell within the URA Kwun Tong Town Centre – Main Site Development Scheme Plan, the following Members had declared interests in this item:

Mr. Jimmy Leung - being a non-executive director of the URA
as Director of Planning

- Mr. Maurice Lee - being a former non-executive director of the URA with the term of office ended on 30.11.2008
- Mr. Raymond Chan - being a Member of the Home Purchase Allowance (HPA) Appeals Committee
- Ms. Maggie Chan - being a Member of the HPA Appeals Committee
- Ms. Olga Lam as Assistant Director of Lands Department - being an assistant to the Director of Lands who was a non-executive director of the URA
- Mr. Andrew Tsang as Assistant Director of the Home Affairs Department - being an assistant to the Director of Home Affairs who was a non-executive director of the URA
- Professor P. P. Ho - having current business dealings with the URA

87. The Committee noted that Ms. Maggie Chan and Mr. Maurice Lee had tendered apologies for being unable to attend the meeting. The Committee also noted that Mr. Raymond Chan and Mr. Andrew Tsang had already left the meeting. As the Chairman had declared an interest and needed to leave the meeting, the Committee agreed that the Vice-Chairman should take over and chair the meeting for this item. The Vice-Chairman chaired the meeting at this point.

[Mr. Jimmy Leung, Ms. Olga Lam and Prof. P.P. Ho left the meeting temporarily at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary office (urban renewal authority- neighbourhood centre) for a period of three years;

- (c) departmental comments – no objection from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, four public comments were received. Three commenters supported the application, while the remaining commenter had no objection to the application and hoped that the URA would consider lending the office to the Kwun Tong District Office (KTDO) upon demolition of the Kwun Tong Government Offices for providing community services, such as allowing the residents and the elderly in the Kwun Tong Town Centre to collect admission tickets for events organized by KTDO; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application site fell within an area zoned “CDA(1)” which was intended for the redevelopment of KTTC. The neighbourhood centre of the URA provided support and services to the local residents and operators affected by the KTTC redevelopment. The application site formed part of the Development Area 2 (DA2) package of the KTTC redevelopment, which was scheduled for implementation in 2014-2015. Noting that the application site would be required for the KTTC redevelopment by the URA and to allow for slippage of the development program, the proposed continuous use of the neighbourhood centre for a period of three years until 2014 was considered acceptable.

89. Members had no question on the application.

Deliberation Session

90. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 2.9.2014, on the terms of the application as submitted to the Town Planning Board (TPB).

91. The Committee also agreed to advise the applicant to note the Chief Building

Surveyor/Kowloon, Buildings Department's comment that before any new building works were to be carried out on the site, prior approval and consent from the Building Authority should be obtained. Authorized Persons should be appointed to coordinate all new building works in accordance with the Buildings Ordinance.

[Mr. Jimmy Leung, Ms. Olga Lam and Prof. P.P. Ho returned to join the meeting at this point.]

Agenda Item 20

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/659 Proposed Hotel in "Other Specified Uses" annotated "Business" zone,
164 Wai Yip Street, Kwun Tong
(MPC Paper No. A/K14/659)

92. The Secretary reported that the application was submitted by Worldmax Enterprises Ltd. represented by Raymond Chan Surveyors Ltd. (RCS), and Mr. Raymond Chan had declared an interest in this item as he was the director of RCS. Members noted that Mr. Chan had already left the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed hotel;
- (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 visitors, and support the rapid development of convention and exhibition, tourism and hotel industries;

- (d) during the first three weeks of the statutory publication period, one public comment supporting the application was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed hotel was generally in line with the planning intention of the “OU(Business)” zone. The Committee had approved 19 applications for hotel development in the Kwun Tong Business Area, one of which, namely the Newton Place Hotel, was located to the northwest of the application site across Wai Yip Street. The proposed hotel was generally in line with the Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) in that it was compatible with the surrounding land uses. It would help improve the existing urban environment and serve as a catalyst in phasing out the current industrial uses within the “OU(Business)” zone. Furthermore, the proposed hotel development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area.

94. Noting the difference in the total GFA between the proposed hotel and the existing industrial building which was due to the addition of electrical and mechanical (E&M) facilities, a Member asked why the E&M facilities of the proposed hotel development had to be included into the GFA calculation. Mr. Liu said that the information on GFA calculation was provided by the applicant and the Buildings Department would comment on the details of the proposal, including the GFA calculation, at the building plan submission stage. It should be noted even if the GFA for the E&M facilities were included into GFA calculation, the plot ratio of the proposed hotel would still be within the maximum plot ratio stipulated in the Notes for the “OU(Business)” zone.

Deliberation Session

95. Referring to the table in paragraph 1.4 of the Paper, a Member asked whether it was necessary to have GFA figures in the third decimal place. Mr. Liu said that the relevant GFA figures were submitted by the applicant.

96. 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 2.9.2015, 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) the design and provision of parking facilities, loading/unloading spaces, lay-bys, vehicular access and internal driveway for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of water supply for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) apply to the District Lands Officer/Kowloon East for lease modification or a temporary/special waiver for the proposed hotel use;
- (b) note the comments of the Director of Fire Services that arrangement on Emergency Vehicular Access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by the Buildings Department (BD);
- (c) note the comments of the Chief Building Surveyor/Kowloon, BD that :

- (i) subject to compliance with the criteria under PNAP APP-40, the application for hotel concession including exemption of back-of-house facilities from gross floor area calculation under Building (Planning) Regulation 23A would be considered upon formal submission of building plans;
 - (ii) according to the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47, the Building Authority had no power to give retrospective approval or consent for any unauthorized building works; and
- (d) consult the Chief Officer/Licensing Authority of Home Affairs Department on the licensing requirements for the proposed hotel.

Agenda Item 21

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/K15/96)

98. The Secretary reported that the application was submitted by Main Wealth Development Ltd with Ove Arup & Partners Hong Kong Ltd. (OAP) as consultant. Main Wealth Development Ltd was a joint venture of owners of Yau Tong Marine Lots comprising 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.. The following Members had declared their interests in this item:

- Mr. Raymond Chan - having current business dealings with SHK, Henderson and Swire Properties Ltd.
- Mr. Felix Fong - having current business dealings with SHK
- Mr. Roger Luk - being an independent Non-executive Director of Wheelock Properties Ltd.
- Ms. Julia Lau - previous employee of SHK
- Mr. Clarence Leung - being the director of a NGO that had recently received a private donation from a family member of the Chairman of Henderson
- Prof. S.C. Wong - having current business dealings with OAP

99. The Secretary said that as the applicant had requested for a deferment of consideration of the application, the concerned Members should be allowed to stay in the meeting.

100. The Committee noted that on 15.8.2011, the applicant's representative requested for deferment of the consideration of the application for two months. The applicant had a meeting with the PlanD on 12.8.2011 and was in active discussion with various government departments to address comments received on the further information. The two-month deferral was required to ensure that all outstanding issues and concerns were properly resolved.

101. 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 preparation of the submission of further information, and no further deferment would be

granted unless under very special circumstances.

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

Agenda Item 22

Any Other Business

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