

TOWN PLANNING BOARD

Minutes of 460th Meeting of the Metro Planning Committee held at 9:00 a.m. on 10.2.2012

Present

Director of Planning Mr. Jimmy C.F. Leung	Chairman
Mr. K.Y. Leung	Vice-chairman
Mr. Raymond Y.M. Chan	
Mr. Felix W. Fong	
Mr. Maurice W.M. Lee	
Professor P.P. Ho	
Professor C.M. Hui	
Mr. Roger K.H. Luk	
Professor S.C. Wong	
Assistant Commissioner for Transport (Urban), Transport Department Mr. David To	
Assistant Director(2), Home Affairs Department Mr. Eric Hui	
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
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Dr. Winnie S.M. Tang

Ms. L.P. Yau

Mr. Clarence W.C. Leung

Mr. Laurence L.J. Li

Ms. Julia M.K. Lau

Ms. Maggie M.K. Chan

In Attendance

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

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

Town Planner/Town Planning Board
Miss Hannah H.N. Yick

Agenda Item 1

Confirmation of the Draft Minutes of the 459th MPC Meeting held on 20.1.2012

[Open Meeting]

1. The draft minutes of the 459th MPC meeting held on 20.1.2012 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

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

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/203 Proposed Eating Place in “Residential (Group A)” zone, 3/F to 5/F, Nos.
37 C & 37 D, Jordan Road, Yau Ma Tei
(MPC Paper No. A/K2/203)

Presentation and Question Sessions

3. With the aid of a visualiser, Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

(a) background to the application highlighting that the premises was the

subject of a previous application No. A/K2/186 for 'Shop and Services' use (retail shop) approved by the Board on 27.2.2009;

- (b) the proposed eating place;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Yau Tsim Mong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed 'Eating Place' use was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential in nature with lower floors for commercial uses like shops and restaurants. As the building where the premises was situated would be converted to non-domestic uses, there would not be concern about causing nuisance to residents in the same building. Given the small scale of the proposal, the proposed 'Eating Place' use was not expected to have adverse traffic and environmental impacts to the surrounding areas.

4. Members had no question on the application.

Deliberation Session

5. 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 10.2.2016, 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 condition :

- the provision of fire service installations for fire fighting to the satisfaction

of the Director of the Fire Services or of the TPB.

6. The Committee also agreed to advise the applicant to note the comments of the District Lands Officer/Kowloon West that an application to his office was required for removal of the relevant offensive trades restriction by way of a licence or modification letter which, if approved, would be subject to such terms and conditions considered appropriate by the Government including payment of administrative fee and premium to be assessed.

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/204 Proposed Hotel in “Residential (Group A)” zone, Nos. 197-197A
Reclamation Street, Yau Ma Tei (Kowloon Inland Lot No. 8440 and
10129)
(MPC Paper No. A/K2/204)

Presentation and Question Sessions

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

- (a) background to the application highlighting that the Site was the subject of a previous application (No. A/K2/193) for ‘office’ use approved with conditions by the Board on review on 10.6.2011. There were 17 applications for ‘hotel’ use within “Residential (Group A)” (“R(A)”) zone in Yau Ma Tei since 2000. Out of these applications, 14 of them were approved and three were rejected by the Committee;
- (b) the proposed hotel;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;

- (d) during the first three weeks of the statutory publication period, one public comment was received. The commenter considered that the application site was more suitable for the development of an open space. No local objection was received by the District Officer (Yau Tsim Mong); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The predominant land use of the area was for residential use with the lower floors for shops and eating places. There were existing hotel developments and approved planning applications for hotel/guesthouse developments in the vicinity. The proposed hotel was therefore considered not incompatible with the surrounding land uses. Given the small scale of the proposed development, the proposed hotel was not expected to have any significant adverse effect on the character of the neighbourhood. The proposed development with an overall building height of 56.59mPD was considered not incompatible with the buildings in its immediate surroundings with building heights ranging from 23.6mPD to 80.2mPD. It was also within the building height restriction of 80mPD stipulated in the Outline Zoning Plan (OZP) for “R(A)” zone. Given the small scale of the proposed development with 45 number of guestrooms only, the proposed hotel was not anticipated to have significant adversely impact on the surrounding areas. Regarding the public comment suggesting the development of an open space at the site, it should be noted that the site was privately owned and zoned “R(A)” on the OZP. The planned open space of 16.1 ha for the Yau Ma Tei area was sufficient to meet the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). There were existing local open spaces in the vicinity to serve the local residents.

8. Members had no question on the application.

Deliberation Session

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

should be valid until 10.2.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

- (a) the approval of the application did not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio and/or gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. 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 Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required,
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:

- (i) the application for hotel concession including exemption of back-of-house facilities from GFA calculation under Building (Planning) Regulation 23A would be considered upon formal submission of building plans subject to compliance with the criteria under Practice Notes for Authorized Persons and Registered Structural Engineers APP-40; and
 - (ii) the applicant's attention was drawn to Practice Notes for Authorized Persons and Registered Structural Engineers APP-151 and APP-152 in preparing formal submission of building plans.
- (c) to note the comments of the Director of Fire Service that the arrangement of 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. Detailed fire services requirements would be formulated upon receipt of formal submission of general building plans;
- (d) to note the comments of the Director of Environmental Protection to prepare and submit the Sewerage Impact Assessment as early as possible in view of the time required for the implementation of any required sewerage works; and
- (e) to note the comments of the Chief Officer/Licensing Authority, Home Affairs Department that:
- (i) the applicant should submit a copy of the occupation permit for the proposed hotel when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO);
 - (ii) the licensed area should be physically connected;
 - (iii) the fire service installation provisions should comply with paragraph 4.28 of Codes of Practice for Minimum Fire Services

Installation and Equipment; and

- (iv) the licensing requirements would be formulated after inspections by his Building Safety Unit and Fire Safety Unit upon receipt of a licence application under HAGAO.

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/539 Proposed Hotel in “Residential (Group A)” zone, Nos. 82-100 Tak Cheong Street and Nos. 2-4 Soy Street, Mong Kok (Various Kowloon Marine Lots)

(MPC Paper No. A/K3/539)

11. The Secretary reported that Ove Arup & Partners Hong Kong Ltd (Ove Arup) was the consultant of the applicant. Professor S.C. Wong who had current business dealings with Ove Arup had declared an interest in this item. As Professor Wong had no direct involvement in the subject application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

12. With the aid of a visualiser, Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the application site was the subject of a previous application for a 23-storey hotel development with 333 guestrooms (Application No. A/K3/537) approved with conditions by the Committee on 4.3.2011. The proposed development in the present application was similar to the previous approved scheme, except that the number of guestrooms had been reduced, whereas the proposed building height and site coverage had been increased. There were also changes in the unit size of the proposed guestrooms and transport provisions. As the

proposed amendments under current application involved an increase in building height exceeding 20% and an increase in non-domestic site coverage exceeding 10% which were neither Class A nor Class B amendments under the Town Planning Board Guidelines No. 36A, planning application was therefore required;

- (b) the proposed hotel;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, one public comment from the owners incorporation of Kam Fong Mansion was received. The commenter attached two comments from individual owners of Kam Fong Mansion objecting to the application and indicated that the comments were supported by a Yau Tsim Mong District Councillor. The objection to the application was mainly on the grounds of possible adverse air pollution, visual, air ventilation and fung shui impacts arising from the proposed development, and that adequate compensation should be provided to the affected owners before the approval of the application. No local objection was received by the District Officer (Yau Tsim Mong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed hotel was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential in nature. There were existing hotel developments and approved planning applications for hotel/guesthouse developments in the vicinity. The site was the subject of a previous application (No. A/K3/537) for a 23-storey hotel development. Compared with the approved scheme, the number of guestrooms in the present scheme was reduced from 333 to 264 whereas the proposed building height had increased to 93.11mPD but remained as 23 storeys (including one basement). Such increase in building height was mainly due to the adoption of a higher floor headroom of 3.5m instead of

the previous 3.1m. Also, the resultant building height of 93.11mPD had not exceeded the maximum building height of 100mPD (for site with an area of 400m² or more) of the subject “R(A)” zone, and was considered not incompatible with the buildings in its immediate surroundings with building heights ranging from 18.4mPD to 85mPD. Regarding the higher site coverage of 62.5%, it was only applicable to 4/F mainly due to the provision of a covered landscape garden deck at the podium. The site coverage of the hotel tower above 4/F had only increased slightly from 48.25% to 50.1%. Regarding the advice of Commissioner for Transport that the applicant should carry out a number of road improvement works to minimise the possible traffic impact arising from the proposed development, a condition requiring the submission and implementation of road improvement works was suggested. Regarding the public comment received on the possible air pollution, visual and air ventilation impacts arising from the proposed development, it is noted that the Director of Environmental Protection and the Chief Town Planner/Urban Design and Landscape had no adverse comments on the application in this regard. Moreover, the proposed development at a proposed height of 93.11mPD was not excessively high and was in compliance with the building height restriction of 100mPD on the Outline Zoning Plan.

13. Members had no question on the application.

Deliberation Session

14. 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 10.2.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a revised Traffic Impact Assessment (TIA) and the implementation of the measures identified in the TIA to the satisfaction of the Commissioner for Transport or of the TPB before the operation of the

proposed development;

- (b) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (e) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of the Fire Services or of the TPB.

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

- (a) the approval of the application did not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio and/or gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. 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 Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required;
- (b) to note the comments of the District Lands Officer/Kowloon West, Lands Department that the lot owner should check if the proposed development would contravene any lease conditions for example the proposed cafeteria might contravene the non-offensive trade clause in the lease. Any application to Lands Department to seek compliance with the lease conditions, if any and submitted by the proponent, would be processed by

Lands Department acting in the capacity as landlord at his discretion. If it was approved, it would be subject to the terms and conditions including, among others, charging of premium and fee, as imposed by Lands Department;

- (c) to note the comments of the Director of Environmental Protection that to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works;
- (d) to note the comments of the Commissioner for Transport that he had the rights to impose, alter or cancel any parking, loading/unloading facilities, stopping restrictions, traffic directions, etc. on all public roads to cope with changing traffic conditions and needs;
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:
 - (i) the application for hotel concession including any exemption of back-of-house from GFA calculation under Building (Planning) Regulation 23A would be considered upon formal submission of building plans subject to compliance with the criteria under Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP 40 (PNAP 111) and favourable comments from concerned departments; and
 - (ii) for quality and sustainable built environment requirements and building separation, the applicant should make reference to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-151 and APP-152 respectively.
- (f) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with the Code of Practice for Means of Access for Fire Fighting and Rescue which was administered by

Buildings Department;

- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that to consider setting back the building for better greening opportunities at the ground level. Planters with sufficient soil depth and volume should be provided for all landscape softworks. Greening opportunities should be maximised and be considered at the pool deck of roof floor, balcony of 19/F and the flat roof at 4/F; and
- (h) to note the comments of the Chief Officer/Licensing Authority, Home Affairs Department that:
 - (i) the applicant should submit a copy of the occupation permit for the proposed hotel when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO);
 - (ii) the proposed licensed area should be physically connected;
 - (iii) the fire service installation provisions should comply with paragraph 4.28 of Codes of Practice for Minimum Fire Services Installation and Equipment; and
 - (iv) the licensing requirements would be formulated after inspections by his Building Safety Unit and Fire Safety Unit upon receipt of a licence application under HAGAO.

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

[Ms. Fannie F.L. Hung, STP/TWK, was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

16. Ms. Fannie F.L. Hung, STP/TWK, informed the meeting that the date “6.1.2012” should read “10.1.2012” in para. 9.1.10 of the Paper.

Presentation and Question Sessions

17. With the aid of a visualiser, Ms. Fannie F.L. Hung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that there were 11 similar applications concerning eight hotel developments within the “OU(Business)” zone in Kwai Chung. Among these eight hotel developments, six were approved while two were rejected by the Board mainly due to excessive scale of the proposed developments;
- (b) the proposed wholesale conversion of an existing 8-storey industrial building into hotel ;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, two public comments were received. The Chairman of Incorporated Owners Committee of a residential development, Ming Tak Building, located to the south-west of the Site supported the proposed hotel development. A private individual commented that there would be comprehensive improvement on the city, revitalisation of the social network, promotion of tourism, increase in employment rate, enhancement of the image of Hong

Kong to increase economic revenue through town planning. No local objection was received by the District Officer (Kwai Tsing); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “OU(Business)” zone which was for general business uses. It was also generally in line with the Town Planning Board Guidelines for “OU(Business)” zone in that it was not incompatible with the surrounding developments. Notwithstanding that the site was situated amid an industrial area, these building blocks were being used for industrial-related office, firms and warehouses, with ground floors scattered with commercial uses such as canteens, property agencies, metalware shops etc. in the “OU(Business)” zone. Residential developments and hotel development were also located in the vicinity of the site. The proposed hotel development would help improve the existing urban environment. Being situated at the centre of an existing industrial area, the proposed development, upon wholesale conversion for hotel use, would serve as a catalyst in phasing out the current industrial uses within the “OU(Business)” zone. The proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area. To ensure that the proposed development would not result in an increase in the intensity and physical bulk of the existing building, an approval condition to stipulate that the maximum GFA for the proposed hotel should be inclusive of the area for back-of-house facilities was recommended.

18. In response to the Chairman's enquiry, Ms. Fannie Hung, STP/TWK, replied that the proposed light wells were new elements to the building and there was no such design in the existing building.

19. In response to the Chairman's further enquiry, Ms. Fannie Hung said that details on internal layout of hotel rooms would be examined at the building plan submission stage.

Deliberation Session

20. 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 10.2.2016, 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 proposed development was subject to a maximum gross floor area (GFA) of 14,434m². Any floor space that was constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations should be included in the GFA calculation;
- (b) the design and provision of vehicular access, car park and loading/unloading layout to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) 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; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development would be granted by the Building Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession for the non-domestic PR of the development was not 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 District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) to apply to the Redevelopment and Conversion of Industrial Buildings Team of LandsD for a special waiver under Practice Note Issue No. 1/2010 for conversion of an entire existing industrial building. The applicant should also provide information that the existing building had a building age of not less than 15 years. LandsD would process the special waiver acting in its capacity as Landlord at its sole discretion. Any approval, if given, would be subject to such terms and conditions, including inter alia, payment of premium and administrative fee, as might be approved by LandsD;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that an Authorized Person should be appointed to submit building plans for the proposed change in use/alteration works to demonstrate full compliance with the current provisions of the Buildings Ordinance;
- (d) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Escape for Firefighting and Rescue which was administered by the Buildings Department; and
- (e) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department that, as the building was originally approved by the BA for non-domestic use, the applicant should submit documentary evidence showing that the BA had granted prior approval for the proposed use when making an application under Hotel and Guesthouse Accommodation Ordinance (HAGAO); the proposed licence area should be physically connected; comments on the fire service installations provisions could not be offered at this stage due to insufficient information provided. The applicant's attention should be drawn to Para. 4.28 of Code of Practice for Minimum Fire Service Installations and Equipment. The licensing requirements would be formulated after inspections by the Building Safety Unit and Fire Safety Team of his office

[Mr. Wilson Chan, District Planning Officer/TWK (DPO/TWK), Mr. K.T. Ng, STP/TWK and Miss Yvonne Leong, TP/TWK were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/430 Proposed Comprehensive Residential Development and Public Sports Centre (Amendments to an Approved Scheme) in “Comprehensive Development Area” zone, Site TW6, West Rail Tsuen Wan West Station, Tsuen Wan
(MPC Paper No. A/TW/430)

25. The Secretary reported that the application was submitted by the then Kowloon-Canton Railway Corporation which was now the Mass Transit Railway Corporation Ltd. (MTRCL). Mr. David To, being an assistant to the Commissioner for Transport who was a non-executive Director of MTRCL had declared an interest in this item. The Committee agreed that Mr. To should leave the meeting temporarily during the discussion of and determination on this application.

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

26. The Secretary further reported that Ove Arup & Partners Hong Kong Ltd (Ove Arup) was the consultant of the applicant. Professor S.C. Wong who had current business dealings with Ove Arup had declared an interest in this item. As Professor Wong had no direct involvement in the subject application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

27. With the aid of a powerpoint, Mr. K.T. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the subject site involved a previous planning application (Application No. A/TW/284) for

comprehensive residential development and a public indoor recreation centre / leisure centre thereon approved with conditions on 31.3.2000. The validity period of the planning permission had been approved to be extended twice until 17.2.2009. A set of building plans based on the approved scheme was subsequently approved by the Building Authority on 29.1.2009 that constituted a commencement of the proposed development;

- (b) to comply with the Sustainable Building Design (SBD) Guidelines promulgated by the Government in 2011 and to increase the supply of small- and medium-sized flats, the applicant now applied for amendments to the Master Layout Plan (MLP) approved under Application No. A/TW/284. The amendments included reduction of podium height (from 23.5mPD to 17.8mPD) and building height (from 184.5mPD to 179.5mPD for Tower 1 and 178.5mPD to 169.5mPD for Tower 2), widening of breezeway/building gap (from 15m to 20m), increase in the number of flats (from 752 to 894) and reduction in average flat size (from 85.4m² to 70.5m²), reduction of domestic gross floor areas (GFA) (from 64,217m² to 63,060m²) and plot ratio (PR) (from 4.628 to 4.545), enlargement of the proposed public sports centre (with a seating capacity of 600 to 1,600), increase in private open space provision, increase in private recreational facilities (clubhouse) provision, changes in the carparking and loading/unloading bay provisions and replacement of footbridge connection by signalized at-grade crossing;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;

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

- (d) during the first three weeks of the statutory publication period, six public comments were received. The commenters included a member of the Harbourfront Commission Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing (the HC Task Force), the Designing Hong Kong Limited, The Hong Kong and China Gas Company Limited

and three private individuals. One individual commenter commented that the development intensity in Tsuen Wan was not tolerable with the newly constructed residential developments along Yeung Uk Road, the developments at Site TW7 currently under construction and Site TW5 proposed above the West Rail Tsuen Wan West Station. The Board should preserve the only air ventilation belt or scenery for the residents of Tsuen Wan old urban area. Another individual commenter opined that the proposed vehicular access and internal roads within the development would affect the air quality of Tsuen Wan Riviera Park and Tsuen Wan Park. The private residential development should share the communal access road with the proposed public sports centre. The HC Task Force and Designing Hong Kong Limited urged for an active interface between the harbourfront and the residential development as well as between the park, promenade and the proposed public sports centre. They also urge for a wide pedestrian entrance to the promenade from the residential property. They also raised concern on the design of the emergency vehicular access, carpark ramps, pedestrian entrance to the promenade from the residential property as well as the function and design of the proposed public sports centre. Besides, the sports hall kiosks and food and beverage facilities should be provided at ground level opening up to the park / promenade, including some outdoor seating facilities. The Hong Kong and China Gas Company Limited remarked that construction of superstructure / building on top of or in close proximity to the existing gas pipeline which was situated at the eastern corner of the application site near Wing Shung Street should be avoided. The remaining individual commenter agreed to the application and suggested the provision of several badminton courts and a public library at the proposed public sports centre; and

- (e) District Officer (Tsuen Wan) advised that the application was discussed at a Tsuen Wan District Council (TWDC) special meeting on 6.2.2012. TWDC agreed to the broad development approach of the Site TW6 and was glad to know that the Government had confirmed that implementation of a public sports centre with a seating capacity of 1,600 (the sports centre under the original approved scheme (No. A/TW/284) has a seating capacity of 600

only) for holding international sports competition. The TWDC also welcomed the provision of more small to medium-sized flats to cater for the needs of middle-income group, which tallied with the prevailing housing policy. Besides, the TWDC understood that there was not enough patronage to support the provision of a footbridge connection between the Site TW6 and TW7. The TWDC wished that the Government would continue to investigate and reserve space for the provision of the concerned infrastructure facility and would construct the footbridge if there was such a need in future;

- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper which were summarised as follows:

Improvement over the approved scheme

- with a view to complying with the Sustainable Building Design (SBD) Guidelines, providing more small to medium-sized flats and to meet the rising community aspirations, a comprehensive review of the latest approved scheme (Application No. A/TW/284) with major improvements including reduction in overall development height and podium bulk and height for better air ventilation and visual permeability, widening of the breezeways/ visual corridors and the building gap, an increase in greenery coverage and provision of a higher standard public sports centre were proposed;

Development Intensity

- the domestic plot ratio had been reduced from 4.628 to about 4.545 to address the public concern and to cater for the changes necessitated by the introduction of the SBD Guidelines. The overall plot ratio had been increased slightly from about 5.334 to about 5.41 mainly because of the enlargement of the proposed public sports centre. Although the proposed public sports centre had increased in bulk in

response to LCSD's latest requirement, the relatively solid bulk of the proposed public sports centre would, according to the visual impact assessment conducted by the applicant, be effectively balanced out by the extensive open spaces around;

Building Height

- the revised scheme had reduced the high-rise blocks from 184.5mPD to 179.5mPD. If a reasonable level of development intensity was to be achieved and given the site constraints, the proposed building height from 169.5mPD to 179.5mPD had demonstrated improvement over the previously approved scheme;

Podium Coverage and Height

- the revised scheme had improved the design of podium by reducing the podium height (-5.7m). Vertical greening at podium level of the residential development would reduce the visual impact at podium level. The set back of the public sports centre from all vehicular trunk together with the existence of the adjoining Tsuen Wan Park would effectively balance out the relatively solid bulk of the public sports centre;

Building Gap

- building gap had been widened from 15m to 20m. According to the AVA conducted by the applicant, as compared with the previously approved scheme, the current scheme had demonstrated a better wind performance at its immediate vicinity;

Technical Assessment

- the technical assessments demonstrated that the proposed comprehensive residential and commercial development would not

generate adverse environmental, air ventilation, visual and traffic impacts. All departments consulted including TD, CEDD, EPD and CTP/UD&L, PlanD had no objection to the application. As regards the noise impact assessment, DEP had no objection to the proposed scheme from the environmental perspective subject to the imposition of an approval condition;

Replacement of Footbridge Connection

- according to the applicant, the footbridge across Wing Shun Street had been deleted due to low patronage forecast and lack of space resulted from expansion of the main arena of the proposed public sports centre. As per the comments of C for T, approval condition on the design and implementation of the proposed at-grade signalized crossing as well as its implementation programme was suggested;

Public Concerns

- the TWDC was concerned about the deletion of the proposed footbridge between the Sites TW6 and TW7. In this connection, TD agreed to request the LandsD to incorporate suitable clauses into the lease of the Site TW6 to reserve space within the site for the future provision of the footbridge connection between the Sites TW6 and TW7. The Government would fund, construct and bear the management & maintenance responsibility of the concerned footbridge. To cater for future construction of the subject footbridge connection within the Site TW6, an approval condition to ensure that space would be provided within the Site TW6 for the said footbridge connection was suggested ;
- regarding the comments on the vehicular access, all the internal roads proposed were located within the boundary of the Site TW6 and had not encroached onto the border of the Tsuen Wan Riviera Park and Tsuen Wan Park. TD had no comment on the access arrangement of

the proposed development;

- on the comments relating to the interface between the harbourfront and the residential development, as well as between the park / promenade and the sports centre, the applicant had provided responses that the interface between the harbourfront and the proposed residential development would be duly considered in the detailed design stage. Besides, an advisory clause “to indicate in the tender document for the proposed development that the design of the proposed development should blend in with the neighbouring waterfront promenade” had been suggested;
- with regard to the public comment suggesting the provision of badminton courts and a public library in the proposed public sports, according to LCSD, a total of four badminton courts under the preliminary design of the proposed public sports centre were proposed. LCSD had provided adequate public library service in Tsuen Wan area according to the Hong Kong Planning Standards and Guidelines.

28. With reference to the Landscape Master Plan in Drawing A-10, a Member asked whether the multi-purpose open lawn was a public open space. Mr. K. T. Ng, STP/TWK replied that the lawn area was part of the residential development and not a public open space. The same Member asked how the application site would be connected to the promenade in view of the different site levels of the promenade and the development site. Moreover, the relationship between the development and the public sports centre had not been clearly shown. Mr. Wilson Chan, DPO/TWK, responded that there was a similar public concern on the integration of the development with the promenade. With reference to para. 12.19 of the Paper, he explained that an advisory clause requesting the applicant to indicate in the tender document the requirements for the design of the future development to blend in with the neighbouring waterfront promenade had been suggested. In response to the Chairman’s enquiry, Mr. Chan replied that no detailed design on such aspects was available at this stage.

Deliberation Session

29. A Member considered that the application could be approved as it was an improvement as compared to the previous application.

30. After further deliberation, the Committee decided to approve the Master Layout Plan (MLP) and the application, under sections 4A and 16 of the Town Planning Ordinance, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.2.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a revised MLP to incorporate the approval conditions as stipulated in conditions (b) to (k) below and the implementation of the revised MLP to the satisfaction of the Director of Planning or of the TPB;
- (b) the reservation of site for the development of a public sports centre within the application site to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (c) the design and provision of a public sports centre within the application site to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (d) the submission of a revised traffic impact assessment and the provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and implementation including development programme of the at-grade signalized crossing across Wing Shun Street, as proposed by the applicant and at the applicant's own cost, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the provision of a connecting point within the application site for the future development of a footbridge connecting the application site with the Site

TW7 to the satisfaction of the Commissioner for Transport or of the TPB;

- (g) the design and provision of a new stormwater and sewerage system to connect with the existing facilities to the satisfaction of the Director of Drainage Services or of the TPB;
- (h) the design and 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;
- (i) the submission and implementation of a revised Landscape Master Plan and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (j) the submission and implementation of a revised development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the TPB; and
- (k) the submission of a revised noise impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB.

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

- (a) the approved MLP, together with the set of approval conditions, would be certified by the Chairman of the TPB and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into the revised MLP for deposition in the Land Registry as soon as practicable;
- (b) to liaise with the Director of Leisure and Cultural Services and the Director of Architectural Services on the design and implementation of the public sports centre within the application site;
- (c) to consult the Director of Buildings on the compliance of the proposed

development with the Buildings Ordinance and 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 bonus plot ratio and/or 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 are 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;

- (d) to note the comments of the Chief Estate Surveyor/Railway Development, Lands Department on the requirement to submit a fresh land exchange application;
- (e) to note the comments of the Director of Environmental Protection on the traffic noise impact assessment;
- (f) to note the comments of the Project Manager/New Territories North and West, Civil Engineering and Development Department on the interface issue and noise impact of the proposed development;
- (g) to note the comments of the Director of Fire Services that the emergency vehicular access provision in the site should comply with the standard as stipulated in the Part VI of the Code of Practice for Means of Access for Firefighting and Rescue under the Building (Planning) Regulation 41D;
- (h) to note the comments of the Chief Engineer/Development(2), Water Supplies Department on the impact of the proposed development on the existing water mains;
- (i) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department on the drainage and sewerage impacts of the proposed development;

- (j) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department on the planning and design of the public sports centre; and
- (k) to indicate in the tender document for the proposed development that the design of the proposed development should blend in with the neighbouring waterfront promenade.

[The Chairman thanked Mr. Wilson Chan, DPO/TWK, Mr. K.T. Ng, STP/TWK, and Miss Yvonne Leong, TP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr. David To returned to join the meeting at this point.]

Hong Kong District

Agenda Item 9

Section 16 Application

[Open Meeting]

A/H6/69 To Relax the Building Height Restriction from 100 mPD to 108.65 mPD for Composite Development in "Other Specified Uses" annotated "Mixed Use" zone, 33-39 Tung Lo Wan Road and 19-21 Shelter Street
(MPC Paper No. A/H6/69)

32. The Committee noted that the applicant's representative requested on 6.2.2012 for deferment of the consideration of the application for two months in order to allow time to address departmental comments and concerns.

33. 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.

[Miss Isabel Y. Yiu, STP/HK, was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/249 Proposed Shop and Services in “Residential (Group E)” zone, Workshop
No. 1 and Adjoining Open Yards, Ground Floor, Fullagar Industrial
Building, 234 Aberdeen Main Road, Aberdeen
(MPC Paper No. A/H15/249)

Presentation and Question Sessions

34. With the aid of a powerpoint, Miss Isabel Y. Yiu, STP/HK, 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/adverse comment from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, one public comment from a District Councillor was received. The commenter expressed concerns on environmental impacts in terms of noise and air quality, glare and security problems arising from the proposed shop or showroom use, or should the application premises be used as an eating place or a pub. No local objection was received by the District Officer (Southern); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed 'Shop and Services' use at the application premises was generally in line with the planning intention of the "Residential (Group E)" zone, which was to encourage the phasing out of the existing industrial uses through redevelopment or conversion. The application premises was on the ground floor of an existing industrial building with separate and direct access from the industrial portion at Aberdeen Main Road. The proposed use would occupy a total area of about 416.978m² (including 19.172m² open yards), which was within the permissible limit of aggregate commercial floor area on ground floor (i.e. 460m²) stipulated by the Director of Fire Services. The proposed use was considered compatible with the surrounding developments, which comprised mainly residential developments with commercial uses. Given the small scale of the proposed use, it would unlikely generate any adverse fire safety, traffic and environmental impacts. Regarding the public comment on the possible environmental impacts induced by the proposed 'Shop and Services' use, the Director of Environmental Protection advised that night-time noise and air emissions nuisance would be subject to statutory control under the Noise Control Ordinance and Air Pollution Control Ordinance, and the applicant should comply with all the relevant pollution control ordinances for the operation of his proposed shop/services. Furthermore, the current application did not involve eating place use.

35. Members had no question on the application.

Deliberation Session

36. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.2.2014, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of means of escape and fire service installations to the satisfaction of the Director of Fire Services or of the TPB before operation of the proposed use; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) to note the comments of the District Lands Officer/Hong Kong West & South, Lands Department in paragraph 8.1.1 of the Paper regarding the application for an offensive trade licence depending on the actual use of the application premises;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department in paragraph 8.1.2 of the Paper regarding the submission of alteration and addition plans and the provision of access and facilities for person with disabilities;
- (c) to note the comments of the Director of Fire Services in paragraph 8.1.3 of the Paper regarding the compliance of the requirements stipulated in the Code of Practice for Fire Resisting Construction; and
- (d) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department in paragraph 8.1.7 of the Paper regarding the submission of drainage and sewerage connection plans and the supporting hydraulic calculations.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/250 Proposed Temporary Office for a Period of 5 Years in “Industrial” zone,
6/F Oceanic Industrial Centre, No. 2 Lee Lok Street, Ap Lei Chau
(MPC Paper No. A/H15/250)

38. The Secretary reported that Ove Arup & Partners Hong Kong Ltd (Ove Arup) was the consultant of the applicant. Professor S.C. Wong who had current business dealings with Ove Arup had declared an interest in this item. As Professor Wong had no direct involvement in the subject application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

39. With the aid of a powerpoint, Miss Isabel Y. Yiu, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary office for a period of 5 years to cater for the necessary design and coordination work during the construction of the Mass Transit Railway (MTR) South Island Line (East) (SIL(E)) which was scheduled for completion in 2015;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, five public comments were received. All commenters supported the application on the grounds that the industrial premises on Ap Lei Chau had a high vacancy rate, the proposed office use was less polluting and would assist in the transformation of the Ap Lei Chau West Industrial Area into a business and commercial area. Two of the commenters also expressed the view that the

proposed office was necessary to support the construction of the SIL(E) and concerned that refusing the application would delay the completion of the railway project. No local objection was received by the District Officer (Southern); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed office use was considered not incompatible with the industrial and industrial-related uses in the subject industrial building, in which a number of workshops, design and media production firms and industrial-related offices could be found. The proposed temporary office would tie in with the construction of SIL(E) and would not jeopardize the planning intention of the “Industrial” zone. Moreover, under the Area Assessments 2009, the Ap Lei Chau West Industrial Area was considered to have potential for rezoning to “Other Specified uses (Business)” to provide more flexibility in the use of the industrial land by allowing a mix of non-polluting industrial uses, information technology and telecommunications industries, office and other commercial uses. According to the applicant, the proposed office under application was for the design and coordination centre for construction of the SIL(E) and would not involve direct provision of customer services or goods and attract a large number of visitors. The proposed office generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D in that it would not generate adverse traffic impact on the area and was acceptable in terms of the fire safety and environmental aspects.

40. Members had no question on the application.

Deliberation Session

41. In response to the Chairman's enquiry, Miss Isabel Yiu, STP/HK, replied that the subject industrial building was under multiple ownership.

42. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 10.2.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the submission and implementation of the fire service installations before operation of the use to the satisfaction of the Director of Fire Services (D of FS) or of the TPB; and
- (b) if the above planning condition was not complied with before the operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) to apply to the District Lands Officer/Hong Kong West & South, Lands Department for a temporary waiver for the proposed use under application;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department in paragraph 9.1.2 of the Paper regarding the submission of alteration and addition plans, the compliance of window area requirement and the maintenance of corridor facilitating interchange of staircases;
- (c) to note the comments of the D of FS that detailed fire services requirements should be formulated upon receipt of formal submission of general building plan; and
- (d) to refer to the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises' for the information on the steps required to be followed in order to comply with the approval condition on the provision of fire service installations.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/251 Proposed Hotel in “Other Specified Uses” annotated “Business(1)” zone,
64 Wong Chuk Hang Road, Wong Chuk Hang
(MPC Paper No. A/H15/251)

44. The Secretary reported that Raymond Chan Surveyors Ltd. was the consultant of the applicant. Mr. Raymond Chan who was the director of this company had declared an interest in this item. The Committee noted that Mr. Chan had left the meeting already.

Presentation and Question Sessions

45. With the aid of a powerpoint, Miss Isabel Y. Yiu, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the site was the subject of a previous application No. A/H15/247 submitted by the same applicant for the same use with not more than 98 guest rooms approved with conditions by the Committee on 6.12.2011. The main differences between the current application and the approved scheme (No. A/H15/247) were the increase in number of guest rooms from not more than 98 to 162 (i.e. 65.3% increase), reduction in room sizes, changes in internal layout on various floors, and increases in the number of carparking space and loading/unloading space. Since the increase in guest rooms exceeded 10% of the approved provision allowed for a Class B amendment under the Town Planning Board Guidelines No. 36A, further planning application was required;
- (b) the proposed hotel;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;

- (d) during the first three weeks of the statutory publication period, one public comment was received from Designing Hong Kong Limited objecting to the application. The commenter opined that the traffic generated by the proposed hotel would further contribute to traffic congestion in the Southern District, and would increase the need for new road works and possible reclamation or other impairment of the harbour and harbour-front. The commenter urged the Board to restrain new development and refrain from allowing a further increase in density and traffic in the south of Hong Kong Island until it had satisfied itself that future transport and traffic were sustainable. No local objection was received by the District Officer (Southern); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. When compared with the previously approved scheme (No. A/H15/247), the applicant proposed, in the current application, to increase the number of guest rooms from not more than 98 to 162 with a corresponding reduction in room size, changes in internal layout on various floors, and increases in the number of carparking spaces and loading/unloading spaces, while the plot ratio and gross floor area (GFA) remained at 14.98 and 7,185.79m² (including additional plant rooms and back-of-house (BOH) facilities) respectively. There was basically no change to the overall scale of development as compared with the approved scheme. Commissioner for Transport (C for T) considered that the proposed increase in number of guest rooms would have relatively small impact on traffic and had no objection to the application and the proposed internal transport facilities. To ensure that the proposed conversion would not result in an increase in the physical bulk of the existing building, an approval condition to stipulate that the maximum GFA for the proposed hotel should be inclusive of the area for additional plant rooms and BOH facilities was recommended. The proposed hotel was located in close proximity to a petrol filling station (PFS) with liquefied petroleum gas (LPG) filling facilities to its east. Same as the approved scheme, a minimum separation distance of 12m between any opening and/or non-fire resistance elements of the proposed

hotel and the nearest fill point of the nearby PFS had been maintained, whilst the applicant had undertaken to provide 2-hour fire resisting period construction and all fire service installations including a drencher system and water supplies for firefighting to the satisfaction of the Director of Fire Services (D of FS). The D of FS and the Director of Electrical and Mechanical Services had no objection to or no comment on the application. Regarding the public comment on the possible adverse traffic impact induced by the proposed hotel development, C for T considered that the Traffic Impact Assessment and the proposed internal transport facilities were acceptable.

46. A Member said that the reason provided by the applicant that the increase in hotel rooms was to meet market demand from tourists including larger tourist groups seemed not sufficient. Moreover, in view of the increase in larger tourist groups, this Member asked whether the applicant had demonstrated how the traffic impact would be addressed. Miss Isabel Yiu, STP/HK, replied that according to the applicant, the need for more hotel rooms was to meet the changing market demand identified at the detailed design stage of the hotel. The applicant had proposed one more loading/unloading space for medium goods vehicles in the current application to cater for such increase. Transport Department had no objection to the application noting that the proposal was for in-situ conversion of an industrial building and considered that the increase in number of guest rooms from 98 to not more than 162 would have relatively small impact to traffic in the surrounding area.

Deliberation Session

47. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 10.2.2016, 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 proposed hotel development was subject to a maximum gross floor area (GFA) of 7,185.79m². Any floor space that was constructed or intended for use as additional plant rooms, and back-of-house facilities as specified

under Regulation 23A(3)(b) of the Building (Planning) Regulations should be included in GFA calculation;

- (b) the design and provision of the internal transport facilities of the proposed development to the satisfaction of the Commissioner for Transport 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;
- (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;
- (e) the provision of fire resisting construction, water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development would be granted by the Building Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession for the non-domestic PR of the development was not 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 apply to the District Lands Officer/Hong Kong West & South, Lands Department for the lease modification for the hotel development at the site;

- (c) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department in paragraph 8.1.2 of the Paper regarding the requirements laid down under the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-40 and the provision of access to fireman's lift;
- (d) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department in paragraph 8.1.6 of the Paper regarding the submission of drainage and sewerage connection plans with supporting hydraulic calculations;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department in paragraph 8.1.10 of the Paper regarding the provision of landscape planting on façade, podium and roof of the proposed development;
- (f) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department in paragraph 8.1.12 of the Paper regarding the licensing requirements for hotel use under the Hotel and Guesthouse Accommodation Ordinance; and
- (g) 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 Miss Isabel Y. Yiu, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Kowloon District

Agenda Item 13

Section 16 Application

[Open Meeting]

A/K10/242 Proposed Flat, Shop and Services in “Residential (Group E)” zone, 84 To
Kwa Wan Road, Ma Tau Kok
(MPC Paper No. A/K10/242A)

49. The Committee noted that the applicant’s representative requested on 2.2.2012 for deferment of the consideration of the application for two months in order to allow time to prepare a hazard assessment and to address departmental comments and concerns.

50. 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 since a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/672 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” zone, Factory A, G/F, Lucky (Kwun Tong) Industrial
Building (also known as The Grande Building), Nos. 398-402 Kwun
Tong Road, Kwun Tong
(MPC Paper No. A/K14/672)

Presentation and Question Sessions

51. With the aid of a powerpoint, 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 shop and services;
- (c) departmental comments – no objection/adverse comment from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, one public comment was received expressing support to the application without giving any reason. No local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The “Other Specified Uses (Business)” (“OU(Business)”) zone was intended for general business uses. It allowed greater flexibility in the use of the existing industrial or industrial-office buildings provided that the shop and services use would not induce adverse fire safety and environmental impacts. Besides, previous applications for shop and services on the same application premises had been approved and similar applications for the same use had also been approved for other units on the G/F of the other industrial buildings. The proposed shop and services use at the application premises was considered generally in line with the planning intention. The proposed shop and services use at the application premises complied with the Town Planning Board Guidelines for Development within the “OU(Business)” Zone (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent areas. Should the Committee approve the current application,

the total commercial floor area on the G/F of the subject building would be 295.4m² which was within the maximum permissible limit of 460 m² on the G/F of an industrial building with a sprinkler system. In this regard, the Director of Fire Services had no objection to the application.

52. Members had no question on the application.

Deliberation Session

53. 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 10.2.2014, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

- (a) to apply to the District Lands Officer/Kowloon East for lease modification or waiver for the shop and services use at the application premises;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorised Person to submit alteration and addition proposal for the proposed change in use/alteration works to the Building Authority (BA) to demonstrate compliance with the Buildings

Ordinance, including:

- (i) the provision of 2 hours fire resisting separation wall between the application premises and the remaining portion of the existing building on G/F in accordance with Building (Construction) Regulation 90 and the Code of Practice for Fire Resisting Construction;
 - (ii) the provision of access and facilities for the persons with a disability in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
 - (iii) the applicant should also note the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the BA had no powers to give retrospective approval or consent for any unauthorized building works; and
- (c) to note the comment of the D of FS to comply with the requirements as stipulated in ‘Code of Practice for Fire Resisting Construction’ which was administered by the Buildings Department.

Agenda Item 15

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/K15/96G)

55. The Secretary reported that the application was submitted by Main Wealth

Development Ltd. with Ove Arup & Partners Hong Kong Ltd. (OAP) as one of the consultants. 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 Development Ltd., Swire Properties Ltd. (Swire), Wheelock Properties Ltd. (Wheelock), 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

- Mr. Felix Fong - having current business dealings with SHK

- Mr. Clarence Leung - being the Director of an NGO that had recently received a private donation from a family member of the Chairman of Henderson

- Mr. Roger Luk - being the ex-member of the Board of Directors of Wheelock

- Professor S.C. Wong - current business dealings with OAP

As the applicant had requested a deferral of consideration of the application, Members agreed that Members who had declared interests in this item could stay in the meeting.

56. The Committee noted that the applicant's representative requested on 3.2.2012 for deferment of the consideration of the application for two months in order to allow time to address departmental comments and concerns. The Secretary said that the application had been deferred seven times but in view of the large-scale and complicated technical issues involved in the comprehensive redevelopment, it was reasonable to consider further deferring the application.

57. 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 16

[Closed Meeting]

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

Agenda Item 17

Any Other Business

59. The Secretary informed Members that the Town Planning Board site visit was tentatively scheduled for 23 February 2012. Members would be informed on the details in due course.

60. There being no other business, the meeting closed at 11:25 a.m..