

## **TOWN PLANNING BOARD**

### **Minutes of 534th Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.5.2015**

#### **Present**

Director of Planning  
Mr K. K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Ms Julia M.K. Lau

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Patrick H.T. Lau

Mr Stephen H. B. Yau

Dr Lawrence W.C. Poon

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr W.L. Tang

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

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

Assistant Director (R1), Lands Department  
Ms Doris M.Y. Chow

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

Secretary

**Absent with Apologies**

Professor P.P. Ho

Mr Clarence W.C. Leung

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Frankie W.C. Yeung

**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  
Ms Vienna Y.K. Tong

1. The Chairman extended a welcome to Mr W.L Tang, Assistant Commissioner for Transport (Urban), Transport Department for his first attendance at the meeting.

### **Agenda Item 1**

Confirmation of the Draft Minutes of the 533<sup>rd</sup> MPC Meeting held on 8.5.2015

[Open Meeting]

2. The draft minutes of the 533<sup>rd</sup> MPC meeting held on 8.5.2015 were confirmed without amendments.

### **Agenda Item 2**

Matters Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

[Mr Lawrence Y.C. Chau, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Ms Ginger K.Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K), Miss Elsa Cheuk, Chief Town Planner/Housing & Office Land Supply (CTP/HOLS) and Ms Paulina Y.L. Kwan, Senior Town Planner/Metro and Urban Renewal (STP/M&UR), were invited to the meeting at this point.]

## **General**

### **Agenda Item 3**

[Open Meeting]

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the Metro Area for the Year 2014/2015

(MPC Paper No.4/15)

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

#### Presentation and Question Sessions

4. With the aid of a PowerPoint presentation, Ms Paulina Y.L. Kwan, STP/M&UR made the following main points :

- (a) the Town Planning Board on 7.5.1999 endorsed the Town Planning Board Guidelines for Designation of “Comprehensive Development Area” (“CDA”) Zones and Monitoring the Progress of “CDA” Developments, and further agreed on 21.5.1999 that the review of the “CDA” sites designated for more than 3 years should be conducted on an annual basis;
- (b) the subject review covered a total of 55 “CDA” sites which had been zoned “CDA” for more than 3 years, with 24 without and 31 with approved Master Layout Plans (MLPs);

#### *24 “CDA” Sites with No Approved MLP*

- (c) among the 24 “CDA” sites which did not have approved MLPs, 20 were proposed for retention. The reasons for retaining the “CDA” zoning of these sites were: (i) planning briefs had recently been approved, under preparation or to be prepared; (ii) some sites were subject to traffic, environmental and/or visual impacts, which had to be properly addressed; (iii) a site was related to preservation of historical building; and (iv) a site was for preservation of the existing character and ambience of the area. The “CDA” designation was essential for providing guidance on the development of these sites. The details were set out in Appendix I of the Paper;
- (d) one had been agreed by the Committee for rezoning to appropriate zonings in the last round of review. That “CDA” site was located in the eastern portion of the area bounded by Sung Wong Toi Road, To Kwa Wan Road and Mok Cheong Street. The site was currently occupied by six factory

buildings, two Government, institution or community (GIC) facilities and the Hong Kong Society for the Blind (HKSB) factory cum sheltered workshop. To enhance the prospect of implementation, it was proposed to rezone the government land portion for public housing development, and the HKSB's site to "G/IC" to facilitate in-situ redevelopment. The proposed amendments to the relevant Outline Zoning Plan (OZP) which covered the above site were agreed by the Committee on 17.4.2015 and gazetted on 15.5.2015. The details were set out in Appendix II of the Paper;

- (e) the remaining three "CDA" sites with no approved MLP were subject to review on the zoning and site boundary/development intensity. One of the "CDA" sites abutted Lai Hong Street, South West Kowloon and comprised two warehouses on both sides of Lai Fat Street. The Committee in the last CDA Review considered it appropriate to conduct a planning review of the "CDA" zoning to ascertain the lot owners' plans for comprehensive redevelopment and whether the site could be rezoned to speed up the redevelopment process. One of the lot owners of the site had strong intention to redevelop the lot for residential use. To facilitate redevelopment of the warehouses and maintain adequate planning control to achieve coordinated redevelopment for the site, the "CDA" zoning of the site was proposed to be retained at this juncture. Another "CDA" site was located at the junction of Kowloon City Road and Ma Tau Kok Road which was commonly known as "13 Streets" under multiple ownership. To facilitate redevelopment in the area, the Kowloon City District Urban Renewal Forum (KC DURF) had proposed to subdivide the "CDA" into two or three "CDAs" so as to reduce the difficulty in land assembly for redevelopment. The Administration was assessing the appropriate implementation mechanism to take forward the proposal. The remaining "CDA" site was located at the junction of Ma Tau Kok Road and To Kwa Wan Road which was under multiple ownership. To facilitate redevelopment in the area, KC DURF had proposed to subdivide the "CDA" into two "CDAs". The plot ratio (PR) for the "CDA" zone covering the existing residential portion was proposed to be relaxed from 5

to 6.5 to provide incentive for redevelopment. The Administration was working on details of the development proposal and preparing the required assessments before finalization of the zoning amendments. The details were set out in Appendix III of the Paper;

*31 “CDA” Sites with Approved MLP*

- (f) it was proposed to retain the “CDA” zoning of 23 “CDA” sites which had approved MLPs as those sites either had some progress in construction works or were at various stages of building construction and implementation. Retention of the “CDA” designations for those sites was considered necessary to ensure that they would be implemented in accordance with the approved MLPs and approval conditions. The details were set out in Appendix IV of the Paper;
  
- (g) the Committee had previously agreed to rezone three “CDA” sites with approved MLPs. The site at 23 Oil Street, North Point, which formed part of a larger “CDA(1)” site, was previously agreed by the Committee that the site was suitable for rezoning to “Commercial” to reflect the planning intention of the site and the existing hotel use. Given that the priority of district planning works had been accorded to zoning amendments relating housing sites and that the proposed development at the adjoining site on the remaining part of the same “CDA(1)” zone was ongoing, rezoning of the whole “CDA(1)” zone could be made comprehensively in one go upon completion of the adjoining development. As for the completed comprehensive development at the “CDA” site covering the Airport Railway Kowloon Station, since the opposite West Kowloon Terminus and its topside development of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) under “CDA(1)” zone across Lin Cheung Road was under construction, it was considered that the “CDA” zoning of the two sites could be comprehensively reviewed for rezoning to appropriate zonings. Regarding the “CDA” site covering the former Marine Police Headquarters, it was proposed to rezone the site to other appropriate zonings to reflect the completed hotel and commercial development in the next round of OZP

amendment. The details were set out in Appendix V of the Paper;

- (h) five “CDA” sites with approved MLPs were considered to have potential for rezoning subject to full compliance with the approval conditions and completion of the developments. They included: (i) the residential development of “Manhattan Hill” and the proposed development at the Kowloon Motor Bus (KMB) Headquarters Building at the ex-KMB Lai Chi Kok bus depot site; (ii) a residential development under construction at Pine Crest, Tai Po Road, Cheung Sha Wan; (iii) a residential development under construction at the junction of Inverness Road and Junction Road, Kowloon Tong; (iv) a proposed commercial development at the junction of Hung Luen Road and Kin Wan Street, Hung Hom; and (v) a hotel development in Ting Kau, Tsuen Wan. The details were set out in Appendix VI of the Paper; and
- (i) to sum up, of the 55 “CDA” sites under review, 43 sites were proposed for retention; four sites were previously agreed by the Committee for rezoning; three sites were subject to review; and five sites were considered having potential for rezoning. PlanD would progressively submit the zoning amendments of the respective “CDA” sites to the Committee for consideration.

5. For cases with development completed in accordance with approved building plans, the Vice-chairman asked why their “CDA” zoning had to be retained. In response, Mr Lawrence Y.C. Chau, DPO/TWK, said that there were cases where the compliance of planning approval condition could not be reflected on building plans. Taking the hotel development at Ting Kau (Royal View) which was completed with Occupation Permit issued on 10.10.2006 as an example, he said that one of the approval conditions was related to the design and provision of a pedestrian access (PA) from the hotel to the reclamation area next to Lido Beach. To comply with the approval condition on the PA, the applicant had completed the geotechnical investigation of the concerned slope feature and submitted the detailed design of the alignment of the PA. A short term tenancy for the PA would be submitted to the relevant District Lands Office for approval. The site could be rezoned to reflect the hotel use upon compliance with the outstanding approval condition.

6. In response to another Member's enquiry, Mr Lawrence Y.C. Chau, said that in most cases, the approval conditions should have been complied with before the issuance of Occupation Permit or Certificate of Compliance for completed developments.

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

7. Taking the Lai Hong Street "CDA" site where the owner of a warehouse on part of the "CDA" site showed no intention for redevelopment as an example, a Member asked whether amendments to the planning brief of the "CDA" sites such as increasing the development intensity could help facilitate the implementation of "CDA" development. In response, the Secretary said that "CDA" sites designated for more than 3 years would be reviewed on an annual basis. Among these 55 "CDA" sites under review, 31 sites had approved MLP and 24 sites had not. To facilitate the implementation of those "CDA" sites, various means could be considered including subdividing the "CDA" sites into smaller sites, amending the respective planning briefs or increasing the development intensity of the "CDA" site. In fact, one "CDA" site without approved MLP was subdivided into smaller sites and rezoned partly for other uses, while 3 "CDA" sites were subject to review on the zoning, site boundary and/or development intensity. Retention of the "CDA" designation could allow close monitoring of the progress of the "CDA" development.

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

8. The Chairman said that the main purpose of the "CDA" review was to monitor the progress of "CDA" developments and to find ways to facilitate developments/redevelopment. While some might consider that designation of some sites for "CDA" development might delay the redevelopment process due to difficulties in land assembling, there were cases where comprehensive development was necessary such as those areas where industrial/residential interface problem was envisaged. The "CDA" zoning would ensure that developments were implemented in accordance with the approved MLPs. As for "CDA" site with completed developments, while it might be rezoned to appropriate zonings, such amendment might not be accepted by the local residents, as shown in the previous proposed rezoning of the Whampoa "CDA" site. In view of other more imminent amendments to the OZP, a lower priority might be accorded to rezoning "CDA" sites to reflect the completed developments.



9. The Vice-chairman said that it might not be cost-effective to rezone a “CDA” site which had been completed. For those “CDA” sites which had approved MLP but encountered difficulties in implementing the development, consideration should be given to reviewing the mechanism to facilitate the “CDA” development. For those “CDA” sites with no approved MLP and had been designated for a long time, say for over 10 years, some guidelines should be formulated to review the effectiveness of the “CDA” zoning in facilitating developments.

10. The Chairman said that for sites which had been designated with “CDA” zonings for a long time without progress in implementation, it was necessary to review critically each case and to find out solutions to facilitate the implementation. Whilst noting that each DPO was closely monitoring the progress of “CDA” developments in the daily work, he asked whether there was any significant difference in the review results of this year as compared with that of last year. In response, Ms Paulina Y.L. Kwan, STP/M&UR, said that there was not much difference in the general pattern of the review results in a year’s time.

11. Given that the progress of implementation of “CDA” developments in a year’s time was not significant, the Chairman suggested that the “CDA” sites review could be carried out biennially instead of annually in order to streamline the workflow and assign higher priority to other more imminent planning work, such as zoning amendments for housing sites. Notwithstanding this, DPO would continue to closely monitor the progress of “CDA” development in their daily work. He would also raise the same to the Rural and New Town Planning Committee for its consideration in the afternoon session. Members noted that the proposed change would necessitate a revision of the relevant Town Planning Board Guideline, and requested the Secretariat to take appropriate follow-up action.

#### Deliberation Session

12. After deliberation, the Committee decided to :

- (a) note the findings of the review of the sites designated “CDA” on statutory plans in the Metro Area;

- (b) agree to the retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.1 and detailed at Appendices I and IV of the Paper; and
- (c) note the agreement of the Committee to rezone the sites mentioned in paragraphs 4.1.3 and 4.2.2 and detailed at Appendices II and V; the sites which were subject to review in paragraph 4.1.4 and detailed at Appendix III; and the sites with potential for rezoning in paragraph 4.2.3 and detailed at Appendix VI of the Paper.

[The Chairman thanked Mr Lawrence Y.C. Chau, DPO/TWK, Ms Ginger K.Y. Kiang, DPO/HK, Mr Tom C.K. Yip, DPO/K, Miss Elsa Cheuk, CTP/HOLS and Ms Paulina Y.L. Kwan, STP/M&UR, for their attendance to answer Members’ enquiries. They left 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.]

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K1/244	Proposed Flat and Shop and Services/Eating Place Uses in “Commercial” Zone, 68, 68A, 70, 70A, 72, 72A, 72B and 72C Kimberley Road, Tsim Sha Tsui, Kowloon  (MPC Paper No. A/K1/244D)
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13. The Secretary reported that the application was submitted by Cheer Capital Ltd. which was a subsidiary of Henderson Land Development Co. Ltd. (HLD) with Kenneth To & Associates Ltd. (KTA), CKM Asia Ltd. (CKM) and Mott MacDonald Hong Kong Ltd. (MMHK) as three of the consultants of the applicant. The following Members had declared interests in the item:

- |                        |   |
|------------------------|---|
| Mr Clarence W.C. Leung | - being a Director of a non-government organization that had received a private donation from a family member of the Chairman of HLD                    |
|                        | - owning a flat in Tsim Sha Tsui  |
| Mr Patrick H.T. Lau    | - having current business dealings with HLD and KTA   |
| Mr Dominic K.K. Lam    | - having current business dealings with HLD, KTA and MMHK   |
| Mr Roger K.H. Luk      | - being a member of the Council of the Chinese University of Hong Kong (CUHK) which had received a donation from a family member of the Chairman of HLD |
| Professor P.P. Ho      | - being an employee of the CUHK which had received a donation from a family member of the Chairman of HLD   |
|                        | - having current business dealings with CKM   |
| Dr Wilton W.T. Fok     | - being an employee of the University of Hong Kong (HKU) which had received a donation from a family member of the Chairman of HLD                      |

14. The Committee noted that Mr Clarence W.C. Leung, Mr Dominic K.K. Lam and Professor P.P. Ho had tendered apologies for being unable to attend the meeting. As the interest of Mr Patrick H.T. Lau was considered direct, the Committee agreed that he should be invited to leave the meeting temporarily for this item. As Mr Roger K.H. Luk and Dr Wilton W.T. Fok had no involvement in the application, the Committee agreed that they should be allowed to stay in the meeting.

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

Presentation and Question Sessions

15. 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 flat and shop and services/eating place uses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of the statutory publication periods, four public comments were received. The residents of 18-20 Observatory Road raised concern on the adverse impact regarding the light pollution, noise, cooking fumes, pest and environmental hygiene from the proposed eating place use. The Tsim Sha Tsui Residents Concern Group supported the application but raised concern on the proposed internal transport provision on G/F which would impede pedestrian movement and safety use of the public pavements. Designing Hong Kong Limited pointed out the need to widen the setbacks along the front and alleyway of the development for footways; 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 site was located in the inner part of Tsim Sha Tsui away from the busiest streets of Chatham Road South and Nathan Road. The proposed composite development was considered not incompatible with the character of the surrounding area which was mainly mixed with residential/commercial developments. The proposed development would increase the supply of the much needed residential units in the main urban areas. The proposed composite development with a total plot ratio (PR) of 8.149 complied with the PR (i.e. PR12) and building height (BH) (i.e. 90mPD) restriction stipulated on the Outline Zoning Plan (OZP) for the

“Commercial” (“C”) zoning. There were three similar applications within the Yau Tsim Mong District approved with conditions by the Town Planning Board, mainly on the ground that the proposed development was considered not incompatible with the mixed use character of the surrounding area. All concerned government departments had no adverse comment on or objection to the application. Regarding the public comments, the planning assessment and comments of the relevant government departments were relevant.

16. A Member asked whether there would be a resultant reduction in the width of the service lane at the back of the building upon proposing a setback of the building frontage from Kimberly Road. Ms Michelle M.S. Yuen, STP/TWK, made reference to Drawing A-4 of the Paper and advised that as a 1.184m-wide setback along the eastern boundary for widening the existing service lane had to be provided as required under the leases (36m<sup>2</sup> in area), there would be no reduction in the width of the said service lane.

17. A Member raised concern that the PR of 8.149 of the proposed development was not up to its permitted development intensity under the OZP. Ms Michelle Yuen said that the site was subject to a maximum PR of 12 and a maximum BH of 90mPD in the “C” zone on the OZP, and a height restriction of 60.5mPD under the lease. The applicant had indicated his intention to adhere to the height restriction of 60.5mPD under the lease and the resultant PR was thus lower than the maximum permitted under the OZP.

#### Deliberation Session

18. The Chairman asked whether there was segregation of the residential and commercial portions of the proposed composite building. In response, Ms Michelle Yuen said that the residential portion and commercial portion would have their own entrances on G/F and served by separate elevators and escalators respectively. However, the applicant had not submitted detailed information on staircase access to the upper floors. To address the concern that patronage of the commercial portion might gain access to the residential portion on the upper floors, the Chairman suggested and Members agreed that an approval condition on the implementation of measures to ensure separate access to the non-domestic and domestic portions of the proposed development would be provided to the satisfaction of

the Director of Planning or of the Town Planning Board.

19. 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 22.5.2019, 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 a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission of a revised drainage impact assessment (DIA) before commencement of the proposed development to the satisfaction of the Director of Drainage Services (DDS) or of the TPB;
- (c) the submission of a revised sewerage impact assessment (SIA) before commencement of the proposed development to the satisfaction of the Director of Environmental Protection (DEP) or of the TPB;
- (d) the implementation of the local drainage and sewerage upgrading and/or connection works identified in the DIA and SIA in planning conditions (b) and (c) above before commencement of the proposed development to the satisfaction of the DDS or of the TPB;
- (e) the design and provision of the internal transport facilities to the satisfaction of the Commissioner for Transport (C for T) or of the TPB;
- (f) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services (D of FS) or of the TPB;  
and
- (g) the implementation of measures to ensure separate access to the non-domestic and domestic portions of the proposed development would be provided to the satisfaction of the D of Plan or of the TPB”.

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

- “(a) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that restaurants from B2 to 3/F are not permitted under the offensive trades restriction. The applicant should apply to LandsD for removing the offensive trades restriction by way of a licence or modification letter. If the application is approved by his Department in the capacity as the landlord, it will be subject to such fees and other terms and conditions as considered appropriate. The details of the development design including building height, etc. as shown in the submitted drawings have yet to be considered. Further comments will be given by his office at the building plan stage and there is no guarantee that the schematic design as proposed must be approved under lease;
  
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) below:
  - (i) an Authorized Person should be appointed to submit building plans to BD for approval and demonstration of full compliance with the Buildings Ordinance (BO);
  
  - (ii) Practice Notes for Authorized Persons (PNAP) APP-151 of Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the development on the site;
  
  - (iii) in accordance with the Government’s committed policy to implement building design to foster a quality and sustainable built environment, the sustainable building design requirements (including building separation, building setback and greenery coverage) should be included, where possible, in the conditions in the planning approval;

- (iv) site coverage of the building shall not exceed that specified in the First Schedule of the Building (Planning) Regulation (B(P)R);
  - (v) the domestic part of the building shall have within the site an open space in accordance with B(P)R25;
  - (vi) barrier free access and facilities shall be provided in accordance with B(P)R72;
  - (vii) adequate means of escape, means of access for firefighting and rescue, emergency vehicular access and fire resisting construction should be provided in accordance with B(P)Rs 41(1), 41A, 41B, 41C, 41D, Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011 (Fire Safety Code);
  - (viii) natural lighting and ventilation shall be provided in compliance with B(P)Rs 30, 31, 32 and 36; and
  - (ix) detailed comments under the BO will be given at the building plan submission stage;
- (c) to note the comments of the Commissioner for Transport that the applicant shall take into account the local concern on pedestrian safety when using the public pavements as a result of the internal transport provision at G/F in their building design;
- (d) to note the comments of the Director of Environmental Protection that the applicant should prepare and submit the sewerage impact assessment as early as possible in view of the time required for the implementation of any required sewerage works;
- (e) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department below:



### Sewerage Impact Assessment

- (i) peaking factors including stormwater allowance are usually applied to assess and design sewers as a measure to take into account the deterioration of pipe conditions with time;
- (ii) in addition to the residents, other facilities such as club house (gym, swimming pool, spa, etc.), estate management office etc. that would generate sewage should be included in the flow estimation;
- (iii) it is noted that existing downstream sewers are proposed to be upgraded to serve the subject development. The applicant should check with the developer whether they will be responsible for upgrading of the existing sewers;
- (iv) the applicant should check and confirm whether the peak flow from the Catchment S4 at No. 2-12 Observatory Road has been included in the hydraulic checking of the proposed sewers. He should also advise the connection point of this development for his information; and
- (v) the applicant should provide justification on the assumed pipe roughness;

### Drainage Impact Assessment

- (vi) the applicant should indicate the flow quantity to be discharged from the proposed development and size of the proposed connection(s) to the public system; and
- (vii) there should be checking in the DIA whether the existing storm drains at downstream of the proposed connection(s) can cater for the accumulated flow together with the existing adjacent buildings within the drainage catchment;

- (f) to note the comments of the Director of Fire Services that detailed fire service 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 Buildings;
- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department to maximise the provision of greening and provide landscape planting along the setback area at the western boundary and where feasible on the flat roofs to improve the visual and landscape amenity of the proposed development;
- (h) to note the comments of the Chief Officer/Licensing Authority, Home Affairs Department that if the mode of operation of the proposed residential clubhouse falls within the definition of 'club' under the Clubs (Safety of Premises) Ordinance, a Certificate of Compliance for clubhouses will have to be obtained from the Office of the Licensing Authority (OLA) before operation. Licensing requirements will be formulated by the OLA upon receipt of an application under the above Ordinance. However, if the mode of operation of a residents' club and its club-house fulfils the requirements as specified in paragraphs 2 (a) to (d) of the 'Supplementary Guidelines for Applying Certificate of Compliance for Residents' Club under the Clubs (Safety of Premises) Ordinance, Cap. 376' dated 4.8.2011, it does not fall within the purview of the Clubs (Safety of Premises) Ordinance and a Certificate of Compliance would not be required; and
- (i) to note the comments of the Director of Electrical and Mechanical Services that based on the cable plans obtained, if there is underground cable (and/or overhead line) within or in the vicinity of the site, the applicant shall carry out the following measures:
  - (i) for site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV and above as stipulated in the Hong Kong Planning Standards and Guidelines,

prior consultation and arrangement with the electricity supplier is necessary;

- (ii) 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 (and/or overhead line) away from the vicinity of the proposed structure; and
- (iii) the ‘Code of Practice on Working under 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. ”

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

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/564                      Proposed Eating Place, Shop and Services, Office in “Residential (Group E) ” Zone, 18 Bute Street, Mong Kok, Kowloon  
(MPC Paper No. A/K3/564A)

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#### **Presentation and Question Sessions**

21.                      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 eating place, shop and services, office;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of the statutory publication period, one supportive public comment was received. No local objection was received by the District Officer (Yau Tsim Mong); 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. Despite that the Town Planning Board (the Board) had recently adopted a policy to discourage non-residential development in residential zone in order to boost housing supply, given its elongated shape and small site area, it was considered that the site was more conducive for eating place, shop and services and office uses than residential use as it was surrounded by existing industrial buildings. The proposed development involved wholesale conversion of the existing industrial building with no addition in floor and was small in scale. All concerned government departments had no objection to or no adverse comment on the application.

22. Members had no question on the application.

#### Deliberation Session

23. A Member recalled that there was a similar approved planning application in Mong Kok and enquired about the latest progress of the application. In response, Ms Michelle M.S. Yuen, STP/TWK said that there was no information in hand about the details of the application. The relevant information would be reported to the Committee separately.

24. 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 22.5.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services (D of FS) or of the TPB;
- (b) the submission of a sewerage impact assessment (SIA) to the satisfaction of the Director of Environmental Protection (DEP) or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB.”

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

- “(a) to note the comments of the District Lands Officer/Kowloon West, Lands Department (LandsD) that the lot owner has to apply to LandsD for a lease modification/waiver. However, there is no guarantee that the lease modification/waiver application will be approved. Such application, if received by his Department, will be considered by his Department acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, amongst others, the payment of premium/waiver fee and administrative fee as may be imposed by his Department;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that the applicant is required to appoint an Authorized Person and Registered Structural Engineer to submit plans to demonstrate compliance with the Buildings Ordinance (BO) and its allied regulations, including (but not limited to): adequate means of escape should be provided in accordance with Building (Planning) Regulation (B(P)R) 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code), adequate means of access for firefighting and rescue should be provided in accordance with B(P)Rs 41A, 41B, 41D and the FS Code, provision of adequate fire resisting construction in accordance with Building (Construction) Regulation 90 and FS Code, and provision of access and facilities for persons with a disability in compliance with B(P)R 72.

Detailed comments will be provided at building plan submission stage;

- (c) to note the comments of the DEP that the applicant/Authorized Persons should select a proper location for fresh-air intake for the central air conditioning system during the detailed design stage to avoid exposing future occupants under unacceptable environmental nuisances/impact. The applicant should also prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works; and
- (d) to note the comments of the D of FS that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of FS Code which is administered by the BD.”

[The Chairman thanked Ms 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 6**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K20/123                      Proposed Minor Relaxation of building height restriction for permitted public housing development in “Residential (Group A) 12” zone, Sites 3 and 5 of Lin Cheung Road site, Sham Shui Po, Kowloon  
(MPC Paper No. A/K20/123)

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26.                      The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) with Kenneth To & Associates Ltd. (KTA) as the consultant of the applicant. The following Members had declared interests in the item:

Mr K.K. Ling (the Chairman)	- being a member of the Strategic Planning Committee and the Building Committee of HKHA
Mr Martin W.C. Kwan as the Chief Engineer (Works) of Home Affairs Department	- being an alternate member for the Director of Home Affairs who is a member of the Strategic Planning Committee and Subsidized Housing Committee of HKHA
Ms Julia M.K. Lau	- being a member of the Commercial Properties Committee and Tender Committee of HKHA
Professor P.P. Ho	- being a member of the Building Committee of HKHA
Mr Dominic K.K. Lam	- having current business dealings with HKHA and KTA
Mr Patrick H.T. Lau	- having current business dealings with HKHA and KTA
Dr Lawrence W.C. Poon	- his spouse being the employee of the Housing Department

27. The Committee noted that Professor P.P. Ho and Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting. As the interests of the Chairman, Mr Martin W.C. Kwan, Ms Julia M.K. Lau and Mr Patrick H.T. Lau were considered direct, the Committee agreed that they should be invited to leave the meeting temporarily. The Committee considered that the interest of Dr Lawrence W.C. Poon was indirect as his spouse had no involvement in the application and agreed that he could stay in the meeting. The Vice-chairman took over the chairmanship of the meeting at this point.

[The Chairman, Mr Martin W.C. Kwan, Ms Julia M.K. Lau and Mr Patrick H.T. Lau left the meeting temporarily at this point.]

Presentation and Question Sessions

28. 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) proposed minor relaxation of building height restriction (BHR) for proposed public housing development;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of the statutory publication period, four public comments from private individuals were received. All of them objected to the application mainly on grounds of not optimizing the building height of Block 1 (Public Rental Housing) (PRH), site coverage should be increased to provide the same number of flats without increasing the building height and it was not demonstrated that the proposal had complied with the Sustainable Building Design Guidelines (SBD Guidelines); 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. The proposed minor relaxation of BHR from 120mPD up to 125mPD (+4.17%) (involving three blocks, i.e. Block 2 (PRH) relaxed to 125mPD, and Blocks 3 and 7 (Home Ownership Scheme (HOS)) relaxed to 123mPD) was to optimize development potential of the site and allow the flexibility for adoption of a sustainable gravity sewerage system at Lin Cheung Road site, taking into account the site constraints. The optimization of site development potential to produce more housing units was essential to meet the current great demand for affordable public rental housing and subsidized housing. The proposed relaxation of BHR from 120mPD up to 125mPD for the site would not be incompatible with the high-rise



residential developments in the vicinity. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD was of the view that the proposed minor relaxation of BHR would only bring about a slight loss of sky view from close-range and intermediate viewpoints and considered that the proposal would have negligible visual impact on the surrounding area when compared with the planned context. All concerned government departments had no adverse comment on or no objection to the application. Regarding the public comments, the planning assessment and comments of the relevant government departments were relevant.

29. In response to a Member's enquiry on the proposed PR of the development, Mr Philip Y.L. Chum, STP/TWK said that the site was subject to a maximum domestic gross floor area (GFA) of 205,000m<sup>2</sup>, non-domestic GFA of 16,000m<sup>2</sup> and BHR of 120mPD. While the proposed domestic GFA of 205,000m<sup>2</sup> was up to its maximum permitted level under the OZP, the proposed non-domestic GFA of 8,420m<sup>2</sup> was below the maximum permitted level as the site was severely constrained by the presence of non-building area, drainage reserve, environmental buffer area, waterworks reserve, and it was very difficult to enlarge the lower two floors to accommodate additional non-domestic uses.

30. The Vice-chairman recalled that the zoning amendments to the approved South West Kowloon Outline Zoning Plan was submitted to the Committee for consideration in 2013, and asked why the Housing Department (HD) had not brought up the issue regarding the provision of a gravity sewerage system requiring a raised site formation level at that time. In response, Mr Philip Y.L. Chum, STP/TWK said that HD could not confirm whether the implementation of the gravity sewerage system was feasible at that time. Recently, the Environmental Protection Department (EPD) had advised the Civil Engineering & Development Department (CEDD) and HD that in order to prevent potential environmental nuisances from any pumping station, it was preferred to lay new sewer(s) underneath the planned Road A to collect sewage generated from the whole Lin Cheung Road site to the nearby public sewer at Hing Wah Street West by gravity in the long term. In view of EPD's advice, HD took the initiative to revise the design to raise the site formation level of the public housing site to allow flexibility for incorporation of a sustainable gravity sewerage system at Lin Cheung Road site in the future.

## Deliberation Session

31. The Vice-chairman raised concern that HD had not duly considered the sewerage system of the public housing development when the relevant amendments were submitted to the Committee for consideration in 2013 and the piling works had already commenced in October 2014. If HD had advised the Committee in 2013 about the preliminary assessment of a proposed gravity sewerage system, the Committee might be able to suggest other options to allow flexibility in their proposal such as reserving more land for the development or increasing the building height of other blocks. Referring to paragraph 8.3 of the Paper, the Secretary said that CEDD had taken up the responsibility to design and construct the planned Road A and connection walkway to Mass Transit Railway Nam Cheong Station, and associated infrastructure (including the study of permanent sewerage system such as gravity sewer arrangement or/and provision of a sewage pumping station) while HD had planned its development with the design of a sewage pumping station. The Vice-chairman said that early discussion among concerned departments of the works of the said gravity sewerage system would allow greater flexibility in the building design and would avoid the need to submit the revised proposal to the Committee for consideration, hence saving relevant departments' resources in processing the application. He requested the Secretariat to relay to HD that in similar future projects, the design of the development should provide sufficient flexibility to incorporate the likely provisions of related infrastructure before a proposal was submitted to the Committee for consideration.

32. 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 22.5.2019, 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 to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services (D of FS) or of the TPB.”

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

- “(a) to note the advice of the D of FS that the requirements of emergency vehicular access stipulated in the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Authority shall be observed;
- (b) to note the advice of the Director of Electrical and Mechanical Services that the existence and location of an existing/planned intermediate pressure town gas pipeline running across Hing Wah Street West in close vicinity to the proposed development, minimum set back distance away from the gas pipelines/gas installations and the requirements of the Electrical and Mechanical Services Department’s “Code of Practice on Avoiding Danger from Gas Pipes” shall be observed; and
- (c) to note the advice of the Chief Engineer/Development (2), Water Supplies Department that existing waterworks installations should be excluded from the site boundary or a waterworks reserve within 1.5 metres (for water mains below 600mm diameter) and 3 metres (for water mains of 600mm diameter and above) from the centerline of the affected water mains shown on the attached plans shall be provided.”

[The Chairman, Mr Martin W.C. Kwan and Mr Patrick H.T. Lau returned to join the meeting at this point.]

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/764                      Shop and Services in “Other Specified Uses” annotated “Business (2)” zone, Workshop B7, G/F, Block B, Hong Kong Industrial Centre, 489-491 Castle Peak Road, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K5/764)

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Presentation and Question Sessions

34. 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 :

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

- (a) background to the application;
- (b) shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received. No local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The 'Shop and Services' use under application was considered generally in line with the planning intention and was not incompatible with the other uses of the subject industrial building which predominantly comprised showrooms on G/F and industrial-related offices and trading firms on the upper floors. The application complied with the Town Planning Board Guidelines No. 22D on Development within the "Other Specified Uses" annotated "Business (2)" zone in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area. All concerned government departments had no adverse comment on or no objection to the application.

35. Members had no question on the application.

Deliberation Session

36. 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 was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and equipment in the subject premises and means of escape completely separated from the industrial portion, within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2015; 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.”

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

- “(a) to note the comments of the District Lands Officer/Kowloon West, Lands Department for application for a fresh temporary waiver for ‘Shop and Services’ use at the premises; and
- (b) to note the comments of the Director of Food and Environmental Hygiene for obtaining requisite licence for operating food business (if any) in the premises.”

[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/469                      Proposed Shop and Services in “Industrial” zone, the Unit on Ground Floor, DAN6, No.6 Fui Yiu Kok Street, Tsuen Wan  
(MPC Paper No. A/TW/469)

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[Ms Doris M.Y. Chow left the meeting temporarily at this point.]

38.            The Committee noted that the applicant’s representative requested on 6.5.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of a traffic assessment to address the comments of the relevant government departments. This was the first time that the applicant requested for deferment of the application.

39.            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.

[Miss Josephine Y.M. Lo, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

**Hong Kong District**

**Agenda Item 9**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/402 Proposed Hotel in “Residential (Group A)” zone, 209-219 Wan Chai Road, Wan Chai, Hong Kong  
(MPC Paper No. A/H5/402C)

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40. The Secretary reported that Lanbase Surveyors Ltd. (Lanbase) was one of the consultants of the applicant. The following Members had declared interests in the item:

- |                                 |   |
|---------------------------------|---|
| Mr Patrick H.T. Lau             | - having current business dealings with Lanbase             |
| Mr K.K. Ling<br>(the Chairman ) | - owning a flat on Queen’s Road East                        |
| Ms Julia M.K. Lau               | - owning two flats on Star Street                           |
| Mr Laurence L.J. Li             | - co-owning a flat near St. Francis Street with his spouse  |
| Mr Clarence W.C. Leung          | - co-owning a property on Queen’s Road East with his spouse |
| Mr Stephen H.B. Yau             | - office locating in Southorn Centre                        |

41. The Committee noted that Mr Clarence W.C. Leung had tendered apology for being unable to attend the meeting. As Mr Patrick H.T. Lau had no involvement in the application and the subject premises of the Chairman, Ms Julia M.K. Lau and Mr Laurence L.J. Li; and the office of Mr Stephen H.B. Yau had no direct view of the site, the Committee agreed that they should be allowed to stay in the meeting.

Presentation and Question Sessions

42. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK,

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

- (a) background to the application;
- (b) proposed hotel;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD) advised that there was no detailed information on the proposed electrical and mechanical (E&M) plant rooms and the back-of house facilities, and reserved further comments on the site coverage (SC)/gross floor area (GFA) calculation until formal building plan submission stage. Other government departments had no adverse comment on or no objection to the application;
- (d) during the first three weeks of the statutory publication periods, five public comments from Designing Hong Kong Limited, the flat owners of Great Smart Tower and individuals were received. They objected to the application on the following grounds:
  - (i) the proposed development was incompatible with the “Residential (Group A)” (“R(A)”) zoning;
  - (ii) the proposed development would have impact on the shortfall of land for residential uses;
  - (iii) traffic generated by the increase in economic activities associated with the proposed development would have adverse impact on the already congested Wan Chai district;
  - (iv) the proposed development lacked parking and loading/unloading spaces, resulting in use of the street by vehicles associated with the proposed development;



- (v) there was no existing available or additional infrastructure/transport facilities in the area to support the increase in flow of people due to the proposed development. The proposed development would worsen the conditions of pedestrian flow and vehicular traffic in the area;
  - (vi) there was insufficient community facilities and increase in number of tourists visiting the area due to the proposed development would impact on the community development of Wan Chai District;
  - (vii) the proposed development would seriously affect the air ventilation and sunlight penetration of the surrounding buildings. It would also obstruct the views of the surrounding buildings, leading to a wall effect; and
  - (viii) the proposed development would have adverse impact on the surrounding environment, and cause traffic noise, air pollution and waste problems;
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed hotel development was not considered incompatible with the surroundings. Since mid-2007, the Town Planning Board (TPB) had taken the view that a plot ratio (PR) of about 12 was generally acceptable for hotel developments within “R(A)” zones as the development intensity was more compatible with the residential developments with permitted PR up to 8 to 10. Hotel development with a PR exceeding 12 within “R(A)” zone was generally considered excessive and incompatible in terms of development intensity and building bulk. For the Wan Chai area, no hotel applications with a PR exceeding 12 within “R(A)” zone were approved by the Committee, except for the three applications which involved in-situ conversion of existing commercial/office buildings to hotels without any increase in the PR, site coverage and building height of the existing buildings. Indeed, two hotel applications (No. A/H5/374 and 383) with a PR of 14.3 and 13.065, respectively, were rejected by the Committee for the reasons

that such developments were not compatible with the adjacent residential developments in terms of building bulk and development intensity. The current application involving increase in PR from 13.033 to 14.997 with additional building bulk was not in line with the TPB's practice in considering hotel applications within "R(A)" zone on Hong Kong Island and there was not any specific planning merit that would warrant a departure from the adopted practice. Approval of the application would set an undesirable precedent for similar hotel developments which were excessive and incompatible with the development density and building bulk within the "R(A)" zone. The precedent effect for permitting hotel development with PR exceeding 12 would have implications on not only extension proposal for existing hotels, but also other new development or redevelopment proposal for hotel use within "R(A)" zone.

[Ms Doris M.Y. Chow returned to join the meeting at this point.]

43. The Chairman asked DPO to brief Members on the Committee's practice of approving hotel developments with PR up to 12 within "R(A)" zone on Hong Kong Island and the Committee's main considerations.

44. Miss Josephine Y.M. Lo, STP/HK, said that in 2007, there was a planning application (No. A/H3/376) to develop a 32-storey hotel with a PR of 15 within the "R(A)" zone in Sai Ying Pun. On 11.5.2007 and 17.8.2007, the Committee and the TPB rejected the application and the application on review respectively mainly on the ground that the proposed hotel development with a PR of 15 in a predominant residential neighbourhood was considered incompatible with the adjoining residential developments which were usually developed up to a maximum of permissible PR of 10 under the Building (Planning) Regulations. Since the rejection of the planning application, the TPB had taken the view that no hotel application with a PR exceeding 12 within "R(A)" zone on Hong Kong Island should be approved. Since 2007, there were 52 similar applications for hotel development within the "R(A)" zone on Hong Kong Island. Among the applications, 39 planning applications were approved with conditions and 13 were rejected by the Committee. Out of the approved applications, 29 applications had PR less than 12; 8 applications involved conversion of existing commercial/office buildings (PR 15) without any increase in PR,

building height and site coverage; and two applications were covered with previous applications or valid building plan approval with PR exceeding 12. The remaining 13 applications with PR exceeding 12 were rejected, mainly on the grounds that the proposed PR was considered excessive in terms of building bulk and would be incompatible with the development density within the “R(A)” zone; there was insufficient information to demonstrate no adverse impacts on traffic, drainage and sewerage systems in the area; and there was undesirable precedent effect for similar hotel developments within the “R(A)” zone.

45. In response to the Vice-chairman’s query, Mr W.L. Tang, Assistant Commissioner for Transport (Urban), Transport Department explained that the proposed pick up/drop off and loading/unloading arrangements of the 339 guest rooms was considered acceptable while further assessment would be required if more guest rooms were proposed.

#### Deliberation

46. The Chairman said that in line with the TPB’s established practice of not approving hotel applications with a PR exceeding 12 within “R(A)” zone on Hong Kong Island except under special circumstances, the subject application should be rejected as there was no specific planning merit in the case that would warrant a departure from the TPB’s practice.

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

- “(a) the proposed hotel development, with a plot ratio of 14.997, is considered excessive and incompatible with the development density and building bulk within the “Residential (Group A)” (“R(A)”) zone; and
- (b) the approval of the application will set an undesirable precedent for similar hotel developments within the “R(A)” zone.”

[The Chairman thanked Miss Josephine Y.M. Lo, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/403                      Proposed Hotel, Shop and Services and Eating Place 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/H5/403B)

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48.            The Secretary reported that the application was submitted by Wetherill Investment Ltd. which was a subsidiary of Hopewell Holdings Ltd. with Townland Consultants Ltd. (Townland), Team 73 HK Ltd. (Team 73), LLA Consultancy Ltd. (LLA), Parsons Brinckerhoff (Asia) Ltd. (Parsons) and Hider Consulting Ltd. (Hider) as five of the consultants of the applicant. The following Members had declared interests in the item:

- |                                 |   |
|---------------------------------|---|
| Mr Dominic K.K. Lam             | - having current business dealings with Townland, Team 73, LLA, Parsons and Hider |
| Professor P.P. Ho               | - having current business dealings with Townland                                  |
| Mr Patrick H.T. Lau             | - having current business dealings with Townland and LLA                          |
| Mr K.K. Ling<br>(the Chairman ) | - owning a flat on Queen's Road East  |
| Ms Julia M.K. Lau               | - owning two flats on Star Street   |
| Mr Laurence L.J. Li             | - co-owning a flat near St. Francis Street with his spouse                        |
| Mr Clarence W.C. Leung          | - co-owning a property on Queen's Road East with his spouse                       |

Mr Stephen H.B. Yau

- office locating in Southern Centre

49. The Committee noted that Mr Dominic K.K. Lam, Professor P.P. Ho and Mr Clarence W.C. Leung had tendered apologies for being unable to attend the meeting. As the applicant had requested for a deferral of consideration of the application, and Mr Patrick H.T. Lau had no direct involvement in the application; and the subject premises of the Chairman, Ms Julia M.K. Lau and Mr Laurence L.J. Li, and the office of Mr Stephen H.B. Yau had no direct view of the site, the Committee agreed that they should be allowed to stay in the meeting.

50. The Committee noted that the applicant's representative requested on 14.5.2015 for deferment of the consideration of the application for one month in order to allow time for preparation of further information to address the technical/outstanding comments from government departments and to schedule the application for consideration by the Committee tentatively on 19.6.2015. This was the third time that the applicant requested for deferment of the application.

51. 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. Since it was the third deferment of the application, and a total of five months had been allowed, no further deferment would be granted unless under very special circumstances.

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

## **Agenda Item 11**

[Open Meeting (Presentation and Question Sessions Only)]

Submission for Partial Fulfillment of Approval Condition (a) in Application No. A/H15/232-2, Proposed Hotels in “Other Specified Uses” annotated “Ocean Park” Zone, Ocean Park (MPC Paper No. 5/15)

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### **Presentation and Question Sessions**

52. With the aid of a PowerPoint presentation, Ms Isabel Y. Yiu, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

#### **Background**

- (a) application No. A/H15/232 for three proposed hotels (i.e. Ocean Hotel, Fisherman’s Wharf Hotel and Spa Hotel) within Ocean Park was approved by the Committee on 19.12.2008;
- (b) in view of its prominent location at the Entry Plaza, Members were concerned about the design of the proposed Ocean Hotel, particularly its integration with the Entry Plaza, visual permeability and adverse visual impacts on the Shouson Hill residential area. Members also considered that the building height (BH) of the proposed Ocean Hotel should be lowered. The Committee generally considered that there was scope for improvement and the final design should be subject to the scrutiny of the Committee. The following approval condition, among others, had been imposed:

#### **Approval condition (a)**

the building form, layout, design, disposition and BH of the proposed hotel developments to the satisfaction of the Committee of the Town Planning Board;

- (c) subsequently, the applicant submitted application No. A/H15/232-1 to amend the approved development parameters related to the proposed Ocean

Hotel only. The proposed amendments were primarily to reduce the overall hotel mass through a reduction of the total gross floor area (GFA), BH and the number of guestrooms, and to increase the average guestroom size. The application was approved by the Director of Planning (D of Plan) under the delegated authority of the TPB on 9.3.2010 with the same approval conditions as those in the original planning permission;

- (d) in 2012, the applicant applied for extension of time for commencement of development under application No. A/H15/232-1 by a further period of 4 years. The application (No. A/H15/232-2) was approved by the D of Plan under the delegated authority of the TPB on 30.11.2012 with the same approval conditions as those in the original planning permission;
- (e) the Ocean Park Corporation had conducted a tender exercise for the proposed Ocean Hotel in early 2013. The applicant in December 2013 made a submission (the compliance scheme) to the TPB for partial fulfillment of approval conditions (a) and (b) regarding the proposed Ocean Hotel, which was agreed by the Committee on 17.1.2014;

Submission under Approval Condition (a)

- (f) since the last submission agreed by the Committee in January 2014, further refinements and improvement had been carried out for the Ocean Hotel resulting in design changes. In this regard, the applicant had made a submission to the TPB to seek partial discharge of the approval condition (a) again (the current proposal). The major development parameters of the current proposal were generally the same as those in the scheme approved under application No. A/H15/232-1. However, as compared with the scheme approved under application No. A/H15/232, the GFA in the current proposal had been reduced from 40,490m<sup>2</sup> to 34,000m<sup>2</sup> and the BH from 53mPD to 42mPD, or from 8 storeys to 6 storeys excluding basement car park. The number of guestrooms had also been reduced from 660 to 495;
- (g) the current proposal was different from the approved schemes (applications No. A/H15/232 and A/H15/232-1) in the following aspects: (i) the number

of building blocks was changed from one to three; (ii) the form of building was changed from one single block enclosed with a central courtyard to three building blocks at the periphery of the site with a central lagoon; (iii) the disposition of building blocks was changed due to the relocation of the original single block at the western part of the site to three building blocks at the periphery of the site; (iv) the internal layout, disposition of premises and the distribution of proposed uses were changed; and (v) the ingress/egress point was changed from the eastern part of the site to the northern part of the site adjacent to the Ocean Park entrance;

- (h) the current proposal was different from the compliance scheme in the following aspects: (i) reduction in the BH of two towers from 44.5mPD to 42.0mPD and one tower from 41.5mPD to 41.0mPD; (ii) the façade material was changed to timber-like cladding from metal cladding; (iii) planters were provided at intervals of the façade instead of at the corners of the façade; (iv) the Ground Floor layout was rationalized following the tower footprint at three sides with the organic profile kept facing the courtyard; (v) reduction in the number of basement levels from 2 to 1; and (vi) there was an added drop-off at Tower 2 for executive and VIP guests;
- (i) according to the applicant, the massing of the three hotel towers and the L-shaped building form were the same as the previous compliance scheme. There were some minor adjustments to the floor plate size after detailed coordination set out of the column grid with façade length kept at 60m or below. The gaps between the three towers facing Shouson Hill and Entry Plaza between 24m to 27m were greater than the minimum separation requirement of 15m to allow greater visual permeability through the site. The reduced BH of the three hotel blocks and the existing trees along Wong Chuk Hang Road would help minimise the visual impact on the Shouson Hill residential area;

Departmental Comments

- (j) the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) commented that the current proposal was considered



a major improvement to the approved schemes and was also comparatively better than the compliance scheme in urban design/visual impact terms. The current proposal exhibited several design improvements to reduce the potential visual impact on the surrounding area, including (i) the lowering of the maximum BH to 42mPD or below; and (ii) the use of less reflective façade materials with further landscaping on the exterior. The perceived scale of the current proposal was largely similar to the compliance scheme and significantly smaller than the approved schemes; the outlook of the current proposal was also more in keeping with the surrounding context than the compliance scheme. The submission for compliance with the approved condition was acceptable from the landscape perspective. The Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, Arch SD) commented that the applicant was suggested to review the layout, headroom, swept path, etc. and seek comments from the Transport Department (TD) as appropriate; to review if the size and form of the aquarium could be kept similar as proposed in the compliance scheme; to review whether those deep and narrow sunken planters proposed at lower ground floor could be properly maintained; and to review if the size as well as the form of such canopy could be reduced to enhance the visual impact on the surroundings. Special attention should be put in the design and detailing of the building envelope to eliminate the glare effect which might be caused by the façade claddings to the surroundings. The material should be carefully chosen for the proposed timber-like cladding system which should satisfy the non-combustibility performance under Code of Practice for Fire Safety in Buildings 2011, if any;

- (k) other relevant departments, including TD, had no adverse comment on or no objection to the submission; and

PlanD's Views

- (l) PlanD had no objection to the building form, layout, design, disposition and BH in the current proposal for the proposed Ocean Hotel for partial fulfillment of condition (a) based on the assessments set out in paragraph 7

of the Paper. In accordance with TPB Guidelines No. 36A, unless the changes to the approved scheme were considered major, no separate planning permission was required for amendments made to the approved scheme as a result of fulfilling the conditions of the approved planning permission. It should be noted that when imposing approval condition (a) in the previous approved application, the Committee considered that there was scope for further improvements and expected changes to the building design and disposition. In this regard, the applicant had made an effort to reduce the overall building bulk through the reduction of the GFA and the BH of the proposed Ocean Hotel. The proposed reduction of BH (2.5m each for 2 towers and 0.5m for the remaining) would further contain the visual impact. The use of timber-like cladding instead of metal cladding and provision of planters at intervals of the façade could help blend in the proposed Ocean Hotel with the surrounding environment and promote overall greenery. The current proposal involved design realignment of the compliance scheme and could similarly be considered in the context of planning approval condition. The key development parameters of the proposed Ocean Hotel remained the same. Overall speaking, the current proposal was an improvement to the approved scheme and the compliance scheme as well.

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

53. Members had no question on the application.

#### Deliberation Session

54. The Vice-chairman asked DPO if there were other approval conditions relating to the proposed hotels which would require the further consideration of the Committee. Ms Isabel Y. Yiu, STP/HK said that the Committee considered the application (No. A/H15/232) for three hotels in Ocean Park on 19.12.2008. As the design of the hotels was preliminary and the actual schemes would be subject to further refinements and changes by the future developers, the final design should be subject to the scrutiny of the Committee. In response to Members' then concern on the design of the proposed hotel proposals, a

condition was imposed on the application requiring the submission of the design in respect of building form, layout, design, disposition and BH of all the three hotels to the Committee for consideration. The compliance of the remaining approval conditions relating to the visual, landscape, traffic aspects would be processed by the D of Plan. The applicant also needed to take into account approval condition (a) in submitting a revised Visual Impact Assessment (VIA) for the Ocean Hotel development to discharge part of the approval condition (b). The VIA would be processed by the D of Plan.

55. Ms Isabel Y. Yiu, STP/HK, continued to say that the applicant subsequently submitted a revised scheme for the Ocean Hotel (No. A/H15/232-1), which was primarily to reduce the overall building bulk and BH. The proposed amendments were approved by the D of Plan under the delegated authority on 9.3.2010 with the approval conditions same as the original approval. The applicant in October 2012 applied for extension of time for commencement of the development by a further period of four years. The application (No. A/H15/232-2) was approved by the D of Plan on 30.11.2012 with the approval conditions same as applications No. A/H15/232 and A/H15/232-1.

56. The Chairman asked whether further amendments to the building form, layout, design, disposition and building height of the hotel development would require the Committee's consideration should Members agree to the current proposal. Ms Isabel Y. Yiu, STP/HK, responded that if the changes were considered substantial, the revised scheme would need to be submitted to the Committee for consideration. The Secretary supplemented and Ms Isabel Y. Yiu confirmed that approval condition (a) was applicable to all the three hotels. In the current submission, the applicant proposed partial discharge of approval condition (a) in relation to the proposed Ocean Hotel only. Since the applicant had yet to submit the revised schemes for the other two hotels, approval condition (a) in respect of Fisherman's Wharf Hotel and Spa Hotel would need to be submitted to the Committee for consideration in a later stage.

57. After deliberation, the Committee agreed that the submission had satisfactorily fulfilled part of approval condition (a) for the proposed Ocean Hotel. The Committee also agreed to advise the applicant of the following:

“(a) the applicant should comply with the remaining parts of approval

condition (a) for the other two hotels (i.e. Fisherman Wharf Hotel and Spa Hotel) and other approval conditions attached to the approval letter of planning application No. A/H15/232-2;

- (b) the applicant should comply with the remaining/outstanding approval conditions (b) to (f) for all the three hotel developments; and
- (c) to note the comments of the Architectural Services Department on the building design in paragraph 6.1.5 of the Paper in the detailed design stage.”

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

[Ms Julia M.K. Lau left the meeting temporarily and Mr Patrick H.T. Lau left the meeting at this point.]

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/H6/77                      Proposed Utility Installation for Private Project (Tram Power Substation) in an area shown as ‘Road’, at the Island Planter surrounded by Irving Street and Yee Wo Street, adjacent to the existing Causeway Bay Tram Terminus  
(MPC Paper No. A/H6/77A)

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58.            The Committee noted that the applicant requested on 30.4.2015 for deferment of the consideration of the application for two months stating that the proposed Causeway Road Substation under the subject Application No. A/H6/77 should be installed simultaneously with the proposed Morrison Hill Road Substation under Application No. A/H7/169 to replace the existing Times Square Substation and that both applications could be considered together. This was the second time that the applicant had requested for deferment of the application.

### Deliberation Session

59. The Chairman asked the Secretary to examine whether planning permission from the Town Planning Board was required for a proposed tram power substation which was treated as a private utility installation in an area shown as 'Road'.

60. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant as the two proposed tram power substations under applications No. A/H6/77 and A/H7/169 should work as a pair and the Committee's decision on one substation would have implication on the other. The Committee agreed that the application would be submitted to the Committee for consideration at the same meeting as application No. A/H7/169, which was tentatively scheduled for 3.7.2015.

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

### **Kowloon District**

#### **Agenda Items 13 to 15**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/719 Proposed Shop and Services (Bank/Fast Food Shop/Electrical Shop/Local Provisions Store) in "Other Specified Uses" annotated "Business" zone, Workshop No. Q3 on Ground Floor, Everest Industrial Centre, No. 396 Kwun Tong Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/719)

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- A/K14/720 Proposed Shop and Services (Bank/Fast Food Shop/Electrical Shop/Local Provisions Store) in “Other Specified Uses” annotated “Business” zone, Workshop No. Q1 on Ground Floor, Everest Industrial Centre, No. 396 Kwun Tong Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/720)
- A/K17/721 Proposed Shop and Services (Bank/Fast Food Shop/Electrical Shop/Local Provisions Store) in “Other Specified Uses” annotated “Business” zone, Workshop No. Q2 on Ground Floor, Everest Industrial Centre, No. 396 Kwun Tong Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K17/721)
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61. The Committee noted that the three s.16 applications for shop and services (bank/fast food shop/electrical shop/local provisions store) were similar in nature and presented in one MPC Paper, and the premises were located on the same floor of the same industrial building. The Committee agreed that the applications should be considered together.

#### Presentation and Question Sessions

62. With the aid of a PowerPoint presentation, Ms Joyce Y.S. So, STP/K, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) proposed shop and services (bank/fast food shop/electrical shop/local provisions store) at each of the three premises;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no adverse comment on or no objection to the applications;

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

- (d) during the first three weeks of the statutory publication period, one supportive public comment for each of the three applications were received. No local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. The proposed 'shop and services' use at the premises was considered generally in line with the planning intention and was compatible with the changing land use character of the area. The applications complied with the Town Planning Board Guidelines No. 22D on Development within the "Other Specified Uses" annotated "Business (2)" zone in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent areas. All concerned government departments had no objection to/no adverse comment on the applications.

63. The Chairman enquired about the total non-domestic floor area on the ground floor (G/F) of the industrial building. Ms Joyce Y.S. So, STP/K, said that there was no information in hand on the matter.

64. Members had no question on the applications.

#### Deliberation Session

65. The Chairman said that the site was located in-between How Ming Street and Kwun Tong Road and an internal passageway of the subject industrial building connecting both road was provided. Given the convenience provided by the internal passageway, the conversion of the G/F of the industrial building from workshops to commercial uses would be beneficial to the community. However, owing to fire safety concern, the total aggregated commercial floor areas on the G/F of the industrial building should not exceed the maximum permissible limit of 460m<sup>2</sup> as required by the Fire Services Department (FSD). To better serve the locals, the Chairman suggested that PlanD, in processing future similar applications for commercial uses on G/F of the subject industrial building, should liaise with FSD to consider whether greater flexibility could be given in consideration of the applications despite

that the maximum permissible limit of 460m<sup>2</sup> might be exceeded. The Vice-chairman supplemented that any such consideration should be based on the premises that the internal passageway of the subject industrial building would be open to the public on a permanent basis. Members agreed.

66. After further deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). Each of the permissions should be valid until 22.5.2017, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Each of the permissions was subject to the following conditions :

- “(a) the submission and implementation of the proposal for fire safety measures, including the provision of a means of escape completely separated from the industrial portion of the subject industrial building and fire service installations and equipment at 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.”

67. The Committee also agreed to advise the applicants 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 (bank/fast food shop/electrical shop/local provisions store)’ use at the premises; and
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that the applicant should appoint an Authorized Person to ensure any building works/alterations and additions works/change of use are in compliance with the Buildings Ordinance (BO), including (but not limited to), the provision of adequate means of escape, and access and



facilities for persons with a disability, and that the premises should be separated from the remaining portion of the building by fire barriers; for unauthorized building works (UBW) erected on private land/buildings, enforcement action may be taken by the Building Authority (BA) 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; the BA has no powers to give retrospective approval or consent for any UBW; and detailed comments under the BO can only be formulated at the building plan submission stage.”

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

**Agenda Item 16**

**Any Other Business**

68. There being no other business, the meeting closed at 11:35 a.m.