

TOWN PLANNING BOARD

Minutes of 476th Meeting of the Metro Planning Committee held at 9:00 a.m. on 19.10.2012

Present

Director of Planning
Mr. Jimmy C.F. Leung

Chairman

Professor S.C. Wong

Vice-chairman

Ms. Bonnie J.Y. Chan

Mr. H.W. Cheung

Mr. Sunny L.K. Ho

Professor Eddie C.M. Hui

Mr. Dominic K.K. Lam

Mr. Patrick H.T. Lau

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Mr. Laurence L.J. Li

Mr. Roger K.H. Luk

Mr. Stephen H.B. Yau

Chief Traffic Engineer/Kowloon,
Transport Department
Mr. Wilson W.S. Pang

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

Assistant Director (Environmental Assessment) (Atg.),
Environmental Protection Department
Mr. H.M. Wong

Assistant Director (Hong Kong), Lands Department
Ms. Doris M.Y. Chow

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

Secretary

Absent with Apologies

Professor P.P. Ho

Mr. Maurice W.M. Lee

In Attendance

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

Chief Town Planner/Town Planning Board
Mr. Edward W.M. Lo

Town Planner/Town Planning Board
Mr. K.K. Lee

Agenda Item 1

Confirmation of the Draft Minutes of the 475th MPC Meeting held on 5.10.2012

[Open Meeting]

1. The draft minutes of the 475th MPC meeting held on 5.10.2012 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. There were no matters arising.

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/K5/725 Proposed Hotel (Guesthouse) in “Residential (Group A) 6” zone,
6/F-8/F, Nos. 307-309 Lai Chi Kok Road, Cheung Sha Wan
(MPC Paper No. A/K5/725)

3. The Secretary reported that on 11.10.2012, the applicant requested the Board to defer making a decision on the application for two months in order to allow time for preparation of supplementary information to address departmental concerns relating to access arrangement and security issue relating to the subject premises at the application site.

4. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee 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 4

Section 16 Application

[Open Meeting]

A/K5/726

Temporary Shop and Services for a Period of 5 Years
in “Other Specified Uses” annotated “Business 3” zone,
Workshop No. 4, G/F, Premier Centre, No. 20 Cheung Shun Street,
Cheung Sha Wan

(MPC Paper No.A/K5/726)

5. The Secretary reported that on 12.10.2012, the applicant requested the Board to defer making a decision on the application for two months in order to allow time for preparation of supplementary information to address departmental concern on fire safety issue and in support of the application.

6. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee 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 5

Section 16 Application

[Open Meeting]

A/TWW/105 Minor Relaxation of Maximum Plot Ratio Restriction (from 0.4 to 0.75) for Permitted House Development in “Residential (Group C)” zone, Lots No. 253 S.A RP, 261 and 388 in D.D. 399 and adjoining Government Land, Ting Kau, Tsuen Wan
(MPC Paper No. A/TWW/105)

7. The Secretary reported that Kenneth To & Associates Ltd. and Environ Hong Kong Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

Mr. Dominic K.K. Lam) had current business dealings with Kenneth To &
Mr. Patrick H.T. Lau) Associates Ltd.

Ms. Julia M.K. Lau – had current business dealings with Environ Hong
Kong Ltd.

8. The Committee noted that Mr. Lau and Ms. Lau had not yet arrived to join the meeting. As the item was for deferral of the consideration of the application, the Committee agreed that Mr. Lam could stay in the meeting.

9. The Secretary also reported that on 4.10.2012, the applicant requested the Board to defer making a decision on the application for one month in order to allow more time to prepare supplementary information to address the comments of government departments on the application.

10. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Hong Kong District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H3/407 Proposed Hotel (Partial Conversion of Existing Commercial Building)
in “Residential (Group A) 7” zone, Shops A2, A3 and B1 on G/F,
1/F to 12/F and R/F, 266 Des Voeux Road West, Hong Kong
(MPC Paper No. A/H3/407)

11. The Secretary reported that on 11.10.2012, the applicant requested the Board to defer making a decision on the application for two months in order to allow time for preparation of supplementary information to address the comments of government departments on the application.

12. 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 7

Section 16 Application

[Open Meeting]

A/H3/408 Proposed Hotel (Conversion of Existing Commercial Building)
in “Residential (Group A)” zone, 181-183 Connaught Road West,
Hong Kong
(MPC Paper No. A/H3/408)

13. The Secretary reported that Mr. Dominic K.K. Lam, Mr. Patrick H.T. Lau and Ms. Julia M.K. Lau had declared interests in this item as they had current business dealings with MVA Hong Kong Ltd., one of the consultants of the applicant. The Committee noted that Mr. Lau and Ms. Lau had not yet arrived to join the meeting. As the item was for deferral of the consideration of the application, the Committee agreed that Mr. Lam could stay in the meeting.

14. The Secretary also reported that on 5.10.2012, the applicant requested the Board to defer making a decision on the application for two months in order to allow time for preparation of supplementary information to address the comments of government departments on the application.

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.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/409 Proposed Hotel (Partial Conversion of Existing Commercial Building)
in “Residential (Group A) 9” zone, G/F (Portion) and 3/F to 23/F,
53-55 Hollywood Road, Central
(MPC Paper No.A/H3/409)

Presentation and Question Sessions

16. Ms. April K.Y. Kun, STP/HK, presented the application with the aid of a PowerPoint and covered the following aspects as detailed in the Paper :

- (a) background to the application;

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

- (b) the proposed hotel (partial conversion of existing commercial building);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application detailed in paragraph 8 of the Paper;
- (d) a total of 16 public comments were received during the first three weeks of the statutory publication period. Whilst one commenter had no objection to the proposal, the fifteen commenters objected to the application for reasons that the over-development of hotels in the area would generate noise, light pollution and nuisances to the surrounding areas/local residents; the area was already very congested with insufficient parking facilities for hotels; the proposed development would generate adverse traffic impact; the proposed conversion would further reduce the already notable shortage of office space in the district and force out the existing creative industries from the subject building; and the hotels could be developed in New Territories rather than in Central. No local objection/view was received by the District Officer (Central & Western); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 10 of the Paper. As regards the public concerns on nuisances and traffic impact of the proposed development, the proposed hotel was considered not incompatible with the surrounding developments and the Director of Environmental Protection (DEP) had no objection to the application. Besides, the Commissioner for Transport (C for T) had no adverse comment on the traffic impact assessment and the proposed hotel from traffic point of view.

17. A Member noted that the size of the guest rooms of the proposed hotel, which ranged from about 40 m² to 45 m² appeared to be larger than that of a normal hotel. That Member asked if the proposed hotel, if approved, would be subject to any control to prevent it from using for long-term leasing. Ms. April K.Y. Kun replied that if the application was approved, the proposed hotel would be required to obtain a hotel licence under the Hotel and Guesthouse Accommodation Ordinance for its operation. In response to the same Member's question, Ms. Kun confirmed that a hotel licence would not be needed if the guest rooms were leased for a term of more than 28 days.

18. The Secretary said that in the current proposal, the applicant had included back-of-house (BOH) facilities in the hotel development. As the applicant would need to apply to the Buildings Department (BD) for hotel concessions and gross floor area (GFA) exemption for the BOH facilities, the proposed hotel use would also be subject to the control under the Buildings Ordinance.

Deliberation Session

19. A Member asked if the Government had any information on those hotels that were operating with long-term leasing of guest rooms. The Chairman said that he was not aware that such information was available.

20. The same Member said that there was no objection to the hotel use under application but there was a concern that the applicant was only intended to gain extra GFA by way of GFA exemption for BOH facilities. The Secretary said that the Committee had to be prudent in considering hotel application in view of the large differential in maximum permissible plot ratio (PR) between a residential and a hotel development as permitted by the Building Authority (BA). However, this concern was not applicable to the current application as it involved partial conversion of an existing non-domestic building for hotel use. As mentioned above, as the hotel under application involved GFA exemption for BOH facilities, which would only be permitted for a hotel development, the proposal would be subject to the control under the Buildings Ordinance.

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

21. Another Member said that there was indeed a PR implication between a hotel and a residential development. With the granting of hotel concession, a hotel development would be subject to non-domestic PR which was higher than domestic PR of a residential development. A hotel development could also apply for GFA exemption for BOH facilities. However, the above matters on PR were for the consideration of the BA. The Board should focus its consideration on whether the character of the surrounding area would be conducive to a hotel development. Given that the application site was located in a commercial area, it was likely that a hotel development would be financially viable and hence would be implemented. The Chairman said that as far as the size of the guest rooms was concerned, there was a demand for larger hotel rooms for travellers for convention and exhibition business.

22. 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 19.10.2016, 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 proposed hotel development was subject to a maximum gross floor area (GFA) of 3,325 m². Any floor space that was constructed or intended for use as back-of-house (BOH) facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations should be included in GFA calculation;
- (b) the submission of a revised Traffic Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;

- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (f) the provisions of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

23. 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. 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 Building Authority 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 a licence to permit the relevant offensive trades under the lease;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department regarding the requirements laid down under the Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-40;
- (d) to note the comments of the Commissioner for Transport that there was no guarantee of availability of kerbside loading/unloading space;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that landscape plantings on flat roofs and vertical greening on building façade should be provided where practical;
- (f) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements for hotel use; and

- (g) to note the comments of the Director of Fire Services regarding the requirement for compliance with the Code of Practice for Fire Safety in Building being administered by the Buildings Department.

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

Kowloon District

Agenda Item 9

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/K10/242)

24. The Secretary reported that LD Asia, Environ Hong Kong Ltd. and AECOM Asia Co. Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

Professor S.C. Wong) had current business dealings with AECOM Asia
Mr. Dominic K.K. Lam) Co. Ltd.

Mr. Patrick H.T. Lau – had current business dealings with LD Asia and
AECOM Asia Co. Ltd.

Ms. Julia M.K. Lau – had current business dealings with Environ Hong
Kong Ltd. and AECOM Asia Co. Ltd.

25. The Committee noted that Mr. Lau and Ms. Lau had not yet arrived to join the meeting. As the item was for deferral of the consideration of the application, the Committee agreed that Professor Wong and Mr. Lam could stay in the meeting.

26. The Secretary also reported that on 9.10.2012, the applicant requested the Board to defer making a decision on the application for two more months in order to allow more time for the preparation of further information to fulfill the requirement of the Electrical and Mechanical Services Department (EMSD) for a hazard assessment (HA).

27. The Secretary stated that the application had been deferred four times since December 2011. The applicant explained that there was difficulty in obtaining the required baseline data and technical information from Towngas, the operator of the Ma Tau Kok Gas Works, for conducting the HA. The applicant had had meeting with the Planning Department and EMSD to discuss the difficulty encountered when conducting the HA. As such, the applicant would require more time to further liaise with Towngas and a further deferment was necessary.

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

[Mr. Stephen C.Y. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

[Mr. Patrick H.T. Lau arrived to join the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/244 Proposed Hotel in “Residential (Group A)” zone, 8-12A Ha Heung Road,
To Kwa Wan
(MPC Paper No. A/K10/244)

Presentation and Question Sessions

29. Mr. Stephen C.Y. Chan, STP/K, presented the application with the aid of a PowerPoint and covered the following aspects as detailed in the Paper :

(a) background to the application;

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

(b) the proposed hotel;

(c) departmental comments – concerned departments had no objection to or adverse comment on the application as detailed in paragraph 8 of the Paper. As regards the issue on the public right-of-way (ROW) lane which occupied an area of 8.42 m² at the eastern corner of the site as indicated by the applicant, the District Lands Officer/Kowloon West of the Lands Department (DLO/KW of LandsD) commented that the designation of a public ROW lane was not found in the government lease conditions. The Chief Building Surveyor/Kowloon of the Buildings Department (CBS/K of BD) commented that there was an existing ROW within the site, and application for inclusion of ROW in the site area would be considered at the building plan submission stage. The applicant had also submitted a drawing certified by a land surveyor and lease document drawing to indicate that there was an existing public ROW lane within the site. Should the inclusion of the public ROW lane into the site area calculation was not granted by the Building Authority, the proposed plot ratio would exceed the maximum plot ratio for non-domestic development within the “R(A)” zone and a fresh planning application to the Board might be required;

(d) two public comments were received during the first three weeks of the statutory publication period. The commenters supported the application on the grounds that the proposed hotel, with its proximity to the future station of the Shatin to Central Link, would regenerate and bring improvement to the old urban area as it would attract visitors, help

diversify the local economic activities and stimulate the business of shops nearby, increase the overall supply of hotel rooms, and provide visual enhancement and greenery to the local community. No local objection/view was received by the District Officer (Kowloon City); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 10 of the Paper. The two supportive public comments were noted.

30. The Chairman asked about the current status of the hotel applications that were previously approved by the Board in the vicinity. Mr. Stephen C.Y. Chan replied that of the approved hotel developments which involved 8 sites in the vicinity, two hotels were already in operation, the construction of two other hotels had been completed with occupation permits obtained, two other sites had obtained building plan approvals for hotel development, and the remaining two sites were not implemented for hotel development and had remained for residential use.

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

Deliberation Session

31. 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 19.10.2016, 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 fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of the public sewer upgrading works proposal to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the implementation of the approved sewer upgrading works proposal and the associated temporary sewer diversion to the satisfaction of the Director

of Drainage 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.

32. 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 of the proposed hotel development and the inclusion of the public right-of-way lane into the site area calculation would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approvals. In addition, if hotel concession for the non-domestic plot ratio of the development and inclusion of the public right-of-way lane into the site area calculation were not granted by the Building Authority, resulting in a non-domestic plot ratio exceeding 9.0 or major changes to the current scheme, a fresh planning application to the Board might be required;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that : (i) the granting of hotel concession under Building (Planning) Regulation 23A was subject to the compliance with the criteria under the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-40, and would be considered at the building plan submission stage; (ii) the PNAP APP-151 on “Building Design to Foster a Quality and Sustainable Built Environment” and PNAP APP-152 on “Sustainable Building Design Guidelines” were applicable to the redevelopment of the site; and (iii) detailed comments on the proposal under the Buildings Ordinance, including any application for exemption/exclusion of area from gross floor area calculation, would be given at the building plan submission stage;
- (c) to note the comments of the Director of Fire Services that arrangement on Emergency Vehicular Access should comply with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which was administered by Buildings Department;

- (d) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department on the licensing requirements for the proposed hotel; and
- (e) to note the comments of the Director of Food and Environmental Hygiene that proper measures should be taken to prevent the accumulation of waste/refuses and generation of pest problem at the site during the works period.

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

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/K18/295 Proposed School (Primary School) in "Residential (Group C) 1" zone,
15 Kent Road, Kowloon Tong
(MPC Paper No. A/K18/295)

33. The Secretary reported that Mr. Dominic K.K. Lam, Mr. Patrick H.T. Lau and Ms. Julia M.K. Lau had declared interests in this item as they had current business dealings with MVA Hong Kong Ltd., one of the consultants of the applicant. As the item was for deferral of the consideration of the application, the Committee agreed that the above Members could stay in the meeting.

34. The Secretary also reported that on 5.10.2012, the applicant requested the Board to defer making a decision on the application for two months in order to allow more time to prepare supplementary information to address the comments of government departments, in particular the Transport Department, on the application.

35. 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.

[Ms. S.H. Lam, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/251 Minor Relaxation of Domestic Site Coverage Restriction
from 30% to 37% for a Proposed Residential Development
in “Residential (Group A) 2” zone, Kowloon Inland Lot No. 11120,
Hung Luen Road, Hung Hom
(MPC Paper No.A/K9/251)

36. The Secretary reported that the application was submitted by a subsidiary of Cheung Kong (Holdings) Ltd. (Cheung Kong). Professor P.P. Ho and Mr. Patrick H.T. Lau had declared interests in this item as they had current business dealings with Cheung Kong.

37. The Committee noted that Professor Ho had tendered an apology for being unable to attend the meeting. As the interest of Mr. Lau was direct, Members agreed that he should be invited to leave the meeting during the discussion and deliberation of this item.

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

Presentation and Question Sessions

38. Ms. S.H. Lam, STP/K, presented the application with the aid of a PowerPoint and covered the following aspects as detailed in the Paper :

- (a) background to the application;

[Ms. Julia M.K. Lau and Mr. Clarence W.C. Leung returned to join the meeting at this point.]

- (b) the minor relaxation of the domestic site coverage (SC) restriction of the site from 30% to 37% for a proposed residential development;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application detailed in paragraph 9 of the Paper;
- (d) a total of 26 public comments were received during the first three weeks of the statutory publication period. Twenty-five comments (including those from mainly the residents of the adjoining Harbour Place and two Kowloon City District Council members) objected to or had adverse comment on the application for reasons that the proposed relaxation of domestic SC was not minor; the relaxation of SC might result in excessive building bulk and increase in the gross floor area (GFA) and future population of the proposed development which would pose adverse impacts on local open space, traffic and community facilities; the proposed building height had exceeded the building height restriction of 100mPD under the OZP; the proposed residential towers were close to Harbour Place; the design of the proposed development would bring about wall effect and adverse visual, air ventilation, glare, noise and natural lighting impacts on the adjoining Harbour Place and Whampoa Garden, and approval of the application would set an undesirable precedent. One commenter commented that the Government should carefully distinguish those genuine opinions from illicit organization(s). No local objection/view was received by the District Officer (Kowloon City); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. As regards the public concerns on wall effect, excessive building bulk and adverse visual, air ventilation, glare, noise, natural lighting and local traffic impacts on the adjoining Harbour Place and Whampoa Garden, the proposed development without a conventional podium structure would give a smaller building bulk as compared to the SC permitted under the OZP since the proposed domestic SC for the four residential towers was 22.87% (which was less than the maximum permissible domestic SC of 30%) and the SC at podium level (including the nine 3-storey houses and public covered walkway) was about 43.5% (which was less than the maximum permissible non-domestic SC of 60% by 16.5%); there were other design merits in the proposed scheme such as the additional 8m setback of the 9 proposed houses from the adjoining school and the proposed set back of Towers 1 to 3 and the pedestrian walkway from the lot boundary for about 10m to improve the street environment; and the concerned departments including the Chief Architect/Advisory and Statutory Compliance of the Architectural Services Department (CA/ASC of ArchSD), the Chief Town Planner/Urban Design and Landscape of the Planning Department (CTP/UD&L of PlanD), the Director of Environmental Protection (DEP) and the Commissioner for Transport (C for T) had no objection to the application. Besides, the proposed relaxation of SC would not increase the proposed GFA and future population of the proposed development, and hence there was no adverse impact on the local open space and community facilities. The building height of 100mPD of the proposed scheme also tallied with the 100mPD building height restriction of the OZP. As regards the precedent effect, there was no other “R(A)” site in Hung Hom OZP which was subject to SC restriction.

39. A Member asked how the proposed development scheme (with a proposed SC of 22.87% for the residential towers and an overall SC of 43.5% for the site) would compare with the OZP compliant scheme (i.e. subject to a maximum domestic SC of 30% and a maximum non-domestic SC of 60%) which appeared to be of different design concepts. In response, Ms. S.H. Lam said that the OZP compliant scheme was intended for a conventional design with residential towers (with maximum domestic SC of 30%) on top of a commercial

podium (with maximum non-domestic SC of 60%). The applicant had however adopted a different design in the current scheme which comprised 4 residential towers and a row of 9 houses without a commercial podium. Whilst the domestic SC of the residential towers (22.87%) and the houses (4.79%) themselves amounted to a total domestic SC of 27.66% (i.e. less than 30%), the SC of the ancillary facilities of 8.91%, such as residents' recreational facilities, caretakers office/quarters and E&M facilities, which were located at podium outside the footprint of the residential towers had been counted towards the domestic SC for the residential development, resulting in an overall domestic SC of about 37% for the proposed development, which had exceeded the maximum SC of 30% by about 7%. The non-domestic SC which covered the public pedestrian walkway and the associated features was 16.8% (i.e. less than 60%). In the current design, the applicant had included part of the public pedestrian walkway underneath the footprint of the residential towers (amounting to 9.86% of the non-domestic SC), thereby reducing the overall SC of the proposed development to 43.5%.

40. Another Member enquired about the current status of the three sites zoned "Open Space" ("O") to the northwest, west and southwest of the application site and the "Comprehensive Development Area (1)" ("CDA(1)") and "CDA(2)" sites to the south of the application site. In response, Ms. S.H. Lam said that the three "O" sites were open space planned to meet the needs of the district. There was not yet development programme for the two "O" sites to the northwest and west of the application site and they were being used as temporary works areas. For the open space site at Kin Wan Street to the southwest of the application site, works would commence in the coming year. The "CDA(2)" site was planned for commercial and office uses and a master layout plan for a proposed development at the site had already been approved by the Board. The "CDA(1)" site was a sale site planned for hotel development and reprovisioning of the existing open-air bus terminus to its east. The system of "O" sites served as major view and ventilation corridors for the Hung Hom Bay Reclamation Area.

41. Another Member enquired about the building height of the houses and ancillary facilities in the approved scheme. In response, Ms. S.H. Lam said that the houses were of 3 storeys and at a height of about 17.425mPD. There was a 2-storey basement underneath the houses and the residential towers for accommodating car parks, loading/unloading and E&M facilities.

Deliberation Session

42. In response to a Member's question about the large area of planning open space in the area, Ms. S.H. Lam replied that one of the planning objectives of the Hung Hom Bay Reclamation Area was to reserve more open spaces in the new reclamation area for providing a leisure environment and at the same time compensated for the insufficient open space provision in the older built-up parts of the Hung Hom district. The overall provision of open space for the Hung Hom district was generally adequate.

43. 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 19.10.2016, 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 condition :

- submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that comment regarding the exemption of the ancillary facilities from the site coverage calculation under the lease conditions would be given by LandsD at the building plan stage and there was no guarantee that the schematic design as proposed under the current planning application must be approved under the lease conditions. The Government's rights under lease were all reserved;
- (b) to note the comments of the Commissioner for Transport that the applicant should ensure that any corresponding change to the parking requirement should comply with the Hong Kong Planning Standards and Guidelines; and

- (c) to note the comments of the Director of Fire Services that detailed fire services requirements would be formulated upon receipt of formal submission of general building plans.

[The Chairman thanked Ms. S.H. Lam, STP/K, for her attendance to answer Members' enquiries. Ms. Lam left the meeting at this point.]

Agenda Item 13

Any Other Business

- 45. There being no other business, the meeting closed at 10:00 a.m.