

TOWN PLANNING BOARD

Minutes of 508th Meeting of the Metro Planning Committee held at 9:00 a.m. on 21.3.2014

Present

Director of Planning
Mr K. K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Professor P.P. Ho

Professor Eddie C.M. Hui

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Mr Laurence L.J. Li

Mr Roger K.H. Luk

Mr Dominic K.K. Lam

Mr Stephen H. B. Yau

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

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

Assistant Director (Regional 1), Lands Department
Ms Doris M.Y. Chow

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

Secretary

Absent with Apologies

Mr Maurice W.M. Lee

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Patrick H.T. Lau

Mr Frankie Chow, Chief Engineer (Works), Home Affairs Department

In Attendance

Assistant Director of Planning/Board
Ms Brenda K.Y. Au

Chief Town Planner/Town Planning Board
Ms Lily Y.M. Yam

Assistant Town Planner/Town Planning Board
Miss Floria Y.T. Tsang

Agenda Item 1

Confirmation of the Draft Minutes of the 507th MPC Meeting held on 7.3.2014

[Open Meeting]

1. The draft minutes of the 507th MPC meeting held on 7.3.2014 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that on 7.2.2014, the Committee rejected a section 16 application No. A/H15/256. The minutes were confirmed at the meeting on 21.2.2014 and sent to the applicant on the same day. On 7.3.2014, the Town Planning Board Secretariat received an email from the applicant stating that typographical errors on the number of public comments had been noted. According to paragraph 20(d) of the confirmed minutes, there were 269 public comments supporting the application and 3,927 public comments objecting to the application. However, as indicated in paragraph 10.1 (a) and (b) of the MPC Paper No. A/H15/256B and the audio recording of the MPC meeting, the correct figures should be 3,927 supporting and 269 objecting public comments. To rectify the typographical errors, paragraph 20(d) of the minutes was proposed to be revised as follows:

“during the first three weeks of the statutory publication period, a total of 4,799 public comments were received. Among these, ~~2693,927~~ public comments supported the application mainly on grounds that the proposed development would resolve the industrial/residential (I/R) interface problem and revitalise Aberdeen waterfront. ~~3,927269~~ public comments objected to the application mainly on grounds that the shipyard industry had been operating in Ap Lei Chau for over a hundred years and the industry should be preserved; there was increasing demand for ship-repairing and maintenance services for local fishing fleets; the proposed development, if approved by the Committee, would have impact on the livelihood of the existing shipyard operators, the ship-repairing and related industries; and the I/R problem could be mitigated by the design of the adjacent residential development.”

3. The Secretary said that replacement page 14 of the minutes had been sent to Members and the revised minutes would be sent to the applicant. Members confirmed the revised minutes.

[Mr Wilson W.S. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Ms Ginger K. Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K), Miss Elsa Cheuk, Chief Town Planner/Special Duties (CTP/SD) and Ms Ann O.Y. Wong, Senior Town Planner/New Territories Headquarters (STP/NTHQ), were invited to the meeting at this point.]

General

Agenda Item 3

[Open Meeting]

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the Metro Area for the Year 2013/2014

(MPC Paper No. 4/14)

Presentation and Question Sessions

4. Ms Ann O.Y. Wong, STP/NTHQ, introduced the background to the review of “Comprehensive Development Area” (“CDA”) sites and said that it had been the Committee’s practice to review, on an annual basis, the “CDA” sites that had been zoned on the statutory plans for more than three years. The review would assist the Committee in considering whether the zoning of individual “CDA” sites should be retained/amended and in monitoring the progress of the “CDA” developments. With the aid of a Powerpoint presentation, Ms Ann O.Y. Wong presented the results of the latest review as detailed in the Paper and made the following main points:

- (a) the subject review covered a total of 52 “CDA” sites. 21 of them did not have approved Master Layout Plan (MLP) and the remaining 31 had approved MLP;

- (b) in view of the imminent need to expedite supply of housing land, the priority of district planning had been accorded to the zoning amendments related to housing sites. Amendments of previously agreed “CDA” sites for rezoning would be submitted in the next round of amendment of the relevant Outline Zoning Plans (OZPs);

21 “CDA” Sites with No Approved MLP

- (c) among the 21 “CDA” sites which had been zoned “CDA” for more than 3 years and did not have approved MLPs, 16 of them were proposed to retain the “CDA” zoning. The details were set out in Appendix I of the Paper. The reasons for retaining the “CDA” zoning of these sites were: (i) planning briefs had recently been approved, under preparation or to be prepared; (ii) some sites were subject to traffic, environmental and/or visual impacts, which had to be properly addressed; (iii) a site was related to preservation of historical building. The “CDA” designation was essential for providing guidance on the development of these sites;
- (d) regarding the 5 remaining “CDA” sites which did not have approved MLP, 2 of them had been agreed by the Committee for rezoning to appropriate zonings in the last round of review. The details were set out in Appendix II of the Paper. One of these “CDA” sites was located in the Yau Tong Industrial Area (YTIA). Taking into account the land ownership pattern and possible options to address the environmental constraints on the site, a planning review was conducted, and the site was proposed to be sub-divided into smaller sites with appropriate zonings to facilitate comprehensive redevelopment of the area. The other “CDA” site was located in the eastern portion of the area bounded by Sung Wong Toi Road, To Kwa Wan Road, Mok Cheong Street and Kowloon City Road. The site was currently occupied by six factory buildings, two Government, institution or community (GIC) facilities and the Hong Kong Society for the Blind Factory (HKSB) cum Sheltered Workshop. Given its size, the number of private lots and the Government land (eastern portion of the

“CDA(3)” site) involved, land assembly was an issue that impeded redevelopment. To enhance the prospect of implementation, consideration had been given to rezoning the Government land portion for residential use. The proposal was now being followed up by concerned bureaux/departments regarding the issues on relocation of existing GIC facility and technical assessments. Besides, HKSB had applied for redevelopment of the existing 3-storey development under the “Special Scheme on Privately Owned Sites for Welfare Uses” launched by the Labour and Welfare Bureau. Since the proposed residential development at the Government land portion and the redevelopment proposal at HKSB site would bring about additional population within the 300m Consultation Zone of the Ma Tau Kok Gas Works located nearby, a hazard assessment to cover these new developments was required. The recently updated hazard assessment was yet to be endorsed by the concerned authority. The proposed amendments to the OZPs which covered the above two sites would be submitted to the Committee for consideration upon finalisation of the proposals;

- (e) the remaining three “CDA” sites with no approved MLP were subject to review on the zoning and site boundary/development intensity. The details were set out in Appendix III of the Paper. One of these “CDA” sites was located adjacent to Lai Hong Street, South West Kowloon and comprising two warehouses on both sides on Lai Fat Street. Having regard to the lack of progress of implementation in the past few years and the future housing developments in the surrounding area, it was considered appropriate to conduct a planning review of the “CDA” zoning to ascertain the lot owners’ plans for comprehensive redevelopment under the “CDA” zoning and examine whether the site could be rezoned to speed up the redevelopment process. Another “CDA” site was located at the junction of Kowloon City Road and Ma Tau Kok Road which was under multiple ownership. To facilitate redevelopment in the area, the Kowloon City District Urban Renewal Forum (KC DURF) had proposed to subdivide the “CDA” into two or three “CDAs” so as to reduce the difficulty in land assembly for redevelopment. It was also recommended that community

facilities be provided within the sub-divided CDA sites to meet the needs of the local community and to enhance the connectivity with Kai Tak Development Area. KC DURF's proposal had been submitted to Government and was currently under consideration. The remaining "CDA" site was located at the junction of Ma Tau Kok Road and To Kwa Wan Road which was also under multiple ownership. To facilitate redevelopment in the area, KC DURF had also proposed to subdivide the "CDA" into two "CDAs". The plot ratio (PR) for the "CDA" zone covering the existing residential portion was proposed to be relaxed from 5 to 6.5 to provide incentive for redevelopment. KC DURF's proposals had been submitted to the Government and were currently under consideration. Taking into account the views of concerned bureaux/departments, the Planning Department (PlanD) would follow up with the proposed sub-division of the aforementioned sites;

31 "CDA" Sites with Approved MLP

- (f) as detailed in Appendix IV of the Paper, it was proposed to retain the "CDA" zoning of 23 "CDA" sites which had approved MLPs as these sites either had some progress in construction works or were at various stages of building construction and implementation. Retention of the "CDA" designation for these sites was considered necessary to ensure that they would be implemented in accordance with the approved MLPs and approval conditions;

- (g) as detailed in Appendix V of the Paper, the Committee had agreed to rezone three "CDA" sites with approved MLPs. The "CDA" site at 23 Oil Street, North Point had an approved MLP and was previously agreed by the Committee that the site was suitable for rezoning. The site would be rezoned to "Commercial" to reflect the planning intention of the site and the hotel use in the next round of OZP amendment. Also, the developments at the "CDA" site covering the Airport Railway Kowloon Station and at the "CDA" site covering the former Marine Police Headquarters had been completed. It was proposed to rezone these sites

from “CDA” to other appropriate zonings;

- (h) as detailed in Appendix VI of the Paper, five “CDA” sites with approved MLPs were considered to have potential for rezoning as the developments on these sites had been completed/nearly completed and most of the approval conditions had been complied with. The five “CDA” sites covered the following developments: (i) the residential development of “Manhattan Hill” and the Kowloon Motor Bus (KMB) Headquarters Building at the ex-KMB Lai Chi Kok bus depot site; (ii) a proposed residential development at Pine Crest, Tai Po Road, Cheung Sha Wan; (iii) a residential development at the junction to the south of the proposed Inverness Road Extension and West of Junction Road, Kowloon Tong; (iv) a site at the junction of Hung Luen Road and Kin Wan Street, Hung Hom; and (v) a hotel development in Ting Kau, Tsuen Wan; and
- (i) to sum up, of the 52 “CDA” sites reviewed, 39 sites were proposed for retention; five sites were previously agreed by the Committee for rezoning; three sites were subject to review; and five sites were considered having potential for rezoning. PlanD would progressively submit the zoning amendments of the respective “CDA” sites to the Committee for consideration.

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

5. In response to a Member’s enquiry on the five “CDA” site with approved MLP and had potential for rezoning, Ms Ann O.Y. Wong repeated the locations of the five “CDA” sites as recorded in paragraph 4(h) above. She said that the developments on these sites had been completed/nearly completed and most of the approval conditions had been complied with. The rezoning proposals of these “CDA” sites would be submitted to the Committee for consideration in due course.

6. In response to the same Member’s question on the principles of the sub-division of the “CDA” sites, Mr Tom C.K. Yip, DPO/K, briefed Members on the proposals for the two “CDA” sites in Kowloon City. He said that KC DURF was set up in 2011 to strengthen

planning for urban renewal at the district level. One of its main tasks was to advise the Government through the Secretary for Development on urban renewal plans within the relevant area from a holistic and integrated perspective. During the process, broad-based public engagement exercises, planning studies, social impact assessments and other related studies would be conducted. KC DURF had submitted their recommendations of the Urban Renewal Plan (URP) for Kowloon City to the Secretary for Development in January 2014. In the URP, the “CDA” site located at the junction of Kowloon City Road and Ma Tau Kok Road (the 13 Streets site) and another “CDA” site located at the junction of Ma Tau Kok Road and To Kwa Wan Road (the 5 Streets site) were identified as Redevelopment Priority Areas.

7. Mr Tom C.K. Yip continued to say that there were difficulties in assembling sufficient titles for redevelopment of the 13 Street site, with an area of 2.84 hectares and over 3,900 ownership. To facilitate redevelopment in the area, KC DURF proposed to sub-divide the “CDA” into two or three “CDA” sub-zones so as to reduce the difficulty in land assembly for redevelopment. The 5 Streets site was also under multiple ownership. The age of residential buildings in the southern portion of the 5 Street site ranged from 51 to 53 and that for the industrial buildings in the northern portion were slightly over 30 years. KC DURF also proposed to sub-divide the “CDA” into 2 “CDA” sub-zones for the same reason as that for the 13 Streets site. The Government was currently reviewing the proposals of KC DURF. The Planning Department (PlanD) would proceed to amend the relevant Outline Zoning Plans upon completion of the review.

8. Mr Wilson W.S. Chan, DPO/TWK, said that the latest MLP of the “CDA” site adjacent to Lai Hong Street, South West Kowloon, was approved by the Committee on 28.6.2001. The Committee last extended the time limit for commencement of the approved development in June 2006 for 2 years until 28.6.2008. No land exchange was executed and no building plans were submitted. The planning permission lapsed on 28.6.2008. The “CDA” site was mostly owned by two owners. The owner of the northern portion of the site would like to redevelop the site while the owner of the southern portion had not shown interest. Having regard to the lack of progress of implementation in the past few years and the future housing developments in the surrounding area, it was considered appropriate to conduct a planning review of the “CDA” zoning to ascertain the lot owners’ plans for comprehensive redevelopment under the “CDA” zoning and examine whether the site could

be rezoned to speed up the redevelopment process.

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

9. After deliberation, the Committee decided to :
- (a) note the findings of the review of the sites designated “CDA” on statutory plans in the Metro Area;
 - (b) agree to the retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.2 and detailed at Appendices I and IV;
 - (c) note the agreement of the Committee to rezone the sites mentioned in paragraphs 4.1.3 and 4.2.3 and detailed at Appendices II and V; and
 - (d) note the sites which are subject to review in paragraph 4.1.4 and details at Appendix III; and
 - (e) note the sites with potential for rezoning in paragraph 4.2.4 and details at Appendix VI.

[The Chairman thanked Ms Ginger K. Y. Kiang, DPO/HK, Mr Tom C.K. Yip, DPO/K, Miss Elsa Cheuk, CTP/SD and Ms Ann O.Y. Wong, STP/NTHQ, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[Ms Fannie F.L. Hung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 4

[Open Meeting]

Proposed Development Parameters for Columbarium development at 2-6 Wing Lap Street, Kwai Chung

(MPC Paper No. 3/14)

10. The Secretary reported that the concerned application (Application No. Y/KC/3) was submitted by Wing Kwong Leather Factory Ltd. and Wing Loi Tannery Ltd., and Urbis Ltd., CKM Asia Ltd. (CKM), Environ Hong Kong Ltd. (Environ) and AECOM Asia Co. Ltd. (AECOM) were the consultants of the applicants. The following Members had declared interests in this item:

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| Mr Laurence L.J. Li | - | had current business dealings with the applicants |
| Professor S.C. Wong | - | CKM had financially sponsored some activities of the Institute of Transport Studies of the University of Hong Kong, of which Professor Wong was the Director of the Institute; also had current business dealings with AECOM |
| Professor P.P. Ho | - | had current business dealings with CKM and AECOM |
| Ms Julia M.K. Lau | - | had current business dealings with Environ and AECOM |

Mr Dominic K.K. Lam - had current business dealings with Urbis Ltd., Environ and AECOM

Mr Patrick H.T. Lau - had current business dealings with AECOM

11. The Committee noted that Mr Laurence L.J. Li had not yet arrived at the meeting and Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As Professor S.C. Wong, Professor P.P. Ho, Ms Julia M.K. Lau, Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had no direct involvement in the subject application, the Committee agreed that they could stay in the meeting.

12. With the aid of a Powerpoint presentation, Ms Fannie F.L. Hung, STP/TWK, presented the proposed development parameters for a site at 2-6 Wing Lap Street, Kwai Chung (the Site) as detailed in the Paper and covered the following main points :

Background

- (a) on 13.12.2013, the Committee decided to partially agree to application No. Y/KC/3 for rezoning the Site from “Industrial” (“I”) to “Other Specified Uses” annotated “Columbarium” (“OU(Columbarium)”) with ‘Columbarium’ as a Column 2 use so that appropriate control could be imposed through the planning application mechanism to address the concerns of the relevant Government departments. However, the Committee did not agree to the scale of the proposed development and requested the Planning Department (PlanD) to examine a suitable development option for the Site with a view to recommending appropriate development restrictions for the “OU(Columbarium)” zone for further consideration by the Committee;

The Study

- (b) pursuant to the Committee’s decision on the subject s.12A application, PlanD conducted a study to examine the appropriate parameters for

columbarium development at the Site. The study had looked into examples of some overseas columbaria, the development restrictions for columbarium developments stipulated on Outline Zoning Plans (OZPs) and existing columbaria in Hong Kong;

- (c) some multi-storey columbaria in other countries such as Brazil, Japan, Macau and Singapore were studied. It was considered that building height and other development parameters of these overseas columbaria might not serve as good references for determining the development parameters for columbarium development in Hong Kong because:
 - (i) different countries had different cultures and religions, e.g. they did not have two peak festive periods for worshipping except for those countries with Chinese community. The road and transportation system as well as the mode of transport of citizens of these countries were all different. The traffic impact brought by the columbarium might not be high in the foreign countries;
 - (ii) for the Chinese community, cemetery/columbarium formed a psychological barrier and many Chinese loathed to live near such uses or facilities. The foreigners might not have such psychological barrier. For instance, the multi-storey columbaria in Brazil was a tourist attraction in its city;
 - (iii) some religions/cultures needed a place for worshipping, such as The Tokyo Gobyō in Japan which provided worshipping bays. The space and facilities required were different; and
 - (iv) the situation on land supply in overseas countries was also different as land was comparatively scarce in Hong Kong;
- (d) amongst the various development restrictions for columbarium developments stipulated on the OZP, building height (BH) was a common parameter to control the scale of columbarium development, either in terms of the number of storeys, absolute BH in metres or metres above Principal

Datum (mPD). For the control in terms of number of storeys, the BH restrictions on OZPs ranged from 1 storey to 12 storeys;

- (e) reference had also been made to the development parameters of the 10 existing columbaria operated by the Board of Management of the Chinese Permanent Cemeteries (BMCP) and some of the Government columbaria where both the vertical transportation and crowd management aspects during the two festive periods were under proper control without the e-booking system. It revealed that the number of storeys of these columbaria ranged from 2 storeys to 11 storeys. Half of them were not served with lifts. The mode of vertical transportation for the existing columbaria managed by BMCP and the Food and Environmental Hygiene Department (FEHD) relied very much on staircases. The number of niches/GFA ratios ranged from 2.02 to 4.38. With respect to the size of the niches, most of the niches had the dimensions of 0.22m(H) x 0.22m(W) x 0.41m(D);
- (f) as each site had its own characteristics including area, configuration, topography, location, surrounding developments, etc, it might not be possible to derive a set of standard development parameters from existing columbarium developments that could be applied universally to all future columbarium developments;

Key Parameters proposed to be included in the Columbarium Development

- (g) BH and number of niches were considered as the two key development parameters to control the development intensity of columbarium development at the Site because:
 - (i) an appropriate BH restriction could help address the Committee's concerns on the possible adverse visual impact and psychological impact, and the vertical transportation problem; and
 - (ii) the number of niches, which had a positive correlation with the number of visitors, would have direct implication on the crowd

situation;

- (h) given the small size of the Site, the site coverage and gross floor area (GFA) might not be the suitable development parameters to control the development scale of the columbarium development because the number of niches could vary according to different design options;

Proposed Development Parameters

- (i) the appropriate BH for the Site was determined through a visual impact analysis. The adverse visual impact of three building heights (i.e. 50mPD, 75mPD and 100mPD) for the proposed columbarium development had been assessed. The 50mPD scenario would pose the least visual intrusion to the nearby residents and public space users as the proposed development could be best shielded-off by the existing ridgelines, vegetation and buildings;
- (j) a layout approach was attempted with a view to examining the appropriate development scale for the columbarium development based on the BH scenario of 50mPD. With some basic minimum circulation width requirements obtained from FEHD and the Architectural Services Department, and by making reference to the applicant's proposal under application No. Y/KC/3, an indicative notional scheme had been worked out with 11 storeys (8 columbarium floors, one basement carpark and 3 floors for ancillary facilities such as loading/unloading bay, lobby, administrative office and function rooms, etc.). By applying the niche size based on the applicant's proposal, the minimum circulation width required by concerned Government departments, the provision of two staircases and one lift (which was similar to the 11-storey Phase 2 of Cape Collinson Chinese Permanent Cemetery (CCCPC)) and assuming 8 tiers would be provided for each niche wall, the columbarium building could accommodate about 23,040 niches. Reference was also made to the niches/GFA ratio derived from other columbaria in Hong Kong. By applying the niches/GFA ratio of 3.9 of the Phase 1 of CCCPC, some

24,850 niches could be accommodated at the Site. However, a private columbarium usually had more ancillary facilities than the government ones, hence the actual number of niches that could be accommodated within a private columbarium would be less;

- (k) the proposed development parameters (i.e. BH of 50mPD and number of niches ranging from 23,040 to 24,850) were conveyed to the applicant and the schematic drawings by the applicant demonstrated that the Site could accommodate about 23,000 niches under the BH scenario of 50mPD;

Major Comments from Government Bureaux/Departments

- (l) Government bureaux/departments consulted generally had no objection to/no adverse comment on the proposed development parameters/PlanD's indicative notional scheme/applicant's scheme;
- (m) the Commissioner for Transport (C for T) and the Commissioner of Police (C of P) had no comments on the proposed development parameters. However, C for T requested that submission of proposals on the road improvement works and shuttle bus services, as well as their implementation, should be one of the approval conditions if the proposed columbarium was approved at the s.16 application stage while C of P raised that the applicant should be required to enforce the e-booking system and submit traffic and crowd management proposal before the two festive periods for his approval and these could be imposed as approval conditions of the planning permission;

PlanD's Views

- (n) it was considered that the two key development parameters governing columbarium development at the Site were BH and number of niches. A maximum BH of 50mPD for columbarium development at the Site was considered appropriate. A maximum number of 23,000 niches was also recommended for columbarium development at the Site; and

- (o) other concerns raised by Members and Government departments such as building profile, external design, façade layout and the overall greening effect could be further considered at the s.16 planning application stage.

Public Consultation

13. In response to a Member's query on consultation with the District Council on the proposed columbarium development at the Site, Ms. Fannie F.L. Hung said that the Kwai Tsing District Council (KTDC) had passed a motion objecting to the proposed columbarium development scheme under the application No. Y/KC/3. Another Member asked whether consultation with DC had been conducted for the proposed development parameters. In response, Mr Wilson W.S. Chan said that upon agreement of the proposed development parameters by the Committee, PlanD would proceed to amend the OZP for publication under the Town Planning Ordinance. The DC and the public could submit their representations/comments on the amendments during the 2-month plan exhibition period.

Proposed Development Parameters, Technical Feasibility and Design Requirements

14. A Member considered that given the acute shortage of niches in the territory and considering that the Site was suitable for columbarium development, an increase in BH could better utilise the Site to accommodate more niches. Based on the visual analysis, the Member asked whether the BH of the proposed development could be relaxed to say about 75mPD which might be acceptable with suitable façade treatment. In response, Mr Wilson W.S. Chan, DPO/TWK, said that considering the psychological barrier of the Chinese community on columbarium development and based on the visual analysis, a BH restriction of 50mPD would pose the least visual intrusion to the nearby residents and public space users as the proposed development could be best shielded-off by the existing ridgeline, vegetation and buildings. The 50mPD scenario would therefore minimise potential psychological effect that might be caused by the columbarium development.

15. In response to a Member's query, Mr Wilson W.S. Chan explained that in application No. Y/KC/3, a maximum pedestrian flow of 5,000 persons/hour was assumed in conducting the technical assessments of the columbarium development with 50,000 niches. During the consideration of the application, Members raised concerns on the reliability of the

assumption and the accuracy of the technical assessments. As such, the Committee agreed to put ‘Columbarium’ use under Column 2 of the proposed “OU(Columbarium)” zone so that technical assessments would be submitted in the planning application for consideration by the Committee and the relevant Government departments.

16. A Member expressed concern on the proposed number of niches which might generate adverse impacts on the internal circulation and ventilation of the proposed development. This Member also considered that the BH could be relaxed to provide more flexibility for incorporation of different design features, e.g. higher floor-to-floor height, wider circulation corridor and greening on upper floors, to enhance the ventilation, circulation and outlook of the building. The same Member also asked whether the number of niches could be reduced and whether the aforementioned design features could be imposed as requirements under the planning application mechanism. In response, the Chairman said that the proposed number of niches was the maximum permissible niches to be built on the Site. The applicant had to demonstrate in the planning application that the proposed development scheme was technically feasible and was acceptable to the Committee and concerned Government departments. The design requirements could be incorporated in the Explanatory Statement of the OZP to provide guidance for the proposed development.

17. In response to two Members’ queries on the criteria used in deriving the development parameters, Mr Wilson W.S. Chan said that the two development parameters on building height and the number of niches were derived by making reference to the BH and floor-to-floor height of existing columbaria in Hong Kong and the need to provide ancillary facilities for a private columbarium development. Nevertheless, each site had its own characteristics including area, configuration, topography, location, surrounding developments, etc. It would not be possible to formulate a set of standard development parameters based on existing columbaria that could be applied universally to all future columbarium developments. The Chairman supplemented that the proposed BH of 50mPD had considered the existing site conditions, development conditions in the surroundings, the preservation of ridgeline and the visual impact on the nearby residents and the public.

18. Members noted that the Study was thorough and provided good reference in determining the parameters for columbarium development at the Site. Members generally agreed to the proposed development parameters of a maximum BH of 50mPD and a

maximum of 23,000 niches for the Site taking into account the concerns of the KTDC, the site considerations and traffic impact. Putting ‘Columbarium’ use under Column 2 in the Notes of the “OU(Columbarium)” zone was appropriate to control the proposed columbarium development at the Site under the planning application mechanism. The zoning should include a minor relaxation clause for the BH restriction to provide design flexibility to be considered by the Board based on individual merits of planning applications. The proposed number of niches of 23,000 would be the maximum permitted in the “OU(Columbarium)” zone. Suitable design or other requirements that the applicant should take note of could be incorporated into the Explanatory Statement of the OZP to guide the future development.

19. After deliberation, the Committee agreed that the proposed development parameters of a maximum BH of 50mPD and a maximum number of 23,000 niches, as well as putting ‘Columbarium’ use under Column 2 in the Notes of the “OU(Columbarium)” zone, were appropriate to control the proposed columbarium development at the Site. Proposed amendments to the draft Kwai Chung OZP No. S/KC/26 in respect of the agreed “OU(Columbarium)” zone would be submitted to the Committee for agreement prior to gazetting under section 7 of the Ordinance.

[Mr Ken Y.K. Wong left the meeting temporarily at this point.]

[The Chairman thanked Mr Wilson W.S. Chan, DPO/TWK, and Ms Fannie F.L. Hung, STP/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting]

A/K1/242 Proposed Minor Relaxation of Building Height Restriction for permitted Shop and Services/Eating Place and Hotel uses in “Commercial” Zone, Nos. 38, 38A, 40 and 40A Hillwood Road, Tsim Sha Tsui, Kowloon
(MPC Paper No. A/K1/242B)

20. The Secretary reported that the application was submitted by the subsidiaries of Henderson Land Development Company Ltd. (HLD), and Kenneth To & Associates Ltd. (KTA) and LLA Consultancy Ltd. (LLA) were the consultants of the applicants. The following Members had declared interests in this item:

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| Mr Dominic K.K. Lam | - | had current business dealings with HLD, KTA and LLA |
| Mr Patrick H.T. Lau | - | had current business dealings with HLD, KTA and LLA |
| Mr Clarence Leung | - | being the director of a non-government organisation that received a private donation from a family member of the Chairman of HLD |
| Mr Roger Luk | - | being a member of the Council of the Chinese University of Hong Kong (CUHK) which received a donation from a family member of the Chairman of HLD |
| Professor P.P. Ho | - | being an employee of CUHK which received a donation from a family member of the Chairman of HLD |
| Professor S.C. Wong | - | being an employee of the University of Hong Kong which received a donation from a family member of the Chairman of HLD |

21. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the applicant had requested for deferment of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam, Mr Clarence Leung, Mr Roger Luk, Professor P.P. Ho and Professor S.C. Wong could stay in the meeting but Mr Dominic K.K. Lam should be refrain from participating in the discussion.

22. The Committee noted that the applicants requested on 6.3.2014 for further deferment of the consideration of the application for one month in order to allow time for the applicants to review the proposed scheme to address the outstanding departmental comments. This was the third deferment. Since the last deferment in January 2014, the applicants had submitted further information on 23.1.2014 involving a broad visual assessment conducted at the forecourt of the Hong Kong Observatory to address the comments from concerned Government departments.

23. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that one month was allowed for preparation of the submission of the further information. Since this was the third deferment and the Committee had already allowed a total of five months for preparation of submission of further information and no further deferment would be granted unless under very special circumstances.

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/744 Proposed Shop and Services in "Other Specified Uses" annotated "Business" Zone, Units 1-5, G/F, Kwong Loong Tai Building, Nos. 1016-1018 Tai Nan West Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/744)

Presentation and Question Sessions

24. With the aid of a Powerpoint presentation, 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 – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from the Incorporated Owners of Kwong Loong Tai Building (the subject building) and three tenants of the subject building supporting the application as they considered that the application was in line with the planning intention and would improve the environment of the surrounding area. A letter from the Incorporated Owners' of CEO Tower (the industrial building adjacent to the subject building) (the IO) objecting to the application for the reasons of lacking in sufficient information to demonstrate that the proposed shop and services would serve the workers in the Cheung Shan Wan Industrial/Business Area and that there would be adverse impacts on the area was received by the District Officer (Sham Shui Po). In particular, the IO expressed grave concern on the cumulative impacts with the jewelry shop at the basement of the industrial building. The IO was concerned that there was usually a large number of Mainland visitors visiting the jewelry shop by coaches, which would aggravate impacts such as traffic congestion. The IO also considered that the time and information for consultation was not sufficient; and

[Mr Ken Y.K. Wong returned to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Regarding the concerns of the IO of the adjacent industrial building which

were mainly on the impacts of the proposed shop and services use on the surrounding areas, particularly the cumulative traffic impacts associated with the jewelry shop at the basement of the subject industrial building, the relevant Government departments including the Director of Environmental Protection, the Commissioner for Transport and the Director of Fire Services had no objection to the application. The concerned jewelry shop was not a use permitted under the “Other Specified Uses” annotated “Business” zone. The relevant departments, including the Lands Department and the Buildings Department had been informed to check whether enforcement actions would be required for the jewelry shop at the basement. On the concern about insufficient time and information for consultation, the application had been published for public inspection in accordance with the provisions of the Town Planning Ordinance.

25. Members had no question on the application.

Deliberation Session

26. 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 21.3.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and a means of escape completely separated from the industrial portion, 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 is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

27. 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:
- (i) adequate means of escape should be provided to the subject premises and remaining portion of the premises in accordance with Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
 - (ii) access and facilities for persons with a disability should be provided in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008;
 - (iii) the subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the FS Code;
 - (iv) adequate provision of sanitary fitments and fittings should be provided in accordance with Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations; and
 - (v) the passage from the fire service access point to the fireman’s lift should be separated from the remainder of the ground storey by walls having a Fire Resistance Rating (FRR) of not less than that required for the elements of construction in the ground storey. Any opening in these walls for communication with ground storey should be through a protected lobby complying with Clauses C9.3 and C16.5 under Clause D7.3 of the FS Code.”

[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 7

Section 16 Application

[Open Meeting]

A/K5/745 Proposed Composite Commercial/Residential Development in
"Residential (Group E)2" Zone, 27-29 Tonkin Street, Cheung Sha
Wan, Kowloon
(MPC Paper No. A/K5/745)

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

Mr Dominic K.K. Lam	-	had current business dealings with KTA, MVA and Environ
Mr Patrick H.T. Lau	-	had current business dealings with KTA and MVA
Ms Julia M.K. Lau	-	had current business dealings with MVA and Environ

29. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the applicant had requested for deferment of consideration of the application, and Mr Dominic K.K. Lam and Ms Julia M.K. Lau had no involvement in this application, the Committee agreed that they could stay in the meeting.

30. The Committee noted that the applicant requested on 7.3.2014 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant Government departments. This was the first time that the applicant requested for deferment of the application.

31. 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. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/454 Proposed Temporary Information Technology and Telecommunications Industries For a Period of 5 Years in “Comprehensive Development Area (3)” Zone, 2/F, Asia Tone i-Centre, No. 1 Wang Wo Tsai Street, Tsuen Wan (TWTL 363)
(MPC Paper No. A/TW/454)

32. The Secretary reported that Knight Frank Petty Ltd. (Knight Frank) was the consultant of the applicant. Ms Julia M.K. Lau had declared an interest in this item as she had current business dealings with Knight Frank. As Julia M.K. Lau had no direct involvement in the subject application, the Committee agreed that she could stay in the meeting.

Presentation and Question Sessions

33. With the aid of a Powerpoint presentation, Mr K.T. Ng, STP/TWK, presented the

application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary Information Technology and Telecommunications Industries for a period of 5 years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Tsuen Wan); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The 4/F to 6/F of the subject building, which was a purpose-built godown building, had been converted for ITTI purpose which was a permitted use under “Industrial” zone before the subject site was rezoned to “Comprehensive Development Area (3)” (“CDA(3)”). A similar application (No. A/TW/424) for temporary ITTI use for 5 years at the subject building (1/F (portion) and 3/F) submitted by the same applicant was approved with conditions by the Committee on 17.6.2011 for a period of 3 years. The proposed ITTI use at the application premises was considered compatible with other uses within the subject building as well as the surrounding industrial developments. The proposed ITTI use, which was relatively clean in nature, would generally induce less environmental and traffic impacts as compared with other industrial uses. Concerned Government departments including the Director of Environmental Protection, Commissioner for Transport and Director of Fire Services had no objection to the application. Since the intended comprehensive redevelopment at the subject “CDA(3)” zone would take time to materialise, there was no objection to using the existing industrial

premises for other compatible uses in the interim. However, in order not to affect the implementation of the “CDA(3)” zone, a temporary approval period of three years was recommended.

34. Members had no question on the application.

Deliberation Session

35. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 21.3.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of fire service installations and water supplies for firefighting proposals in the application premises within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 21.9.2014;
- (b) the implementation of fire service installations and water supplies for firefighting proposals in the application premises within 9 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 21.12.2014; and
- (c) if any the above planning conditions (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) a shorter approval period of 3 years is given in order not to affect the implementation of the “Comprehensive Development Area (3)” zone and to allow the Committee to monitor the implementation progress of the subject zone;
- (b) to note the comments of the District Lands Officer/Tsuen Wan and Kwai

Tsing, Lands Department to apply for a temporary waiver of modification of lease conditions; and

- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that the applicant is required to submit building plans to the Building Authority for approval and consent under the Buildings Ordinance; to comply with the requirements and procedures of the new system if the proposed building works contains minor works falling within Schedule 1 of Building (Minor Works) Regulation; and any proposed building works shall comply with the prevailing requirements under the Buildings Ordinance, allied regulations and Code of Practices. Particular attention is drawn to the requirement for people using one required staircase should be able to gain access to at least one other required staircase at any time, without having to pass through other person's private premises. Clause B8.2 of Code of Practice of Fire Safety in Buildings 2011 refers."

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/108 Renewal of Planning Approval for Temporary "Shop and Services (Retail Shop)" Use for a Period of 3 Years in "Government, Institution or Community" Zone, Lot Nos. 100 (Part), 101 R.P. and 110 R.P. in D.D. 390, Sham Tseng, Tsuen Wan
(MPC Paper No. A/TWW/108)

37. The Secretary informed Members that a replacement page of page 8 of the Paper was tabled at the meeting to rectify a typographical error regarding the comments of the Commissioner for Transport.

Presentation and Question Sessions

38. With the aid of a Powerpoint presentation, Mr K.T. Ng, STP/TWK, presented the

application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the application was for renewal of a s.16 planning approval, under application No. A/TWW/102 approved by the Committee on 6.5.2011 for temporary shop and services (retail shop) use for a period of 3 years at the application site;
- (b) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no comment on the application;
- (c) during the first three weeks of the statutory publication period, 29 public comments were received from 25 private individuals, 2 Tsuen Wan District Council Members, 1 Legislative Council Member and the Owners' Committee of Sea Crest Villa Phase 4. 26 comments objected to the application on the grounds that the approval of the application would violate the planning intention; community facilities were seriously inadequate/with no increase in provision despite the significant increase of population in Sham Tseng; a wide range of community facilities should be provided including Sham Tseng multi-service complex, post office, library, market, public bus terminus, medical clinic/centre, recreational and social welfare facilities, government offices, etc.; and the Government should resume the site which was privately owned. One comment agreed with the application. The remaining 2 comments adopted a neutral stance which suggested that the site should be developed for community facilities three years after the approval of the application and the existing laundry and medical services in the site should be retained; the increase rate of shop rent and the proportion of shop types should be controlled; and public parking spaces should be provided in front of shops in the area to facilitate daily shopping in Sham Tseng; and
- (d) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. As more time was required for formulation of a permanent development

proposal for the site, the applicant submitted the current application to renew the previously approved application No. A/TWW102, which would lapse on 27.5.2014. The current application had no change in all development parameters as approved under the application No. A/TWW/102 and the temporary shop and service (retail shop) use was not incompatible with the surrounding residential and commercial developments. Regarding the 26 objections, the Government departments consulted confirmed that there was no plan or programme to provide community facilities in Sham Tseng area or at the site. As no development proposals for the site had been received from the concerned Government departments, the District Lands Officer/Tsuen Wan and Kwai Tsing advised that land resumption of the site would not be processed. It was also outside the purview of the Committee to control the rent and types of shops. Regarding the proposal to provide public parking spaces in front of the local retail shops, the Commissioner for Transport considered that the shoppers should make use of the car parks in the vicinity.

39. Members had no question on the application.

Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a **further** period of 3 years until 27.5.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) all existing fire service installations and equipments at the site shall be maintained in an efficient working order during the approval period; and
- (b) maintenance of existing trees and landscape plantings during the approval period.”

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

Hong Kong District

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H10/85 House (Temporary Uses of Leisure Pool, Pantry and Sitting-out Area)
for a Period of 5 Years in “Green Belt” Zone, Government Land
adjoining House B3, Villa Cecil, South of No. 200 Victoria Road, Pok
Fu Lam, Hong Kong

(MPC Paper No. A/H10/85A)

41. The Committee noted that the applicant requested on 13.3.2014 for further deferment of the consideration of the application for two months in order to address the Civil Engineering and Development Department (CEDD)’s further comments. This was the second deferment of the application. Since the first deferment on 22.11.2013, the applicant provided responses to comments from relevant departments and submitted a Geotechnical Planning Review Report (GPRR) on 22.1.2014. As CEDD had further comments on the GPRR, the applicant needed more time to prepare further information to address CEDD’s comments.

42. 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. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that a further two months were allowed for preparation of the submission of the further information. Since this was the second deferment and the Committee had already allowed a total of four months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 11

Section 16 Application

[Open Meeting]

A/H10/86 Proposed Minor Relaxation of Building Height Restriction for Permitted Residential Use (Higher Block: From 19.365m to 22.255m; Lower Block: From 12.49m to 15.38m) in “Residential (Group C) 2” Zone, No. 55-57 Bisney Road, Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/86)

43. The Secretary reported that Kenneth To & Associates Ltd. (KTA) was the consultant of the applicant. Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests on this item as they had current business dealings with KTA. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the applicant had requested for deferment of consideration of the application, and Mr Dominic K.K. Lam had no involvement in this application, the Committee agreed that he could stay in the meeting.

44. The Committee noted that the applicant requested on 19.3.2014 for deferment of the consideration of the application for one meeting to 4.4.2014 to allow time for departmental comments on the further information submitted on 18.3.2014 to justify the site formation proposal. This was the first time that the applicant requested for deferment of the application.

45. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant. The Committee agreed that the application should be submitted for its consideration at the next meeting on 4.4.2014.

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H10/87 Proposed School (Playgroup and Learning Centre) in “Residential (Group B)” Zone, Shop No. 101, Chi Fu Landmark, Chi Fu Fa Yuen, Pokfulam, Hong Kong
(MPC Paper No. A/H10/87)

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

Presentation and Question Sessions

46. With the aid of a Powerpoint presentation, 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 school (playgroup and learning centre);

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

- (c) departmental comments – departmental comments were set out in paragraph 7 of the Paper. Concerned departments had no objection to or no comment on the application, except District Officer (Southern) (DO(S)), Home Affairs Department (HAD) who considered that the proposed education establishment might bring further impact on the busy traffic in Chi Fu Fa Yuen;
- (d) during the first three weeks of the statutory publication period, an objection, which stated that there were a lot of schools in Chi Fu Fa Yuen and Pok Fu Lam Gardens generating adverse traffic and noise impacts on the residents nearby, were received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 11 of the Paper. DO(S) considered that the proposed education establishment might bring further impact on the busy traffic in Chi Fu Fa Yuen. However, the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had no in-principle objection to the application as the school would not generate shuttle bus services or other similar transport services with regular frequency and stopping points. Besides, the proposed school was located within an existing shopping centre of Chi Fu Fa Yuen with internal parking facilities. Regarding the comment which objected to the application on the traffic and noise impact grounds, AC for T/U, TD and the Chief Building Surveyor/Hong Kong West, Buildings Department had no objection to/no adverse comments on the proposed school use.

47. Members had no question on the application.

Deliberation Session

48. 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 21.3.2018, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

“the provision of fire service installations to the satisfaction of the Director of the Fire Services or of the TPB.”

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

“(a) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department regarding the compliance with building safety requirements in respect of the registration application under the Education Ordinance; compliance with the provisions of the Buildings Ordinance, compliance with fire safety requirements under the Code of Practice for Fire Safety in Buildings 2011; and provision of barrier free access and

facilities to the proposed school in accordance with the Design Manual: Barrier Free Access 2008.

- (b) to note the comments of the Director of Fire Services that detailed fire services requirement will be formulated upon receipt of formal submission of general building plans.”

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

[A short break of 5 minutes was taken at this point.]

[Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K) and Mr Richard Y.L. Siu, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

Kowloon District

Agenda Item 13

[Open Meeting]

Proposed Amendments to the Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/27

(MPC Paper No. 6/14)

50. The Secretary reported that this item involved proposed amendments to the Ngau Tau Kok and Kowloon Bay Outline Zoning Plan for a proposed Home Ownership Scheme (HOS) and public housing development by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). The following Members had declared interests in this item:

- | | |
|--|---|
| Mr K.K. Ling
as the Director of Planning | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA |
| Ms Doris M.Y. Chow
as the Assistant Director of Lands Department | - being an Assistant Director of Lands Department, the Director of which was a member of HKHA |
| Mr Frankie W.P. Chou
as the Assistant Director of Home Affairs Department | - being a Chief Engineer of the Home Affairs Department, the Director of which was a member of the SPC and Subsidised Housing Committee of HKHA |
| Ms Julia M.K. Lau | - being a member of HKHA and Commercial Properties Committee and Tender Committee of HKHA |
| Mr Dominic K.K. Lam | - had current business dealings with HKHA |

51. The Committee noted that Mr Frankie W.P. Chou had tendered apologies for being unable to attend the meeting. The Committee considered that the interests of the other four Members were direct, and they should leave the meeting temporarily for this item. As the Chairman had to withdraw from the meeting, the Committee agreed that the Vice-chairman should take over to chair the meeting for this item.

[Mr K.K. Ling, Ms Doris M.Y. Chow, Ms Julia M.K. Lau and Mr Dominic K.K. Lam left the meeting temporarily at this point.]

52. With the aid of a Powerpoint presentation, Mr Richard Y.L. Siu, STP/K, presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) as stated in the 2014 Policy Address, the Government had to ensure that there would be adequate supply of land to achieve the target to provide a total of 470,000 housing units in the coming ten years, with public housing accounting for 60%. Thus, three sites in Jordan Valley at Choi Hing Road, Choi Hing Lane and Choi Wing Road had been identified for public housing/Home Ownership Scheme (HOS) developments;
- (b) in the 2011-2012 Policy Address, the Government announced the adoption of a visionary, coordinated and integrated approach to expedite the transformation of Kowloon East into an attractive, alternative Central Business District (CBD2) to support Hong Kong's economic development. The ex-Kowloon Bay Factory Estate (KBFE) site was situated within the CBD2 and the blocks had been demolished and returned to the Government. It was proposed to dispose of the site through land sale for commercial development to provide more commercial floor space in CBD2;

Proposed Amendments to the OZP

Proposed Residential Developments in Jordan Valley (Amendment Items A1, A2, B1, B2 and C)

- (c) Amendment Items A1 and A2 - rezoning of the Choi Hing Road Site from "Government, Institution or Community" ("G/IC") and an area shown as 'Road' to "Residential (Group A)1" ("R(A)1") subject to a maximum domestic and non-domestic plot ratio (PR) of 6.0 and 1.0 respectively and a maximum building height (BH) of 150mPD and an area shown as 'Road'. The Choi Hing Road Site, having an area of about 8,808m², was one of the 36 Government sites identified for housing development announced in August 2012. It was reserved for secondary school use but with no definite development programme. With a replacement site identified at the Anderson Road Quarry, the Education Bureau (EDB) had no objection to release the site for other purposes. The site was proposed for HOS development;

- (d) Amendment Items B1 and B2 - rezoning of the Choi Hing Lane site from “G/IC” and “Green Belt” (“GB”) to “R(A)1” and an area shown as ‘Road’ subject to a maximum domestic and non-domestic PR of 6.0 and 1.0 respectively and a maximum BH of 150mPD. The Choi Hing Lane Site, having an area of about 6,733m², was reserved for indoor recreation centre (IRC) development. While there was a shortfall in the existing provision of IRC in the planning area, there was no definite development programme for developing the IRC on the site. Taking into account some Kwun Tong District Council (KTDC) members’ suggestion for more community facilities in the Choi Wing Road Site and in view of its central location in Jordan Valley with good pedestrian connection, it was proposed to relocate the IRC to Choi Wing Road Site which was proposed for public rental housing (PRH) development;
- (e) the Housing Department (HD) proposed to integrate the HOS development at Choi Hing Road Site and Choi Hing Lane Site for one additional tower to meet the housing demand. The HOS developments at these two sites were estimated to provide a total of 1,300 flats;
- (f) Amendment Item C - rezoning of the Choi Wing Road site from “G/IC” to “R(A)2” with a maximum BH of 170mPD. Having an area of about 6,733m², the site was reserved for secondary school use. EDB was consulted and had no objection to release the site for other use. Taking into account some KTDC members’ suggestion, the Choi Wing Road site was proposed for public rental housing (PRH) development with an indoor recreation centre (IRC);
- (g) preliminary assessments on visual, air ventilation, traffic, environmental and infrastructural aspects for the HOS and PRH developments were conducted by HD. Concerned Government departments were consulted and had no objection to/adverse comment on the rezoning proposals from the traffic, environmental and infrastructural perspectives. Some Government departments might require HD to undertake/update technical assessments at the later stage and the requirements would be stipulated in

the planning briefs accordingly;

- (h) the increased population after completion of the residential development would not create adverse impact on the G/IC facilities and open space provision in the planning area. The district and local open space and a range of community and social welfare facilities had been sufficiently provided. Although there was a shortfall of the planned provision of primary school classrooms and post office, the provision was assessed by EDB and they had no objection to the rezoning of the sites. The Government would continue to monitor if the shortfall could be addressed by the provision at other sites in the concerned district. For the shortfall in post office, it could be accommodated in premises within commercial development, Government building or non-domestic portion of residential development that separate site reservation was therefore not required;
- (i) on 8.1.2013, the Kwun Tong District Council (KTDC) was consulted on the rezoning of the Choi Hing Road site and other sites for residential development. Members gave in-principle support but requested that the community facilities and accessibility of the area be improved. Three letters from the members of Legislative Council and KTDC were received in April and August 2013. While they repeated their supports to the rezoning and reiterated their requests to improve the transportation and community facilities, a KTDC member further suggested enlarging the Choi Hing Road site for one additional tower, to develop the Choi Wing Road site as mixed community and public housing development and better utilised undeveloped G/IC sites and vacant school premises nearby. Relevant Government departments were consulted on the above comments the rezoning proposals had incorporated their comments as appropriate;

Proposed Commercial Development at the ex-Kowloon Bay Factory Estate (KBFE) site (Amendment Items D1 and D2)

- (j) Amendment Items D1 and D2 - rezoning a piece of land on the ex-KBFE Site bounded by Shun Yip Street and Hung Yip Street from an area shown

as 'Road' to "Other Specified Uses" annotated "Business" ("OU(Business)") with a maximum PR of 12.0 and a maximum BH of 100mPD to tally with the zoning and restrictions of other portions of the ex-KBFE site, as well as designation of some strips of land along and Shun Yip Street and within ex-KBFE as non-building area (NBA);

- (k) the ex-KBFE Site was proposed to be disposed of through land sale for commercial development to provide more commercial floor space in the CBD2. An elongated strip of land sandwiched between the areas previously covered by the two factory blocks was shown as 'Road' on the OZP. The rezoning was proposed to optimise the land utilization and allow more design flexibility for better layout. After rezoning of the 'Road' area, the achievable gross floor area of the entire ex-KBFE site would be increased from about 73,700m² to 97,800 m² (about 33% increase);
- (l) to enhance the wind performance at pedestrian level, a strip of land along Shun Yip Street was proposed to be designated as NBA. The NBA together with the pavement would provide a 7.5m-wide setback measuring from the existing kerb line;
- (m) concerned Government departments were consulted and had no objection to/adverse comment on the rezoning proposal from traffic, environmental, visual and infrastructural perspectives. Nevertheless, junction improvement works were recommended for two junctions to alleviate the traffic impacts generated by the proposed development. The improvement works would be worked out and implemented by concerned parties at the detailed design stage; and

Public Consultation

- (n) KTDC would be consulted on the amendments before or during the exhibition of the draft Ngau Tau Kok and Kowloon Bay OZP (to be renumbered to S/K13/28 upon exhibition) for public inspection under

section 7 of the Ordinance.

[Mr Lawrence L.J. Li arrived to join and Mr Ken Y.K. Wong left the meeting temporarily at this point.]

53. In response to a Member's question on the development intensity of the Choi Hing Road and Choi Hing Lane sites and potential visual impact of the proposed HOS development, Mr Tom C.K. Yip, DPO/K, explained that the proposed domestic and non-domestic PR of 6.0 and 1.0 respectively, were comparable to domestic PR of 7 for the existing PRH developments in the surroundings. The PR restrictions were proposed taking into account the site constraints, air ventilation and the building height of developments in the surroundings. As for the visual impact, visual appraisals had been carried out by HD which revealed that the proposed BH restriction of 150mPD for the "R(A)1" zone was broadly in line with the existing visual context whilst maintaining the stepped BH profile of the area. The proposed HOS development was considered not visually incompatible with the surrounding developments as it would be screened off by the existing PRH blocks at Choi Tak Estate and Choi Wan Estate. It would not impose significant visual impacts on the surrounding area.

[Mr Ken Y.K. Wong returned to join the meeting at this point.]

54. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the draft Ngau Tau Kok and Kowloon Bay OZP and that the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/27A (to be renumbered to S/K13/28 upon exhibition) and its Notes were suitable for exhibition under section 7 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) for the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/27A as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZP and the revised ES would be published together with the OZP.

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

[Ms Doris M.Y. Chow, Ms Julia M.K. Lau and Mr Dominic K.K. Lam returned to join the meeting at this point.]

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/210 Proposed Additional Columbarium Niches in "Government, Institution or Community" zone, Level 4 (Part) and Level 5 (Part) of East Wing and West Wing of Fat Jong Temple, 175 Shatin Pass Road, Tsz Wan Shan
(MPC Paper No. A/K11/210)

55. The Secretary reported that Mr K.K. Ling, the Chairman, had declared an interest in this item as his relatives' ashes and memorial tablets were stored in Fat Jong Temple. The Committee considered that the interest of Mr K.K. Ling was direct, and noted that he had refrained from joining the meeting. The Committee agreed that the Vice-chairman should take over to chair the meeting for this item.

56. Ms Julia M.K. Lau also declared an interest in this item as she had current business dealings with Knight Frank Petty Ltd. which was the consultant of the applicant. As Ms Lau had no involvement in the application, Members agreed that Ms Lau could stay in the meeting.

Presentation and Question Sessions

57. With the aid of a Powerpoint presentation, Mr Richard Y.L. Siu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – Fat Jong Temple (the Temple) was the subject of a planning permission (No. A/K11/127) approved by the

Committee on 19.5.2000 for the existing 5,437 niches covering a floor area of about 282 m²;

- (b) the proposed additional 7,200 niches on the application premises covering a floor area of about 220m², resulting in a total of 12,637 niches covering a total floor area of 502m² in the Temple;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Government bureaux/departments consulted generally had no objection to/no adverse comment on the application. The Commissioner for Transport (C for T) had no comment on the revised Traffic Impact Assessment (TIA) report provided that the development would be implemented in phases and the temporary traffic management scheme and the traffic improvement measures proposed in the revised TIA report would be implemented by the applicant at their own cost. The Director of Environmental Protection had no objection to the application provided that the measures to reduce air emission proposed by the applicant would be implemented. The District Officer/Wong Tai Sin commented that traffic impact on the proposed additional niches should be carefully assessed, taking into account the traffic condition of Tsz Wan Shan as a whole;
- (d) during the first three weeks of the seven statutory publication periods of the application and the further information, 12 public comments were received. Among them, 10 objected to the application including 5 made by the same member of Wong Tai Sin District Council attaching 1,574 signatures from residents of the Tsz Wan Shan area, and the remaining 5 from local residents and members of the public. Two public comments submitted by a local resident expressed concern on the application and one comment did not indicate any particular comment on the application. The adverse comments objected to the application on grounds that the proposed additional niches would have adverse traffic, environmental, hygiene and geotechnical impacts. It was not in line with the planning intention, incompatible with the surrounding land uses and not in line with the

territorial columbarium policy. They also considered that no other facilities was provided for compensation of siting obnoxious facilities in the Tsz Wan Shan area and approval of the application would set an undesirable precedent; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper and were summarised as follows:
 - (i) the proposed increase of niches at the application premises was considered excessive and would result in a congested environment for visitors to the columbarium especially during festive periods. If compared with other similar approved temple cum columbarium developments in the area, the niche/m² ratio in the subject application was on the high side; and
 - (ii) due to the congested environment, appropriate crowd management measures should be proposed to handle the large amount of visitors during the festive periods. However, the applicant had not provided any detailed information and justifications on the people circulation and layout of the columbarium floors to facilitate assessment on this aspect. The applicant failed to demonstrate that there would be adequate circulation and worshipping space within the Temple and that feasible crowd management measures would be adopted to handle the large amount of visitors within the Temple during festive periods.

58. Members had no question on the application.

Deliberation Session

59. A Member concurred with PlanD's views and considered that more information on the niches/m² ratios for the subject development and other existing columbaria in Hong Kong could be provided for better comparison. Another Member considered that such

comparison might not be appropriate as the internal layout of the rooms for accommodating the additional niches was different from that of the typical public columbaria in Hong Kong accommodating niches on walls. This Member also considered that with the large number of niches to be accommodated in the rooms, there would be inadequate circulation and worshipping space in the rooms. Together with the usual religious and worshipping activities taking place in the Temple, the increased number of niches would create a congested environment for visitors.

60. A Member said that there was no set standard on the niches/m² ratio to define a congested environment. Given the great demand for niches in the territory and that the TIA submitted was acceptable to C for T, the Member asked whether rejecting the application on traffic ground was appropriate. The same Member considered that territorial demand and supply of niches could be taken into account in considering applications for columbarium development. In response, the Secretary said that the assessment of each planning application was based on individual merits and the overall demand and supply of niches in the territory would not be very relevant to consideration of the subject application. The Vice-chairman supplemented that the consideration of the proposed additional niches should focus more on the internal circulation and worshipping space and the crowd management within the Temple, rather than the traffic conditions in this case. Another Member asked whether there was information submitted on the internal circulation space and crowd management of the proposed additional niches. In response, Mr Richard Y.L. Siu said that given the small size of the room of about 18.3m² only and the narrow pedestrian circulation space (the corridor was less than 2m wide), the existing Temple might not be able to provide adequate circulation for the visitors with the number of niches almost doubled. The applicant did not provide any information on the dimensions of the circulation space and assessment on the pedestrian circulation against the increased number of niches. The Vice-chairman supplemented that it was the responsibility of the applicant to provide adequate information to justify that the circulation space would be adequate to support the proposed additional niches.

61. A Member asked whether there was a guideline to determine what proportion of niches within a religious institution would be regarded as ancillary and whether the application could be rejected on the ground that the columbarium use was out of proportion with the religious institution use on the same site. In response, the Secretary clarified that in

a religious institution, niches of monks/staff would be considered as an ancillary use to the religious institution use and no planning permission from the Board was required. The current application was for the provision of additional public niches within the Temple, which was not an ancillary use. Whether a use was an ancillary use was a matter of fact and degree and there was no guidelines set on this aspect. She said that Members could consider whether the provision of 600 niches in a room of about 18.3m² was excessive and whether it would create a congested environment especially during festive periods. Despite PlanD's request, the applicant did not provide any further information to justify that the proposed additional niches would not create a congested environment. She further said that making reference to the niches/m² ratios of public columbaria in Hong Kong in PlanD's study for the Kwai Chung area under Agenda Item 4 was not appropriate as the design of the application accommodating niches in small rooms was different from that of the public columbaria accommodating niches on walls.

62. Members generally agreed that the proposed increase of 7,200 niches at the application premises was excessive and would result in a congested environment for visitors. Whilst there were no specific criteria in defining a congested environment, Members agreed that people circulation space and internal layout of the columbarium floors were important factors for consideration. The applicant failed to provide any detailed information to address these concerns.

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

- “(a) the proposed increase of niches at the application premises is considered excessive and will result in a congested environment for visitors to the columbarium especially during festive periods; and
- (b) the applicant fails to demonstrate that there would be adequate circulation and worshipping space within the Temple and that feasible crowd management measures would be adopted to handle the large amount of visitors within the Temple during festive periods.”

[Mr K.K. Ling returned to join the meeting. Mr Laurence L.J. Li left the meeting temporarily, and Mr Clarence W.C. Leung left the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/289 Proposed Shop and Services (Retail Shop) in “Other Specified Uses” annotated “Business” Zone, Unit 1AB, G/F, Shun Fat Industrial Building, 17 Wang Hoi Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/289)

Presentation and Question Sessions

64. With the aid of a Powerpoint presentation, Mr Richard Y.L. Siu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

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

[Mr Laurence L.J. Li returned to join the meeting and Professor P.P. Ho left the meeting temporarily at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no comment on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper.

The proposed retail shop use at the Premises was not incompatible with the surrounding areas. The shop and services use at the Premises complies with the Town Planning Board Guidelines for Development within “Other Specified Uses” annotated “Business” Zone (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts to uses within the subject building and the adjacent areas.

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

Deliberation Session

65. In response to a Member’s enquiry on how the need for planning application for the existing shop and services use was identified, Mr Richard Y.L. Siu said that there was the possibility of changing tenant or the applicant may be advised by Lands Department to submit planning application during the application for temporary waiver or lease modification for the existing shop and services use on the subject premises.

66. 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 21.3.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of proposals for fire safety measures, including the provision of means of escape completely separated from the industrial portion and fire service installations and equipment in the application 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 is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) the permission is given to the use under application. It does not condone any other use which currently exists on the application premises but not covered by the application. The applicant shall be requested to take immediate action to discontinue such use not covered by the permission;
- (b) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver to give effect to the proposal;
- (c) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings administered by the Building Authority and draw attention to the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) to appoint an Authorized Person to ensure that the proposed change in use and/or alterations and additions works are in full compliance with the Buildings Ordinance (BO), including:
 - (i) the provision of adequate means of escape for the subject premises and the remaining part of the unit in accordance with Building (Planning) Regulation (B(P)R) 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
 - (ii) the subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the FS Code;
 - (iii) the provision of access and facilities for persons with a disability in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008;

- (iv) for unauthorised building works (UBW) erected on leased land/private buildings, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the subject premises under the BO; and
- (v) detailed comments under the BO can only be formulated at the building plan submission stage.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/K14/684 Proposed Hotel and Commercial Developments (Wholesale Conversion of Two Existing Industrial-Office Buildings) in “Other Specified Uses” annotated “Business” Zone, 51 and 53 Hung To Road (formerly known as 49-53 and 53A Hung To Road), Kwun Tong
(MPC Paper No. A/K14/684C)

68. The Secretary reported that Kenneth To & Associates Ltd. (KTA) and LLA Consultancy Ltd. (LLA) were the consultants of the applicants. Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests on this item as they had current business dealings with KTA and LLA. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the applicants had requested for deferment of consideration of the application, and Mr Dominic K.K. Lam had no involvement in this application, the Committee agreed that he could stay in the meeting.

69. The Secretary reported that the Committee considered the application on 21.6.2013 and decided to defer making a decision on the application after deliberation, pending the submission of further information by the applicants to demonstrate that there was

an effective mechanism to ensure the long-term provision of car parking and loading/unloading facilities for the proposed hotel development. On 24.9.2013, the applicants submitted further information on the proposed implementation and control mechanisms with a view to putting the proposed internal transport facilities arrangement under proper control. On 22.11.2013, the Committee agreed to defer a decision on the application for one month, as requested by the applicants, to allow time for the applicants to discuss the details of the mechanisms with the department concerned. On 16.1.2014 and 17.2.2014, the applicants made two submissions of further information to refine the mechanisms.

70. The Committee noted that the applicants requested on 19.3.2014 for deferment of the consideration of the application for one meeting to 4.4.2014 to allow more time for the applicant to respond to departmental comments related to the provision of internal transport facilities. This was the second time that the applicants had requested for deferment of the application.

71. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since this was the second deferment requested by the applicants and the Committee had already allowed a total of three months for preparation of submission of further information and no further deferment would be granted unless under very special circumstances.

[Ms. Karen F.Y. Wong, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 17

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/694 Proposed Shop and Services (Money Exchange) with Ancillary Office
in “Other Specified Uses” annotated “Business” Zone, Unit 3 on
Ground Floor, Westley Square, No. 48 Hoi Yuen Road, Kwun Tong,
Kowloon
(MPC Paper No. A/K14/694)

Presentation and Question Sessions

72. With the aid of a Powerpoint presentation, Ms. Karen F.Y. Wong, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (money exchange) with ancillary office;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no comment on the application.
- (d) during the first three weeks of the statutory publication period, a public comment supporting the application was received from the Chairman of Kwun Tong Central Area Committee without giving reasons; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was compatible with the changing land use character of the Kwun Tong Business Area. The proposed use at the Premises complied with the Town Planning Board Guidelines for Development within “Other Specified Uses” annotated “Business” Zone (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental

and infrastructural impacts to uses within the subject building and the adjacent areas.

73. Members had no question on the application.

Deliberation Session

74. 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 21.3.2017, 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 the proposal for fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations and equipment in the application premises to the satisfaction of the Director of Fire Services or of the Town Planning Board before operation of the use; and
- (b) if the above planning condition is not complied with before the operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver for the proposed ‘Shop and Services (Money Exchange) with Ancillary Office’ use at the Premises;
- (b) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings 2011 administrated by the Buildings Department, and to observe the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises; and

- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that the applicant should appoint an Authorized Person to submit building plans for the proposed change of use and/or alterations and additions works to demonstrate compliance with the Buildings Ordinance (BO), including (but not limited to) the provision of adequate means of escape, the Premises should be separated from the remaining portion of the building by fire barriers, the provision of access & facilities for persons with a disability and natural lighting and ventilation; for unauthorised building works (UBW) erected on leased land, enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any UBW on the application site under the BO; and detailed comments under the BO can only be formulated at the building plan submission stage.”

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

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

Agenda Item 18

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/304 Temporary School (Kindergarten) for a Period of 3 Years in
“Residential (Group C) 1” Zone, 2 Essex Crescent, Kowloon Tong
(MPC Paper No. A/K18/304B)

76. The Secretary reported that Lanbase Surveyors Ltd. was the consultant of the applicant. Mr Patrick H.T. Lau had declared an interest on this item as he had current business dealings with Lanbase Surveyors Ltd. The Committee noted that Mr Patrick H.T.

Lau had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

77. With the aid of a Powerpoint presentation, Ms S.H. Lam, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – the site was the subject of a previous planning application No. A/K18/288 for proposed temporary school (kindergarten) use which was approved with conditions by the Committee on 4.11.2011 for a period of 18 months and the planning permission expired on 4.5.2013. The school had ceased operation since summer break of 2013. According to the submission of the current application, the development parameters of the proposed kindergarten were identical to those of the previously approved scheme (No. A/K18/288).
- (b) the proposed temporary school (kindergarten) for a period of 3 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper and summarised as follows:
 - (i) the Commissioner for Transport (C for T) considered that the proposed traffic mitigation measures would in theory reduce trip generation, minimise kerbside activity and avoid aggravating peak hour traffic congestion. If the proposed traffic mitigation measures were strictly implemented by the applicant, the traffic impact should be acceptable. C for T noted that although there was some level of non-compliance on ‘School bus only’ campus, the non-compliance was actually minor and had no significant traffic impact on Essex Crescent. C for T stated that if the Committee considered the applicant’s justifications on the effective implementation of the proposed traffic mitigation measures were reliable and acceptable, C for T would have no objection to the application subject to the requirements that the previous approval conditions would be

retained and the traffic mitigation measures would be incorporated in the future short term waiver;

- (ii) the Commissioner of Police (C of P) had reservation on the application. Due to the huge amount of schools or related premises in Kowloon Tong area, the kerbside activities thereat, including Essex Crescent, were very heavy, particularly at the morning peak. C of P considered that there might be non-compliance of the “School bus only” policy as parents had liberty to choose the mode of transport and time to arrive and might breach the policy, for which C of P had no authority to deal with. Kowloon Tong was saturated with premises that would attract a large influx of traffic at a point of time. It was a structural traffic problem that required a structural solution and could not be solved by the proposed mitigation measures. From traffic policing perspective, having another school in the area would only aggravate the already undesirable traffic situation thereat. The congestion might proliferate into the strategic Waterloo Road. The mere change of time of the morning session from 9:30am-12:30pm to 9:45am-12:45pm could not cope with the foreseeable serious traffic impact on Waterloo Road. The applicant had not proposed new mitigation measures to address the foreseeable traffic impact on Waterloo Road;
- (iii) the Secretary for Education (SED) advised that the school registration of the G/F of the subject premises had lapsed after 29.6.2013. SED suggested that the term of the planning permission, if approved, should tie in with the school year which usually ends in August so as to avoid school closure in the middle of the school year, causing nuisance to pupils and parents;
- (d) during the first three weeks of the statutory publication periods (including the publication of planning application and two further information), a total of 3,308 public comments were received. Among them, 3,292 public

comments from the students' parents, teachers and staff of York English Primary School and York International Kindergarten, principals and teachers of other kindergartens, seven from members of Kowloon City (KC), Wong Tai Sin and Eastern District Councils (DCs), nearby owners/residents, and members of the public supported the application and 16 public comments from a KCDC Member, consultant agents on behalf of the nearby owners/residents, principal of a nearby school and members of the public objected to the application. The major views were summarised as follows:

Supportive comments

- (i) the closure of the kindergarten would lead to a serious social problem as many students would be affected, and teachers and administrative officers would be unemployed;
- (ii) the proposed kindergarten would not cause adverse environmental and traffic impacts to the area;
- (iii) the applicant had implemented various traffic mitigation measures and closely monitored their implementation that the subject kindergarten had not caused traffic problem since its operation;
- (iv) the proposed school was a much more appropriate and desirable land use than other non-residential uses such as motel and religious institution which would disturb the tranquillity and cause environmental pollution to the area;

Adverse comments

- (v) the 'school bus only' campus policy had been violated as observed by a commenter;
- (vi) there were too many schools in Kowloon Tong. Traffic in the area

- already exceeded the capacity of the road during peak hours, and would be further worsened by the roadside loading/unloading activities of these schools and presence of driving training vehicles having on-road practice in the area;
- (vii) the applicant was advised in the previous planning permission that there was no guarantee that the planning permission would be renewed after 18 months. No progress was reported in the application about the finding of another appropriate relocation site;
 - (viii) non-residential uses including hotels, schools and seminaries had caused disturbance to the tranquillity of the area and livelihood of the residents and detrimental impacts on the environment including air and noise pollution;
 - (ix) approving the application would set an undesirable precedent for similar applications in the area; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Noting that there were schools, religious institutions, elderly homes and Government, institution or community (GIC) uses in the vicinity, the proposed kindergarten use was considered not incompatible with the surrounding land uses. Although the traffic mitigation measures were acceptable to C for T, C of P objected to the application on traffic policing ground as there might be non-compliance of “the School bus only” policy since parents had liberty to choose the mode of transport and time to arrive at the subject premises and might breach the policy. Also, the mere change of time of the morning session from 9:30am-12:30pm to 9:45am-12:45pm could not cope with the foreseeable serious traffic impact on Waterloo Road. In view of the above, the proposed kindergarten did not comply with the Town Planning Board Guidelines No. 23A for “Application for Kindergarten/Child Care Centre in Kowloon Tong Garden Estate (KTGE) under Section 16 of the Town Planning Ordinance” (TPB

PG-No.23A). Approval of this application would set an undesirable precedent for similar applications for kindergarten development in the area. The cumulative effect of approving such similar applications would aggravate the traffic congestion of the KTGE. The cumulative effects of approving such similar applications and converting or redeveloping residential land for non-residential uses might aggravate the traffic congestion of the KTGE and adversely affect housing land supply.

78. Members had no question on the application.

Deliberation Session

79. In response to a Member's question, Mr W.B. Lee, Assistant Commissioner for Transport (Urban), Transport Department, said that driving training vehicles were prohibited for using certain sections of the roads in KTGE during certain hours and the enforcement was under the jurisdiction of the Hong Kong Police Force.

80. A Member expressed concerns on the enforcement of traffic mitigation measures of kindergartens in the Kowloon Tong area. Two other Members concurred and suggested that measures such as 'park and walk', road closure or 'no stopping' zone in the area, and traffic control zone prohibiting private vehicles not owned by the residents in KTGE might be considered to solve the traffic problem generated by kindergartens in the area. In response to a Member's query, Mr W.B. Lee explained that the key concern of TD was on the implementation of the proposed traffic mitigation measures. If the proposed traffic mitigation measures were strictly implemented by the applicant, the traffic impact should be acceptable.

81. A Member pointed out that the previous approval granted for kindergarten use on the site on a temporary basis was to facilitate its relocation to a more suitable location. This Member said that Kowloon Tong area was a garden estate, but the provision of kindergartens in the area was a lot more than the demand from the local residents. The resultant traffic impact had adversely affected the area. Another Member asked whether there were requirements that kindergarten had to have direct access from the ground floor. Ms S.H. Lam said that there were kindergartens located on the podia of some residential developments.

She did not have any detailed information on the exact locational requirements for kindergarten in hand.

82. The Chairman remarked that in order not to aggravate the existing traffic condition in KTGE, development of new kindergartens in KTGE would not be allowed in general except for those under very special circumstances.

83. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and considered that they were appropriate. The reasons were :

- “(a) the application is not acceptable as it will aggravate the existing traffic congestion in the vicinity of the site during school peak hours and does not comply with the Town Planning Board Guidelines No. 23A in that no effective traffic mitigation measures are proposed to mitigate the impacts; and
- (b) the traffic congestion problem in the area near the site is already serious. The approval of the application will set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications will aggravate the traffic condition of the Kowloon Tong Garden Estate.”

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

Agenda Item 19

Section 16 Application

[Open Meeting]

A/K8/45 Proposed Flat (Government Staff Quarters) in “Government, Institution or Community” zone, 20 Heng Lam Street, Lok Fu, Kowloon
(MPC Paper No. A/K8/45)

84. The Secretary reported that LLA Consultancy Ltd. (LLA) and ADI Ltd. were the consultants of the applicant. Mr Dominic K.K. Lam had declared an interest in this item as he had current business dealings with LLA and ADI Ltd. Mr Patrick H.T. Lau had also declared an interest on this item as he had current business dealings with LLA. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the applicant had requested for deferment of consideration of the application, and Mr Dominic K.K. Lam had no involvement in this application, the Committee agreed that he could stay in the meeting.

85. The Committee noted that the applicant requested on 7.3.2014 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to review the development intensity and design of the proposed scheme. This was the first time that the applicant requested for deferment of the application.

86. 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. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

Agenda Item 20

[Open Meeting (Presentation and Question Sessions Only)]

Variation of Approval Condition (c) attached to the Planning Permission for Proposed Residential Development including a Pier (Landing Steps), Eating Place and Shop and Services Uses in “Commercial (2)” Zone, 1-5 Kai Hing Road, Kowloon Bay (NIKLs No. 5805, 5806 and 5982) under Application No. A/K22/11
(MPC Paper No. 5/14)

87. The Secretary reported that the application was submitted by Hong Tai Yuen Ltd., which was a subsidiary of Wheelock Properties Ltd. (Wheelock), and ADI Ltd., Ove Arup & Partners Hong Kong Ltd. (Ove Arup), Environ Hong Kong Ltd. (Environ) and LLA Consultancy Ltd. (LLA) were the consultants of the applicant. The following Members had declared interests in this item:

- | | | |
|---------------------|---|---|
| Mr Dominic K.K. Lam | - | had current business dealings with Wheelock, ADI Ltd., Ove Arup, Environ and LLA |
| Mr Patrick H.T. Lau | - | had current business dealings with Wheelock, Ove Arup and LLA |
| Professor S.C. Wong | - | being a traffic consultant of Ove Arup and the Director of the Institute of Transport Studies of the University of Hong Kong of which some activities of the Institute were sponsored by Ove Arup |
| Ms Julia M.K. Lau | - | had current business dealings with Environ |

- Professor P.P. Ho - Wheelock had financially sponsored the School of Architecture of the Chinese University of Hong Kong, of which Professor Ho was the Director of the MSc in Architectural Conservation and Design Programme

88. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As Mr Dominic K.K. Lam, Professor S.C. Wong, Julia M.K. Lau and Professor P.P. Ho had no direct involvement in the subject application, the Committee agreed that they could stay in the meeting.

[Mr Dominic K.K. Lam and Professor P.P. Ho left the meeting at this point.]

Presentation and Question Sessions

89. With the aid of a Powerpoint presentation, Mr Stephen C.Y. Chan, STP/K, presented the variation of approval condition attached to the planning permission as detailed in the Paper and covered the following main points :

Background

- (a) the application (Application No. A/K22/11), for a proposed residential development including a pier (landing steps), eating place and shop and services uses, was approved with conditions by the Committee on 17.6.2011;
- (b) the planning approval was subject to, among others, condition (c) on the public usage of the landing steps for local vessels to the satisfaction of the Director of Marine or of the Board;
- (c) the relevant Government departments had reviewed in greater detail the requirement for the public usage of landing steps during the lease modification stage and liaised with the applicant. The Lands Department,

being the administrator of the lease, was considered the appropriate authority to take up the monitoring role for coordination of technical advice from the Civil Engineering and Development Department, the Transport Department and the Marine Department and effective management of landing steps;

Departmental Comments

- (d) concerned departments had no objection to or no comment to the proposal;

The Planning Department (PlanD) 's views

- (e) the proposed change to approval condition (c) was to reflect the arrangement agreed among concerned departments and was supported by PlanD;

- (f) approval condition (c) was recommended to be changed, with amendments highlighted in **bold**, strike-out and *italics*, as follows:

- “(c) the public usage of the landing steps for local vessels to the satisfaction of the Director of ~~*Marine Lands*~~ or of the Board”;
and

- (g) as a related issue, a similar approval condition on the monitoring of landing steps was imposed for the approved planning applications for the proposed in-situ conversion of Wing Shan Industrial Building (Application No. A/K15/107 and A/K15/107-1) and the proposed development at the “Comprehensive Development Area” site in Yau Tong Bay (Application No. A/K15/96). Based on similar consideration and subject to the agreement of concerned departments, it was recommended that the relevant approval conditions of these applications should be amended accordingly.

90. Members had no question on the proposal.

Deliberation Session

91. After deliberation, the Committee decided to agree to the revised condition as suggested in paragraph 89(f) above and the recommendation in paragraph 89(g) above.

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

Agenda Item 21

Any Other Business

92. There being no other business, the meeting was closed at 12:10 p.m.