

TOWN PLANNING BOARD

Minutes of 475th Meeting of the Metro Planning Committee held at 9:00 a.m. on 5.10.2012

Present

Director of Planning
Mr. Jimmy C.F. Leung

Chairman

Professor S.C. Wong

Vice-chairman

Ms. Bonnie J.Y. Chan

Professor Eddie C.M. Hui

Ms. Julia M.K. Lau

Mr. Patrick H.T. Lau

Mr. Laurence L.J. Li

Mr. Roger K.H. Luk

Mr. Stephen H.B. Yau

Assistant Commissioner for Transport (Urban),
Transport Department
Mr. Albert Lee

Chief Engineer (Works), Home Affairs Department
Mr. Frankie Chou

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

Assistant Director (Hong Kong), Lands Department (Atg.)
Mr. Simon Wang

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

Secretary

Absent with Apologies

Mr. H.W. Cheung

Professor P.P. Ho

Mr. Sunny L.K. Ho

Mr. Dominic K.K. Lam

Mr. Maurice W.M. Lee

Mr. Clarence W.C. Leung

In Attendance

Assistant Director of Planning/Board
Ms. Christine K.C. Tse

Chief Town Planner/Town Planning Board
Miss H.Y. Chu

Town Planner/Town Planning Board
Mr. Wallace W.K. Tang

Agenda Item 1

Confirmation of the Draft Minutes of the 474th MPC Meeting held on 21.9.2012

[Open Meeting]

1. The draft minutes of the 474th MPC meeting held on 21.9.2012 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Mr. Tom C.K. Yip, 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/K20/118 Proposed Temporary Office for a Period of 5 Years in “Residential (Group A) 1” zone, UG/F and 2/F (Part) of Commercial Podium, The Long Beach, 8 Hoi Fai Road, Kowloon
(MPC Paper No. A/K20/118)

3. The Secretary reported that the application was submitted by Hang Lung Real Estate Agency Ltd. Mr. Patrick H.T. Lau and Mr. Dominic K.K. Lam had declared interests in this item as they had current business dealings with Kenneth To & Associates Ltd., which was the consultant for the applicant. The Committee noted that Mr. Lam had tendered an apology for being unable to attend the meeting and Mr. Lau had not yet arrived to join the

meeting.

Presentation and Question Sessions

4. Mr. Tom C.K. Yip, STP/TWK, presented the application with the aid of a powerpoint presentation and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary office for a period of five years;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) three public comments were received during the first three weeks of the statutory publication period. Two individuals raised objection to the application on the grounds that it would spoil the tranquil living environment and jeopardise the safety of the children and the elderly due to the narrow vehicular entrance and an increase in traffic flow. A Yau Tsim Mong District Council (DC) member commented that only a temporary approval of three years should be granted to the application as the population structure in the area would change rapidly in the coming three years with the completion of new developments; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment as detailed in paragraph 11 of the Paper. Regarding the local concern on the potential traffic problems caused by the proposed temporary office use, according to the traffic review submitted by the applicant, which had been accepted by the Commissioner for Transport, the traffic flow would decrease after the conversion of the premises from an educational institution and retail floor area to office use. As for the suggestion by the DC member to shorten the approval period to three years only, the proposed office use was considered

not incompatible with other commercial uses in the commercial podium of the development, and there was no objection to a temporary approval of five years applied for under the application.

[Ms. Julia M.K. Lau, Mr. Patrick H.T. Lau and Mr. Ken Wong arrived to join the meeting at this point.]

5. In response to a Member's enquiry, Mr. Tom C.K. Yip said that part of the UG/F and the 2/F of the commercial podium of The Long Beach were currently vacant and the applicant intended to convert the vacant area into a temporary office. Upon the expiry of the 5-year approval period, the applicant would review the market situation at that time and decide the use of the commercial podium. Mr. Yip added that the commercial podium of The Long Beach was involved in three previous planning applications submitted by the same applicant for office use. Applications No. A/K20/62 and 68, for converting Level 1 and Level 2 of the commercial podium for office use, were approved in 2002 and 2003 respectively. However, the approved schemes were not implemented, which might be due to the applicant's market decision. With respect to the third application No. A/K20/103 for using part of Level 1 of the commercial podium for office use, it was approved by the Committee in 2008 and the premises had been used for office purpose since then.

Deliberation Session

6. The Chairman said that the approval of the application was considered not incompatible with other uses within the commercial podium of The Long Beach.

7. After deliberation, the Committee decided to approve the application on a temporary basis for a period of five years until 5.10.2017, 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 fire service installations 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 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.

8. The Committee also agreed to advise the applicant of the following :
- (a) to note the comments of the District Lands Officer/Kowloon West regarding the application for lease modification/waiver for the proposed development; and
 - (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department regarding the submission of alterations and additions plans, the compliance of prescribed windows, fire resisting construction, the provision of means of escape and change in calculation of GFA if there were surplus commercial carparking spaces not supported by the Transport Department.

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

[Mr. Patrick H.T. Lau left the meeting temporarily at this point.]

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

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/438 Proposed Public Utility Installation (Package Substation) in “Village Type Development” zone, Shing Mun Road near Wo Yi Hop Village Expansion Area, Tsuen Wan, New Territories
(MPC Paper No. A/TW/438)

Presentation and Question Sessions

9. 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 public utility installation (package substation);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) one public comment from a Tsuen Wan District Council member was received during the first three weeks of the statutory publication period. The commenter indicated support for the application and urged for the early commencement of the proposed development. The District Officer (Tsuen Wan) advised that four Village Representatives of Wo Yi Hop Village had been consulted and two of them supported the application; 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 public comment supported the application and urged for an early commencement of the project.

10. Members had no question on the application.

Deliberation Session

11. 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 5.10.2016, 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 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
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing regarding the application to the Estate Management Section of the Lands Department for approval under the relevant terms and conditions of the relevant Block Licence prior to the commencement of the proposed works and there was no guarantee that the relevant approval would be given;
- (b) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that in case a tenancy was granted, then the works would be subject to the control of the Buildings Ordinance and formal submission under the Buildings Ordinance in respect of the work for approval was required. In this connection, the applicant's attention was drawn to the following issues:
 - (i) if the site was not abutting a specified street having a width not less than 4.5m, the development intensity should be determined under Building (Planning) Regulation (B(P)R) 19(3) at the building plan submission stage; and
 - (ii) the site should be provided with means of obtaining access from a street under B(P)R 5 and emergency vehicular access should be provided under B(P)R 41D;
- (c) to note the comments of the Director of Fire Services that detailed fire safety requirements would be formulated upon receipt of formal

submission of general building plans and referral from the relevant licensing authority. Furthermore, the emergency vehicular access provision at the site should comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under B(P)R 41D;

- (d) to note the comments of the Director of Health that according to the World Health Organization (WHO), it was important to comply with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines (1998). With the compliance with the guidelines, exposure to extremely low frequency electromagnetic fields such as those generated by electrical facilities would not pose any significant adverse effects to workers and the public. WHO also encouraged effective and open communication with stakeholders in the planning of new electrical facilities and exploration of low-cost ways of reducing exposures when constructing new facilities. Verification of actual compliance with the ICNIRP guidelines, by the project owner or the Electrical and Mechanical Services Department as the regulator, was advisable upon the commissioning of the package substation;
- (e) to note the comments of the Director of Electrical and Mechanical Services on the compliance with the Electricity Ordinance and relevant statutory requirements and the following regarding the existing 400kV overhead power transmission lines and pylons in vicinity of the application site:
 - (i) to give due consideration to the requirements of the preferred working corridor of the 400kV overhead lines as stipulated in the Hong Kong Planning Standards and Guidelines published by the Planning Department (PlanD);
 - (ii) to observe the “Code of Practice on Working near Electricity Supply Lines” established under the Electricity Supply Lines (Protection) Regulation when carrying out works in the vicinity of the electricity supply lines; and

- (iii) to be warned of possible undue interference to electronic equipment in the vicinity as regards the electric and magnetic fields arising from the 400kV overhead lines; and
- (f) to note the comments of the Chief Town Planner/Urban Design and Landscape, PlanD regarding the need to make sure that no trees would be disturbed or damaged during the construction works of the utility installation.

[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

Agenda Item 5

Section 16 Application

[Open Meeting]

A/H20/177 Proposed Comprehensive Residential Development with Commercial Uses and a Public Transport Terminus in "Comprehensive Development Area (1)" and "Open Space" zones, former China Motor Bus Depot at 391 Chai Wan Road, Chai Wan Road Bus Terminus, and a section of Sheung On Street, Chai Wan
(MPC Paper No. A/H20/177)

13. The Secretary reported that the application was submitted by China Motor Bus Company Ltd. Mr. Dominic K.K. Lam had declared an interest in this item as he had current business dealings with ADI Ltd., which was the consultant for the applicant. The Committee noted that Mr. Lam had tendered an apology for being unable to attend the meeting.

14. The Secretary stated that the applicant's representative requested on 21.9.2012

for a deferment of the consideration of the application for two months to allow more time for the preparation of supplementary information to address the comments from the relevant government departments.

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

[Mr. Patrick H.T. Lau returned to join the meeting and Ms. Bonnie J.Y. Chan arrived to join the meeting at this point.]

[Ms. Irene W.S. Lai, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

Further Consideration of Application No. A/H8/416

Proposed Exterior Designs for the Administration Building (ADB), East Ventilation Building (EVB) and East Vent Shaft (EVS) of the Central - Wan Chai Bypass (CWB) Project in “Other Specified Uses” annotated “CWB Administration Building”, “Other Specified Uses” annotated “CWB Ventilation Building” and “Other Specified Uses” annotated “CWB Exhaust Vent” zones, ADB: a site near Oil Street at North Point adjacent to the eastern tunnel portal entry of the CWB, EVB: a site at the future North Point waterfront adjacent to the eastern breakwater of the Causeway Bay Typhoon Shelter, and EVS: a site at the end of eastern breakwater of the Causeway Bay Typhoon Shelter

(MPC Paper No. A/H8/416A)

16. The Secretary reported that the application was submitted by the Highways Department (HyD) of HKSAR Government. Mr. Roger K.H. Luk and Mr. Frankie Chou had declared interests in this item as they had properties in City Garden, North Point. As their properties did not have a direct view on the application sites, Members agreed that their interests were indirect and they should be allowed to stay in the meeting. Mr. Stephen H.B. Yau had declared an interest in this item as he had a property in North Point, which had a direct view on the application sites. Mr. Patrick H.T. Lau, having current business dealings with the applicant, had also declared an interest in this item. The Committee agreed that the interests of Mr. Yau and Mr. Lau were direct and they should leave the meeting temporarily for this item.

[Mr. Stephen H.B. Yau left the meeting temporarily and Mr. Patrick H.T. Lau left the meeting at this point.]

Presentation and Question Sessions

17. Ms. Irene W.S. Lai, STP/HK, presented the application with the aid of a powerpoint presentation and covered the following aspects as detailed in the Paper :

- (a) background to the application – the application, submitted by HyD of the HKSAR Government, sought planning permission of the Board for the proposed exterior designs of the planned Administration Building (ADB), East Ventilation Building (EVB) and East Vent Shaft (EVS) of the Central-Wan Chai Bypass (CWB) project. During the consideration of the application on 24.8.2012, Members raised the following concerns/issues on the proposed exterior designs of ADB, EVB and EVS :
 - (i) ADB: the adverse visual impact on the proposed development at Oil Street; and the measures to improve the maintenance of plants and its box-like design;
 - (ii) EVB: the large size of the EVB and its integration with the future waterfront open space; and the measures to improve the maintenance of plants and its box-like design; and

- (iii) EVS: lack of human scale and massive; high-quality building materials should be used; public acceptance on the design; information about the design competition of EVS organized by the Eastern District Council (EDC) including its process and results, extent of public support on the winning entry, and the differences between the winning entry and the EVS proposed by the applicant.

The Committee, after deliberation, decided to defer a decision on the application pending the submission of additional information from the applicant, which should include measures to improve the design of the three proposed developments taking into account the comments of Members, an implementation programme of the CWB project with regard to the ADB, EVB and EVS, and the process and results of the design competition organized by EDC. On 28.9.2012, the applicant submitted further information (FI) for the further consideration of the application by the Committee;

- (b) further consideration of the proposed exterior designs for the ADB, EVB and EVS of the CWB project;
- (c) the FI submitted by the applicant was summarized as follows :

General

- (i) the proposed ADB was the control base of the CWB. In order to achieve maximum efficiency for tunnel ventilation, the ventilation buildings should be located as close to the tunnel portal as possible. Having taken into account the concern of nearby residents, the applicant had separated the EVS for discharging the exhaust from the EVB so as to maximize the distance between the EVS and the residential neighbourhood, and the EVB would act as an intake of fresh air into the tunnel ventilation system. The road scheme of the CWB project, including the locations of ADB, EVB and EVS, was gazetted under the Roads (Works, Use and Compensation)

Ordinance (the Roads Ordinance) in July 2007 and authorized by the Chief Executive in Council in 2009, with works commenced in end 2009. Their proposed sizes and heights were a balanced consideration of the functional requirements and solution with due respect to the local concerns;

- (ii) between July and September 2010, the applicant organized a series of roving exhibition showing two design options for the ADB and EVB respectively and three design options for the EVS. The views and preference from the public were collected during the roving exhibitions, and the public's preferred design options for the ADB, EVB and EVS had been further presented to the Harbourfront Commission (HC) and EDC for consultation purpose;
- (iii) a design competition for the EVS was organized by the EDC in 2011 and submissions from the public were invited during the period of 3.6.2011 to 28.7.2011. A total of 116 entries were received from the Open Group, Student (Senior) Group and Student (Junior) Group. The result of the design competition was announced on 11.9.2011. The design concept of the winning entry of the Open Group was "motion";
- (iv) the exterior designs of ADB, EVB and EVS had been evolved taking into account inputs from the general public, the HC, EDC and the design competition for EVS organized by EDC since 2009. Any change resulting in exceedance of their gazetted sizes and heights would need to be regazetted for public comment. This would affect the underground tunnel structure works of the CWB that were already under construction;

ADB

- (v) the design concept of the ADB was based on the preferred design theme of "Louvered Screen" voted by the public during the roving exhibitions held by the applicant in 2010, with additional greening elements as suggested by EDC;

- (vi) to address Members' concerns on the bulkiness and visual impacts of ADB, it was proposed to refine the architectural features of the building and the design of the amenity area in front of the ADB entrance at Oil Street by:
 - (a) providing additional architectural frames for the louvered screens on the façade to create in and out effects with green walls, and randomly adjusting the distances between the slats in the louvered screens to create a more energetic rhythm;
 - (b) making use of a contrast colour scheme on the louvered screens and wall finishes to create layering effect and miraculous shading pattern that would compliment the building; and
 - (c) adopting different species of grass to blend into the louvered screen design of the ADB at its entrance at Oil Street. Shrubs would be adopted as part of the boundary fence to create a green feature to respond to the future green open space in the adjacent development;

EVB

- (vii) the design concept of the EVB had combined the two design options of "Natural Greening" and "Wood Screen" with similar voting results by the public during the roving exhibitions in 2010. Such integrated design was supported by EDC members;
- (viii) to address Members' concerns on the bulkiness and visual impacts of EVB, it was proposed to refine the architectural features of the building by:
 - (a) introducing treated waste wood slat in different density and colour on the upper portion of the building facade; and
 - (b) breaking down the louvers by slots in dynamic angles and the slots would continue to the lower portion on the building façade;

EVS

- (ix) the applicant had prepared three design options for the EVS for the roving exhibitions and the public were invited to choose their preferred option. More than 50% of the respondents selected “Flowing Sails” as the preferred option. “Flowing Sails” was therefore adopted as the basic design theme for the EVS, which was an abstract and twisted structural form working in concert to the yacht at Causeway Bay Typhoon Shelter, with reference to other public comments received such as harmonious with the harbour and round form especially on the top;

Design Competition Organized by the EDC

- (x) a design competition for the EVS was organized by the Working Group on Waterfront Development in Eastern District under the EDC, with co-organizers including the HC, Hong Kong Institute of Urban Design, Hong Kong Institute of Planners, and Hong Kong Institute of Landscape Architects, etc. A total of 116 entries were received and the result of the design competition was announced on 11.9.2011. The design concept of the winning entry of the Open Group was “motion”, making use of the multi-directional wind flow on the harbour to generate a dynamic form. It presented a dynamic structural form with twisting motion with light and wavy fins to create a sculpture on the breakwater;
- (xi) the applicant had investigated and reviewed the technical feasibility of the winning design and found that it could not meet the functional and design requirements of the EVS specified in the Environmental Permit (EP) under the Environmental Impact Assessment Ordinance (EIAO) and the Gazette Plan under the Roads Ordinance. If the winning design were scaled up to meet the functional requirements, its base would exceed the gazetted footprint and the height would be above the height limit of +25mPD as specified in the Gazette Plan and the relevant OZP. Notwithstanding, the applicant had incorporated the concept of “motion” in the winning entry into the

EVS design, by introducing more architectural fins that spinned along the vent shaft to generate motion and ethereal form of feature, and by introducing a boat-like base structure. The applicant had submitted the revised design to EDC and HC Task Force between April and July 2012 and no further comments were received;

Refined Scheme to address the Committee's Concerns

- (xii) to address the Committee's concerns, the applicant had further refined the exterior design of the EVS to reduce its visual impact by:
 - (a) introducing curvy shape layer on the lower portion of the boat-like base;
 - (b) trimming down portion of the original base structure to echo with the curvy shape;
 - (c) introducing different colour finishes in varying level of the base to break down the visual bulk;
 - (d) using aluminium colour for the fins to make the vent shaft more subtle to enhance visual comfort; and
 - (e) applying high-quality building materials and aluminium cladding with surface coating for the shaft, the base, architectural fins and features;

Implementation Programme of the CWB Project

- (xiii) the CWB project had commenced construction at the end of December 2009 with the works on the substructures of ADB, EVB and EVS already underway. The superstructures of these tunnel buildings were included in the last construction contract scheduled for tendering in early November 2012, commencement of works in mid 2013 and commissioning of CWB in 2017; and
- (xiv) as the exterior designs for ADB, EVB and EVS were the results of a series of public consultation starting from 2009, any major changes would induce new rounds of consultation. It might also require

regazetting of the three buildings under the Roads Ordinance, if these changes exceeded the heights and sizes on the respective Gazette Plan. This would inevitably cause delay to the commissioning of the CWB in 2017; and

(d) the Planning Department (PlanD)'s view – based on the assessment made in paragraph 3 of the Paper, PlanD maintained its previous view of having no objection to the application. The assessment was summarised below :

- (i) the exterior designs of ADB, EVB and EVS had responded to their functional requirements and evolved taking into account inputs from the public, HC, EDC and the design competition for EVS organized by EDC since 2009;
- (ii) in response to the Committee's concerns, the applicant had provided FI on the process and result of the design competition for EVS organized by the EDC, and the implementation programme of the CWB project with regard to the ADB, EVB and EVS. The applicant had further refined the proposed exterior designs of the ADB, EVB and EVS with a view to enhancing the visual effect, and reducing the visual impact of the proposed developments, where appropriate;
- (iii) according to the applicant, the current locations and sizes of ADB, EVB and EVS represented an optimal arrangement after a due process balancing the waterfront setting, functional requirements and local concerns. Any major changes would induce new rounds of consultations and regazetting under the Roads Ordinance, causing cost and delay to this important infrastructural project; and
- (iv) in response to the concern of the Director of Marine on the marine safety due to the lighting on the EVS, an approval condition would be stipulated to require the submission and implementation of lighting proposal for the EVS.

18. A Member asked about the relationship between the design competition organized for the EVS and the series of roving exhibition held. In response, Ms. Irene W.S. Lai stated that the design competition was organized by the Working Group on Waterfront Development in Eastern District under the EDC in 2011, with co-organizers including the HC, Hong Kong Institute of Urban Design, Hong Kong Institute of Planners, Hong Kong Institute of Landscape Architects, Hong Kong Institution of Engineers, Hong Kong Institute of Surveyors, Art Promotion Office of the Leisure and Cultural Services Department, and the Eastern District Office. In the roving exhibitions organized by the applicant between July and September 2010, the applicant had put forward three design options for the EVS, i.e. Option 1 – “Layered Cylinder”, Option 2 – “Flowing Sails”, and Option 3 – “Light Tower”, for the public to choose their preferred option. As more than 50% of the respondents selected Option 2 as the preferred option, it had been adopted as the basic design theme for the EVS. According to Ms. Lai’s understanding, a number of design options had been worked out by the applicant for the EVS before three of them were selected for the roving exhibition.

19. In response to the question of the same Member on why the winning entry of the design competition organized by the EDC was not adopted, Ms. Irene W.S. Lai said that the functional requirements of ventilation discharge as specified in the EP under EIAO would need to be satisfied. With respect to the winning entry of the design competition, the applicant found that the winning design could not meet the functional requirements of the EVS as the area of its discharge opening was only about 50m², instead of the required minimum area of 94m², and the mid-discharge point at 13m above ground was lower than EP requirement of 16.25m. These would significantly reduce the discharge efficiency of the EVS. The Member however did not accept the reasons given and considered that the technical issues were not insurmountable. Given that the winning entry was the result of an open design competition and was widely accepted by the public, the Government should adopt that design as far as possible.

20. The same Member noted that one of the concerns of the HC on the proposed developments was the public accessibility of the breakwater and judging from the submitted drawings (Drawing A-17), the public might not be able to gain access to the EVS via the breakwater given its narrow width. A Member referred to the same drawing and also Drawing FA-4a in the Paper and added that the width of the breakwater appeared to be too

narrow for public passage and the base of the EVS had almost fully occupied the building platform leaving no room for public access. Ms. Irene W.S. Lai said that the applicant had confirmed that the public would have access to the breakwater and around the EVS, and the detailed design of the breakwater would be considered by relevant government departments as part of the waterfront open space. However, she had no information in hand about the width of the pedestrian access on the breakwater.

21. Ms. Irene W.S. Lai also pointed out that HC Task Force requested that the ADB site should not be fenced off and a direct pedestrian access between the future waterfront open space and City Garden should be allowed through the ADB site to improve the accessibility to the open space. In this regard, the applicant had explained that it was necessary to provide a boundary fence around the ADB site for safety reason. However, a 2m-wide pedestrian path could be provided along the southern boundary of the ADB for access to the future waterfront open space.

22. In reply to the question of the same Member, Ms. Irene W.S. Lai said that EVB and EVS worked as a pair. The size of EVB would need to be enlarged to accommodate more powerful or more number of plant if the EVS winning entry was adopted with its dimension remained unchanged. However, any exceedance of the gazetted size and height of the EVB would require regazetting under the Roads Ordinance. On the other hand, if the dimension of the EVB remained unchanged, the base of the winning design of the EVS would need to be enlarged to 16m x 16m and the height had to be increased as well to meet the functional requirements. The revised design would exceed the dimension specified in the Gazette Plan.

23. A Member asked about the management and maintenance responsibility of the area in the vicinity of the application sites. In response, Ms. Irene W.S. Lai said that the area concerned was government land and would be developed as a waterfront open space. The implementation of the future waterfront open space, including the breakwater, had yet to be discussed among relevant government departments. In response to a further question from the same Member, Ms. Lai stated that the breakwater was zoned "Open Space" ("O") on the OZP.

Deliberation Session

24. The Chairman said that the area in the vicinity of the application sites was government land and the future waterfront open space would normally be managed by the Leisure and Cultural Services Department, which would consider the detailed design of the waterfront open space, including the provision of public access. Regarding the management and maintenance of the AVB, EVB and EVS, they would be taken up by the applicant. Members' views on public accessibility could be taken into account by relevant government departments in the formulation of the management plan.

25. The Secretary said that normally, breakwaters would not have a land use designation on the OZPs. However, the subject breakwater was zoned "O" on the OZP in order to meet the public aspiration for accessibility to the waterfront. Together with the EVS, it would form part of the future waterfront open space.

26. A Member had the following comments/views on the exterior designs of the ADB, EVB and EVS :

- (a) there were marked improvements to the refined exterior designs for the ADB and EVB;
- (b) the need to maintain a boundary fence around the ADB for safety reason was acceptable;
- (c) the applicant's refined exterior design of EVS was still considered not acceptable as its massive bulk and unattractive design would have adverse visual impact on the entire waterfront. In this regard, the winning entry of the design competition for the EVS, which was more dynamic and attractive, was preferred;
- (d) the applicant's claim that the winning entry was not adopted due to its failure to meet the functional requirements was not convincing. The applicant did not indicate clearly why the winning entry could not be modified to meet the functional requirements of ventilation discharge. In particular, the applicant had not provided information on how much the

EVB would need to be enlarged should the winning entry of the EVS be adopted with its dimension remained unchanged; and

- (e) noting the large external surface area of the EVS in the design of the winning entry, there should be ways to increase the area of the discharge opening to satisfy the functional requirements without the need to increase its dimension.

27. Upon the invitation of the Chairman, Mr. Ken Wong explained that the resulting air quality impacts of the EVS largely depended on a combination of three functional requirements, namely minimum discharge height, discharge exit velocity and discharge area. If any one of the above requirements had to be varied to fit into another architectural design, the other two requirements would have to be adjusted so as to maintain the same level of air quality performance. Mr. Wong added that as long as the revised design of the EVS could satisfy the same air quality performance, there was no problem to amend the EP under the EIAO. As for the winning entry of the EVS, the applicant said that it needed to be scaled up in order to meet the functional requirements but by doing so, the gazetted size and height as shown on the Gazette Plan under the Roads Ordinance would be exceeded. As a result, regazetting under the Roads Ordinance would be required.

28. A Member considered that the application could be approved and made the following points:

- (a) if the winning entry for the EVS was technically acceptable, there was no reason why the applicant did not adopt the design. It was likely that the applicant could only adopt the concept of the winning entry due to the technical difficulties involved;
- (b) the applicant had incorporated the concept of “motion” in the winning entry into the EVS design and the revised design had been presented to and accepted by both the EDC and HC. If the applicant needed to further revise the EVS design on the basis of the winning entry, there would be another round of public consultation and the public might have other views; and

- (c) even the public passage along the breakwater was narrow, there should be many ways to improve public accessibility to the breakwater, such as the provision of a deck on top of the breakwater.

29. Regarding the applicant's claim that any changes to the EVS design would cause significant delay to the CWB project, the Member who indicated that the winning design of the EVS should be adopted made the following points:

- (a) the EVS should be an iconic building situated at a prominent waterfront location at Victoria Harbour. It should be well-planned and integrated with its surrounding development;
- (b) it was a pity if the Government did not develop the EVS based on the winning entry of the competition, which was highly recognized by the community;
- (c) the EVS was only a small-scale utility installation and no building plan submission was required. Technical difficulties in meeting the functional requirements of ventilation discharge should not be used as a justification for not adopting the winning design; and
- (d) the delay to the CWB project as a result of the changes made to the EVS design should not be exaggerated as the construction of the ADB and EVB could still proceed without delay.

30. The above views were in general shared by another Member. In response to the Member's question, the Secretary said that the application sites were zoned "Other Specified Uses" ("OU") annotated "CWB ADB", "OU" annotated "CWB Ventilation Building" and "OU" annotated "CWB Exhaust Vent" respectively on the relevant OZPs. Planning permission was required from the Board for the exterior design of any development within the three zones.

31. The Secretary further said that since the consideration of the subject application was deferred in August 2012, PlanD had discussed with the applicant about Members' views/concerns on the exterior design of the three buildings and the possible improvement

measures. The applicant agreed that as compared with the current design, the winning entry of the EVS design competition was more dynamic and attractive from the design perspective. Nevertheless, the applicant explained that there were technical difficulties in adopting the winning entry as it could not meet the functional requirements of the EVS. Should the winning entry be adopted, the dimensions of either the EVS or EVB would need to be adjusted to an extent beyond their gazetted sizes and heights as stipulated in the Gazette Plan under the Roads Ordinance and the parameters on the relevant OZPs. Though there was provision for application for minor relaxation to the building height restriction in the Notes of the OZPs, any exceedance of the respective gazetted size and height of the EVS and EVB would require regazetting under the Roads Ordinance. According to the applicant's estimate, the delay to the CWB project would be at least two years.

32. Upon the invitation of the Chairman, Ms. Irene W.S. Lai stated that the applicant had explained to EDC why the EVS winning design could not be adopted and how the concept of the winning design was included into the revised EVS design. The revised design was subsequently presented to EDC in April 2012 and no further comments from EDC members had been received.

33. A Member said that similar to Sydney Opera House in Australia which blended in well with the surrounding environment while providing a performance venue for the use of its citizens, the development of the ADB, EVB and EVS should be well integrated with the waterfront with the provision of pedestrian access. This Member also said that as compared to the original exterior designs submitted to the Committee in August 2012, the applicant's refined designs of ADB and EVB had shown marked improvements. Regarding the design of EVS, the improvement was not satisfactory. Nevertheless, owing to the constraints of its functional requirements on ventilation discharge, the design of the EVS had little room for further improvement. Having noted the reasons provided by the applicant, it would not be possible to adopt the winning entry of the EVS design competition. In this respect, this Member had no objection to the revised EVS design as submitted under the current application as the design was also acceptable to EDC.

34. The Secretary said that based on the applicant's information, there was a 2m-wide pedestrian path surrounding the EVS at the end of the breakwater and there was a 3m-wide public passage along the breakwater leading to the EVS. She added that the

applicant had incorporated the concept of “motion” in the winning entry into the EVS design by introducing architectural fins that spun along the vent shaft to generate motion and ethereal form of feature. EDC had no further comment on this modified EVS design.

35. The Chairman said that as a result of Members’ comments at the meeting in August 2012, the design of the ADB, EVB and EVS had been improved quite significantly. He drew Members’ attention that should there be any major changes to the EVS design, apart from the air quality impact modelling that needed to be undertaken, it would also take time to go through another round of public consultation. This would cause further delay to this much needed infrastructural project.

36. Mr. Frankie Chou said that the EVS design competition was organized by EDC with co-organizers including the HC and a number of professional institutions. He noted that the applicant’s original design had been revised to take on board the winning design concept and the modified design had been presented to and subsequently accepted by the EDC and HC. Should the Government need to further revise the EVS design, another round of public engagement exercise might be required and this might cause delay of more than two years to the CWB project.

37. The Chairman said that the design of the EVS had gone through a long process of consultation and though the winning design was not adopted, the concept had been incorporated in the revised EVS design, which was subsequently presented to EDC. He noted that the applicant had further refined the exterior design of the three buildings to address the concerns of the Committee.

38. The Secretary, in response to the enquiry of a Member, said that while minor amendment to the approved exterior design of the three buildings might be allowed at the detailed design stage, major changes to the approved design would require another planning application to the Board for approval.

39. After further deliberation and noting the dissenting views of two Members on the exterior design of the EVS, 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 5.10.2016, 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 for the Central-Wan Chai Bypass Administration Building to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a landscape proposal for the Central-Wan Chai Bypass East Ventilation Building to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission and implementation of an external lighting proposal for the Central-Wan Chai Bypass East Vent Shaft to the satisfaction of the Director of Marine or of the TPB.

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

- (a) to liaise with the District Lands Officer/Hong Kong East for an application for a permanent Government land allocation to implement the permanent developments of the Administration Building (ADB), East Ventilation Building (EVB) and East Vent Shaft (EVS);
- (b) to note the comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department regarding the requirement of two-stage design submission under ETWB TC(W) No. 8/2005 on 'Aesthetic Design of Ancillary Buildings in Engineering Projects' and exploring opportunities to step up measures to improve the visual relationship with its environment;
- (c) to note the comments of the Director of Leisure and Cultural Services regarding the maintenance of the vehicle access to the EVB and to liaise with Leisure and Cultural Services Department accordingly;
- (d) to note the comments of the Director of Marine that the proposed EVS

location and its lighting should not obstruct and/or interfere with vessels' proper lookout in the vicinity and over the Causeway Bay Typhoon Shelter eastern breakwater during and after the construction period;

- (e) to note the comments of the Chief Engineer/Development(2), Water Supplies Department (WSD) that a section of the existing DN150 fresh water main would be affected by the planned ADB and diversion of this water main might be required. The applicant should approach the Hong Kong and Island Region of WSD for detailed arrangement of diversion. The necessary cost for diversion of this water main would be borne by the project proponent; and
- (f) to note the local concerns on the environmental impact of the planned EVS and to address the concerns at the detailed design stage.

[The Chairman thanked Ms. Irene W.S. Lai, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Ms. Julia M.K. Lau left the meeting and Mr. Stephen H.B. Yau returned to join the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/H8/417 Proposed Office Development with Eating Place, Shops and Services in
"Comprehensive Development Area (1)" zone, 14-30 King Wah Road,
North Point, Hong Kong
(MPC Paper No. A/H8/417)

41. The Secretary stated that the application was submitted by Glory United Development Ltd. (a subsidiary of Henderson Land Development Ltd. (Henderson)), with Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Ltd. (DLNCM), ADI Ltd.

(ADI), and Ove Arup & Partners Hong Kong Ltd. (Ove Arup) as its consultants. The following Members had declared interests in this item :

- | | |
|-------------------------|---|
| Professor S.C. Wong | - had current business dealings with Ove Arup |
| Mr. Clarence W.C. Leung | - being the Director of a non-government organisation that had recently received a private donation from a family member of the Chairman of Henderson |
| Mr. Dominic K.K. Lam | - had current business dealings with Henderson, ADI and Ove Arup |
| Mr. Patrick H.T. Lau | - had current business dealings with Henderson, DLNCM and Ove Arup |

42. The Committee noted that Mr. Lam and Mr. Leung had tendered apologies for being unable to attend the meeting, and Mr. Lau had left the meeting already. As the applicant had requested to defer consideration of the application, the Committee agreed that Professor Wong could be allowed to stay in the meeting.

43. The Secretary reported that the applicant's representative requested on 19.9.2012 for a deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to address the concerns of relevant government departments.

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

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/K9/250 Proposed Hotel in “Residential (Group A)” zone, 54-56 Ma Tau Wai Road, Hung Hom, Kowloon
(MPC Paper No. A/K9/250)

45. The Secretary reported that the applicant’s representative requested on 14.9.2012 for a deferment of the consideration of the application for two months in order to allow time for the applicant to prepare supplementary information to address the departmental comments.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K14/675 Proposed Hotel (Conversion of an Existing Industrial Building to Hotel Use) in “Other Specified Uses” annotated “Business” zone, 53 Hung To Road (formerly known as 53A Hung To Road), Kwun Tong, Kowloon
(MPC Paper No. A/K14/675A)

47. The Secretary reported that Mr. Dominic K.K. Lam and Mr. Patrick H.T. Lau had

declared interests in this item as they had current business dealings with Kenneth To & Associates Ltd. and LLA Consultancy Ltd., which were the consultants for the applicant. The Committee noted that Mr. Lam had tendered an apology for being unable to attend the meeting and Mr. Lau had left the meeting already.

48. The Secretary reported that the applicant's representative requested on 20.9.2012 for a deferment of the consideration of the application for two more months in order to allow time for the applicant to review the scheme and to further consult relevant government departments on the proposal.

49. The Secretary stated that the application had been deferred once due to the need to prepare further information to address the concerns of the Transport Department (TD). The applicant had met TD and relevant government departments in July 2012 to discuss the provision of transport facilities of the proposed hotel development and more time was required to review the relevant provisions in the scheme.

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 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 a further period of two months were allowed for preparation of the submission of the further information, and since a total period of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Any Other Business

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