

TOWN PLANNING BOARD

**Minutes of 525th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 12.12.2014**

Present

Director of Planning
Mr K. K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Mr Dominic K.K. Lam

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr K.F. Tang

Assistant Director (R1), Lands Department
Mr Simon S.W. Wang

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Mr Laurence L.J. Li

Professor P.P. Ho

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

In Attendance

Assistant Director of Planning/Board
Miss Fiona Lung Siu Yuk

Chief Town Planner/Town Planning Board
Mr Louis K.H. Kau

Town Planner/Town Planning Board
Ms Winnie W.Y. Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 524th MPC Meeting held on 28.11.2014

[Open Meeting]

1. The draft minutes of the 524th MPC meeting held on 28.11.2014 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/K13/2 Application for Amendment to the Draft Ngau Tau Kok & Kowloon Bay Outline Zoning Plan No. S/K13/28, To rezone the application site from “Open Space” to “Government, Institution or Community (2)”, New Horizons Building, 2 Kwun Tong Road, Kowloon Bay, Kowloon (MPC Paper No. Y/K13/2A)

Presentation and Question Sessions

3. Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K) and the following representatives of the applicant were invited to the meeting at this point :

Mr Ian Brownlee

Ms Anna Wong

Dr Yue Kwok To
Mr William Chan
Mr Tony Turner
Mrs Cheung Siew Mei
Ms Polly Yu
Mr Brian Wong
Ms Lisa Loo
Mr Weber Kwok
Mr Albert Lee
Ms Betty Fung
Ms Mienne Leung
Ms May Ng
Ms Tsoi Ngan Ling
Ms Lee Wing Chong , Carol
Ms Poon Wing Shan, Constance
Mr Justin Murgai
Mr Jeffrey Andrews
Mr Mark Hustwayte
Ms Kwong Wing Yun, Jennifer
Mr Kwan Ho Yan
Ms Chandni Puri
Ms Dong Siao Ping
Ms Au Wai Ling, Phoebe
Mr Aime
Ms Parwati
Mr Keung Kam Hung
Ms Tan Kai Yan

4. The Chairman extended a welcome and explained the procedure of the hearing. He then invited Mr Tom C.K. Yip, DPO/K, to brief Members on the background of the application.

5. Mr Yip drew Members' attention that there was a typo in paragraph 1.4 of the MPC paper (i.e. the number of housing blocks should be 16 instead of 18) and a replacement

page (i.e. page 2) of the Paper was circulated to Members. With the aid of a PowerPoint presentation, Mr Yip presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant submitted an application for amendment to the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/28 to rezone the site, which was mainly occupied by the New Horizons Building (NHB), from “Open Space” (“O”) to “Government, Institution or Community (2)” (“G/IC(2)”) subject to a maximum building height (BH) of 6 storeys, i.e. the existing BH of the NHB;
- (b) the applicant stated that the application aimed to reflect the long established use of the NHB and enable provision of community and social services on a long-term basis. The applicant intended to continue to use the NHB for training or similar purposes while the vacant Nissen Hut at the eastern part of the site which was in a very dilapidated condition would be refurbished for classrooms, common room for students and gallery showing the history of the site;

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

Background

- (c) since 1998, the applicant had been allowed to use the NHB as a training centre and ancillary office purposes on a temporary basis. Currently, the site was held under a Temporary Government Land Allocation (TGLA) allocated to the Secretary for Labour and Welfare (SLW) until 31.3.2017;
- (d) the site, together with a larger area bounded by Wang Chiu Road, Kwun Tong Road and Kwun Tong By-pass had been zoned “O” since the first draft OZP No. S/K13/1 was gazetted on 22.8.1986. This “O” zone was planned for a district open space, namely Kai Tak Recreation Ground;

- (e) as there was no implementation programme for the planned open space, the area was now occupied by various temporary uses including the NHB, the recreation club of the Fire Services Department namely Fire Services Club, a community farm and works area/depots of various government departments and their contractors;

The Proposed Public Housing Development

- (f) to meet the pressing need for housing land supply, the Government had identified Kai Tak Recreation Ground for potential housing development known as Wang Chiu Road Public Housing Project. According to the preliminary proposal, public rental housing would be developed at the southern part of the “O” zone with some areas retained as open space. A planned secondary school would also be located within this area;
- (g) according to the Director of Housing (D of Housing), the Phase 2 public housing development including the reserved school site overlapped with the existing footprint of the NHB;

Departmental Comments

- (h) departmental comments were set out in paragraph 9 of the Paper. According to the SLW and the Director of Social Welfare (DSW), the applicant was the only Employees Retraining Board (ERB) training body which had been provided with government premises to run training programmes while all other 113 ERB training bodies had been running ERB courses at their own premises not provided by the Government under the same arrangement. If the NHB would need to give way to the development such as housing development, and suitable premises for training use by the applicant could be identified, the Labour and Welfare Bureau (LWB) might support the search of such premises for temporary use by the applicant under a rent paying short-term tenancy (STT), noting that the applicant had been using the NHB for ERB training purposes on a temporary basis since 1998. The Secretary for Development (SDEV) did

not support the application as the Government had announced its plan to develop the subject government land for public housing to meet the community's great demand. The NHB remaining in-situ would reduce the supply of public housing flats which were in acute shortage. The D of Housing did not agree with the applicant's asserted production of 4,350 public housing units with the underlying assumption of retaining the NHB in-situ. The Secretary for Education (SED) objected to the application as the site overlapped with a reserved school site for the development of a 30-classroom public sector secondary school at the Kai Tak Recreation Ground. The Commissioner for Heritage, Development Bureau (C for H, DEVB) and the Executive Secretary, Antiquities and Monuments Office of Leisure and Cultural Services Department (AMO, LCSD) advised that the NHB was neither a graded nor a proposed graded historic building;

Public Comments

- (i) during the first three weeks of the statutory publication period, 7,385 public comments were received. Among which, 7,382 comments supported or were in favour of the application whilst the remaining 3 comments from individuals objected to or had adverse comments on the application. Major points of the supporting/favourable comments included that the "Government, Institution or Community (2)" ("G/IC(2)") zoning could reflect the long-established community use of the NHB, the applicant offered pre-employment and on-the-job training to young school leavers, and the NHB could co-exist with the proposed housing and open space development. The 3 comments objected to the application for the reasons that the site was a scarce land resource and should be developed as residential development to address the land supply shortage and provide flats for more people, the community facilities could be provided in the lower floors of the buildings of the public housing development and the proposed planning control could not reflect the intention of protecting the historic building;

The Planning Department (PlanD)'s Views

- (j) PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The site together with its surrounding areas had been zoned "O" and the site had only been allocated to the LWB on a temporary basis. Upon implementation of the permanent development for the site, the current temporary use at the site should be terminated. The NHB was neither a graded nor a proposed graded historic building. There was no strong justification for rezoning the site to the "G/IC(2)" zone, which was specifically for preservation of historic building in-situ. The proposed rezoning of the site to the "G/IC(2)" zone would undermine the comprehensive planning and design of the proposed public housing cum school and open space development.

6. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points :

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

Background

- (a) the applicant, Christian Action (CA), had commenced use of the NHB in 1979 as a refugee centre for Boat People. It had continued to provide services from that time until the present, a total of 35 years. For the last 20 years, employee retraining services and other services had been provided. The NHB, with a Gross Floor Area (GFA) of around 5,200m², was of very solid construction and in good condition;
- (b) over the past 35 years, the land and building had been used by CA on a temporary basis, usually of 5 years each time. That provided no certainty and did not facilitate investment in the development and use of the building. Although several attempts had been made to find more suitable alternative

premises, by both the Government and CA, no suitable location or premises could be found;

- (c) although the site together with its surrounding areas had been zoned “O”, there was no program for implementing the park. There was no reason why part of the “O” zone could not be changed to “G/IC” with the NHB retained;

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

The Provision of Public Housing

- (d) the Government suddenly announced that the whole ‘O’ zone was under consideration for use as public housing when CA was about to submit a rezoning application to the Town Planning Board (TPB). When consultation with departments and the public was carried out, it became apparent that there was a misconception that if the NHB was to be retained, there would be no room for housing;
- (e) the conceptual scheme illustrated that even with the retention of the NHB, around 4,350 flats could be built which would accommodate a population of around 13,000 people. Upon meeting with the Housing Department (HD), it was noted that the NHB fell within Phase 2 of the public housing development, and that there was no definite date for implementation of Phase 2;

Merits of Retaining the NHB

- (f) the NHB was centrally located amid a large concentration of public housing estates stretching from Wong Tai Sin to Kwun Tong. The proposed use of the site for public housing would bring about 13,000 more people into the immediate locality and many of whom were likely to be dependent on the community and social services that could be provided by the NHB;

- (g) part of the service provided by CA related to employee retraining which was operated under the ERB. In the last financial year, the Government injected \$15 billion into the ERB and the Government was actually expanding the role of the ERB. As CA provided for about 12% of the retraining, the need for the NHB as a retraining centre would likely increase.

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

7. With the aid of a PowerPoint presentation, Mrs Cheung Siew Mei, the Executive Director of CA, made the following main points:

- (a) the purpose of the application was to secure a “G/IC” zoning for the continuation of the services of the NHB as 35-year use of the site, with some 20 years as a training centre, should be regarded as “permanent use”, though on temporary tenure;
- (b) while SLW stated that the search for alternative premises for training use might be supported, this was on the premises that the site was needed to give way to permanent development. The message was that the services provided in NHB were important and if the site was not required for other permanent development, then CA could continue its use of. It was the TPB who decided whether the building could be retained;
- (c) while the site and the building had an interesting history, the NHB had not yet been graded. It was considered more appropriate to rezone the site to “G/IC” instead of “G/IC(2)” which was intended for preservation of the existing historic buildings in-situ;
- (d) there was no plan, not even a conceptual Master Layout Plan (MLP) to indicate the layout of the proposed public housing estate. It was not clear how the proposed school site would partially intrude onto the NHB. The NHB provided some separation from the noise of the vehicles on Kwun Tong Road. The conceptual layout proposed by the applicant could at

least provide a layout which indicated a capacity to accommodate around 13,000 people with the NHB remained in-situ;

- (e) PlanD did recognize the benefit of having a low-rise GIC building in the area such as the NHB from the urban design perspective. She suggested that the retention of the NHB should be a design requirement in the future planning of the housing development;
- (f) a total of 7,382 public comments were received with only 3 objecting to the application. It was significant that there was wide support from those living in the area and in particular from the District Councilors representing the residents of the various public housing estates.

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

8. With the aid of a PowerPoint presentation, Mr Ian Brownlee further made the following points :

- (a) the temporary tenure for 35 years indicated that there was a permanent need that could not be ignored;
- (b) CA's services aligned with the government policy on retraining employees;
- (c) "G/IC" zoning was appropriate to reflect the long established community uses;
- (d) there were no alternative sites or premises available;
- (e) the current location was important to serve CA's clients in the nearby public housing estates;
- (f) HD had not yet prepared a layout plan for the site;
- (g) CA's service would reduce people's reliance on social welfare and thereby benefit the whole society;
- (h) NHB was a valuable public asset for providing social support services and was in good condition and should not be demolished; and
- (i) the reservation of site for a secondary school had yet to be justified.

9. Mr Brownlee said that the applicant noted AMO, LCSD's advice that the NHB was neither a graded nor proposed graded historic building and they had decided not to pursue the preservation of the NHB, and put forward two options for the Committee's consideration. The first option was to reduce the area of the "G/IC" zone for NHB by releasing the southeastern portion of the site for public housing and relocating the proposed school elsewhere. This option would provide a total of 18 blocks of public housing with about 4,900 flats. The second option was to increase the area of the "G/IC" zone by including the NHB and putting the proposed school site to the southwestern side of the site. This option would provide 14 blocks of public housing with about 3,800 flats. Mr Brownlee said that should the Committee decide to reject the application, he proposed to amend the rejection reason to read "the application is within an area currently being considered for comprehensive development for housing, open space and GIC facilities. It is premature to rezone the site at this stage. However, the possible retention of the NHB in the future planning of the area will be considered in that context".

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

10. As the Committee had to deal with some procedural matters, the Chairman invited the applicant, the applicant's representatives and DPO/K to leave the meeting temporarily.

[The applicant, the applicant's representatives and Mr Tom C.K. Yip, DPO/K left the meeting temporarily at this point.]

11. The Chairman said that during the presentation, the applicant decided not to pursue the preservation of the NHB, but focused more on the possible options of the future layout of the proposed public housing development. As it involved the public housing development by HD, which was the executive arm of the Hong Kong Housing Authority (HKHA), the Secretary reported that the following Members might have to declare interests in this item:

Mr K.K. Ling
(the Chairman)
as the Director of Planning

- being a member of the Strategic Planning
Committee and the Building Committee of
HKHA

Mr Simon S.W. Wang as the Assistant Director of Lands Department	- being an alternate member of the Director of Lands who was a member of the HKHA
Mr Frankie W.P. Chou as the Chief Engineer (Works) of Home Affairs Department	- being an alternate member for the Director of Home Affairs who was a member of the Strategic Planning Committee & Subsidized Housing Committee of HKHA
Ms Julia M.K. Lau	- being a member of the Commercial Properties Committee and Tender Committee of HKHA
Mr Patrick H.T. Lau	- having current business dealings with HKHA
Mr Dominic K.K. Lam	- having current business dealings with HKHA

12. After deliberation, the Committee considered that the interests of the Chairman, Mr Simon S.W. Wang, Mr Frankie W.P. Chou, Ms Julia M.K. Lau, Mr Patrick H.T. Lau and Mr Dominic K.K. Lam were direct and agreed that they should be invited to leave the meeting temporarily.

[The applicant, the applicant's representatives and Mr Tom C.K. Yip, DPO/K returned to join the meeting at this point.]

13. The Chairman said that as the applicant's proposed options might affect the future layout of the proposed public housing development, to ensure a fair hearing, the Committee had decided to invite Members who had direct interests with HKHA to leave the meeting temporarily for this item. As the Chairman had to leave the meeting, Members agreed that the Vice-chairman should take over and chair the meeting.

[The Chairman, Mr Simon S.W. Wang, Mr Frankie W.P. Chou, Ms Julia M.K. Lau, Mr Patrick H.T. Lau and Mr Dominic K.K. Lam left the meeting temporarily at this point.]

14. A Member enquired about the current occupancy rate of the NHB and whether the NHB was shared by other organisations noting that the NHB had a floor space of about 5,000m². Noting the applicant's claim that CA could not exist if the NHB was demolished,

the same Member asked whether any site search had been conducted in the past for CA and whether there was a timeframe for the proposed public housing development.

15. In response, Mr Ian Brownlee said that the NHB had already reached its full capacity and additional space was needed. Mrs Cheung Siew Mei supplemented that the current occupancy rate of the NHB was 120%. Currently, 60% of the floor space in NHB was occupied by training rooms for the ERB programmes; 20% for head office and 20% for social enterprises. There were also warehouses and a second hand shop housed in an authorized temporary structure at the southeastern portion of the site where the applicant would be prepared to release for housing development. Mr Brownlee further said that given that the NHB was on government land and if approval was granted to rezone the site to "G/IC", it was up to the Government to decide how CA would share the use of the building with other agencies. Mrs Cheung supplemented that some parts of their services could be relocated, for example, by relocating their head office elsewhere, one floor of the NHB could be made available for other organisations.

16. As for the question on search for alternative sites, Mr. Tom C.K. Yip, DPO/K, said that there was a long history of site search for CA. According to PlanD's record, in 1996, CA requested the then Education and Manpower Bureau (EMB) to search for an alternative site for CA to continue its services. A vacant school site at Lei Muk Shue, Kwai Chung was identified, however, it was found not suitable for relocation by CA. In 2001, the then EMB attempted to help CA to find an alternative site again but failed. Early this year, CA had an informal meeting with LWB and an abandoned industrial building in Kwai Chung was suggested for relocation. However, CA considered that the abandoned industrial building was not suitable. Mr Yip stressed that PlanD would help conduct the site search if there was policy support for the proposal. It was noted that the applicant had yet to request LWB to give policy support for a site search. Regarding the timeframe of the proposed public housing development, Phase 1 would start in 2016-2017 and target to complete in 2020-2021. The timeframe for Phase 2 would depend on the relocation of the existing facilities within that area.

17. The same Member asked whether CA would be prepared to relocate if a suitable relocation site was found and what would be the floor space requirement. In response, Mrs Cheung said that the abandoned industrial building at 5-7 Yip Shing Street, Kwai Chung

suggested by LWB was the Oriental Textile which was in a very poor condition. It was not cost-effective to renovate the building for temporary use of only about 7 years (i.e. 10-year lease term with 3 years used for renovation). Besides, the location of the building was remote (about 20-minutes walking distance away from public transport) and difficult to access. CA was looking for vacant school sites in the locality like Kai Yip Estate. She emphasised that CA was willing to move if a suitable relocation site was found. She also clarified that CA was not the only ERB training body which had been provided with government premises to run training programmes. There were, in fact, four other agencies which had been given vacant school sites for running ERB training programmes.

18. Another Member asked whether ERB had any comments on the application. In response, Mr Yip said that ERB was under the purview of LWB, and LWB had provided their comments on the application that they were not in a position to comment on the zoning of the NHB site or its best planned use and if the NHB would need to give way to the developments such as housing development, and suitable premises for training use by the applicant could be identified, LWB might support the search of such premises for temporary use by the applicant under a rent paying STT.

19. A Member asked whether the services provided at the NHB was serving largely the local people. In response, Mrs Cheung said that about 80% of their clients lived in Kwun Tong and Kowloon East. She emphasised that CA was one of the top retraining agencies in Hong Kong which meant that a lot of local people relied on the services provided at the NHB.

20. The Vice-chairman noted that based on CA's annual report, about half of CA's funding came from ERB. However, the policy bureau (LWB) did not lend support to CA for using the site on a permanent basis but might only support the search of suitable premises for temporary use by the applicant under a rent paying STT. He suggested that the applicant should liaise with ERB and obtain policy support first.

21. Mr Brownlee reiterated that if the site was rezoned to "G/IC", it could secure CA's occupation of the site for providing long-term services for the community. He emphasised that the local community had a long-term need for CA's services as demonstrated in the 20 years of CA's services in the locality. Mrs Cheung supplemented that there were

many public housing estates in the area and the people living in those estates needed their services.

22. The Vice-chairman asked when the site was first zoned “O”. In response, Mr Yip said that the site was zoned “O” when the first OZP No. S/K13/1 was gazetted in 1986.

23. Mr Tony Turner, the applicant’s representative, made a concluding remark that there would be a great opportunity to combine the proposed public housing development with the social welfare services and CA’s proposal could be an example.

24. As the applicant’s representatives had no further points to raise and there were no further questions from Members, the Vice-chairman informed them that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Vice-chairman thanked the applicant’s representatives and DPO/K for attending the meeting. They left the meeting at this point.

Deliberation Session

25. A Member did not support the application as he saw no strong justification to rezone the site for “G/IC”. The Member considered that it was neither a planning issue nor the Committee’s function to determine whether the NHB should be retained for provision of social welfare services. Regarding the rejection reason suggested by the applicant, this Member considered that the first part was similar to the rejection reason in paragraph 12.1(b) of the Paper whilst the second part was considered not appropriate and should not be accepted. The two rejection reasons as stated in paragraph 12.1(a) and (b) of the Paper were considered sufficient.

26. Two other Members shared the same view. One of them considered that the applicant’s argument focused on the provision of social welfare services within the building. It was for the applicant to continue to liaise with the relevant policy bureau to find a suitable relocation site. As there would be other alternative sites available, there was no reason that CA must be located at the application site. Another Member pointed out that the applicant had yet to obtain support from the relevant policy bureau for continuing to use the NHB at

the site. The applicant should request the relevant policy bureau to support the search for a suitable relocation site, either to use an entire building to accommodate all the services or to relocate various parts of the services to different locations. The same Member considered that there might be opportunity for HD to accommodate some of CA's services within the future public housing development whilst the remaining services could be relocated to other areas.

27. The Vice-chairman said that in considering the application, three separate issues were involved including the use of the site, the preservation of the NHB and the continuation of CA's long-term services. He said that the site had been zoned "O" since the first draft OZP gazetted in 1986 and as there was no implementation programme for the planned open space, the NHB was given to CA for temporary use by STT. As the Government had already had long-term planning for the site (i.e. the proposed public housing development), the temporary use should cease and give way to permanent development. As for the preservation of the NHB, it was noted that as advised by AMO, LCSD, the NHB was neither a graded nor proposed graded historic building. Regarding the continuation of CA's services at its present location, it was not an issue for the Committee to decide. After further discussion, Members agreed that the rejection reasons as recommended in paragraph 12.1 of the Paper, instead of the rejection reason suggested by the applicant, were appropriate.

28. Some Members expressed concern on the word 'undermine' as stated in the second rejection reason (i.e. paragraph 12.1 (b)). After deliberation, the Committee agreed to replace the word 'undermine' with the word 'pre-empt' which was considered more appropriate.

29. After further deliberation, the Committee decided not to agree with the application. The rejection reasons were as follows :

- “(a) the New Horizons Building is neither a graded nor proposed graded historic building. There is no strong justification for rezoning the application site to the “Government, Institution or Community (2)” (“G/IC(2)”) zone, which is specifically for preservation of historic building in-situ; and

- (b) The proposed rezoning of the application site to the “G/IC(2)” zone will pre-empt the comprehensive planning and design of the proposed public housing cum school and open space development for the application site and its surrounding area.”

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

Agenda Item 4

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)

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

Mr Patrick H.T. Lau	- having current business dealings with KTA and DL
Mr Dominic K.K. Lam	- having current business dealings with KTA
Professor P.P. Ho	- having current business dealings with CKM

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

32. The Committee noted that the applicant requested on 1.12.2014 for deferment of the consideration of the application for two months in order to allow time for the applicant to liaise with Transport Department (TD) for the acceptance on the design of the ingress/egress point. This was the second time that the applicant requested for deferment of the application.

33. 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 further information. Since it 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 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/562 Proposed Shop and Services and Minor Relaxation of Plot Ratio in
"Residential (Group A)" zone, G/F (portion), 4/F, 5/F, 6/F & 7/F,
Prosperity Building, J/O Nos. 59A-61C Tung Choi Street and Nos.
6A-6E Nelson Street, Mong Kok, Kowloon

(MPC Paper No. A/K3/562)

34. The Committee noted that the applicant requested on 8.12.2014 for deferment of the consideration of the application for two months in order to allow time for the applicant to liaise with relevant government departments and to prepare further information to address the departmental comments. This was the first time that the applicant requested for deferment of the application.

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

[Mr Simon S.W. Wang returned to join the meeting at this point.]

[Ms 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/K3/563 Proposed Revitalisation and Adaptive Re-use of the Shophouses for Commercial Uses (Shop and Services and Eating Place) in "Other Specified Uses" annotated "Shophouses for Commercial and/or Cultural Uses" zone, Nos. 600-626 Shanghai Street, Mongkok, Kowloon
(MPC Paper No. A/K3/563)

36. The Secretary reported that the application was submitted by Urban Renewal Authority (URA) with Ove Arup & Partners Hong Kong Ltd. (Arup) as one of the consultants. The following Members had declared interests in this item :

Mr K.K. Ling (Chairman) - being a non-executive Director of URA
as the Director of Planning

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|---|--|
| Mr Simon S.W. Wang
as the Assistant Director of
Lands Department | - the Director of Lands was a non-executive
director of the URA |
| Mr Frankie W.P. Chou
as the Chief Engineer (Works) of
Home Affairs Department | - being the alternate Member of the Director
of Home Affairs who was a non-executive
director of the URA |
| Mr Patrick H.T. Lau | - having current business dealings with URA
and Arup |
| Mr Dominic K.K. Lam | - having current business dealings with Arup |
| Mr Laurence L.J. Li | - being a non-executive Director of the Board
of URA |
| Mr Stephen H.B. Yau | - being a member of the Wan Chai District
Advisory Committee of URA |
| Mr Francis T.K. Ip | - being the Chairman of Appeal Board Panel
under Urban Renewal Authority Ordinance |
| Professor P.P. Ho | - having current business dealing with URA
as he was a Conservation Consultant of
URA |

37. The Committee considered that the interests of the Chairman, Mr Simon S.W. Wang and Mr Frankie W.P. Chou were direct and agreed that they should leave the meeting temporarily. As the interests of Mr Stephen H.B. Yau and Mr Francis T.K. Ip were indirect and Mr Dominic K.K. Lam had no involvement in the application, Members agreed that they could stay in the meeting. The Committee noted that Mr Patrick H.T. Lau had already left the meeting and Mr Laurence L.J. Li and Professor P.P. Ho had tendered apologies for being unable to attend the meeting.

[The Chairman and Mr Simon S.W. Wang left the meeting temporarily and Mr Frankie W.P. Chou left the meeting at this point.]

38. As the Chairman had left the meeting temporarily, Members agreed that Mr Roger K.H. Luk, the Vice-chairman, should take over and chair the meeting for this item.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) proposed revitalisation and adaptive re-use of shophouses including addition & alteration (A&A) and modification works for the existing buildings at Nos. 600-606, 612-614 and 620-626 Shanghai Street and redevelopment of the existing buildings at Nos. 608-610 and 616-618 Shanghai Street;
- (c) the site fell within the “Other Specified Uses” annotated “Shophouses for Commercial and/or Cultural Uses” (“OU (Shophouses for Commercial and/or Cultural Uses)”) zone under the Approved Urban Renewal Authority Shanghai Street/Argyle Street Development Scheme Plan (DSP) No. S/K3/URA3/2;
- (d) the site was occupied by ten pre-war verandah-type shophouses at Nos. 600-606, 612-614 and 620-626 Shanghai Street (3 to 4 storeys) as well as four post-war residential buildings (6-storey) at Nos. 608-610 and 616-618 Shanghai Street. The pre-war shophouses were separated by the post-war buildings into 3 groups. The pre-war shophouses had been listed as Grade 2 historical buildings by the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD) in 2010 and therefore warranted protection for their architectural, cultural and historical significance. According to the site inspections on 7.11.2014 and 8.12.2014, the buildings were vacant;
- (e) the planning intention of the “OU (Shophouses for Commercial and/or Cultural Uses)” zone was intended for the preservation and adaptive re-use of the shophouses at Nos. 600-606, 612-614 and 620-626 Shanghai Street for commercial and/or cultural uses to serve the needs of the public. The

post-war buildings at Nos. 608-610 and 616-618 Shanghai Street were intended to be rehabilitated and/or redeveloped for commercial and/or cultural uses and to accommodate the necessary building services;

- (f) departmental comments – departmental comments were set out in paragraph 9 of the Paper which were summarized as follows:
- (i) the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD(2), ArchSD) suggested the applicant to review the proposed design scheme for the redeveloped post-war buildings at Nos. 608-610 and 616-618 so that they would be more compatible with the revitalised pre-war buildings. The whole continuous row of shophouses should be seen as one building cluster in an aesthetically pleasant and harmonised way, and the building façade of all the redeveloped post-war buildings should resemble the historical ambience of the pre-war buildings;
 - (ii) the AMO, LCSD had no objection in principle to the application and the preservation and revitalisation proposal from the heritage perspective but had some comments on the building façade and the elements to be preserved; and
 - (iii) other concerned departments had no objection to or no adverse comments on the application;
- (g) during the first three weeks of the statutory public inspection period, two public comments were received. One public comment raised objection to the application and queried whether the ambience of the tenement buildings could be preserved. Another public commenter questioned the two incongruous glass sections for housing lifts, and suggested that the buildings could be upgraded instead to retain the G/F shops for commercial and the other floors reverting/refurbishing back to residential;

- (h) no local objection or view was received by the District Officer (Yau Tsim Mong);
- (i) 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 A&A and modification works to facilitate the conservation of the historical buildings at the site, adaptive re-use of the conserved buildings for commercial uses were in line with the planning intention of the “OU(Shophouses for Commercial and/or Cultural Uses)” zone under the DSP No. S/K3/URA3/2. The pre-war buildings fronting Shanghai Street would be conserved for adaptive re-use for shop and services and eating place uses under the scheme. The redevelopment of the post-war buildings at the site could also accommodate the necessary building services, as required under the current building regulation requirements. The heights of the new buildings at Nos. 608-610 and 616-618 Shanghai Street would remain the same as the existing buildings, i.e. 25.25mPD and 26.6mPD. Relevant approval conditions were recommended to address ArchSD's and AMO's comments. Regarding the public objection on whether the ambience of the tenement buildings could be preserved, AMO had no objection to the application and the proposed preservation and revitalisation proposal from heritage point of view.

40. The Secretary drew Members' attention that the applicant had submitted a physical model which was deposited at the meeting for Members' inspection.

41. The Vice-chairman asked whether the A&A works proposed by the applicant could fulfill the current building regulations given that some of the subject buildings were built in the pre-war period and whether each individual building could meet the requirements. In response, Ms Michelle M.S. Yuen, STP/TWK said that according to the applicant's proposal, the pre-war buildings would be preserved with modification to the internal layout and upgrading of the building services in order to fulfill the current building regulations. The applicant would appoint an Authorised Person to submit general building plans of the proposed A&A works to demonstrate full compliance with the Buildings Ordinance and each individual building would be able to fulfill the current building regulations.

42. A Member asked the reason for retaining the heights of the new buildings at Nos. 608-610 and 616-618 Shanghai Street the same as the existing buildings, i.e. 6 storeys and whether the applicant had considered taller buildings in order to provide more commercial floor space. In response, Ms Yuen said that a maximum building height restriction (BHR) of 3 storeys or the height of the existing building, whichever was the greater, was imposed for the “OU(Shophouses for Commercial and/or Cultural Uses)” zone under the DSP No. S/K3/URA3/2. The applicant’s proposal would have to comply with the BHR as stipulated on the DSP.

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

Deliberation Session

43. A Member was concerned whether the overall ambience of the existing tenement buildings could be preserved given that only the key heritage features of the shophouses were to be retained and whether the proposed approval condition or advisory clause should be suitably refined to ensure that the ambience of the historic buildings could be resembled. Members noted that as those pre-war buildings were built in the 1920s and were in very poor condition, the preservation of the building and upgrading of the building services to meet the current building regulation requirements would be subject to many constraints. In recognition that the elevation and façade design of the buildings were important elements that contributed to the preservation of the ambience of the historic buildings, two approval conditions, i.e. conditions (a) and (c), were suggested to require the applicant to submit and implement the façade design of the pre-war and post-war buildings; and to submit a list of salvaged building materials, floor plans of the existing patterned floor tiles, and future locations for re-installation before commencement of works, and implementation of their temporary storage, treatment and the re-installation of such materials to the satisfaction of the Director of Leisure and Cultural Services. Besides, an advisory clause, i.e. clause (d), was suggested to urge the applicant to note the CA/CMD(2), ArchSD’s comments that the applicant should review the design elements to achieve an aesthetically pleasant integrated design for the building façades at the detailed design stage.

44. The same Member pointed out that preservation of the elevation / façade might not be adequate to preserve the ambience of the historic buildings and advisory clause (d) might not be enough to ensure that the historic ambience could be preserved. Consideration could be given to requesting the applicant to submit the detailed design to AMO or ArchSD for consideration. In response, the Secretary drew Members' attention to Appendix IV of the applicant's submission in which the applicant proposed to incorporate four character-defining elements (CDEs) in the scheme, which were the key elements that needed to be preserved. The four CDEs included the front façade (including verandah, balcony, columns), the features on front façade (e.g. pillars and the geometric patterns on balcony), the interior elements (e.g. the floor tiles) as well as the built form of 624-626 Shanghai Street (e.g. the brick wall). The preservation of CDEs would help to resemble the ambience of the tenement buildings.

[Mr W.B. Lee left the meeting temporarily at this point.]

45. Noting that the idea of preservation of the ambience of the historic buildings was vague whilst approval conditions and advisory clauses should be specific, Members agreed that the proposed approval conditions (a) and (c) as well as advisory clause (d) would be appropriate.

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

46. After further 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 12.12.2018, 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 the façade design of the pre-war and post-war buildings to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (b) the implementation of the preservation proposal to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;

- (c) the submission of a list of salvaged building materials, floor plans of the existing patterned floor tiles, and future locations for re-installation before commencement of works, and implementation of their temporary storage, treatment and the re-installation of such materials to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (d) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (e) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

- “(a) to note the District Lands Officer/Kowloon West, Lands Department’s comments that her office will proceed with the land exchange application for implementation of the proposal. However, there is no guarantee that the land exchange application will be approved. Such application will be considered by the Lands Department acting in the capacity as the landlord at its sole discretion. In the event that any such application is approved, it would be subject to such terms and conditions as may be imposed by the Lands Department;
- (b) to note the Chief Building Surveyor/Kowloon, Buildings Department’s comments that if the applicant intends to apply for Gross Floor Area (GFA) exemptions for the green/amenity features and non-mandatory/non-essential plant rooms, compliance with the pre-requisites and the Sustainable Building Design guidelines as stipulated in Practice Note for Authorised Persons (PNAP) APP-151 and 152 are required. Under Building (Planning) Regulation (B(P)R) 23(3)(a), the existing verandas outside the site boundary on 1/F and 2/F should be included in GFA calculation. He reserves further comments on the site coverage/GFA calculations upon the submission of building plans. The applicant has to demonstrate compliance with means of escape (including but not limited to

travel distance), fire resisting construction (including but not limited to provision of fire barriers to prevent fire spread to buildings of adjoining site) and means of access for firefighting and rescue requirements under B(P)Rs 41(1), 41A, 41B, 41C, 41D and the Code of Practice for Fire Safety in Buildings 2011(FS Code) upon the submission of building plans. Access and facilities for persons with a disability (including but not limited to initial access, barrier free access route, etc.) should be provided in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008. If the proposed use under application is subject to the issue of a licence, any existing structures on the site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority. As most structural elements of the pre-war buildings are required to be reconstructed or re-strengthened, with a considerable amount of components facing Shanghai Street need to be preserved, detail construction sequence is required to be considered at plan submission stage. Detailed comments on compliance with the Buildings Ordinance would be given upon formal building plans submission;

- (c) to note the Commissioner for Transport's comments that he has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development;
- (d) to note the Chief Architect/Central Management Division 2, Architectural Services Department's comments that the applicant should review the design elements to achieve an aesthetically pleasant integrated design for the building façades at the detailed design stage;
- (e) to note the Director of Fire Services' comments that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The arrangement of emergency vehicular access shall comply with the Code of Practice for Fire Safety in Building; and

- (f) to note the Director of Electrical and Mechanical Services' comments that the applicant should 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 within or in the vicinity of the site, the applicant shall carry out the following measures:
- (i) prior to establishing any structure within 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; and
 - (ii) 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 Vice-chairman thanked Ms Michelle Yuen, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[The Chairman, Mr Simon S.W. Wang and Mr W.B. Lee 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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/424 Proposed Hotel in “Other Specified Uses” annotated “Business” zone,
Nos. 57-59 Kwok Shui Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/424)

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

Mr Patrick H.T. Lau	} having current business dealings with Arup
Mr Dominic K.K. Lam	
Mr Clarence W.C. Leung	

- having an office in Kwai Chung

49. The Committee noted that Mr Clarence W.C. Leung had already left the meeting. As Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

50. 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 hotel;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;

- (d) during the three weeks of the statutory public inspection period, 22 public comments were received. 21 of them supported / agreed to the application as it would have no adverse impact on the surrounding areas, encourage restructuring of the nearby industrial buildings, improve the local environment, provide jobs and business opportunities, and promote tourism. The remaining one objected to the application on the ground that the increasing mainland tourists had adversely affected the daily livelihood of Hong Kong people, Kwai Chung was not a tourism attraction spot and should not be developed into a tourism area;

- (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 development was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(Business)”) zone which was to encourage development of new buildings for commercial use. The proposed development was generally in line with the Town Planning Board Guidelines No. 22D for “OU (Business)” zone in that it was not incompatible with the surrounding developments. The proposed development could serve as a buffer separating the residential developments to the south of Castle Peak Road – Kwai Chung from the existing industrial area. The proposed development could also serve as a catalyst in phasing out the current industrial uses within the “OU (Business)” zone. The proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding area.

51. Members had no question on the application.

Deliberation Session

52. 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 12.12.2018, 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 vehicular access, car park and loading/unloading layout to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

- “(a) the approval of the application did not imply that the proposed non-domestic plot ratio of the proposed hotel development and the proposed gross floor area exemption for back-of-house facilities would be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval;
- (b) to note the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (DLO/TW&KT, LandsD)’s comment that the applicant should apply to his office for a modification/special waiver for the proposed hotel use. The application will be considered by LandsD acting in the capacity as landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions including, inter alia, payment of waiver fee/premium and administrative fee, as may be approved by LandsD. However, there is no guarantee that approval will be given. In respect of the proposed removal of some existing floor slabs and addition of 2 storeys, the registered owner of the application site is reminded to observe the technical requirements as laid down in Lands Administration Office Practice Note No. 1/2010B should he opt to apply for a special waiver for the proposed conversion;

- (c) to note the Chief Building Surveyor/New Territories West, BD's comments that an Authorised Person should be appointed to submit general building plans for approval of the proposed addition & alteration works to demonstrate full compliance with the Buildings Ordinance. Attention should be drawn to the provision of prescribed windows under Building (Planning) Regulations (B(P)R) 30 and 31, the provision of service lane under B(P)R 28 and the requirements for granting hotel concessions under B(P)R 23A and Practice Notes for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-40;
- (d) to note the Director of Fire Services' comments that emergency vehicular access should be provided in accordance with the Code of Practice for Fire Safety in Buildings 2011 which is administered by the BD;
- (e) to note the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department's comments that, as the building is originally approved by BA for non-domestic use, the applicant should submit documentary evidence showing that the BA has granted prior approval for the proposed use when making an application under Hotel and Guesthouse Accommodation Ordinance (HAGAO). The proposed licence area should be physically connected. The fire service installations should comply with paragraph 4.28 of Code of Practice for Minimum Fire Services Installation and Equipment. The licensing requirements will be formulated after inspections by the Building Safety Unit and Fire Safety Team of his office upon receipt of a licence application under HAGAO; and
- (f) to note the Chief Town Planner/Urban Design and Landscape, Planning Department's comments to maximise the greening opportunities by the use of vertical greening, roof garden and flat roof."

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

[Ms. W.H. Ho, Senior Town Planner/Hong Kong, STP/HK, was invited to the meeting at this point.]

Hong Kong District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/183 Proposed Shop and Services in "Industrial" zone, Portion of Workshop
11, G/F, MP Industrial Centre, 18 Ka Yip Street, Chai Wan, Hong Kong
(MPC Paper No. A/H20/183)

54. The Secretary reported that his spouse owned a property in Chai Wan and Mr Dominic K.K. Lam had declared an interest in this item as his company owned a workshop at Cheung Lee Street, Chai Wan. As the subject workshop of Mr Lam's company was not affected by the application and the property of the Secretary's spouse had no direct view on the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

55. With the aid of a PowerPoint presentation, Ms W.H. Ho, STP/HK, 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. The Director – General of Trade and Industry (DG of T&I) had no comment on the subject application if a temporary

approval period of 3 years was imposed. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, no public comment was received.
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 the Paper and suggested that the permission should be valid on a temporary basis for a period of three years until 12.12.2017, in order not to jeopardise the long-term planning intention of industrial use for the subject industrial premises. Apart from the fire safety aspect, the applied use also complied with other aspects of the Town Planning Board Guidelines for development within “Industrial” (“I”) zone (TPB PG-No. 25D) in that it would unlikely induce adverse traffic, environmental or infrastructural impacts on the developments within the subject building and the adjacent area.

56. Members had no question on the application.

Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 12.12.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of proposals for fire service installations, water supplies for firefighting and means of escape completely separated from the industrial portion within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 12.6.2015; and
- (b) if the above planning condition 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.”

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

- “(a) a temporary approval of three years is given in order to allow the TPB to monitor the compliance of the approval condition and the supply and demand of industrial floor space in the area to ensure that the long term planning intention of industrial use for the subject premises will not be jeopardised;
- (b) to note the comments of the District Lands Officer/Hong Kong East, Lands Department on the need to apply for lease modification or a temporary waiver to give effect to the applied use at the subject premises;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department on the submission of building plans and the compliance with the Code of Practice for Fire Safety in Buildings 2011; Building (Planning) Regulation 72; and Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation 5;
- (d) to note the comments of the Director of Fire Services to observe ‘Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises’ and ‘Code of Practice for Fire Safety in Buildings’; and
- (e) to note the comments of Commissioner for Transport not to occupy the adjoining public footpath and carriageway to avoid obstruction to pedestrian circulation or road traffic.”

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/422 Proposed Hotel in “Residential (Group A) 7” zone, No. 246 Des Voeux Road West, Sai Ying Pun, Hong Kong
(MPC Paper No. A/H3/422)

59. The Secretary reported that the applicant was Tung Wah Group of Hospitals and LLA Consultancy Ltd. (LLA) was one of the consultants. The following Members had declared interests in this item :

Mr Patrick H.T. Lau	}	having current business dealings with LLA
Mr Dominic K.K. Lam		
Ms Bonnie J.Y. Chan	-	her father was a member of the Advisory Board of Tung Wah Group of Hospitals
Professor P.P. Ho	-	his spouse owned a flat at Wing Sing Court, Third Street and a flat in Kui Yan Court, 3 Kui Yan Lane

60. As the interest of Ms Bonnie J.Y. Chan was indirect and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting. The Committee noted that Mr Patrick H.T. Lau had already left the meeting and Professor P.P. Ho had tendered apologies for being unable to attend the meeting.

61. The Secretary reported that a petition letter was received in the morning. The petition letter was submitted by a political party objecting to the proposed hotel development for reasons similar to those of the public comments received during the public inspection period of the application. The petition letter was circulated to Members at the meeting.

Presentation and Question Sessions

62. With the aid of a PowerPoint presentation, Ms. W. H. Ho, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (wholesale conversion of an existing commercial building);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had reservation on the proposal from traffic viewpoint. Given that Des Voeux Road West (where the hotel was located) was the major traffic corridor linking the central district with the western district, any alteration on the traffic pattern on this road would bring significant irreversible impact on the traffic condition in the region. The Director of Social Welfare (DSW) expressed concern on the proposed hotel development as there was an acute shortage of welfare premises in the Central & Western District and local pressure for the sufficient provision of welfare premises was mounting. The Central and Western/Islands Social Security Field Unit, which was a departmental unit located in the subject building, presently served a total of over 30,000 cases involving elderly, disabled persons and families in financial hardship. Given the large number of residents served in the district, any discontinuation of service resulted from conversion of the subject building for hotel use would surely generate severe impact on the community. According to the District Officer (Central & Western), Home Affairs Department (DO(C&W), HAD), the Central & Western District Council (C&WDC) had been very concerned about the potential adverse traffic impacts imposed on the district from the proposed hotel developments;
- (d) during the first three weeks of the statutory public inspection period, 313 comments were received from a C&WDC member, a political party, tenants of the existing building and members of the public. Out of the 313 public comments received, 311 objected to, one supported and one provided comment on the application. The objecting views could be summarised as follows:

- i. Sai Ying Pun had been planned as a residential area and the site was zoned “Residential (Group A)7” (“R(A)7”) which was intended for residential developments. The proposed hotel use would reduce housing supply and drive up the property prices of the surrounding old buildings;
- ii. the area in vicinity of the site was predominately residential in nature which was not suitable for hotel development. The extra tourists brought by the proposed hotel would increase the population density and cause undesirable changes to the local characteristics;
- iii. the development intensity of the proposed hotel was too excessive. Whether the existing infrastructural utilities were capable of supporting an additional hotel was doubtful;
- iv. a number of hotels of different ranking had been completed in the vicinity. Hotel accommodation in the Central and Western District was more than enough. The proposed hotel would cause additional noise and environmental nuisances, create security problem and adversely affect the living environment of the local residents;
- v. the lack of loading/unloading bays for coaches of the existing hotels in the vicinity had already aggravated the traffic and pedestrian safety problems. The proposed hotel with no provision of internal transport facilities would further aggravate the traffic problems in the area; and
- vi. tenants of the existing building expressed concerns on the difficulty in relocating their business to nearby areas as there was not enough provision of commercial/office premises in Sai Ying Pun. The relocation of some services operated in the existing building (e.g. social welfare facilities, kindergartens and tutorial centres) would cause inconvenience to the public;

- (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. The proposed hotel would provide 139 guestrooms with no provision of car parking and loading/unloading facilities. The AC for T/U, TD had reservation on the proposal from traffic viewpoint and there were doubts on the applicant's assumption that the target group of the proposed hotel, mainly the conference/exchange participants, would have minimal reliance on private car and would not generate significant traffic demand. Given that Des Voeux Road West was the major traffic corridor linking the central district with the western district, any alteration on the traffic pattern on this road would bring significant irreversible impact on the traffic condition in the region. There were public comments objecting to the application on grounds of land use incompatibility, adverse impacts on traffic, environmental, infrastructural capacity and provision of social welfare facilities. DSW expressed concern that any discontinuation of social welfare facilities currently operated in the existing building would generate impact on the local community.

63. The Vice-chairman asked whether the applicant had liaised with the tenants of the subject buildings regarding their relocation and whether the applicant's proposal of having no provision of parking and loading/unloading facilities for the proposed hotel development was acceptable from traffic point of view.

64. In response, Ms W.H. Ho, STP/HK said that since the proposed hotel development was at a very preliminary stage, the applicant had yet to discuss with the tenants of the subject building on their relocation.

65. As for the provision of internal transport facilities, Mr W.B. Lee, Assistant Commissioner for Transport/Urban, said that TD had reservation on the proposed hotel development as it would provide 139 guestrooms with no car parking and loading/unloading provision. He emphasized that Des Voeux Road West was the major traffic corridor linking the central district with the western district. The existing loading/unloading bays in the locality along Des Voeux Road West were very busy. The Traffic Impact Assessment (TIA) submitted by the applicant failed to take into consideration the need for loading/unloading of

hotel guests which would likely be taken place in front of the proposed hotel along Des Voeux Road West. Any alteration on the traffic pattern on Des Voeux Road West would bring significant irreversible adverse impact on the traffic condition in the region.

Deliberation Session

66. Noting that the subject building was a commercial building and the application site was zoned “R(A)7” where residential development was always permitted, a Member asked whether hotel development would generate a higher level of traffic than those generated by the existing commercial building or a residential development. In response, Mr Lee said that the traffic generation would be similar between hotel and office development. However, since the application was a wholesale conversion of an existing commercial building, there was no opportunity for parking and loading/unloading facilities to be provided within the building and the hotel guests would need to use the curbside for picking-up and dropping-off activities. This was different from the redevelopment of an existing building where it would be possible to provide parking and loading/unloading facilities within the new building which could help alleviate the heavy utilisation of curbside for loading/unloading activities.

67. Noting that a hotel and an office building would generate similar level of traffic, the same Member asked why the proposed hotel development would result in an increase in traffic along Des Voeux Road West. In response, Mr Lee said that the existing loading/unloading bays had already been fully utilised and hotel guests would likely generate more return trips as compared to the workers in an office building. The Chairman supplemented that the traffic pattern was different between hotel guests and office workers as office workers would mostly rely on public transport for daily commuting whilst hotel guests would likely take taxi or coaches.

68. 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 traffic impact assessment submitted by the applicant fails to address the traffic impact generated by the proposed development on the area; and

- (b) the approval of the application will set an undesirable precedent for similar hotel developments. The cumulative effect of approving similar applications would adversely affect the traffic condition in the area.”

[The Chairman thanked Ms W.H. Ho, STP/HK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

[Mr Stephen H.B. Yau left the meeting at this point.]

Kowloon District

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K11/218 Proposed Holistic Centre for Youth Development (Proposed Place of Recreation, Sports or Culture, Social Welfare Facility, Training Centre, Place of Entertainment, Residential Institution, Eating Place, Shop and Services) in “Government, Institution or Community (2)” zone, Government Land bound by King Fuk Street, Sam Chuk Street and Tsat Po Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/218)

69. The Secretary reported that the applicant was Tung Wah Group of Hospitals and Ove Arup & Partners Hong Kong Ltd. (Arup) was one of the consultants. The following Members had declared interests in this item :

Mr Patrick H.T. Lau	}	having current business dealings with Arup
Mr Dominic K.K. Lam		
Ms Bonnie J.Y. Chan	-	her father was a member of the Advisory Board of Tung Wah Group of Hospitals

70. As the interest of Ms Bonnie J.Y. Chan was indirect and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting. The Committee noted that Mr Patrick H.T. Lau had already left the meeting.

71. The Secretary drew Members' attention that the site was the subject of one of the amendments incorporated into the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/26 which was exhibited on 30.5.2014. Among the representations received during the two-month exhibition period, five representations were related to the site. According to the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33), a decision on a section 16 application should be deferred if the application site was still subject to outstanding adverse representation yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation was relevant to the application. The Planning Department therefore proposed to defer a decision on the subject application pending the final decision of CE in C on the draft OZP.

72. After deliberation, the Committee decided to defer a decision on the application pending the final decision of CE in C on the draft OZP. The Committee agreed that the application should be submitted to the Committee for consideration after CE in E had made a decision on the draft OZP.

Agenda Item 11

Section 16 Application

[Open Meeting]

A/K10/254 Eating Place (Restaurant) in "Government, Institution or Community" zone, Shop 1 on G/F and Shop 3 on 1/F, One Elegance, 1 Ma Hang Chung Road, 189 Ma Tau Wai Road, To Kwa Wan, Kowloon
(MPC Paper No. A/K10/254)

73. The Committee noted that the applicant requested on 27.11.2014 for deferment of the consideration of the application for one month in order to allow time for the applicant to discuss with the owner's committee of the subject building to address the concern of residents

on the security and management issues arising from the proposed use. This was the first time that the applicant requested for deferment of the application.

74. 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 one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Any Other Business

75. There being no other business, the meeting closed at 12:22 p.m..