

TOWN PLANNING BOARD

**Minutes of 520th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 26.9.2014**

Present

Mr Roger K.H. Luk

Vice-chairman

Professor P.P. Ho

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Mr Francis T.K. Ip

Mr Frankie W.C. Yeung

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

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

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
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Director of Planning
Mr K.K. Ling

Chairman

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Dr Wilton W.T. Fok

Mr Dominic K.K. Lam

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

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

Town Planner/Town Planning Board
Miss Anny P.K. Tang

Agenda Item 1

Confirmation of the Draft Minutes of the 519th MPC Meeting held on 12.9.2014

[Open Meeting]

1. The draft minutes of the 519th MPC meeting held on 12.9.2014 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments in respect of Draft Kwu Tung North Outline Zoning Plan No. S/KTN/1 and Draft Fanling North Outline Zoning Plan No. S/FLN/1

2. The Secretary reported that Ms Julia M.K. Lau had declared an interest in this item as she had submitted a representation and a comment in respect of the draft Fanling North Outline Zoning Plan (OZP). Members noted that Ms Lau had not yet arrived at the meeting.
3. The Secretary reported that on 4.7.2014, the Town Planning Board considered the Information Note and Hearing Arrangement for Consideration of Representations and Comments in respect of the Draft Kwu Tung North OZP No. S/KTN/1 and Draft Fanling North OZP No. S/FLN/1 (TPB Paper No. 9685). It was agreed that hearing of the representations and comments of the two draft OZPs should be considered in four groups with reference to the major issues raised, namely Group 1 on rail, road infrastructure or traffic issues; Group 2 on conservation issues; Group 3 on specific land-use proposals; and Group 4 on general issues. Upon further processing of the representations and comments, the Planning Department proposed to fine-tune the grouping by removing four representations (i.e. R27, 31, 32 and 73 of KTN OZP) from Group 3 to Group 1 as their main ground of representations were related to traffic issues. The Secretary said that the proposed regrouping had been issued to Members via email on 25.9.2014.

4. Members agreed to the proposed regrouping and that the hearing papers for Groups 1 and 3 under preparation would be revised accordingly.

Tsuen Wan & West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K3/6

Application for Amendment to the Draft Mong Kok Outline Zoning Plan No. S/K3/30, To rezone the application site from “Residential (Group E)1” and area shown as ‘Road’ to “Commercial (4)”, and amendments to the Notes for an office development, Nos. 25-29 Kok Cheung Street, Tai Kok Tsui
(MPC Paper No. Y/K3/6)

5. The Secretary reported that Kenneth To & Associates Ltd. (KTA), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd. (DLNCM) and CKM Asia Ltd. (CKM) were the consultants of the applicant. The following Members had declared interests in this item :

Professor P.P. Ho - having current business dealings with CKM; and DLNCM had made donations to the School of Architecture of the Chinese University of Hong Kong, of which he was the Director

Mr Dominic K.K. Lam - having current business dealings with KTA

Mr Patrick H.T. Lau - having current business dealings with KTA and DLNCM

Ms Bonnie J.Y. Chan - her father owned a few units in a property in Ash Street

6. Members noted that Mr Lam and Ms Chan had tendered apologies for being

unable to attend the meeting. Members also noted that the applicant had requested for deferment of consideration of the application and Professor Ho had no involvement in this application while Mr Lau had not yet arrived at the meeting. Members agreed that Professor Ho could stay in the meeting.

7. The Secretary reported that on 11.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of the Transport Department. This was the first time that the applicant requested for deferment.

8. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. 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 Patrick H.T. Lau arrived to join the meeting at this point.]

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/KC/5

Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/26, To rezone the application site from "Industrial" to "Other Specified Uses" annotated "Columbarium", Nos. 22-24 Wing Kei Road, Kwai Chung
(MPC Paper No. Y/KC/5A)

9. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (Ove Arup)

was the consultant of the applicant. The following Members had declared interests in this item :

Mr Dominic K.K. Lam] having current business dealings with Ove Arup

Mr Patrick H.T. Lau]

Mr Clarence W.C. Leung - owning an office in Kwai Chung

10. Members noted that Mr Lam had tendered apologies for being unable to attend the meeting. Members also noted that the applicant had requested for deferment of consideration of the application and Mr Lau had no involvement in this application while Mr Leung had not yet arrived at the meeting. Members agreed that Mr Lau could stay in the meeting.

11. The Secretary reported that on 28.8.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the departmental comments. This was the applicant's second request for deferment.

12. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three 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. Since this was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/KC/6

Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/28, To rezone the application site from “Industrial” to “Other Specified Uses” annotated “Columbarium”, Nos. 19-21 Wing Kin Road, Kwai Chung
(MPC Paper No. Y/KC/6)

13. The Secretary reported that Mr Clarence W.C. Leung had declared an interest in this item as he owned an office in Kwai Chung. Members noted that the applicant had requested for deferment of consideration of the application and Mr Leung had not yet arrived at the meeting.

14. The Secretary reported that on 10.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the departmental and public comments. This was the first time that the applicant requested for deferment.

15. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three 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.

[Miss Michelle M.S. Yuen, 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/K3/561 Proposed Hotel in “Residential (Group A)” Zone, Nos. 11-25 Tai Nan Street, Mong Kok
(MPC Paper No. A/K3/561A)

16. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (Ove Arup) was the consultant of the applicant. Mr Dominic K.K. Lam, Mr Patrick H.T. Lau and Ms Bonnie J.Y. Chan had declared interests in this item as Mr Lam and Mr Lau had current business dealings with Ove Arup while Ms Chan’s father owned a few units in a property in Ash Street. Members noted that Mr Lam and Ms Chan had tendered apologies for being unable to attend the meeting. Members also noted that Mr Lau had no involvement in this application and agreed that he could stay in the meeting.

Presentation and Question Sessions

17. With the aid of a PowerPoint presentation, Miss Michelle M.S. Yuen, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that part of the site was the subject of a previous application No. A/K3/544 submitted by the same applicant approved with conditions by the Committee on 21.12.2012;
- (b) the proposed hotel;

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

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period and the publication of the further information, a total of three public comments

were received. Designing Hong Kong Limited and Tsim Sha Tsui Residents Concern Group objected to the application mainly on the grounds of adverse impacts on the supply of residential land and possible adverse impact on pedestrian safety and traffic. The remaining comment was submitted by one of the owners of the Site concerning the applicant's compliance with the owner's consent/notification requirement. No local objection/view was received by the District Officer (Yau Tsim Mong); 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, which were summarised below :

- (i) the “Residential (Group A)” (“R(A)”) zone was intended primarily for high-density residential developments. Whilst the proposed hotel development was considered not incompatible with the surrounding developments in land use term and that there were existing hotel developments in the area, in view of the current acute shortage of housing land, sites planned for residential use should generally be retained for residential development, except where the site was conducive for hotel use or the hotel development was to meet a specific planning objective;
- (ii) the current application to include two additional adjoining lots which were zoned “R(A)” in the previously approved hotel scheme (No. A/K3/544) would result in reduction of sites available for residential developments and the supply of housing land in meeting the pressing housing demand over the territory. The applicant failed to provide strong justification to demonstrate that the site was very conducive for hotel development or the proposed development would meet a specific planning objective; and
- (iii) regarding the applicant's argument that similar hotel applications in the “R(A)” zones of Mong Kok Outline Zoning Plan were previously approved by the Committee, the Committee had a thorough discussion on the implications of approving applications for hotel

developments on “R(A)” sites at its recent meetings, and agreed that, in view of the current shortage of housing land in meeting the pressing housing demand of the community, applications for non-residential uses including hotel and office in a predominant residential area would in general not be supported unless the site was very conducive for hotel development and with very strong justifications. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land. The current application should be assessed with reference to the latest planning circumstances and the prevailing needs of the community for housing land.

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

18. In response to a Member’s question on the land ownership of the site, Miss Michelle M.S. Yuen, STP/TWK, said that the application site involved Nos. 11-25 Tai Nan Street. According to information provided by the applicant, the applicant was the sole current land owner of Nos. 11-21, whilst Nos. 23-25 was owned by 28 other different owners.

19. The same Member enquired on the validity period of the previous approved scheme. Miss Michelle M.S. Yuen said that the previous application covering Nos. 11-21 Tai Nan Street was approved by the Committee with conditions on 21.12.2012 and would be valid until 21.12.2016. In response to another Member’s question, Miss Yuen affirmed that the applicant could still proceed with the approved hotel scheme at Nos. 11-21 even if the current application was rejected.

20. In response to the Vice-chairman’s question on whether the proposed development would bring merits to the area, Miss Michelle M.S. Yuen said that the site was zoned “R(A)” which was intended primarily for high-density residential developments. The proposed scheme for extension of hotel use would result in reduction of sites available for residential developments in the area, thus affecting the supply of housing land in meeting the pressing housing demand over the territory.

21. In response to a Member’s question on one of the land owners’ (Commenter C3)

concern on the applicant's compliance with the owner's consent/notification requirement, Miss Michelle M.S. Yuen said that at the time of the application, there were a total of 29 current land owners, including the applicant, of the application site. The applicant had complied with the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by sending notification letters to other 28 current land owners. The advice of receipt of all the written notifications, including the one to Commenter C3, had been submitted and checked. The Secretariat of the Town Planning Board had also received written enquiry from Commenter C3 after the public inspection period regarding the above, and the Secretariat had replied and explained to the commenter accordingly.

Deliberation Session

[Mr Frankie W.C. Yeung arrived to join the meeting at this point.]

22. A Member said that the proposed scheme to cover additional lots could improve economic efficiency of the hotel and facilitate revitalisation of the old district. The impact of the proposed scheme on the supply of residential land in the area was not substantial. Another Member concurred and had no strong view on the application. It was considered that the proposed hotel was not incompatible with the surrounding developments in land use term and there were existing hotel developments in the area. With a previously approved hotel scheme for Nos. 11-21 Tai Nan Street, this Member wondered whether the prevailing shortage of land for housing development should be an overriding factor in considering the proposed scheme.

23. A Member supported PlanD's view that, in view of the current acute shortage of housing land, as the site was planned for residential use, it should be retained for residential development. This was in line with the principle and practice of the Committee in considering hotel applications in "R(A)" zone. Another Member shared the same views and said that the applicant failed to demonstrate why the adjoining lots of Nos. 23-25 Tai Nan Street would have a low site efficiency to be redeveloped into a stand-alone residential building.

24. The Secretary supplemented that since 2013, in view of the current shortage of

housing land in meeting the pressing housing demand of the community, it was agreed by the Board that planning applications for non-residential uses such as hotel in predominant residential areas would in general not be supported unless with very strong justifications to demonstrate that the site was very conducive for hotel development or the proposed development would meet a specific planning objective. Members should consider whether a consistent approach should be adopted by the Committee in handling this application.

25. The Vice-chairman noted that the applicant had not yet acquired all land ownership within the site and it was the government's policy to increase land supply to meet the housing demand. As applications for non-residential uses in residential zoning were considered under more stringent criteria since 2013, the Committee should adopt a consistent approach in considering the application. Favourable consideration would only be given to applications with overriding justifications and planning merits. Two Members had no strong view on the application. A Member added that there was no exceptional circumstance nor strong justification that merit sympathetic consideration of the application.

26. In response to a Member's query on the weight to be placed on land ownership in considering the application, the Secretary explained that Members might take account of land ownership in considering the application but it should not be the deciding factor. The Secretary referred to paragraph 10.3 of the Paper and said that the main principle adopted by the Committee in considering recent applications for hotel developments on "R(A)" sites was that unless the site was very conducive for hotel development and with very strong justifications, applications for non-residential uses including hotel and office in a predominant residential area would in general not be supported. As shown in Plan A-4 of the Paper, the site was located within a predominantly residential area. Members should consider if there were very strong justifications to warrant the approval of the application.

27. The Vice-chairman said that the rejection reasons as stated in paragraph 11.1 of the Paper were considered appropriate and land ownership should not be one of the rejection reasons. A Member suggested to emphasise in the rejection reason that, when compared with the previous approved scheme, the prevailing shortage of land for housing development had become an important factor in considering the current application. The Vice-chairman said that the impact of the application on housing land supply was already included as one of the rejection reasons.

28. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 11.1 of the Paper and considered that they were appropriate. The reasons were :

- “ (a) the application site is located in a predominant residential neighbourhood. Given the current shortfall in housing supply, the site should be developed for its zoned use. The proposed hotel development would result in reduction of sites for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over the territory; and
- (b) approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land.”

[The Chairman thanked Miss Michelle M.S. Yuen, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/756 Proposed Minor Relaxation of Building Height Restriction for Proposed Public Housing Development in “Residential (Group A)” Zone, Junction of Lai Chi Kok Road and Tonkin Street, Cheung Sha Wan
(MPC Paper No. A/K5/756)

29. The Secretary reported that the application was submitted by the Hong Kong

Housing Authority (HKHA) and Ove Arup & Partners Hong Kong Ltd. (Ove Arup) was the consultant of the applicant. The following Members had declared interests in this item :

- | | |
|---|---|
| Mr K.K. Ling (Chairman)
as the Director of Planning | - being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA |
| Ms Doris M.Y. Chow
as the Assistant Director
(Regional 1), Lands Department | - being an alternate member for the Director of Lands who was a member of HKHA |
| Mr Frankie W.P. Chou
as the Chief Engineer (Works),
Home Affairs Department | - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidised Housing Committee of HKHA |
| Professor P.P. Ho | - being a member of the Building Committee of HKHA |
| Ms Julia M.K. Lau | - being a member of HKHA and its Commercial Properties Committee and Tender Committee |
| Mr Dominic K.K. Lam |] having current business dealings with HKHA and Ove Arup |
| Mr Patrick H.T. Lau |] |

30. Members noted that Mr Ling and Mr Lam had tendered apologies for being unable to attend the meeting. As the interests of Ms Chow, Mr Chou, Professor Ho, Ms Lau and Mr Lau were direct, Members agreed that they should leave the meeting temporarily for this item.

[Ms Doris M.Y. Chow, Professor P.P. Ho, Ms Julia M.K. Lau and Mr Patrick H.T. Lau left the meeting temporarily and Mr Frankie W.P. Chou left the meeting at this point.]

Presentation and Question Sessions

31. 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 minor relaxation of building height (BH) restriction from 100mPD to 120mPD;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period and the publication of the further information, a total of 11 public comments were received. 10 of the comments submitted by private individuals objected to the proposed public rental housing development mainly on the grounds of potential environmental, traffic and visual impacts on the surrounding areas. One of the commenters suggested using half of the site for provision of indoor recreation centre, market, cooked food centre and library. The remaining comment was submitted by the principal of Hoi Ping Chamber of Commerce Primary School suggesting the construction of a subway connecting Mass Transit Railway Cheung Sha Wan Station Exit B and the proposed housing development at the site;
- (e) the District Officer (Sham Shui Po) conveyed that the public rental housing project was deliberated at the 11th meeting of Housing Affairs Committee of the Sham Shui Po District Council (SSPDC) on 10.10.2013. The SSPDC supported in principle the overall development plan, including the proposed relaxation of the BH restriction. However, some concerns were raised in particular on the ventilation and air quality in the area during and after construction, and the cumulative effects of the proposed development and other housing projects in the area should be taken into consideration when conducting relevant assessments;

- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper and were summarised below :
- (i) in terms of BH restrictions stipulated in the Outline Zoning Plan (OZP), the site was within the high-rise development cluster in the central part of Cheung Sha Wan area. The proposed increase in BH for the site (from 100mPD to 120mPD) was considered not incompatible with the high-rise residential developments in the vicinity intended under the OZP. The applicant demonstrated through the technical assessments that the relaxation of BH restriction could achieve the planning merits of wider buildings separations; wider wind and view corridors; provision of two additional wind and view corridors; and reducing the building footprints. The proposal was in line with criteria (d) and (e) for consideration of minor relaxation of BH stated in Paragraph 7.6 in the Explanatory Statement of the OZP;
 - (ii) the Visual Impact Assessment (VIA) concluded that the proposed minor relaxation of BH restriction would not bring about significant visual impacts as compared to the baseline scheme. The Chief Town Planning/Urban Design and Landscape (CTP/UD&L), PlanD considered that the overall visual impact of the proposed scheme (at 120mPD) was comparable with that of the baseline scheme (at 100mPD) from most of the viewpoints and had no adverse comments on the VIA from urban design and visual perspective;
 - (iii) with the incorporation of the mitigation measures into the proposed scheme, the wind permeability of the site would be improved and the ventilation performance at some localised areas would be enhanced; however, the wind performance at Fat Tsueng Street would be slightly worsened, as compared to the baseline scheme. In these respects, CTP/UD&L, PlanD considered that the proposed scheme with mitigation measures would not result in significant adverse air

ventilation impact and had no objection to the application from the air ventilation point of view; and

- (iv) other technical assessments conducted by the applicant demonstrated that the proposed minor relaxation of BH restriction would not bring about adverse environmental, traffic, drainage and sewerage impacts on the surrounding areas. Relevant government departments consulted had no adverse comments on the application. Regarding the public comments, the above assessments were relevant.

32. In response to the Vice-chairman's question on the air ventilation impact of the proposed development, Mr Philip Y.L. Chum, STP/TWK, said that according to the air ventilation assessment submitted by the applicant, the wind permeability of the site would be improved and the ventilation performance at some localised areas, e.g. Cheung Sha Wan Playground, Cheung Sha Wan Estate and Hang Cheung Street, would be enhanced while the wind performance at Fat Tsueng Street would be slightly worsened. However, the overall ventilation performance would be improved.

33. In response to a Member's enquiry about the definition of minor relaxation, Mr Philip Y.L. Chum, said that similar application had been approved by the Committee for minor relaxation of BH restriction of about 20% at Pak Tin Estate. The Secretary supplemented that the previous case at Pak Tin Estate was for reference only. There was no absolute percentage as to what would constitute a minor relaxation, as it was a matter of fact and degree. The impact of the proposed minor relaxation would be a relevant consideration.

Deliberation Session

34. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 26.9.2018, 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 conditions :

- “ (a) the submission and implementation of landscape master plan and tree

preservation proposal to the satisfaction of the Director of Planning or of the TPB; and

- (b) the submission and implementation of proposals for fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

- “ (a) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access shall comply with the Code of Practice for Fire Safety in Buildings which is administered by the Buildings Authority; and
- (b) to note the comments of the Commissioner for Transport (C for T) that, in view of the recent local concerns on the parking demand in Sham Shui Po District, the applicant should review and seek opportunity to provide internal transport facilities to fulfill the upper limits of the relevant design requirements and to the satisfaction of C for T. Also, C for T has the rights to impose, alter or cancel any car parking loading/unloading facilities and/or no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.”

[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 8

Section 16 Application

[Open Meeting]

A/TW/461 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Other Specified Uses” annotated “Business” Zone, Unit B5, Roof Floor, Block B, Po Yip Building, No. 62-70 Texaco Road, Tsuen Wan
(MPC Paper No. A/TW/461)

36. The Secretary reported that on 17.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of relevant government departments. This was the first time that the applicant requested for deferment.

37. 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.

[Professor P.P. Ho and Mr Patrick H.T. Lau returned to join 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.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/125 Proposed Government Use (Portable Emission Measurement System Laboratory) in “Other Specified Uses” annotated “Boatyard and Marine-oriented Industrial Uses” Zone, Government Land, Tam Kong Shan Road, Tsing Yi
(MPC Paper No. A/TY/125)

38. The Secretary reported that the application was submitted by the Environmental Protection Department (EPD) and AECOM Asia Co. Ltd. (AECOM), LLA Consultancy Ltd. (LLA) and BMT Asia Pacific Ltd. (BMT) were three of the consultants of the applicant. The following Members had declared interests in this item :

- Mr Ken Y.K. Wong - being the Principal Environmental Protection Officer (Metro Assessment), EPD

- Professor P.P. Ho] having current business dealings with AECOM

- Ms Julia M.K. Lau]

- Mr Dominic K.K. Lam] having current business dealings with AECOM, LLA and BMT

- Mr Patrick H.T. Lau]

39. Members noted that Mr Lam had tendered apologies for being unable to attend the meeting. As the interest of Mr Wong was direct, Members agreed that he should leave the meeting temporarily for this item. Members also noted that Professor Ho, Ms Lau and Mr Lau had no involvement in this application and agreed that they could stay in the meeting.

[Mr Ken Y.K. Wong and Mr Clarence W.C. Leung left the meeting temporarily and Ms Doris M.Y. Chow returned to join the meeting at this point.]

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed government use (portable emission measurement system laboratory);

[Mr Clarence W.C. Leung and Ms Julia M.K. Lau returned to join the meeting, Mr Patrick H.T. Lau left the meeting temporarily, and Mr H.W Cheung arrived to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from Tung Yee Shipbuilding and Repairing Merchants General Association Ltd objecting to the application mainly on the grounds that the occupation of part of the existing temporary car park by the proposed development would result in shortage of car parking provision in the surroundings, which would lead to an increase in on-street parking and impose potential safety impact on pedestrian and vehicles. No local objection/view was received by the District Officer (Kwai Tsing); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Regarding the public comment against the application on the grounds of insufficient car parking provision in the area, the existing car parking spaces had yet to be fully utilised and there were still vacant car parking spaces. The two temporary car parks located to the further north-east of the site could also help meet the local parking demand.

41. Members had no question on the application.

Deliberation Session

42. 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 26.9.2018, 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 conditions :

- “ (a) the submission and implementation of landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the TPB; and
- (b) the submission and implementation of water supplies for fire fighting and fire service installations proposals to the satisfaction of the Director of Fire Services or of the TPB.”

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

- “ (a) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department that the applicant should apply for a permanent government land allocation for the proposed use. Any approval, if given, will be subject to such engineering conditions as may be imposed/agreed by the relevant government departments;
- (b) to note the comments of the Commissioner for Transport that proposed road marking modification works at Tam Kon Shan Road should be carried out by the project proponent to the relevant Transport Department and Highways Department standards;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that tree protection measures should be provided to the trees along the southern boundary of the site. The

applicant should consider to provide a strip of tree planting along the site boundary for screening and buffering purpose. The applicant should also consider if there is any water point, adequate soil depth for planting, loading of the greening works, access to the roof, etc. and provide adequate safety measures for maintenance purpose. The applicant should indicate the proposed soil depth of the planting area in the future landscape and tree preservation proposals;

- (d) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referral from relevant licensing authority; and
- (e) to note the comments of the Director of Electrical and Mechanical Services that the applicant shall approach the electricity supplier for the requisition of cable plans to find out whether there is any underground cable within or in the vicinity of the site. Based on the cable plans and relevant drawings obtained, if there is underground cable (and/or overhead line) within or in the vicinity of the site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask the electricity supplier to divert the underground cable away from the vicinity of the proposed structure prior to establishing any structure within the site. The “Code of Practice on Working near Electricity Supply Lines” established under the Electricity Supply Lines (Protection) Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines.”

[The Chairman thanked Ms Fannie F.L. Hung, STP/TWK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

[Mr Ken Y.K. Wong returned to join the meeting and Mr Sunny L.K. Ho left the meeting temporarily at this point.]

Hong Kong District

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H17/133

Proposed Social Welfare Facility (Child Care Centre) in “Other Specified Uses” annotated “Beach Related Leisure Use” Zone, Shop 2, Basement 1, The Pulse, 28 Beach Road, Repulse Bay
(MPC Paper No. A/H17/133A)

44. The Secretary reported that on 8.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to address the comments of the Transport Departments. This was the applicant’s second request for deferment.

45. 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. Since this was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 11

Section 16 Application

[Open Meeting]

A/H25/16 Proposed Exterior Design for the West Vent Shaft of the Exhibition Station of the Shatin to Central Link in “Other Specified Uses” (“OU”) annotated “Railway Ventilation Building”, “OU” annotated “Amenity Area” and “OU” annotated “Exhibition Centre” Zones, A site at the junction of Fleming Road and Convention Avenue, Wan Chai
(MPC Paper No. A/H25/16)

46. The Secretary reported that the application was submitted by Mass Transit Railway (MTR) Corporation Limited (MTRCL) and Ove Arup & Partners Hong Kong Ltd. (Ove Arup) was the consultant of the applicant. The following Members had declared interests in this item :

- | | | |
|---------------------|--|--|
| Mr W.B. Lee | - being an assistant to the Commissioner for as the Assistant Commissioner for Transport (Urban), Transport Department | Transport, who was a Non-Executive Director of MTRCL |
| Mr Dominic K.K. Lam |] having current business dealings with MTRCL and Ove Arup | |
| Mr Patrick H.T. Lau |] | |

47. Members noted that Mr Lam had tendered apologies for being unable to attend the meeting. Members noted that the applicant had requested for deferment of consideration of the application and agreed that Mr Lee and Mr Lau could stay in the meeting but should refrain from participating in the discussion.

48. The Secretary reported that on 12.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of relevant government departments. This was the first time that the applicant requested for deferment.

49. 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.

Agenda Item 12

Section 16 Application

[Open Meeting]

A/H5/401 Proposed Hotel (including Eating Place/Shop and Services) in "Other Specified Uses" annotated "Comprehensive Redevelopment Area" Zone, Inland Lot No. 8715 on Kennedy Road and Ship Street, Wan Chai
(MPC Paper No. A/H5/401)

50. The Secretary reported that the application was submitted by Wetherall Investments Ltd., which was a subsidiary of Hopewell Holdings Ltd. and Townland Consultants Ltd. (Townland), LLA Consultancy Ltd. (LLA), Parsons Brinckerhoff (Asia) Ltd. (Parsons) and Hyder Consulting Ltd. (Hyder) were four of the consultants of the applicant. The following Members had declared interests in this item :

Professor P.P. Ho - having current business dealings with Townland

Mr Dominic K.K. Lam - having current business dealings with Townland, LLA, Parsons and Hyder

Mr Patrick H.T. Lau - having current business dealings with LLA

- Mr K.K. Ling (Chairman) - owning a flat in Queen's Road East
- Ms Julia M.K. Lau - owning two flats in Star Street
- Mr Clarence W.C. Leung - co-owning a property in Queen's Road East
- Mr Laurence L.J. Li - co-owning a flat near St. Francis Street with his spouse
- Mr Stephen H.B. Yau - office locating in Southorn Centre

51. Members noted that Mr Lam and Mr Ling had tendered apologies for being unable to attend the meeting. Members also noted that the applicant had requested for deferment of consideration of the application and Professor Ho and Mr Lau had no involvement in this application while Ms Lau, Mr Leung, Mr Li and Mr Yau's properties did not have a direct view on the application site. Members agreed that they could stay in the meeting.

52. The Secretary reported that on 10.9.2014, the applicant had requested for deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments of relevant government departments. This was the first time that the applicant requested for deferment.

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

53. 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.

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

Kowloon District

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/707 Proposed Shop and Services (Fast Food Shop) in “Other Specified Uses” annotated “Business” Zone, Units C, D and E on Ground Floor, Ocean Industrial Building, No. 29 Tai Yip Street, Kwun Tong
(MPC Paper No. A/K14/707)

[Mr Sunny L.K. Ho returned to join the meeting at this point.]

Presentation and Question Sessions

54. 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 (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received. The Chairman of Kwun Tong Central Area Committee, Mr. Chong Yam Ming supported the application without

giving reason and an individual supported the application and opined that the proposed fast food shop could facilitate the transformation of the Kwun Tong Business Area. The remaining comment received from an individual concerned that the proposed use might bring about potential hazards to the safety of the fast food shop customers as the vicinity of the premises was dominated by industrial undertakings and motor repair shops. No local objection/view 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 development complied with the Town Planning Board Guidelines for Development within “Other Specified Uses” annotated “Business” Zone (TPB PG-No. 22D). Regarding the public comment raising concern on the proposed use, the Director of Fire Services had no objection to the application from fire safety viewpoint, and an approval condition on fire safety aspect was proposed to address the possible fire safety concern.

55. Members had no question on the application.

Deliberation Session

56. 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 26.9.2016, 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 the proposal for fire safety measures, including the provision of fire service installations in the application premises to the satisfaction of the Director of Fire Services or of the TPB 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.”

57. 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 (fast food shop)’ use at the application premises;
- (b) to note the comments of the Director of Fire Services that the proposed ‘shop and services (fast food shop)’ use shall only be licensed as “food factory” or “factory canteen”, 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 Authorised Person to ensure any building works/alterations and additions works/change in use are in compliance with the Buildings Ordinance (BO), including (but not limited to), adequate means of escape should be provided, access and facilities for persons with a disability should be provided, and the premises should be separated from the remaining portion of the building by fire barriers; to observe the licensing requirements imposed by the relevant licensing authority; for unauthorised building works (UBW) erected on private lands/buildings, 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 premises 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.]

Agenda Item 14

Any Other Business

58. There being no other business, the meeting closed at 10:25 a.m..