

TOWN PLANNING BOARD

Minutes of 480th Meeting of the Metro Planning Committee held at 9:00 a.m. on 21.12.2012

Present

Director of Planning
Mr. K. K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Mr. Maurice W.M. Lee

Professor Eddie C.M. Hui

Ms. Julia M.K. Lau

Mr. Laurence L.J. Li

Mr. Roger K.H. Luk

Ms. Bonnie J.Y. Chan

Mr. H.W. Cheung

Mr. Sunny L.K. Ho

Mr. Dominic K.K. Lam

Mr. Patrick H.T. Lau

Mr. Stephen H. B. Yau

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

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

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

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

Secretary

Absent with Apologies

Professor P.P. Ho

Mr. Clarence W.C. Leung

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

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. William W.L. Chan

Agenda Item 1

Confirmation of the Draft Minutes of the 479th MPC Meeting held on 7.12.2012

[Open Meeting]

1. The draft minutes of the 479th MPC meeting held on 7.12.2012 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that on 7.12.2012, the Committee agreed to the proposed amendments to the Approved Tsim Sha Tsui Outline Zoning Plan (OZP) No. S/K1/26. Upon detailed checking, the following two minor technical amendments to the Notes of the OZP were required:

- (a) it was agreed at the last Committee's meeting that provision for application to the Town Planning Board for minor relaxation of the plot ratio (PR) restriction should be included in the Notes for the "Residential (Group A)" zone (which was added as Remark (8) to the Notes). Hence, Remark (1) of the Notes of the "R(A)" zone was proposed to be amended to clarify that all PR restrictions in Remark (1) was permitted to be exceeded under both paragraphs (7) **and/or (8)**; and
- (b) a typo regarding a user term under Column 2 of the "OU" annotated "Cultural Square and Public Open Space with Underground Commercial Complex and Car Park" zone was proposed to be rectified. Specifically, 'Utility Installation not ancillary to the **Specific Use**' should be amended as 'Utility Installation not ancillary to the **Specified Use**'.

3. These proposed amendments were marked on the amendment pages tabled at the meeting for Members' consideration. These proposed amendments were noted and agreed by the Members.

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/K18/7 Application for Amendment to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/6 from “Government, Institution or Community (2)” to “Government, Institution or Community (6)”, 300 Junction Road, Kowloon Tong
(MPC Paper No. Y/K18/7)

Presentation and Question Sessions

4. As CKM Asia Ltd. was the consultant of the applicant, Professor S.C. Wong declared an interest in this item since CKM Asia Ltd had financially sponsored some activities of the Institute of Transport Studies of the University of Hong Kong, of which he was the Director. As Professor Wong had no direct involvement in the subject application, the Committee agreed that Professor Wong’s interest was indirect and he could stay in the meeting.

5. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

Ms. Fiona Lung - District Planning Officer/Kowloon (DPO/K)
Ms. S.H. Lam - Senior Town Planner/Kowloon (STP/K),

6. The following applicant’s representatives were invited to the meeting at this point:

Pastor Harry Lucenay
Mr Andrew Wong
Mr Ian Brownlee
Ms Anna Wong

Mr Nelson Chen

7. The Chairman extended a welcome and explained the procedures of the hearing. He then invited Ms. S.H. Lam, STP/K, to brief Members on the background of the application. To start with, Ms. Lam made clarification on paragraph 9.1.1(c) of the Paper that as advised by Lands Department, the temporary waiver of the kindergarten mentioned in this paragraph should only be for the first floor of the existing building for a term of 3 years from 31.8.2005 and thereafter quarterly. Ms. Lam then briefed Members on the background of the application as detailed in the Paper and made the following main points with the aid of a PowerPoint:

Background

- (a) the application site was currently occupied by a 3-storey church above a basement carpark with a kindergarten. It was located at Junction Road directly facing Renfrew Road and at the end of Kam Shing Road. Hong Kong Baptist University (HKBU) Wai Hang Sports Centre was located behind the application site. The area where the application site was situated was a low to medium rise, low-density residential development area intermixed with government, institution and community (GIC) facilities including the Baptist Hospital and HKBU and open spaces. To the northeast and east were the main campus of the HKBU and a commercial building respectively. The area was well-served by public transport;

Proposal

- (b) the applicant submitted an application for amendment of the Outline Zoning Plan (OZP) to rezone the application site of about 557.4m² from “Government, Institution or Community(2)” (“G/IC(2)”) to “G/IC(6)” to increase building height (BH) from the current 3 storeys to the proposed 8 storeys (both excluding basement floor(s)) to facilitate redevelopment of an existing building to the same uses, accommodating a church and a kindergarten. According to the Notes for “G/IC” zone, both church (‘Religious Institution’) and kindergarten (‘School’) were always permitted. The application was for relaxation of BH restriction of the site;

- (c) the proposed building had 8 storeys and would be on top of one level of basement for loading/unloading and car parking uses. The PR of the proposed development was 5.68 and BH was 30.48m/72.8mPD at the main roof level or 76.3mPD at upper roof level. The whole building was proposed for church facilities except a kindergarten at 3/F. The kindergarten at 3/F was for re-provisioning of the existing one within the existing church building. The kindergarten had 3 classrooms to be operated in the morning and afternoon sessions with 75 students for each session, which was the same as the existing one. The kindergarten would also be used on Sundays for pre-schoolers and children at Sunday School;
- (d) the building was proposed to be set back from Junction Road by 3m to allow for roadside amenity. The proposed basement carpark would be for kindergarten use on Monday to Friday (including 1 car parking space, 1 taxi/private car lay-by and 3 school minibus lay-bys) and for church use (8 car parking spaces) on Saturday, Sunday and public holidays;
- (e) as shown in the photomontages submitted by the applicant, the proposed building would not create adverse visual impact to the surrounding area;
- (f) the applicant's justifications in support of the application were detailed in paragraph 2 of the Paper;

Government Bureaux/Departments' Comments

- (g) the comments of concerned bureaux and departments were detailed in paragraph 9 of the Paper and highlighted below:

Secretary for Home Affairs (SHA)

- (i) the conference room and office on G/F and church hall and store rooms on 1/F and 2/F were prima facie religious and ancillary facilities. He was in-principle agreeable that the proposed facilities on 4/F to 6/F would be used mainly for worship and ancillary (bible study) purposes or for religious purposes. He was also satisfied

that the applicant, Kowloon International Baptist Church, was a charitable religious organisation. Thus, SHA gave policy support to the above mentioned facilities at G/F to 2/F and 4/F to 6/F from a religious point of view at this planning stage;

Secretary for Education (SED)

- (i) he had no comment on the proposed kindergarten which was to re-provision the existing one;

Commissioner for Transport (C for T)

- (ii) he had no adverse comment on the parking/loading/unloading provisions and the one-way run-in/out for the church and the kindergarten from traffic point of view. The applicant should ensure that parking of school buses and student pick-up/drop-off activities by school buses should be confined within the proposed car park at basement to avoid adverse traffic impact at dead end of Kam Shing Road during school peak hours;

Director of Environmental Protection

- (iii) he had no adverse comment on the application considering the findings of the Environmental Assessment submitted by the applicant and the proposed mitigation measures, such as fixed windows with lockable sashes and central air-conditioning system, the position of fresh air intake of the central air-conditioning system, and no capacity problem to the public sewerage;

Chief Town Planner/Urban Design and Landscape, Planning Department

- (iv) the BH restrictions of "G/IC" sites were generally kept at a lower height to reflect their existing functional requirements and to provide spatial and visual relief for the congested urban area. There were not sufficient design merits to support the significant increase of BH from urban design perspective. Given the relatively small development scale, major adverse visual impacts were not anticipated. Besides, the applicant should enhance the landscape

amenity of the development by providing landscape softworks at the deck of 3/F and maximizing the greening opportunities at the roof;

Public Comments

- (h) a total of 1,537 public comments were received during the three-week statutory publication period. 1,481 of them supported/in favour of the application, 49 of them opposed/made adverse comments on the application and 7 of them expressed comments only;

- (i) the main reasons of those supporting or in favour of the application were:
 - (i) the church had a long history and had contributed greatly to the educational and social counselling services of the area;
 - (ii) the redevelopment was compatible with the surrounding environment. The proposed relaxation of height was reasonable and it would not result in an out-of-context development;
 - (iii) the Church was aging and in dilapidated conditions;
 - (iv) there was a genuine need for expansion of facilities to cater for the increased level of community services; and
 - (v) there would be more opportunity for English-speaking lessons/schools/Sunday schools being offered to the community.

- (j) the main reasons of those objecting to or making adverse comments on the application were:
 - (i) the proposed re-development was excessive in terms of height and bulk and would cause adverse impacts;
 - (ii) the proposed re-development would break the existing visual corridor and visual link between the open spaces, create wall effect, destroy the stepped height profile and impose significant adverse

- visual impact;
- (iii) the applicant has failed to provide reasonable justifications on the scale of community facilities and the development intensity proposed;
 - (iv) the proposed development with its only vehicular access at the end of a cul-de-sac will possibly bring chaos to the Kam Shing Road traffic;
 - (v) there were no parking spaces and loading/unloading bays provided for church use during weekdays. The provision of carparks and loading/unloading spaces did not comply with the Hong Kong Planning Standards and Guidelines; and
 - (vi) the proposed development would affect the property prices of nearby developments, and would be unfair to the developer of the nearby residential development at 1 Broadcast Drive;

Planning Department's Views

- (k) Planning Department had no objection to the application and recommended the Committee to partially agree to the application by relaxing the BH restriction to 72.8mPD under a new sub-area of "G/IC" zone instead of the applied "G/IC(6)" zone (restricted to 8 storeys), based on the assessments set out in paragraph 11 of the Paper, which were summarized as follows:

Planning Intention

- (i) the "G/IC(2)" zone was intended primarily for low-rise, low-density GIC facilities. As stated in the HKPSG, low-rise GIC developments were maintained as visual and spatial relief and breathing space to the built-up area. Increase in development intensity and BH for developments on "G/IC" sites must be with strong justification;

Policy Support

- (ii) SHA had given policy support to all the proposed church facilities, and considered that the applicant, Kowloon International Baptist Church, was a charitable religious organisation. For the proposed kindergarten, which was to re-provision the existing one, SED had no comment on this aspect;

Proposed Increase in BH

- (iii) as stated in the Explanatory Statement of the OZP, residential developments abutting Broadcast Drive were subject to a “stepped height” profile with two tiers of BH restrictions, i.e. 13 storeys for the “R(C)6” zone to the further north of the site and 10 storeys for the “R(C)10” zone to the immediate north. The proposed BH of 72.8mPD was not entirely incompatible with the existing buildings in its close proximity. With the increase of BH of the site to 8 storeys (72.8mPD), the proposed BH was still generally in line with the stepped height profile;
- (iv) given the small size of site (about 557.4m² in area) and relatively small development scale, CTP/UD&L, PlanD considered that major adverse visual impacts resulted were not anticipated;
- (v) on 26.4.2011, during the hearing of the representations to the draft Wan Chai OZP in relation to the objections submitted by non-government organizations on the BH restriction imposed on various “G/IC” sites, the Board agreed that if the redevelopment proposals were accepted by the relevant government departments and policy support was granted, PlanD would recommend to the Board to amend the BH restriction. In view of the policy support of SHA mentioned in para. 7(k)(ii) above, PlanD had no objection to the proposed relaxation of BH restriction;

Proposed PR

- (vi) the proposed PR of 5.68 in the indicative scheme was on a high side in this locality. Nevertheless, in view of the small scale of the proposed development with 3,165m² GFA, no significant adverse impact on technical aspects was anticipated. Concerned departments had no comment on the proposed PR;

Traffic

- (vii) for traffic aspect, both C for T and Commissioner of Police (C of P) had no objection to the application. The requirements for school bus lay-bys, taxi/car lay-by and car parking spaces could be handled during lease modification stage; and

Public Comments

- (viii) regarding the adverse public comments on the scale of the proposed redevelopment, SHA had given policy support to all the proposed church facilities, while the proposed kindergarten was for reprovisioning of the existing one with no increase in student numbers. Regarding the concerns on excessive building bulk and adverse visual impact, given the relatively small size of the site and small scale of the development, and that the buildings in vicinity mostly ranged from 10-13 storeys, it was considered that the BH profile of the area could still be maintained and there would not be adverse air ventilation impact. For comments regarding traffic impacts, both C of P and C for T had no objection to the application. TD also advised the applicant to take measures to avoid any adverse traffic impacts.

8. The Chairman then invited the applicant's representatives to elaborate on the application. Mr. Ian Brownlee said that the applicant had already submitted supplementary statement and further information to justify the application. The site was located in an area of medium-rise residential development intermixed with GIC facilities and open spaces. There was a need for the church to expand in order to meet its service needs. Given that the church's site was the smallest site in the area with only 70m wide, the only realistic

option of expansion for the church was to develop a taller building by increasing the BH.

9. Pastor Harry Lucenay made the following points on the need for expansion:

- (a) the church started its operation at the application site since late 1960s. The congregation of the church in the past was primarily English-speaking residents living nearby, but nowadays majority of the congregation were local Asian. The kindergarten at the church started its operation in 1971 and was growing steadily to a total of 150 students nowadays with morning and afternoon sessions. The kindergarten was a low-cost kindergarten serving the community. The church also conducted bible study classes for women and those using English as a second language as well as organized children activities in summer time. The Church had experienced a significant growth in terms of number of worshippers and bible study classes in the past 50 years;
- (b) the church building was an old building and almost came to the end of its functional life. There was no barrier free access provided in the building for persons with a disability. The basement of the building had water seepage problem. Other problems included concrete spalling and aging of electrical wires and pipes; and
- (c) there was limited space in the church to meet the service needs of the continuously growing number of Sunday worshippers and bible study classes. The design and space of the old church building was unfriendly and insufficient to meet the service need nowadays. As the sanctuary was not able to accommodate all Sunday worshippers, they had to use the foyer as well for Sunday worship. Similarly, some bible classes, pre-school/children's classes and children worships could not be held in the church building nowadays and had to be held in other venues due to insufficient space in the church. The staff and administration offices were too small and not adequate. The toilets in the building were small and located on upper floors. There was no lifts and wheelchair access for the handicapped. Expansion of the church was therefore required. The

church with the improved facilities upon redevelopment would continue to serve the community.

10. Mr. Nelson Chen made the following points on the design of the proposed new church :

- (a) the site area and footprint of the proposed development were small. The proposed 3m setback from Junction Road upon redevelopment could enhance the street amenity;
- (b) the proposed layout of the carpark at basement complied with C for T's requirements. The proposed kindergarten at the 3/F of the proposed new building was intended to re-provision the existing kindergarten with the same number of students. The 1/F to 2/F and 6/F to 7/F of the building would be used for church-related functions including the worship hall and rooms for recreational/fellowship activities etc.. The 4/F and 5/F of the building would be multi-purpose floors mainly for bible study classes. The G/F would be the church's administrative office. The roof floor would be a landscaped play area. The maximum height of the building was 72.8mPD; and
- (c) as demonstrated by the photomontages submitted, the proposed redevelopment of the church would not create adverse visual impact to the surrounding environment.

11. Mr. Ian Brownlee made the following points:

- (a) there was a need to redevelop the existing church which was no longer able to meet the service needs of the church. The existing church building was coming to the end of its functional life. The applicant had carefully looked at the locality, context, form and permitted/existing height of the building. The proposed BH was compatible with the adjacent GIC sites. The applicant had also addressed and resolved all technical comments from relevant departments. Detailed requirements from relevant departments

could be included in the lease conditions as appropriate during the lease modification stage. The proposed redevelopment of the church with policy support would not set a bad precedent as it followed the Board's good precedent to amend the BH restriction of GIC sites if their redevelopment proposals were able to obtain policy support and accepted by the government departments;

- (b) the applicant supported PlanD's recommended BH restriction for the application site in terms of 72.8mPD as set out in the paper, which would provide certainty of the permitted building height to the church and nearby residents; and
- (c) noting that proposed amendments to the Kowloon Tong OZP would be considered later at the same meeting, he requested the Board to include the proposed amendment of the BH restriction of the application site, if agreed by the Board, in the same round of proposed amendments to the Kowloon Tong OZP so as to facilitate the early implementation of the redevelopment of the church.

12. In response to a Member's questions on the traffic arrangement of the proposed redevelopment, Mr Andrew Wong said that the proposed traffic arrangement as agreed by C for T would improve the traffic condition in the area since the loading and unloading activities of the kindergarten which were currently carried out on the roadside outside the church building would in future be carried out at the basement of the redeveloped church building.

13. In response to a Member's question, Miss Fiona Lung said that the parking provision of the proposed development was acceptable by TD. The parking requirement set out in the Hong Kong Planning Standards and Guidelines (HKPSG) could be applied with a degree of flexibility and TD was the authority to decide the parking provision for a development based on individual circumstances. Mr. Wilson Pang concurred and said that in the instant case, the traffic impact assessment submitted by the applicant was acceptable to C for T and the application site was well served by public transport. Pastor Harry supplemented that if feasible, students would be required to go to the kindergarten by school

bus after the church redevelopment, and their members went to the church mainly by public transport.

14. In response to the same Member's question, Miss Fiona Lung said that on the statutory planning aspect, the kindergarten was an always permitted use under the "G/IC" zoning. Under the lease, a temporary waiver for the first floor of the existing building was granted by LandsD to permit the operation of the kindergarten. She understood that the existing kindergarten would be re-provisioned in the new church building with no increase in number of classes. Mr. Ian Brownlee clarified that there would be no increase in number of classes of the kindergarten upon redevelopment of the church and the kindergarten could be included in the lease conditions at later lease modification stage.

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

15. Noting that the future redevelopment would not be bound by the current scheme under application after the zoning amendment, a Member asked whether suitable conditions could be incorporated in the lease for exercising control on the future development at the application site. In response, Mr. Ian Brownlee said that detailed requirements on the proposed scheme (e.g. parking requirements and provision of kindergarten) could be included into the lease conditions at the lease modification stage. In response, Ms. Doris Chow explained that during the lease modification stage, LandsD would consult relevant government departments including TD for any necessary requirements to be incorporated into the lease conditions. However, the departmental comments/requirements received at the lease modification stage might not be the same as those made during the planning application stage. She added that no lease modification application had been received from the applicant at that moment.

16. In response to a Member's question on why the applicant requested to include the proposed amendment of the BH of the application site in the same round of proposed amendments to the OZP to be discussed at the same meeting, Mr. Ian Brownlee said that this request was justified as from the applicant's perspective, the church would not need to wait for another round of OZP amendments. The Chairman said that the Board would need to take into account all relevant factors in programming different amendments items.

17. In response to a Member's question, Mr. Ian Brownlee said that as set out in the paper, PlanD's proposed BH restriction for the application site was in terms of 72.8mPD instead of 8 storeys. He confirmed that PlanD's recommendation was acceptable to the applicant.

18. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representatives for attending the hearing. They all left the meeting at this point.

Deliberation Session

19. A Member expressed support to the application. This Member was of the view that the Board would need to be consistent in the consideration of planning applications for kindergarten use on the eastern and western side of Waterloo Road in terms of their traffic generation.

20. In response to the applicant's request to include the proposed amendment of the BH of the application site in the same round of proposed amendments to the OZP to be discussed at the same meeting, the Secretary said that if the current rezoning application was agreed by the Board, PlanD needed to prepare the proposed amendments to the OZP including its Notes and Explanatory Statement in consultation with the relevant departments. The proposed zoning amendments would then be submitted for agreement of the Board. Therefore, the applicant's suggestion was not feasible.

21. The Chairman said that Members had no in-principle objection to the application, and the detailed requirements of the development could be addressed in the lease modification and building plan submission stages. Ms. Doris Chow said that during the lease modification stage, LandsD would incorporate requirements/conditions agreed in the rezoning application, as appropriate, into the lease conditions as well as taking account of requirements put forward by government departments. The Secretary added that there were two approaches to ensure those important requirements/conditions agreed in the rezoning

application be incorporated into the lease conditions. The first approach was to specify those important requirements/conditions in the Notes and ES of the OZP. The second approach was for case with strong planning justification to add a clause in the Notes of the OZP requiring the applicant to submit a planning application for the proposed use so that the Board could exercise control on implementation of the project including imposing suitable approval conditions.

22. After further deliberation, the Committee decided to partially agree the application by amending the BH restriction to 72.8mPD under a new sub-area of "G/IC" zone instead of the applied "G/IC(6)" zone (restricted to 8 storeys). The proposed amendment to the approved Kowloon Tong OZP No. S/K18/16 would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance.

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 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/544 Proposed Hotel in "Residential (Group A)" zone, Nos. 11-21 Tai Nan Street, Kowloon
(MPC Paper No. A/K3/544)

Presentation and Question Sessions

23. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (Ove Arup) was the consultant of the applicant. The following Members had declared interests in this item:

Professor S.C. Wong - Ove Arup sponsored some activities of the Institute of Transport Studies of the University of Hong Kong and Prof. Wong was the Director of the Institute

Mr. Patrick Lau and Mr. Dominic Lam - had current business dealings with Ove Arup

24. As Professor Wong, Mr. Lau and Mr. Lam had no direct involvement in the subject application, the Committee agreed that they could stay in the meeting.

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

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 7 of the Paper. Commissioner for Tourism supported the application as the proposed development would increase the number of hotel rooms, broaden the range of accommodations for the visitors, and support the rapid development of convention and exhibition, tourism and hotel industries;
- (d) four public comments were received on the application during the first three weeks of the statutory publication period. One commenter provided comment and the remaining three commenters raised objection to or concern on the application. Their grounds of objection/concern and comments were summarized below:
 - (i) the applicant's Traffic Impact Assessment (TIA) failed to consider the cumulative impact of approved and permitted developments on traffic in the area and associated roads. There were already hotels in the area. Mong Kok was already suffering from congestion which

would further deteriorate with the drop-off/pick up of travellers adjacent to the proposed hotel;

- (ii) the traffic generated by the proposed hotel and associated increase in density and economic activities would impact on the living environment and quality of life, and affect the safety of children and elderly pedestrians using the pavements nearby;
 - (iii) the Board was urged to restrain new development and refrain from allowing a further increase in density and traffic in Mong Kok so as to ensure the health and well being of the community;
 - (iv) information should be provided on the equivalent levels of the adjacent Fortune Court as compared with the roof and plant room levels of the proposed hotel. There was a need to clarify whether the cooling tower of the proposed hotel would cause environmental nuisances and whether its distance from Fortune Court complied with the Code of Practice of the Electrical and Mechanical Services Department for prevention of Legionnaires' disease;
 - (v) the commenter received the notice of the application just before the deadline for submission of public comment; and
 - (vi) a shop tenant of the existing buildings asked for extension of the removal date set by the owners.
- (e) no local objection was received by the District Officer (Yau Tsim Mong), Home Affairs Department; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 9 of the Paper. As regards the public comments received, the applicant's TIA concluded that the traffic impact on road junctions would be minimal. Parking facilities were provided in the hotel for drop-off and pick-up activities within the site.

Transport Department (TD) had no adverse comments on the TIA. For the impact of the cooling tower of the proposed hotel, the design and location of the cooling tower would be subject to the scouting of the Director of Electrical and Mechanical Services (DEMS) at the building design stage. DEMS advised that any fresh water cooling tower for air-conditioning system should comply with the Code of Practice for Water-cooled Air Conditioning System (CoP (WACS)) published by DEMS which provided guidelines for the design, installation and operation of fresh water cooling towers. An advisory clause was suggested to remind the applicant to follow the guidelines in the CoP (WACS). For the late receipt of the notice, the application was published for public comment for 3 weeks in accordance with the established procedures, including publishing of newspaper notice, posting site notice and sending notification to the residential buildings within 100 ft² of the application site. On the request for extension of the removal date of an existing shop, it was a matter to be considered by the owner and tenant, and fell outside the purview of the Board.

26. A Member shared the view of one public comment that the congestion on nearby narrow pedestrian path could be worsened by the drop-off/pick-up activities of the proposed hotel. The Member suggested that the applicant should preferably be required to provide more setback of the proposed hotel to alleviate the problem. In response, Mr. Tom Yip said that the lay-bys for coach and taxi, car parking spaces and loading/unloading bays would be provided within the hotel, and he anticipated that not many hotel residents would go to the hotel by vehicles as the application site was served by the MTR nearby. Mr. Wilson Pang shared the same view with Mr. Yip.

Deliberation Session

27. While having no objection to the application, a Member commented that given the undesirable ground floor layout as indicated in the submission, taxi drivers would choose to drop off/pick up passengers on roadside rather than in the proposed lay-bys inside the hotel which appeared to be difficult for drivers to maneuver. The proposed lay-bys might not be able to alleviate the congestion problem along the pedestrian path. However, given that the

site was at a relatively quiet location in Mong Kok, the pedestrian congestion problem arising from the proposed hotel might not be insurmountable. Another Member shared similar view and commented that there was limited circulation space at the G/F and taxis would need to use the turntable to turn around after dropping off/picking up passengers at the proposed lay-bys in the hotel. In response, Mr. Tom Yip said that according to the Traffic Impact Assessment submitted by the applicant, only vehicles of 7m long or more would need to use turntable to turn around.

[Ms. Bonnie Chan arrived to join the meeting at this point.]

28. In view of Members' concerns on the proposed traffic arrangement, the Chairman suggested and Members agreed to impose an approval condition requiring the submission and implementation of traffic arrangement measures to the satisfaction of the Commissioner for Transport (C for T) in order to ensure that the proposed hotel would not create congestion problem at the nearby pedestrian path due to the drop-off/pick-up of passengers. Mr. Wilson Pang added that the applicant's traffic arrangement measures should include the management of vehicles entering/leaving the hotel.

29. 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 21.12.2016, 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. Members went through the approval conditions as stated in paragraph 10.2 of the Paper and agreed that an additional approval condition regarding the traffic arrangement proposal should be added. The permission was subject to the following conditions :

- (a) the submission of the management proposal of vehicles entering/leaving the hotel to the satisfaction of the Commissioner for Transport or the TPB;
- (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 planning condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;

- (d) the submission and implementation of 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 Fire Services or of the TPB.

30. 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 fulfill the requirements under the Sustainable Building Design Guidelines, and any proposal on gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. 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 Board might be required;
- (b) to note District Lands Officer/Kowloon West, Lands Department's comments that the lot owner should check if the proposed development would contravene any lease conditions and 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, 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 Director of Environmental Protection's comments 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 Commissioner for Transport's comments that Transport Department had the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development;
- (e) to note Chief Building Surveyor/Kowloon, Buildings Department's comments 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 PNAP APP 40 and favourable comments from concerned departments; and
 - (ii) for quality and sustainable built environment requirements and building separation, the applicant should make reference to PNAP APP-151 and APP-152 respectively.
- (f) to note the Director of Electrical and Mechanical Services' comments that any fresh water cooling tower for the proposed hotel should comply with the Code of Practice for Water-cooled Air Conditioning System; and
- (g) to note the Chief Officer/Licensing Authority, Home Affairs Department's comments 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. Tom C.K. Yip, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/727 Proposed Shop and Services in "Other Specified Uses" annotated "Business" zone, Unit B, G/F, Kelly Court, Nos. 84-86 King Lam Street/Nos. 55-57 Wing Hong Street, Kowloon
(MPC Paper No. A/K5/727)

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

Presentation and Question Sessions

31. The Secretary reported that Kenneth To & Associates Ltd. (KTA) was the consultant of the applicant. Mr. Patrick Lau and Mr. Dominic Lam who had current business dealings with KTA had declared an interest in this item. As Mr. Lau and Mr. Lam had no direct involvement in the subject application, the Committee agreed that they could stay in the meeting.

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

- (a) background to the application;
- (b) the proposed shop and services;

- (c) departmental comments – 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 was received during the first three weeks of the statutory publication period from an individual registering no comment. No local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The only public comment on the application received during the statutory public inspection period was from an individual registering no comment.

33. Members had no question on the application.

Deliberation Session

34. 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 21.12.2014, 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 a means of escape completely separated from the industrial portion and fire service installations in the subject premises before operation of the use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

35. 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 for application of a temporary waiver or lease modification;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorized Person to submit building plans for the change in use to demonstrate compliance with the Buildings Ordinance, in particular, the provision of:
 - (i) adequate means of escape in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for the Fire Safety in Buildings 2011;
 - (ii) adequate fire resisting construction to separate the Premises from the parts of the building for different use classifications and/or occupancies in accordance with the Building (Construction) Regulation 90 and Code of Practice for the Fire Safety in Buildings 2011;
 - (iii) access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
- (c) to note the comments of the Director of Food and Environmental Hygiene for obtaining appropriate licence/permit from the Food and Environmental Hygiene Department.

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

Agenda Item 6

Section 12A Application

[Open Meeting]

Y/TW/5 Application for Amendment to the Draft Tsuen Wan Outline Zoning Plan No. S/TW/29 from "Comprehensive Development Area (3)" to "Commercial (7)", 368-370 Sha Tsui Road, Tsuen Wan (TWTL 126)
(MPC Paper No. Y/TW/5)

36. The Secretary reported that Lawson David & Sung Surveyors Ltd. and BMT Asia Pacific Ltd were the consultants of the applicant. Miss Bonnie Chan who had current business dealings with Lawson David & Sung Surveyors Ltd., and Mr. Patrick Lau and Mr. Dominic Lam who had current business dealings with BMT Asia Pacific Ltd, had declared an interest in this item. As the case was for deferral, the Committee agreed that Miss Chan, Mr. Lau and Mr. Lam could stay in the meeting.

37. The Secretary reported that the applicant requested on 2.11.2012 to defer consideration of the application for two months in order to allow sufficient time to address the comments from various Government departments.

38. 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 three months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 7

Section 12A Application

[Open Meeting]

Y/TW/6

Application for Amendment to the Draft Tsuen Wan Outline Zoning Plan No. S/TW/29 from "Green Belt" to "Other Specified Uses" annotated "Columbarium", Lots 613 RP (Part), 614 and 1229 in D.D. 453 and adjoining Government land, Lo Wai, Tsuen Wan
(MPC Paper No. Y/TW/6)

39. The Secretary reported that BMT Asia Pacific Ltd and CKM Asia Ltd. were the consultants of the applicant. Mr. Patrick Lau and Mr. Dominic Lam, who had current business dealings with BMT Asia Pacific Ltd, had declared an interest in this item. Professor S.C. Wong had also declared an interest in this item since CKM Asia Ltd had financially sponsored some activities of the Institute of Transport Studies of the University of Hong Kong, of which he was the Director. As the case was for deferral, the Committee agreed that Mr. Lau, Mr. Lam and Professor Wong could stay in the meeting.

40. The Secretary reported that the applicant requested on 21.11.2012 to defer consideration of the application for two months in order to allow sufficient time to address the departmental comments on the application.

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

Hong Kong District

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

Agenda Item 8

[Open Meeting]

Proposed Amendments to the Approved The Peak Area Outline Zoning Plan No. S/H14/11
(MPC Paper No. 13/12)

42. The Chairman declared an interest in this item as he lived in the Peak area which was far away from the site under the proposed amendment item. The Committee agreed that the interest of the Chairman was indirect and he could stay in the meeting.

43. With the aid of a powerpoint, Ms. Kitty S.T. Lam, STP/HK briefed Members on the proposed amendments to the approved The Peak Area Outline Zoning Plan (OZP) as detailed in the Paper and covered the following main points :

Proposed Amendments to the OZP

- (a) the proposed amendments mainly related to the rezoning of the former Hilltop Radio Station Staff Quarters at Mount Austin Road from “Government, Institution or Community” (“G/IC”) to “Residential (Group C)6” (“R(C)6”) site and associated technical amendments to the Notes of the OZP. Another amendment was revision to the exemption clauses for plot ratio/GFA calculation in relation to caretakers’ quarters in the ‘Remarks’ of the Notes for the “Residential (Group B)” (“R(B)”) and “R(C)” zones;

Background

- (b) the site was a piece of Government land zoned “G/IC” on the approved The Peak Area OZP No. S/H14/11. It was currently occupied by the former radio station staff quarters which had been left vacant. Concerned departments had been consulted and the site was not required for any government, institution or community (GIC) use. After consideration of the characteristics of the site and the surrounding areas, it was considered appropriate to rezone it for residential use;

The Site and its Surroundings

- (c) the site, with an area of about 1,250m², was located at levels ranging from 520mPD to 524mPD. The existing one-storey former radio station staff quarters on the site had been left vacant since 2006. Existing developments along Mt. Austin Road to the further east and southeast of the site were predominantly residential in nature. These low-rise, low-density developments were zoned “R(C)2” on the OZP. The radio towers of Civil Aviation Department (CAD) and other government departments were located to the further north. The Victoria Peak Garden and a radio tower were located to the further south and southwest respectively. To the immediate east and west of the site was mainly vegetated slope zoned “Open Space” (“O”) or “Green Belt” (“GB”). The staff quarters of Leisure and Cultural Services Department (LCSD) and a public open-air carpark were located to the immediate west and south of the site respectively. Access to the site was via Mount Austin Road.

The Rezoning Proposal

- (d) it was proposed to rezone the site from “G/IC” to “R(C)6” for low-rise, low-density residential development. The proposed residential use would be compatible with existing residential developments along Mt. Austin Road, LCSD staff quarters and the Victoria Peak Garden;
- (e) taking into account the sensitive location of the subject site in the Peak Area and capacity of the existing road network, it was proposed that any alteration and/or modification to or redevelopment of the existing building should not result in a total development in excess of the gross floor area, number of storeys and height of the existing building in order to maintain the existing landscape character and amenity of the area. The proposed development would in overall term be compatible with its surroundings and have insignificant impact on the existing character of the area;

Provision of GIC Facilities

- (f) based on the planned population for the area, there was no deficit of GIC provision in the area. Relevant government departments were consulted

and advised that the site was not required for any other GIC uses. The proposed rezoning of the site for residential use would not have adverse impact on the overall GIC provision in the area;

Visual and Air Ventilation Considerations

- (g) in view of the proposed low-density development and that the existing bulk would be retained, significant visual and air ventilation impacts on the surrounding areas were not anticipated. The Chief Town Planner/Urban Design and Landscape had no objection to the proposed rezoning;

Traffic, Environmental and Infrastructural Considerations

- (h) the site had previously been used for staff quarters purpose. In view of the proposed low-density development and the current local traffic condition, the proposed rezoning would unlikely induce adverse traffic impact on the area;
- (i) in view of the existing bulk would be retained for the proposed development on the site, the Environmental Protection Department, Drainage Services Department and Water Supplies Department had no objection to the proposed rezoning from their respective purview;

Other Technical Aspect

- (j) According to the advice from the CAD, the present site formation level (about 520mPD) had already exceeded the Airport Height Restriction (AHR) under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap 301) (Plan 2 of the Paper). The AHR in the locality was to safeguard the signal integrity of the nearby communication equipment operated by the CAD. Any change in size or configuration to the existing development (including any alteration and/or modification to the existing building) and redevelopment in the long-run was subject to a comprehensive study to assess the impacts of the proposed structure on the nearby communication equipment to CAD's satisfaction and the aviation control in force at the time of redevelopment. CAD should be consulted on any building works within this site. This requirement could be

specified in the lease;

Proposed Amendment to Matters shown on the Plan

- (k) amendment item A - rezoning of the former Hilltop Radio Station Staff Quarters at Mount Austin Road from “G/IC” to “R(C)6”;

Proposed Amendments to the Notes and Explanatory Statement (ES) of the OZP

- (l) the ‘Remarks’ of the “R(C)” zone had been revised to incorporate the proposed amendments in respect of “R(C)6” sub-area as mentioned above. The proposed development restriction would be on the basis that any alteration and/or modification to or redevelopment of the existing building should not result in a total development in excess of the gross floor area, number of storeys and height of the existing building;
- (m) amendments to the Notes of the “R(B)” and “R(C)” zones were made to the exemption clause on maximum plot ratio/GFA to clarify that exemption of caretaker’s quarters was only applicable to those facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building;
- (n) the ES was proposed to be revised taking into account the proposed amendments as mentioned above. Opportunity had also been taken to update the general information for the various land use zones to reflect the latest status and planning circumstances of the OZP;

Departmental Consultation and Public Consultation

- (o) the proposed amendments had been circulated to relevant government bureaux/departments for comments. All of them had no objection to or adverse comments on the proposed amendments. The proposed amendments had taken into account the comments of relevant government bureaux/departments, where appropriate; and
- (p) upon agreement of the Committee, the proposed amendments to the OZP would be exhibited under section 5 of the Town Planning Ordinance for

public inspection and submitting representations and comments, which was a statutory channel to solicit public views. The Central and Western District Council would be consulted on the amendments prior to or during the exhibition period of the draft The Peak Area OZP No. S/H14/11A (to be renumbered as S/H14/12 upon exhibition) depending on the meeting schedule of the District Council.

44. In response to a Member's question, Ms. Kitty Lam said that the plot ratio of the existing building at the site was about 0.1, which was lower than the plot ratio at 0.5 of the surrounding "R(C)2" residential developments.

45. A Member said that the proposed development intensity of the residential development at the site was low as compared with the surrounding residential developments. The development intensity of the site should be increased in order to better utilize the site. In response, Ms. Kitty Lam said that the proposed development intensity of the site should not be higher than the existing development intensity in terms of gross floor area, number of storey and height of the existing building in order not to affect the signal integrity of the nearby communication equipment operated by the CAD. This would also ensure that the residential development at the site would be compatible with the existing landscape character and amenity of the area.

46. A Member said that in view of the prominent and scenic location of the site almost at the highest point of the Peak, it would be a better option to reserve the site for suitable GIC uses for public enjoyment instead selling it for the development of one private luxury housing which did not help increase the housing supply. Another Member supplemented that the rezoning might be criticized by the media and the public as favouring the rich and powerful, particularly given the site was close to the former Mountain Lodge site of historical significance.

47. Another Member shared the same view and enquired whether the existing building at the site had preservation value. Ms. Kitty Lam said that the site was located close to the former Mountain Lodge site which was a site of archaeological interest. Although the existing building was some 50 years old, as advised by the Antiquities and Monuments Office, the building had no significant architectural design nor historical merits

that would warrant a declaration of the existing building at the site as a monument or a graded building.

48. A Member suggested that the site could be a good location for wedding venue, for star-gazing or for promotion of environmental protection and nature conservation. In response, Ms. Kitty Lam said that the site was only served by the narrow Mt. Austin Road with no public transport service. Given this inherent traffic infrastructure constraints, the site might not be suitable for public uses which would attract high volume of vehicular traffic. She added that the existing building might also need to be upgraded with additional ancillary facilities including fire services installations if it was turned into a public GIC uses.

49. In response to a Member's query, Ms. Kitty Lam indicated the proposed vehicular access for the proposed residential development by reference to Plan A-2 of the Paper and explained that a car parking space would also be provided near the site entrance at the same level as Mt. Austin Road.

50. The Chairman noted that some Members had reservation on using the site for private residential development and had good suggestions for alternative use of the site for public enjoyment in view of its unique character and scenic location. The Secretary said that Members might consider deferring the consideration of the proposed amendments to the approved The Peak OZP so that Planning Department could further explore Members' suggestions in consultation with relevant departments and bureaux.

51. After further deliberation, the Committee decided to defer the consideration of the proposed amendments to the approved The Peak OZP. Planning Department was requested to liaise with relevant departments and bureau to review the future use of the site taking account of Members' suggestions.

[The Chairman thanked Ms. Kitty S.T. Lam, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr. K. S. Ng, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H1/94 Hotel (Proposed Conference rooms) in "Residential (Group A)" zone,
28/F, 29/F and 30/F, Dorsett Regency Hong Kong, 12-22 Davis Street,
Kennedy Town

(MPC Paper No. A/H1/94)

Presentation and Question Sessions

52. Mr. K. S. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (conversion of guestrooms to conference rooms);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 8 of the Paper;
- (d) one public comment was received during the first three weeks of the statutory publication periods. The public comment submitted by the Designing Hong Kong Limited objected to the application on the following grounds:
 - (i) traffic generated by the cumulative development in the area including the subject application and the associated increase in economic activities would cause traffic congestion and increase the need for new road works, which might result in reclamation or other impairment of the harbour and affect the living environment of the local residents. Besides, the impact of the proposed development on the safety of the pedestrians was also a concern;

- (ii) approval of the application was in conflict with the Town Planning Ordinance which was to ensure the health and well being of the community, as well as the Protection of the Harbour Ordinance;
 - (iii) new development and further increase in density and traffic on Hong Kong Island should be refrained until it was demonstrated that future transport and traffic was sustainable, and that the harbour and harbourfront were protected.
- (e) no local objection was received by the District Officer (Central and Western); and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. Regarding the public objection on traffic grounds, Commissioner for Transport advised that the additional traffic generated by the partial conversion of guest rooms to conference rooms was considered minimal.

53. Members had no question on the application.

54. Mr. Laurence Li, who owned a property at Smithfield Road which was near to the application site, declared an interest in this item at this point of the meeting. He said he would not involve in the deliberation of the application. The Committee noted.

Deliberation Session

55. 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 21.12.2016, 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;

- (b) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB.

56. 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 fulfill the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio (PR) 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, bonus PR and 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 Board might be required;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department that the proposed conversion of use should comply with the requirements stipulated in the Building (Planning) Regulation (B(P)R) 23A, Practice Notes for Authorized Persons and Registered Structural Engineers APP-40 and the requirements from relevant government departments before hotel concession under B(P)R 23A might be considered;
- (c) to note the comments of the Director of Fire Services that detailed fire service requirements would be formulated upon receipt of formal submission of general building plans or referral relevant authority; and
- (d) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that all mitigation measures identified in the

Sewerage Impact Assessment should be constructed by the developer and at his own costs.

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H11/103 Proposed Minor Relaxation of Plot Ratio Restriction for permitted ‘Flat’
Development in "Residential (Group B)" zone, 23 Babington Path,
Mid-Levels West
(MPC Paper No. A/H11/103A)

57. The Secretary reported that the applicant was related to Sun Hung Kai Properties Ltd. (SHKP). LD Asia was the consultant of the applicant. Mr. Patrick Lau who had current business dealings with SHKP and LD Asia, and Mr. Dominic Lam and Ms. Julia Lau who had current business dealings with SHKP, had declared an interest in this item. As the case was for deferral, the Committee agreed that Mr. Lau, Mr. Lam and Ms. Lau could stay in the meeting.

58. The Secretary reported that on 21.11.2012, the applicants submitted further information to clarify the lot number and site area and the application was scheduled for consideration by the Committee at this meeting. However, there were technical issues in ascertaining the site area for which advice from relevant Government departments were required. As there were unresolved technical issues pertaining to the calculation of the site area, more time was required to seek comments from relevant government departments on the issues. In this regard, Planning Department recommended the Committee to defer a decision on the application for two months to allow time to resolve the technical issues.

59. After deliberation, the Committee decided to defer a decision on the application. The Committee agreed that the application should be submitted for its consideration in two months’ time.

[The Chairman thanked Mr. K. S. Ng, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting]

A/H15/254 Proposed Comprehensive Residential and Commercial Development, Rail Station and Depot, Public Transport Interchange, Social Welfare Facilities and Bus and Public Light Bus Termini; and Proposed Minor Relaxation of Maximum Domestic Gross Floor Area from 357,500 square metres to 358,675 square metres for Social Welfare Facility in "Comprehensive Development Area" zone, Wong Chuk Hang Comprehensive Development Area, bounded by Heung Yip Road, Police School Road and Nam Long Shan Road
(MPC Paper No. A/H15/254)

60. The Secretary reported that the application was submitted by MTRCL. Ove Arup & Partners Hong Kong Ltd. (Ove Arup), AECOM Asia Co. Ltd (AECOM) and MVA Hong Kong Ltd (MVA) were the consultants of the applicant. The following Members had declared interests in this item:

- | | | |
|---------------------|---|--|
| Professor S.C. Wong | - | Ove Arup sponsored some activities of the Institute of Transport Studies of the University of Hong Kong and Prof. Wong was the Director of the Institute |
| | - | had current business dealings with AECOM |
| Mr. Patrick Lau | - | had current business dealings with MTRCL, Ove Arup, AECOM and MVA |
| Mr. Dominic Lam | - | had current business dealings with MTRCL, Ove Arup, AECOM and MVA |
| Ms. Julia Lau | - | had current business dealings with AECOM and MVA |
| Mr. Wilson Pang | - | being an assistant to the Commissioner for Transport, who was a Non-executive Director of MTRCL. |

61. As the case was for deferral, the Committee agreed that Professor Wong, Mr. Lau, Mr. Lam, Ms. Lau and Mr. Pang could stay in the meeting.

62. The Secretary reported that the applicant requested on 6.12.2012 and 7.12.2012 to defer consideration of the application to the meeting held on 25.1.2013 so as to allow time for the applicant to provide supplementary information to address the concerns raised by the Southern District Council, which would take about 2-3 weeks. The Secretary further said if the further information could be submitted as pledged in the applicant's letter, sufficient time was allowed for departmental comments and the further information needed not to be published for public comments, the application, together with the further information, would be submitted to the Committee for consideration on 25.1.2013 as requested by the applicant. Otherwise, the application would be submitted to the Committee for consideration within 2 months upon receipt of further submission.

63. 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 on 25.1.2013 or within 2 months upon receipt of further information. The Committee also agreed to advise the applicant that three weeks 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.]

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/407 Proposed Hotel in "Residential (Group A) 7" zone, Shops A2, A3 and B1
on G/F, 1/F to 12/F and R/F at 266 Des Voeux Road West, Hong Kong
(MPC Paper No. A/H3/407A)

Presentation and Question Sessions

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

- (a) background to the application;
- (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 as detailed in paragraph 8 of the Paper. The Commissioner for Tourism supported of the application as the proposed development would increase the number of hotel rooms, broaden the range of accommodations for visitors, and support the rapid development of convention and exhibition, tourism and hotel industries;
- (d) two public comments were received during the first three weeks of the statutory publication period. One public comment submitted by Central and Western Development Concern Association had no objection to the proposal. Another public comment submitted by a member of the public raised concern on the application on the ground of over-development of hotels in Sai Ying Pun, which had created nuisances to the local residents. Besides, the supply of residential units fell short of demand while the area should be used for residential developments. In addition, there were insufficient parking facilities for hotels;
- (e) no local objection was received by the District Officer (Central & Western); and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. Regarding the public concerns on nuisances and traffic impact of the proposed development, the proposed hotel was considered not incompatible

with the surrounding developments while Director of Environmental Protection had no objection to the application. Besides, Commissioner for Transport had no adverse comment on the Traffic Impact Assessment and the proposed hotel from traffic engineering point of view.

65. While not opposing the subject conversion of the building at the application site for hotel use, a Member commented that the proposed internal layout of the hotel was undesirable since some of the rooms were very small. In response to the Chairman and the Member's query, Ms. April Kun said that the average room size was about 18m² with the smallest room size being about 10m². She added that the detailed design of the internal layout of the hotel including the room size would be further considered by the Buildings Department at building plan submission stage.

66. In response to a Member's query, Ms. April Kun said that the latest scheme of the proposed hotel submitted as Further Information by the applicant was shown in Appendix Ie of the Paper.

Deliberation Session

67. A Member commented that the Board might need to be more alert in scrutinizing the internal layout of residential units as this would affect the living conditions of future residents. However the internal layout of a hotel, particularly the hotel room size, might be of less concern for the Board and the market should be allowed to decide on the appropriate size. It was not uncommon, for example in Tokyo, to have small hotel rooms. Another Member commented that the design of hotels in Hong Kong would largely be market-led and had to make the best use of the scarce land resource.

68. In response to the Chairman's question on the applicability of approval condition (d) in relation to submission and implementation of landscape proposal for the subject application which involved a very small site, Ms. April Kun said that it was a general practice to impose such an approval condition for similar applications with a view to encouraging the applicants to provide landscape proposals for the benefit of the environment. Even for a small site, the applicant could consider to propose vertical greening.

69. 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 21.12.2016, 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 GFA of 979m². 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 GFA calculation;
- (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 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 provisions of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

70. 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 note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department regarding the requirements laid down under PNAP APP-40;
- (c) to note the comments of the Commissioner for Transport that the Government reserved the right to impose necessary traffic management measures and there was no guarantee of loading/unloading space on public road in vicinity of the frontage of the site;
- (d) 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;
- (e) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements for hotel use; and
- (f) 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.

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

[Mr. H.W. Cheung left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting]

A/H7/162 Proposed Hotel in "Residential (Group A)" zone, 25 Wong Nai Chung Road, Happy Valley
(MPC Paper No. A/H7/162)

71. The Secretary reported that MVA Hong Kong Ltd (MVA) was the consultant of the applicant. Mr. Patrick Lau, Mr. Dominic Lam and Ms. Julia Lau, who had current

business dealings with MVA, had declared an interest in this item. Miss Bonnie Chan, who had property in Happy Valley, had also declared an interest in this item. As the case was for deferral, the Committee agreed that Mr. Lam, Ms. Lau and Miss Chan could stay in the meeting. The Committee noted that Mr. Lau had left the meeting.

72. The Secretary reported that on 18.1.2008, the draft Wong Nai Chung OZP No. S/H7/14, incorporating amendments to impose building height restrictions (BHRs) for various development zones and some zoning amendments, was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). After giving consideration to the 50 representations on 8.8.2008, the Board decided to partially uphold some of the representations by amending, among others, the BHR for the “R(A)” sites bounded by Wong Nai Chung Road, Shan Kwong Road, King Kwong Street/Tsoi Tak Street and Blue Pool Road (covering the application site) from 80mPD to 85mPD. The proposed amendments were published for inspection under section 6C(2) of the Ordinance on 29.8.2008. Among the 6 further representations (FRs) received, 3 were related to the application site, of which 2 were against the revised BHR of 85mPD on grounds of adverse visual, traffic and air ventilation impacts while the remaining representation supported the revised BHR. After giving consideration to the FRs on 14.11.2008, the Board decided not to uphold the FRs and confirmed the amendments to the OZP. The draft Wong Nai Chung OZP was subsequently amended twice and exhibited for public inspection under section 7 of the Ordinance on 30.9.2010 and 26.8.2011 respectively.

73. The Secretary said that according to the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Ordinance (TPB PG-No. 33), a decision on a section 16 application should be deferred if the application site was still subject to outstanding adverse representation yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation was relevant to the subject application. As such, it was recommended to defer a decision on the subject application taking into account the fact that the revised BHR of 85mPD for the “R(A)” zone covering the application site was the subject of 2 adverse FRs mentioned above; and the draft OZP together with the representations and FRs including the 2 adverse FRs relevant to the application site, were yet to be submitted to and considered by CE in C.

74. After deliberation, the Committee decided to defer a decision on the application. The application would be submitted to the Committee for consideration upon CE in C's final decision on the draft OZP.

[Ms. Bonnie Chan left the meeting temporarily at this point.]

Agenda Item 14

Section 16 Application

[Open Meeting]

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

75. The Secretary reported that the application was submitted by a subsidiary of Henderson Land Development Co. Ltd (Henderson). Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd (DL&NCM), ADI Ltd, Ove Arup & Partners Hong Kong Ltd. (Ove Arup) and CKM Asia Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

- | | |
|---------------------|--|
| Professor S.C. Wong | - Ove Arup and CKM Asia Ltd. sponsored some activities of the Institute of Transport Studies of the University of Hong Kong and Professor Wong was the Director of the Institute |
| Mr. Clarence 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 Lam | - had current business dealings with Henderson, ADI Ltd, Ove Arup |
| Mr. Patrick Lau | - had current business dealings with Henderson, DL&NCM and Ove Arup |

76. As the case was for deferral, the Committee agreed that Professor Wong and Mr. Lam could stay in the meeting. The Committed noted that Mr. Leung had tendered apologies for not attending the meeting and Mr. Lau had left the meeting.

77. The Secretary reported that the applicant requested on 6.12.2012 to further defer consideration of the application for two months in order to allow more time for the applicant to address the ground level layout matters relating to landscape provision and parking/unloading arrangements in the proposed office scheme.

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

Kowloon District

[Miss Fiona S.Y. Lung, District Planning Officer/Kowloon (DPO/K), and Ms. S. H. Lam, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

[Ms. Bonnie Chan returned to join the meeting at this point.]

Agenda Item 15

[Open Meeting]

Proposed Amendments to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/16
(MPC Paper No. 14/12)

79. The Secretary reported that the site under the proposed amendment item A (i.e. ex-Lee Wai Lee (LWL) Campus) was located next to the Hong Kong Baptist University (HKBU). According to District Officer (Kowloon City), HKBU and its students had

requested the concerned site for the extension of HKBU campus. Mr. Laurence Li declared an interest in this item as he was an ex-member of the court of HKBU and was once involved in the discussion in the court regarding the use of the concerned site. Mr. Stephen Yau, who was the Chairman of a committee of HKBU, had declared an interest in this item. Mr. Dominic Lam, who had current business dealings with the HKBU, had declared an interest in this item. As the interests of Mr. Li, Mr. Yau and Mr. Lam were direct, the Committee agreed that they should leave the meeting temporarily. Ms. Julia Lau also declared an interest in this item as her family members lived in Kowloon Tong. As her family members' home was not in proximity to the sites under the proposed amendment items, the Committee agreed that Ms. Lau could stay in the meeting.

[Mr. Laurence Li left the meeting at this point. Mr. Stephen Yau and Mr. Dominic Lam left the meeting temporarily at this point.]

[Mr. Maurice Lee arrived to join the meeting at this point.]

80. With the aid of a powerpoint, Ms. S. H. Lam, STP/K briefed Members on the proposed amendments to the approved Kowloon Tong Outline Zoning Plan (OZP) as detailed in the Paper and covered the following main points :

Proposed Amendments to the OZP

- (a) the proposed amendments related to the rezoning of part of the ex-LWL Campus site at Renfrew Road from "Government, Institution or Community (9)" ("G/IC(9)") to "Residential (Group B)" ("R(B)") (Amendment Item A) and rezoning of a site at Dumbarton Road/Grampian Road from "G/IC(3)" to "Residential (Group C)9" ("R(C)9") (western portion) (Amendment Item B) and from "G/IC(3)" to "G/IC(12)" (eastern portion) (Amendment Item C);

Amendment Item A: Rezoning of the Site at Renfrew Road from "G/IC(9)" to "R(B)"

Background

- (b) in order to tackle the pressing housing problems in Hong Kong, the Chief

Executive announced on 30.8.2012 a package of short and medium terms measures to expedite the supply of subsidised and private housing units. One of the measures was to rezone 36 “G/IC” sites for residential uses after review by the Planning Department (PlanD). Among these sites, one was the part of the ex-LWL Campus site at Renfrew Road in Kowloon Tong;

- (c) the site zoned “G/IC(9)” was part of the ex-LWL Campus of the Hong Kong Institute of Vocational Education (IVE) which was relocated to Tseung Kwan O in 2010. The Education Bureau (EDB) had confirmed that the northern part of the campus site (about 0.64ha) would be retained for higher educational use whereas the southern part of the site (about 0.88ha), i.e. the subject site, could be returned to Government. After examination, it was considered that the site was suitable for residential development and zoned as “R(B)” to help meet the acute housing demand;

Provision of GIC Facilities

- (d) there was no deficit of planned GIC provision in the area except for a post office and an integrated children and youth service centre. Post office would usually be incorporated in a non-domestic building or the non-domestic portion of a commercial/residential development. As the subject site was intended for pure residential development, it was not appropriate to provide a post office in the future development. Besides, the Director of Social Welfare (DSW) did not require the site for children and youth service centre. Considering that the site was planned for a pure residential development without a non-domestic podium, the scope for incorporating social welfare facilities would be limited;

The Site and its Surroundings

- (e) the buildings of the ex-LWL IVE were currently being used for post-secondary education on a temporary basis until end of 2013 to meet the contingency need during the initial stage of implementation of the new academic structure. The site abutted the buildings of the HKBU, including the 11-storey (50m) HKBU Communication and Visual Arts Building to its immediate south, the 19-storey (62m) HKBU Student Residence Halls to

its immediate west, and the HKBU Baptist University Road campus and Renfrew Road campus to the northeast and further north of the site with most buildings ranging from 10 to 13 storeys (41m to 69m);

The Rezoning Proposal

Planning Intention/Land Use Compatibility

- (f) the planning intention of the proposed “R(B)” zoning was for medium-rise, medium-density residential developments where commercial uses serving the residential neighbourhood might be permitted on application to the Town Planning Board. The proposed residential use on the subject site was compatible with the surrounding uses;

Proposed Development Parameters

- (g) the site was located at the street block occupied by the medium-rise and medium-density buildings of the HKBU. The buildings behind the site and to its south were 62m (19 storeys) and 50m (11 storeys) respectively, whereas the buildings across Renfrew Road were mainly low-rise of 12m to 22m (4 to 6 storeys). The buildings in the military camp close to the site were about 27m in height. To create a stepped height profile, it was proposed that a building height (BH) of 50m (about 15 storeys) should be imposed for the subject site. The proposed stepped height profile would echo the planned stepped height profile in Broadcast Drive area. The BH restriction stipulated in metre instead of number of storey was to ensure that the future development would not be taller than 50m;
- (h) the surrounding HKBU buildings were having plot ratio (PR) ranging from 3.1 to 5.8. With a proposed BH restriction of 50m, a maximum PR of 4.5 for this “R(B)” site would be appropriate which was suitable for the local setting and broadly compatible with the PRs of the buildings in this street block. The proposed residential development would have a maximum gross floor area (GFA) of 39,600m². Assuming an average flat size of 80m², about 495 flats might be provided;

Visual Impact

- (i) photomontages (Plans 5 to 8 of the Paper) were prepared to illustrate the visual impact of the proposed development. Four view points (Plan 1 of the Paper) surrounding the site were selected. When viewed from the first and second view points i.e. Junction Road Park and Kam Shing Road Recreation Ground, the proposed development was entirely or largely screened off by the neighbouring developments. When viewed from the third view point i.e. a footbridge on Waterloo Road near Suffolk Road, the proposed development was visible but the visual impact was not significant, as the proposed BH was comparable with nearby developments. When viewed from the fourth view point i.e. the Kowloon Tsai Park, the proposed development would fill up part of the existing visual gap between the HKBU buildings. However, it would not be visually intrusive with its BH being well below the ridgeline of Beacon Hill behind and the adjacent buildings;

Air Ventilation

- (j) air ventilation impact arising from the proposed development, which was not bulky with a maximum BH of 50m, was not expected to be significant;

Traffic Aspect

- (k) the Commissioner for Transport anticipated that the proposed residential use would not generate any significant adverse traffic impact;

Environmental Aspect

- (l) the Director of Environmental Protection advised that with implementation of appropriate mitigation measures, such as building layout and orientation, building setback and boundary walls etc., the traffic noise and air impact on the proposed development could be duly addressed. Furthermore, a sewerage impact assessment (SIA) would be required to assess any potential impacts on the local/nearby system. It was considered feasible to impose the requirements for submission of Traffic Noise Impact Assessment and SIA in the future lease conditions;

Infrastructural, GIC and Open Space Aspects

- (m) the proposed rezoning would not have significant adverse impact on other infrastructure in the area. GIC and open space provision in the area was also sufficient to meet the demand generated by the subject rezoning;

Rezoning a Site at Dumbarton Road/Grampian Road from “G/IC(3)” to “R(C)9” (western portion) (Amendment Item B) and “G/IC(12)” (eastern portion) (Amendment Item C)

Background

- (n) on 7.9.2012, the Committee partially agreed a s.12A application No. Y/K18/6 relating to a site at 45 and 47 Grampian Road to facilitate redevelopment of the site into a seminary at the eastern portion (with preservation of the Grade 2 historic building, namely Sun Hok Building within the Bethel Bible Seminary) and a residential building at the western portion;
- (o) for the western portion of the site (about 2,070m²), the Committee agreed to rezone it from “G/IC(3)” to “R(C)9” with a maximum PR of 3 and a maximum BH of 8 storeys (excluding basements) for residential development which were the same as the existing “R(C)9” zone in the same street block. The proposed residential development would have a maximum GFA of 6,210m² and 44 flats;
- (p) for the eastern portion of the site (about 2,070m²), it was proposed to zone the seminary site as “G/IC(12)” so as to clearly state the planning intention, the requirement for planning application and the specific development parameters as agreed by the Committee. To reflect the applicant’s proposal of preserving the Grade 2 historic building, it was proposed to state in the Planning Intention and Remarks of the “G/IC(12)” Notes that the Grade 2 building should be preserved in-situ and addition/alteration/modification works (except minor alteration and/or modification works which were ancillary and directly related to the always permitted uses) to the graded historic building required planning

permission from the Board. Besides, to address the Committee's concern on design compatibility between the historic building and the new building(s), suitable clauses were proposed in the Remarks of the Notes and the Explanatory Statement to stipulate that planning permission was required for new development on other part of the site or redevelopment of the existing buildings. For the historic building, it was restricted to its existing GFA and BH. For development within the remaining part of the "G/IC(12)" zone, it was restricted to a maximum GFA of 7,203m² and height of 8 storeys (excluding basement floor(s)) and 47.55mPD;

Proposed Amendment to Matters shown on the Plan

- (q) Amendment Item A (about 8,810m²): Rezoning the site at Renfrew Road from "G/IC(9)" to "R(B)";
- (r) Amendment Item B (about 2,070m²): Rezoning a site at the junction of Inverness Road and Dumbarton Road from "G/IC(3)" to "R(C)";
- (s) Amendment Item C (about 2,070m²): Rezoning a site at the junction of Grampian Road and Dumbarton Road from "G/IC(3)" to "G/IC(12)";

Proposed Amendment to the Notes of the OZP

- (t) incorporation of a new set of Notes for "R(B)" zone with user schedule, planning intention and Remarks. The Remarks stipulated the development restrictions of a maximum PR of 4.5 and BH of 50m, and a minor relaxation clause;
- (u) incorporation in the Notes for the "G/IC" zone a new set of Notes for the "G/IC(12)" sub-area with user schedule, planning intention and Remarks. The Remarks stipulated the requirements of in-situ preservation of the historic building, development restrictions, the requirement for planning permission from the Board, as specified in paragraph 67(p) above, and a minor relaxation clause;

Proposed Amendment to the Explanatory Statement (ES) of the OZP

- (v) the ES of the OZP was revised taking into account the proposed amendments as mentioned in the above paragraphs. Opportunity had also been taken to update the general information for the various land use zones to reflect the latest status and planning circumstances of the OZP;

Consultation

- (w) the District Officer (Kowloon City) considered it likely that the relevant stakeholders would prefer to retain the “G/IC” zoning of the site at Renfrew Road for use by the HKBU to cope with the increase in the number of students as a result of the New Senior Secondary academic structure. In fact, since 2005, the HKBU and its students had requested that the site of the ex-LWL campus be reserved for the extension of HKBU campus. EDB had considered the overall development of HKBU and confirmed that the southern part of the ex-LWL site could be released for other use. EDB emphasized that the alternative use identified for the southern portion should not be incongruent with the ambience of HKBU. The District Lands Officer/Kowloon East supported the proposed rezoning from land revenue point of view. No objection from relevant departments was received;

- (x) a LegCo case conference hosted by the Hon LEE Cheuk-yan, the Hon WONG Yuk-man and the Hon CHAN Ka-lok, Kenneth and attended by representatives of EDB and University Grants Committee (UGC) was conducted on 11.12.2012 to discuss a complaint on hostel shortfall in the HKBU. During the discussion, EDB and UGC explained that, taking into account the outstanding requirements for publicly-funded academic space and student hostel places of HKBU under prevailing policies, they had decided to reserve the northern portion of the ex-LWL campus for higher education and ancillary use. As regards the southern portion, as it was beyond the requirements of the university under prevailing policies, EDB took the view it could be returned to the Government for other use. At the case conference, the three LegCo members unanimously raised objection to rezone the southern portion for residential use. They urged the

Government to proactively and fully consult stakeholders on the rezoning proposal; and

- (y) the Kowloon City District Council would be consulted on the amendments before or during the statutory exhibition period of the draft Kowloon Tong OZP for public inspection under section 5 of the Ordinance, which was a statutory consultation procedure to solicit public views. Other stakeholder(s) may be consulted as appropriate.

81. In response to a Member's question on the public consultation of the proposed amendments to the OZP, Miss Fiona Lung said that the Kowloon City District Council (KCDC) had not been consulted yet. If the proposed amendments were agreed by the Committee at the meeting, the KCDC would be consulted either before or during the statutory exhibition period of the OZP for public inspection. To her understanding, the opposition to the proposed residential use at the southern part of the ex-LWL site was mainly from the HKBU students who had lodged a complaint to the Legislative Council (LegCo) on hostel shortfall of the HKBU. During the LegCo case conference, three LegCo members raised objection to rezone the southern portion for residential use.

82. The Secretary further explained the general procedure of public consultation on proposed amendments to the OZP. After the proposed amendments to the OZP were agreed by the Committee, the OZP would be exhibited for two months for public inspection. Any person could make representations to the Board. The KCDC would be consulted during the exhibition period and could submit representation to the Board. The representations would be heard by the Board, and if the Board considered it necessary to propose amendments to the OZP to meet the representations, the further amendments would have to be exhibited for public inspection. The exhibition of proposed amendments to an OZP was a statutory channel for public consultation.

83. A Member said that the HKBU campus was currently crowded and there were not enough spaces for the students. The various art and cultural courses of HKBU required teaching venues with high floor-to-floor height. There was no such venue in the current HKBU campus. There was a need for expansion of the HKBU campus. The expansion of the HKBU campus was however constrained by the existing developments and natural hills

around the campus. The ex-LWL site next to the HKBU campus was a perfect location for its expansion. If the southern part of the ex-LWL site was rezoned for residential use, strong opposition from the HKBU was anticipated. It was difficult to balance between the immediate need for more housing land for the public and the longer-term demand for the expansion of HKBU.

84. A Member asked whether there would be compatibility problem between the future residential development at the amendment site with the adjacent HKBU campus and student hostels within the same street block. There were complaints that student hostel generated noise nuisance to the nearby residential developments. The Member further said that in view of the increase in number of students due to the new academic structure of 4-year university education, there should be a need for expansion of the HKBU campus. It was also noted that HKBU and the other two universities had to share a sportsground near HKBU, showing that the universities were suffering from a lack of sports facilities. The Member said that it was more appropriate to retain the site in the same street block of the HKBU campus for higher educational use by the HKBU or other universities in Hong Kong in future.

85. In response to a Members' concern on the need of using the site for the expansion of HKBU campus, Miss Fiona Lung said that EDB had established policy in assessing the need of and identifying suitable sites for meeting the expansion needs of universities including the change in academic structure of university education, the policy of student hostel residence allocation and campus requirement of different universities. EDB had confirmed that the northern part of the site (0.66ha) would be retained for higher educational uses whereas the southern part of the site (0.88ha) was not required for higher educational use and could be released for residential development. Based on the above advice from EDB, Planning Department then studied the possible uses of the southern part of the ex-LWL site in consultation with relevant bureaux/departments. The site was not required for any government, institution or community uses and found to be suitable for residential development which could help address the current housing shortage problem.

86. In response to a Member's concern on compatibility between the proposed residential development and the student hostel, Miss Fiona Lung said that there were examples of residential developments next to student hostels such as the student hostel of the

University of Hong Kong (HKU). As the southern part of the ex-LWL site would be a land sale site, the future developer should be aware of the adjacent university campus and student hostels, and would propose measures to mitigate the possible interface problem at the detailed design stage, if it was necessary to do so. EDB had also emphasized that the residential use at the southern portion of the site should not be incongruent with the ambience of the HKBU nearby. In response to the Member's question, Miss Fiona Lung said that there was no information on the management issue of the joint-university sportsground nearby.

87. A Member said that more information would be required for the Committee to make a decision in the instant case. The situation of the HKU student hostel quoted was different from the current situation as it was not at the same street block with the residential development. The proposed residential development at the southern part of ex-LWL site would likely have compatibility problem with the HKBU campus and student hostel at the same street block sharing the same access road. Although EDB advised that the southern part of the ex-LWL site was not required for higher educational use based on their assessment, there was not enough information on EDB's justifications behind this decision. Noting that some universities needed to develop joint-university hostels away from their campus such as Tseung Kwan O, the Member said that there should be a need for HKBU to use the entire ex-LWL site for student hostels. Strong response from the public on using the site for residential development was anticipated since the site would be an ideal site for the expansion of the HKBU.

88. A Member said that since nearly the entire street block had been currently occupied by educational uses including HKBU and the ex-LWL campus, it was a reasonable expectation for the HKBU to retain the entire ex-LWL site for expansion of the university. The Member was of the view that the land use of this site was a sensitive and political issue and there should be thorough discussions in the community on the future use of the site before proposing an amendment to the OZP. As there was insufficient information to address the Members' concerns at the meeting, the consideration of the proposed amendments to the ex-LWL campus site should be deferred and EDB should be invited to provide justifications for releasing the site for other uses.

89. The Chairman said that Members in general had reservation on the Amendment Item A of rezoning the southern part of ex-LWL site for residential use and Members would

like to have more information from EDB on the justification for releasing the site for other uses. The Chairman suggested deferring the consideration of the proposed amendment item A and requesting EDB to provide more information on its policy in assessing the expansion needs of HKBU and the decision to release the sites for other uses before the Committee could decide on the proposed amendment item A. The Committee agreed.

90. The Chairman asked whether Members agreed to the rezoning of the “G/IC” site at Dumbarton Road under Amendment Items B and C. A Member showed support to the rezoning since the concerned site was located within a residential neighbourhood and the proposed residential development would help address the housing need. The Committee in general agreed to the Amendment Items B and C.

91. After further deliberation, the Committee decided to:

- (a) defer the consideration of the proposed Amendment Item A to the approved Kowloon Tong OZP No. S/K18/16. Planning Department was requested to invite representative(s) from EDB to attend the meeting of the Committee with a view to providing more information on the proposed Amendment Item A;
- (b) agree to the proposed Amendment Items B and C to the approved Kowloon Tong OZP No. S/K18/16 and that the draft Kowloon Tong OZP No. S/K18/16A at Attachment I of the Paper (to be renumbered to S/K18/17 upon exhibition) and its Notes at Attachment II of the Paper in connection with Amendment Items B and C were suitable for exhibition under section 5 of the Ordinance; and
- (c) adopt the revised Explanatory Statement (ES) at Attachment III of the Paper for the draft Kowloon Tong OZP No. S/K18/16A in connection with Amendment Items B and C as an expression of the planning intentions and objectives of the Board for the various land use zones on the Plan and the revised ES would be published together with the Plan.

[The Chairman thanked Miss Fiona S.Y. Lung, DPO/K and Ms. S.H. Lam, STP/K, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr. Stephen Yau and Mr. Dominic Lam returned to the meeting at this point.]

Agenda Item 16

Section 16 Application

[Open Meeting]

A/K18/296 Proposed Minor Relaxation of Building Height Restriction to allow for One Storey of Basement for 2 Car Parking Spaces and Ancillary Plant Room for Proposed House Development in "Residential (Group C) 1" zone, 1 Somerset Road, Kowloon Tong
(MPC Paper No. A/K18/296)

92. The Secretary reported that the applicant's representative requested on 13.12.2012 to defer consideration of the application for two months in order to allow time to prepare further information to address government departments' comments.

93. 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 17

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/K15/96K)

94. The Secretary reported that the application was submitted by Main Wealth Development Ltd. (a joint venture of owners of the application site comprising Sun Hung Kai Properties Ltd. (SHKP), 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.). Townland Consultants Ltd (TCL), Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Ltd. (DLNCM), MVA Hong Kong Ltd. (MVA), AECOM Asia Co. Ltd. (AECOM) and Ove Arup & Partners Hong Kong Ltd. (Ove Arup) were the consultants of the applicant. The following Members had declared interests in this item:

- | | |
|---------------------|--|
| Professor S.C. Wong | - Ove Arup sponsored some activities of the Institute of Transport Studies of the University of Hong Kong and Professor Wong was the Director of the Institute |
| | - had current business dealings with AECOM and Ove Arup |
| Mr. Clarence 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. Roger Luk | - being the ex-member of the Board of Director of Wheelock |
| Mr. Patrick Lau | - had current business dealings with SHKP, Henderson, Swire, Wheelock, DLNCM, MVA, AECOM and Ove Arup |

- Mr. Dominic Lam - had current business dealings with SHKP, Henderson, Wheelock, TCL, MVA, AECOM and Ove Arup
- Ms. Julia Lau - had current business dealings with SHKP, MVA and AECOM

95. As the case was for deferral, the Committee agreed that Prof. Wong, Mr. Luk, Mr. Lam and Ms. Lau could stay in the meeting. The Committee noted that Mr. Leung had tendered apologies for not attending the meeting and Mr. Lau had left the meeting.

96. The Committee reported that in response to the departmental comments on the latest further information, the applicant had been requested to provide clarification and additional information, in particular, on issues relating to the interface arrangement between the existing industrial operations and the future development, and the phasing and location of public vehicle park for the public waterfront promenade. Upon receiving the further information, additional time was required to further consult relevant departments. In addition, a total of 19 public comments were received on the latest further information published for public inspection on 16.11.2012. Among them, the Society for Protection of the Harbour (SPH) and the Designing Hong Kong (DHK) had raised objection to the lack of water sports and marine recreation uses at Yau Tong Bay in the current development proposal. DHK in particular requested inclusion of a yacht centre in the development with provision of a breakwater for boat berthing, while SPH suggested to put out the matter to proper public consultation to establish an 'overriding public need' for any proposed reclamation as required by the Protection of the Harbour Ordinance. The Planning Department was seeking legal advice from Department of Justice (DoJ) on the comments raised by SPH and DHK. In view of the above, the Planning Department requested that the application be deferred for two months pending the advice from DoJ and other relevant departments.

97. After deliberation, the Committee decided to defer a decision on the application in two months' time. The Committee agreed that the application should be submitted for its consideration within two months. The Committee also agreed to advise the applicant that Committee had agreed to defer the consideration of the application for two months and no further deferment would be granted unless under very special circumstances.

Agenda Item 18

Any Other Business

98. There being no other business, the meeting closed at 11:55 a.m..