

TOWN PLANNING BOARD

Minutes of 546th Meeting of the Metro Planning Committee held at 9:00 a.m. on 20.11.2015

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

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Mr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Wilson W.S. Pang

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr Ken Y.K. Wong

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

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

Secretary

Absent with Apologies

Professor P.P. Ho

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

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 Floria Y.T. Tsang

Agenda Item 1

Confirmation of the Draft Minutes of the 545th MPC Meeting held on 6.11.2015

[Open Meeting]

1. The draft minutes of the 545th MPC meeting held on 6.11.2015 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

[Mr Philip Y.L. Chum, 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 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/769 Proposed Hotel (Guesthouse) in “Residential (Group A) 6” Zone,
G/F(Portion), 1/F and 2/F, 88 Apliu Street, Sham Shui Po, Kowloon
(MPC Paper No. A/K5/769)

Presentation and Question Sessions

3. With the aid of a PowerPoint presentation, Mr Philip Y.L. Chum, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed hotel (guesthouse);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a public comment from an individual was received requesting that whether the large accessible guestrooms of the proposed guesthouse were designed as family suite serviced apartment should be clarified. No comment was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. The premises was located on G/F (Portion), 1/F and 2/F of the subject composite building where G/F to 2/F were for non-domestic uses, 3/F for electrical and mechanical facilities and 4/F to 24/F for domestic use. There were one lift and one staircase leading to all floors. There was no separate access staircase serving the premises. The operation of the proposed hotel (guesthouse) might create nuisance and inconvenience to the future residents of the upper domestic floors. The applicant had not provided any information on measures to safeguard the future residents at upper floors from being affected by the shared use of the lift and staircase of the subject building. Also, the approval of the current application would set an undesirable precedent for other similar applications in composite buildings

4. Members had no question on the application.

Deliberation Session

5. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) as the proposed hotel (guesthouse) is not served with an independent access separated from the domestic portion at the upper floors of the subject building, its operation may cause nuisance and inconvenience to the residents of the same building; and
- (b) the approval of the application would set an undesirable precedent for other similar hotel/guesthouse applications which would lead to intrusion of guesthouse use into composite buildings with shared use of the existing lifts and staircases with residential use on other floors.”

[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 4

Section 16 Application

[Open Meeting]

A/KC/431 Proposed Broadcasting, Television and/or Film Studio, Information Technology and Telecommunications Industries, Off-course Betting Centre, Office, as well as Eating Place, Education Institution, Public Clinic and Shop and Services (in Wholesale Conversion of an Existing Building only) in “Industrial” Zone, 16-22 Kung Yip Street, Kwai Chung (MPC Paper No. A/KC/431)

6. The Secretary reported that LWK & Partners (HK) Ltd (LWK) and LLA Consultancy Limited (LLA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Laurence L.J. Li - having current business dealings with
LWK

Mr Dominic K.K. Lam	}	having current business dealings with LLA
Mr Patrick H.T. Lau		
Mr Clarence W.C. Leung	-	owned an office in Kwai Chung

7. The Committee noted that Mr Laurence L.J. Li had tendered apologies for being unable to attend the meeting and Mr Clarence W.C. Leung had not yet arrived to join the meeting. As the applicant had requested for deferment of consideration of the application, and Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

8. The Committee noted that the applicant requested on 12.11.2015 for deferment of the consideration of the application for two weeks, i.e. from the original scheduled meeting on 20.11.2015 to the next meeting on 4.12.2015, so as to allow sufficient time for preparation and submission of further information and clarifications in response to the departmental comments from the Transport Department and the Planning Department. This was the first time that the applicant requested for deferment of the application.

9. 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. Whilst the applicant requested for deferment for one meeting, sufficient time should be allowed for government departments to examine the applicant's further information. 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.

[Dr Lawrence W.C. Poon, Dr Wilton W.T. Fok and Mr Clarence W.C. Leung arrived to join the meeting at this point.]

Hong Kong District

Agenda Item 5

[Open Meeting]

Proposed Amendments to the Approved Central District Outline Zoning Plan No. S/H4/14
(MPC Paper No. 12/15)

10. The Secretary reported that the proposed amendments to the Central Outline Zoning Plan (OZP) were mainly related to the rezoning of the Murray Road Multi-storey Car Park (MRMCP) site and the Queensway Plaza site for commercial use. The Transport Department (TD) appointed MVA Hong Kong Ltd. (MVA) to conduct a Traffic Impact Assessment (TIA) for the proposed development at MRMCP. The Queensway Plaza was operated by the Wheelock Properties (HK) Limited (Wheelock) and the Planning Department (PlanD) appointed Ove Arup & Partners Hong Kong Ltd. (ARUP) to undertake the Planning and Design Study on the Redevelopment of Queensway Plaza, Admiralty – Feasibility Study. The following Members had declared interests in the item:

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|---------------------|---|--|
| Mr Wilson W.S. Pang | - | being the Assistant Commissioner for Transport (Urban) of TD |
| Mr Dominic K.K. Lam | } | having current business dealings with Wheelock, MVA and ARUP |
| Mr Patrick H.T. Lau | | |
| Professor P.P. Ho | - | having current business dealings with ARUP and Wheelock had financially sponsored the School of Architecture of the Chinese University of Hong Kong before, of which Professor Ho was the Director of the MSc in Architectural Conservation and Design Programme |
| Ms Julia M.K. Lau | - | having current business dealings with MVA |

11. The Committee noted that Professor P.P. Ho had tendered apologies for being unable to attend the meeting and Ms Julia M.K. Lau had not yet arrived to join the meeting. The Committee considered that the interest of Mr Dominic K.K. Lam and Mr Patrick H.T. Lau were direct and they should leave the meeting temporarily for the item. As the interest of Mr Wilson W.S. Pang was indirect, the Committee agreed he could stay in the meeting.

[Mr Dominic K.K. Lam and Mr Patrick H.T. Lau left the meeting temporarily at this point.]

Presentation and Question Sessions

12. The following representatives from PlanD, TD and the study consultant were invited to the meeting:

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|-----------------------|--|
| Ms Ginger K.Y. Kiang | - District Planning Officer/Hong Kong (DPO/HK) |
| Mr J.J. Austin | - Senior Town Planner/Hong Kong (STP/HK) |
| Mr Lawrence C.M. Chan | - Senior Engineer/Central & Western (SE/C&W) |
| Mr Edmund Kwok | - Representative of MVA |
| Ms Carmen Chu | } Representative of ARUP |
| Mr Raymond Wong | |

13. The Chairman extended a welcome and invited Mr J.J. Austin, STP/HK, to brief Members on the proposed amendments. With the aid of a PowerPoint presentation, Mr J.J. Austin presented the proposed amendments as detailed in the Paper and covered the following main points:

The MRMCP Site (Item A)

Background

- (a) Central and Admiralty had a strong appeal to Grade A office users because of their central and prime location. It was the Government's policy to relocate government offices with no specific location requirements out of high-value areas, including core business districts. The 2014 Policy Address stated that the Government would increase land supply for commercial and business uses in the existing core business district in Central, and would convert suitable "Government, Institution or Community" ("G/IC") sites into commercial uses where practicable;

The Rezoning Proposal

- (b) to rezone the MRMCP site from "G/IC" and an area shown as 'Road' to "Commercial (3)" ("C(3)") for commercial development subject to a maximum site coverage (SC) of 65% and a maximum building height (BH) of 190mPD (including roof-top structures). The site had the potential to be developed up to a plot ratio (PR) of 15, providing a total gross floor area (GFA) of 41,700m². A minimum of 102 public car parking spaces and 69 public motorcycle parking spaces were proposed;
- (c) the existing public road originally covered by the 'G/IC' zone in the eastern part of the MRMCP site would also be rezoned as part of the "C(3)" zone, but would be retained for road use;

Technical Assessments

- (d) technical assessments were conducted to ascertain the feasibility of the proposed development. The BH restriction of 190m (including roof top structures) ensured that the '20% Building Free Zone' of the ridgeline on Hong Kong Island would not be encroached upon and the maximum SC of 65% helped enhance the visual amenity;

- (e) an Air Ventilation Assessment (AVA) by Computational Fluid Dynamics of the proposed rezoning of the MRMCP site for commercial development had been undertaken to provide a quantitative assessment of the pedestrian wind environment of the site and confirmed that air ventilation performed better for a development with smaller footprint and more setback from the site boundary. Therefore, a maximum SC of 65% was proposed;
- (f) according to the TIA, there would be a shortfall of 102 public car parking spaces and 69 public motor cycle parking spaces in 2024. The proposed development would generate 203 and 158 passenger car unit per hour during the a.m. and p.m. peak periods respectively. Also, connections to existing elevated walkway system would be re-provided upon redevelopment. During the construction stage, temporary pedestrian walkways would be provided;

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

The Queensway Plaza Site (Items B1, B2 and B3)

Background

- (g) on 9.1.2014, the ‘Planning and Design Study on the Redevelopment of Queensway Plaza, Admiralty – Feasibility Study’ (the Study) was commissioned by PlanD;
- (h) the Study identified a core part of Queensway Plaza as suitable for redevelopment and proposed a scheme with the development of a commercial tower for Grade A office (with the flexibility to use part of the floorspaces for hotel and other commercial uses) atop a five-storey retail/dining podium (including a landscaped podium deck) and five levels of basements, generating a total GFA of 93,300m² which was equivalent to a non-domestic PR of 15;

- (i) due to the structural constraints and other implementation difficulties pertaining to the western part of Queensway Plaza (i.e. Queensway Walkway), the Study proposed to preserve the existing Queensway Plaza walkway with some enhancement and maintenance measures. Upon upgrading and other enhancement works, about 2,400m² in construction floor area for retail/dining and public passageway would be provided. The rooftop of the retained Queensway Walkway was proposed to be enhanced with sitting-out areas and other amenities for public enjoyment;

The Rezoning Proposal

Item B1 (about 6,699m²)

- (j) to rezone the eastern part of the Queensway Plaza site from area shown as 'Road' and "Open Space" ("O") to "C(4)" use with a maximum BH of 200mPD (including roof-top structures) and a maximum SC of 65%. It was also proposed to provide 2,100m² of public open space of which 1,400m² should be at-grade within the site;

Item B2 (about 2,328m²)

- (k) to rezone the western part of the Queensway Plaza site from area shown as 'Road' and "C" to "Other Specified Uses" annotated "Elevated Walkway cum Retail Uses" with a maximum BH of 21mPD to reflect the existing development on the site;

Item B3 (about 493m²)

- (l) to rezone a residual part of the original "O" zone between Queensway Plaza and Queensway to area shown as 'Road' to reflect the existing use of the site as a bus layby;

Technical Assessments

- (m) technical assessments were conducted to ascertain the feasibility of the

proposed developments. The BH restriction of 200m (including roof top structures) ensured that the '20% Building Free Zone' of the ridgeline on Hong Kong Island would not be encroached upon and no significant adverse visual impact at medium and long range viewing points. Although there might be slightly adverse visual impact for short-range viewers, those adverse impacts would be mitigated by positive visual elements including the provision of a public open space along Queensway and the provision of greenery and a landscaped deck and roof-top garden at Queensway Walkway.

- (n) as demonstrated in the AVA (wind tunnel test) carried out under the Study, the redevelopment of the site for commercial use would not bring about adverse air ventilation impact on the surrounding areas. Wind penetration would be facilitated by reduced podium footprint, setbacks of 5.5m from Drake Street, 7.5m from United Centre, SC of 65% and chamfered podium design;

Consultation

- (o) no objection to or adverse comments on the proposed amendments from the relevant government bureaux/departments;
- (p) PlanD consulted the Central & Western District Council (C&WDC) on 16.7.2015 regarding the MRMCP site. Members were mainly concerned about the number of public car parking spaces to be provided; the transitional arrangement in that no temporary public car parking spaces would be made available during the construction period; and the height of the commercial building upon redevelopment. Some Members did not support the rezoning of "G/IC" sites to commercial uses in general; and
- (q) PlanD consulted C&WDC on 8.1.2015 regarding the recommended development scheme for Queensway Plaza redevelopment. Major comments/concerns included the possible adverse traffic and air ventilation impacts of the proposed redevelopment, the need for more affordable

eating places, BH, and the need to maintain existing pedestrian connectivity during construction stage. Taking into account Members' comments, the development scheme had been revised.

Provision of Public Car Parking Spaces

14. In response to a Member's query on the provision standards for public car parking spaces and car parking spaces for the commercial development at the MRMCP site, Ms Ginger K.Y. Kiang, DPO/HK, said that the public car parking spaces required for the MRMCP site upon redevelopment was based on the TIA commissioned by TD. Taking into account the existing public car parking spaces within the 300m walking catchment from the MRMCP site, it was estimated that a minimum of 102 public car parking spaces and 69 public motorcycle parking spaces would be required to meet the projected shortfall in 2024. In addition, a minimum of 150 private parking spaces and sufficient loading/unloading facilities would be provided at the MRMCP site upon redevelopment in order to meet the parking requirements generated by the commercial development in accordance with the Hong Kong Planning Standards and Guidelines.

15. In response to the Vice-chairman's query on the existing usage of public car parking spaces at and within the 300m catchment areas of the MRMCP site, Mr Lawrence C.M. Chan, SE/C&W, TD said that the occupancy rate of MRMCP was about 70% to 80% during office hours, which would be reduced to around 30% to 40% after office hours. Given the above, another Member asked whether the capacities of existing public car parks within the 300m walking catchment of the MRMCP site could accommodate the loss of 388 car parking spaces and 55 motorcycle parking spaces during the construction stage of the redevelopment. In response, Mr Lawrence C.M. Chan said that the public car parking demand and supply analysis in the TIA had taken into account car park utilisation surveys on the existing public car parks within the 300m walking catchment of the MRMCP site. Such survey was conducted by collecting the car park utilisation data for the public car parks managed by TD, i.e. MRMCP, City Hall and Star Ferry Car Parks and conducting on-site car park utilisation surveys at Cheung Kong Centre to derive the utilisation rate of those car parks in order to estimate the spare public car parking spaces in the area. Together with the assessment of future public parking demand, a shortfall of public car parking spaces of 102 was identified, hence the requirement to provide a minimum of 102 public car parking spaces

at the MRMCP site upon redevelopment.

Proposed Ingress/Egress Point at the MRMCP Site

16. The Vice-chairman was concerned about the existing traffic congestion problem in the area, in particular the conflict between franchised buses and private cars entering Lambeth Walk near the MRMCP site from Harcourt Road and Cotton Tree Road. He asked whether any study had been undertaken on the location of the ingress/egress of the future development to prevent the traffic congestion problem and whether the proposed ingress/egress for the MRMCP site, which was the same as that of the existing building, was appropriate. In response, Mr Edmund Kwok, the consultant, said that the TIA had studied the impact of the proposed ingress/egress point of the proposed development at the MRMCP site on the surrounding roads and junctions. After assessing various ingress/egress locations at Lambeth Walk, inner Queensway and Murray Road to the west of the MRMCP site and their associated ingress/egress routings, it was concluded that the location of the existing ingress/egress point for MRMCP was the most suitable location in terms of minimising unnecessary traffic circulation on the adjacent road network.

Traffic Impact

17. A Member asked about the development programme of the MRMCP site and the Queensway Plaza site and whether the concurrent redevelopment projects at Admiralty would impose significant adverse traffic impact on the area. In response, Ms Ginger K.Y. Kiang said that subject to the confirmation of the proposed amendments by the Committee and approval of the OZP by the Chief Executive in Council, the MRMCP site would be sold first, while the Queensway Plaza site would be made available at a later stage as further work, including an archaeological impact assessment, would need to be conducted before necessary requirements could be incorporated in the land sale conditions.

18. In response to a Member's question on the spare capacity of critical junctions in Admiralty, Ms Carmen Chu, the consultant, explained that the TIA conducted for the Queensway Plaza site, which had already incorporated the traffic flow of future developments in the vicinity, concluded that the background traffic flows in Central/Admiralty would experience a downward growth trend in future years upon

commissioning of the major transport infrastructures under construction. Despite adopting a conservative approach of assuming a slightly increasing trend in the TIA, the affected critical junctions would perform more or less the same capacity in design year 2026 as compared with the existing case. Specifically, the reserve capacity of 5% at Queensway/Cotton Tree Drive signalised junction indicated that the junction would operate within capacity and most vehicles would pass the junction within one (or maximum two) signal cycle(s). The design flow to capacity ratio of 0.02 at Tamar Street/Drake Street (Southern) priority junction measured the degree of saturation of traffic with less than 10% of the junction capacity, i.e. there would be ample spare capacity in the junction. In response to the Chairman's query on the reasons for the similar traffic conditions under the existing scenario as compared with that with the two new developments, Ms Carmen Chu said that the commissioning of the Central-Wan Chai Bypass would help redistribute traffic in the area on one hand, and the regulation of on-street loading/unloading activities during peak hours which was proposed in the TIA would help improve the traffic flow on local roads on the other hand. Such regulation was also supported by the C&WDC when the proposed developments were considered by C&WDC.

Control on the OZP

19. The Chairman asked why the requirement of public parking provision was not stipulated in the Notes of the proposed "Commercial (3)" ("C(3)") zone (i.e. the MRMCP site) whilst similar requirement of providing a minimum of 800 public car parking spaces was stipulated in that of the "C(1)" zone (i.e. the Cheung Kong Centre site). In response, Ms Ginger K.Y. Kiang said that part of the "C(1)" zone was the previous Garden Road Multi-storey Car Park providing 800 public car parking spaces. In view of the large scale of the public car park, the requirement of providing a minimum of 800 public car parking spaces was stipulated in the Notes of the "C(1)" zone in order to maintain the same number of public car parking spaces on the site. On the other hand, parking provision required for the MRMCP site was derived from the TIA, it was intended to impose such requirement in the land sale conditions. Notwithstanding that, such requirement could be incorporated in the Notes of the "C(3)" zone should Members consider it appropriate. The Vice-chairman, whilst wondering whether there was any policy requiring that the same number of car parking space at the existing MRMCP be provided at the future development, considered that such requirement should be stipulated in the Notes of the "C(3)" zone so as to be consistent with

that of the “C(1)” zone. Having noted the rationale of the provision of public parking facilities at the MRMCP site, the Chairman suggested and Members agreed that such requirement should be stipulated in the Notes of the “C(3)” zone for consistency purpose.

20. The Chairman summarised and invited Members to consider the development parameters of the two amendment sites, which would be subject to a maximum non-domestic PR of 15 in accordance with the Building (Planning) Regulations though the restriction would not be stipulated in the Notes; a maximum SC of 65% to avoid bulky podium at ground level that would affect air ventilation; a maximum BH of 190mPD and 200mPD (both including roof-top structures) for the MRMCP site and the Queensway Plaza site respectively; and a maximum BH of 21mPD for the existing shopping walkway at Queensway Plaza which would be retained in-situ. Whilst the requirement of providing public open space of not less than 2,100m² (not less than 1,400m² of which should be at-grade) was stipulated in the Notes of the “C(4)” zone (i.e. the Queensway Plaza Site), the requirement of public parking facilities would be stipulated in the Notes of the “C(3)” zone (i.e. the MRMCP site). Members agreed to the aforementioned development parameters.

21. After deliberation, the Committee decided to:

- “(a) agree to the proposed amendments to the approved Central District Outline Zoning Plan (OZP) and that the draft Central OZP No. S/H4/14A at Attachment II-A of the Paper (to be renumbered as S/H4/15 upon exhibition) and its Notes at Attachment II-B of the Paper, subject to the addition of requirements on public parking provision in the Notes of the “C(3)” zone, are suitable for exhibition under section 7 of the Town Planning Ordinance; and
- (b) adopt the revised ES at Attachment II-C of the Paper for the draft Central District OZP No. S/H4/14A as an expression of the Town Planning Board’s planning intentions and objectives for the various land use zonings of the OZP and the revised ES is suitable for exhibition together with the draft OZP and its Notes.”

[The Chairman thanked Ms Ginger K.Y. Kiang, DPO/HK and Mr J.J. Austin, STP/HK, Mr Lawrence C.M. Chan, SE/C&W, Mr Edmund Kwok, Ms Carmen Chu and Mr Raymond Wong for their attendance to answer Members' enquiries. They left the meeting at this point.]

[The meeting was adjourned for a short break of 5 minutes.]

[Mr Frankie W.C. Yeung arrived and Mr Patrick H.T. Lau returned to join the meeting, and Mr H.W. Cheung left the meeting temporarily at this point.]

[Miss Jessica K.T. Lee, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/263 Proposed Shop and Services in "Other Specified Uses" annotated
"Business (1)" Zone, Storage Unit, G/F, Union Industrial Building, 48
Wong Chuk Hang Road, Wong Chuk Hang, Hong Kong
(MPC Paper No. A/H15/263)

Presentation and Question Sessions

22. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, 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. Concerned departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Southern); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use at the application premises was not incompatible with the surrounding developments and other uses in the subject industrial buildings, and complied with the Town Planning Board Guidelines for Development within the “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) 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 areas.

23. Members had no question on the application.

Deliberation Session

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 20.11.2017, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

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

- “(a) to apply to the District Lands Officer/Hong Kong West and South, Lands Department for lease modification or temporary waiver for the proposed ‘Shop and Services’ use;
- (b) to note the comments of the Commissioner for Transport in paragraph 9.1.2 of the Paper regarding the loading/unloading activities of the proposed shop; and
- (c) to note the comments of the Director of Fire Services in paragraph 9.1.4 of the Paper regarding the compliance of the requirements stipulated in the Code of Practice for Fire Safety in Buildings and the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises.”

[Mr H.W. Cheung returned to join the meeting at this point.]

[The Chairman thanked Miss Jessica K.T. Lee, STP/HK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

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

Kowloon District

Agenda Item 7

[Open Meeting]

Further Consideration of the Draft Planning Brief for the Five “Comprehensive Development Area” Zones at Tung Yuen Street and Yan Yue Wai, Yau Tong

(MPC Paper No.13/15)

26. The Secretary reported that one of the sites zoned “Comprehensive Development Area (1)” (“CDA(1)”) was owned by Korn Reach Investment Limited and Glass Bead Limited which were subsidiaries of CK Hutchison Holdings Limited (CK Hutchison). Professor P.P. Ho and Mr Patrick H.T. Lau had declared interests on the item as they had current business dealings with CK Hutchison. Mr Laurence L.J. Li had also declared an interest in the item as his wife’s relatives owned a factory in Yau Tong. The Committee noted that Professor P.P. Ho and Mr Laurence L.J. Li had tendered apologies for being unable to attend the meeting. The Committee considered that the interest of Mr Patrick H.T. Lau was direct and he should leave the meeting temporarily for the item.

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

27. With the aid of a PowerPoint presentation, Ms Joyce Y.S. So, STP/K, presented the background and the results of the consultation with the Kwun Tong District Council (KTDC) and the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing (the Task Force) of the Harbourfront Commission (HC) on the draft planning brief (PB) as detailed in the Paper and covered the following main points:

Background

- (a) on 19.6.2015, the Committee considered that the draft PB for the five “Comprehensive Development Area” (“CDA”) zones at Tung Yuen Street and Yan Yue Wai, Yau Tong and agreed that the draft PB was suitable for consultation with the KTDC and the Task Force subject to minor revisions. The Committee also agreed that the Planning Department (PlanD) should further liaise with the Architectural Services Department (ArchSD) to work out some comprehensive guidelines on massing of buildings along the waterfront, and with the Leisure and Cultural Services Department (LCSD) for comprehensive and coherent design and more diversified activities such as cycling and skateboarding for the waterfront promenade;

[Mr Dominic K.K. Lam returned to join the meeting at this point.]

- (b) KTDC and the Task Force were consulted on the draft PB on 7.7.2015 and

1.9.2015 respectively;

KTDC's Views on the Draft PB

- (c) KTDC generally supported the draft PB and raised the following comments:
- (i) the Government should review the traffic infrastructure and address the illegal parking and traffic congestion problem. Sufficient public parking spaces should be provided during construction and after completion of the developments;
 - (ii) consideration should be given to relocating existing driving test routes;
 - (iii) there should be a coherent design for the promenade and appropriate arrangement to ensure proper management and maintenance of the promenade by the developer;
 - (iv) the overall layout of developments should be carefully designed and sufficient open space with greening on rooftop should be provided. Non-Building areas (NBAs) should be free of obstruction to enhance air ventilation; and
 - (v) if the "CDA(2)" zone was to be developed, the existing wholesale fish market should be reprovisioned;

The Task Force's Views on the Draft PB

- (d) The Task Force had no in-principle objection and raised the following comments:
- (i) the provision of bollards for mooring of pleasure boats should be considered;

- (ii) if a segregated cycle track could not be provided, the feasibility of shared use of the promenade by both pedestrians and cyclists should be explored;
- (iii) the PB should set out specific requirements/guidelines to align the design of the whole promenade, require the provision of outdoor dining area and enhance the visual permeability at the street level;
- (iv) the connection of the promenade to Kwun Tong was blocked by a concrete batching plant in a “Residential (Group E)” (“R(E)”) zone and a sewage pumping station. The possibility of relocating those facilities or opening up part of the sites should be examined;
- (v) appropriate mitigation measures should be adopted to address the noise nuisance generated by the existing uses; and
- (vi) the possibility of turning Shung Shun Street, Yan Yue Wai and Shung Wo Path into pedestrian areas should be examined;

The views of Applicant of “CDA(1)” Zone on the Draft PB

- (e) in February 2015, the owner of “CDA(1)” zone submitted a section 16 planning application (Application No. A/K15/114) for residential development at the “CDA(1)” zone. On 4.9.2015, the Committee decided to defer a decision on the application pending the endorsement of the PB for the “CDA” zones;
- (f) based on the comments of the Buildings Department (BD), Item 9 of the Development Requirements of the draft PB stipulated that the public waterfront promenade was not regarded as a specified street for site classification purpose nor a street for providing natural lighting and ventilation to domestic buildings as required under Building (Planning) Regulations (B(P)R) 30 and 31. Moreover, the provision of open space

required under B(P)R 25 and/or prescribed windows under B(P)R 31 should not project over public waterfront promenade. Against this, the applicant of Application No. A/K15/114 submitted a letter to the Town Planning Board (TPB) on 26.6.2015 to express the following comments:

- (i) exclusion of the public waterfront promenade for horizontal plane projection in the prescribed windows calculation under B(P)R 31 was too stringent and unnecessary; and
- (ii) the exclusion of public waterfront promenade from open space calculation for the development under B(P)R 25 was unreasonable;

Responses to Comments Raised by the Committee

- (g) the Transport Department (TD) had no plan to provide cycle tracks within public road area between Yau Tong and Kai Tak, and LCSD advised that no bicycles and skating boards were allowed to ride in the general area of LCSD's venues. The feasibility of shared use of pedestrians and cyclists was subject to resolution of management and safety concerns;
- (h) ArchSD advised that massing of buildings would hinge on detailed requirements on the site-specific development parameters and other urban framework of the area. It would be premature to provide guidelines without detailed study;
- (i) the draft PB had been amended to allow podium with high permeability and promote variation in building height profile;

Responses to Comments Raised by KTDC

- (j) the draft PB stipulated that a public vehicle park with not less than 171 public vehicle parking spaces would be provided in the "CDA(5)" zone, and sufficient temporary parking spaces should be maintained during the construction period. A traffic impact assessment for each "CDA" site was

required;

- (k) the comments related to the existing driving test routes had been relayed to TD for consideration;
- (l) regarding the comments on coherent design and management of promenade, and the management and maintenance responsibilities, a set of revised general design requirements for the waterfront promenade had been set out in Item 9 of the PB;
- (m) the PB stipulated that local open space of not less than 1m² per person and a minimum greening coverage of 20% based on net site area (excluding public promenade) should be provided in each “CDA” zone. To facilitate air ventilation, no building structure would be allowed in the NBAs;
- (n) consultation would be held with the owners and operators of the wholesale fish market and concerned government departments to identify a suitable reprovisioning site;

Responses to Comments Raised by the Task Force

- (o) the Marine Department advised that the existing seawall was not designed to berth vessels, and the existing landing steps at the end of Shung Shun Street and Shung Wo Path were public facilities for embarking/disembarking passengers of all local vessels (including pleasure vessels), but not for berthing for a prolonged period. The Civil Engineering and Development Department advised that the concerned location was exposed to south-easterly wind and possible wave action, and feasibility of mooring along that of waterfront promenade was subject to detailed study. Provision of mooring facilities was not precluded in the PB;
- (p) the provision of outdoor dining area was not prohibited in the PB and flexibility should be allowed for individual developers to consider at the MLP submission stage;

- (q) regarding the comments on noise nuisance, the draft PB had specified that an environmental assessment had to be carried out;
- (r) the land owner of the “R(E)” site would be encouraged to provide a waterfront promenade when applying to TPB for redevelopment. As for the sewage treatment plant, the Drainage Services Department would be consulted to explore the feasibility of opening up part of the site for connection to the adjacent promenade;
- (s) regarding the comments on pedestrian streets, the south-western ends of Shung Shun Street, Yan Yue Wai and Shung Wo Path would form part of the promenade. The remaining section of the streets would need to be retained for traffic circulation and access to individual sites. To facilitate pedestrian circulation in the area, the PB had stipulated that the developments along Tung Yuen Street and north-western side of Yan Yue Wai had to be setback to provide a 3.5m wide footpath;

Responses to Comments Raised by the Applicant of “CDA(1)” Zone

- (t) BD advised that as the public waterfront promenade was by nature not equivalent to a ‘street’ under B(P)R 31(1)(a), the promenade would not be taken as a street for providing natural lighting and ventilation to any adjoining domestic buildings under B(P)R 30 & 31, nor being used for provision of open space under B(P)R 25. Notwithstanding that, BD had confirmed that exemption to the prescribed window requirements could be granted subject to the design of the waterfront promenade. It was therefore recommended that the issues as raised by the applicant be dealt with at the building plan submission stage and the original reference to B(P)R requirements in the draft PB was deleted; and

PlanD’s View

- (u) taking into account the responses above, some amendments were proposed

to the PB.

Deletion of the Reference to B(P)R Requirements in the Revised PB

28. In response to the Vice-chairman and a Member's question on the rationale to delete the reference to B(P)R requirements in the revised PB, Mr Tom C.K. Yip, DPO/K, said that the BD's earlier comments of not using the public waterfront promenade should not be used for compliance with the requirements of prescribed windows and/or provision of open space under B(P)R were incorporated in the draft PB. Subsequently, the applicant of "CDA(1)" zone wrote a letter to the Town Planning Board against the inclusion of the reference to B(P)R requirement in the draft PB on grounds of, inter alia, that the exclusion of public waterfront promenade for horizontal plane projection in the prescribed windows was considered too stringent and unnecessary as high-rise permanent structures were not expected to be erected in the promenade of the "CDA(1)" site. PlanD had further consulted BD in that regard and they advised that exemption of the horizontal plane projection of prescribed windows over the promenade could be granted subject to the design of the waterfront promenade. Since such issues could be dealt with at the building plan submission stage, it was considered that the original reference to B(P)R requirements in the PB could be deleted to provide flexibility to the future development.

29. A Member asked whether the public waterfront promenade would be included in the calculation of open space under B(P)R 25. In response, Mr Tom C.K. Yip said that the open space requirement under B(P)R 25 was indeed a 'space' requirement for every domestic building erected within the site. Such 'space' requirement was different from a 'public open space' with landscape and amenity feature as required under the PB. Unlike the 'space' under B(P)R 25 which should be provided to purely serve a private development, the public waterfront promenade stipulated in the Notes of the OZP was intended to serve the general public and should be excluded from calculation of 'space' under B(P)R. Nevertheless, based on the preliminary estimation by PlanD and the development proposals submitted by the applicant of the "CDA(1)" zone in planning application No. A/K15/114, the 'space' requirement under B(P)R 25 could be satisfied within the development site.

Building Bulk

30. The same Member said that with the same plot ratio (PR) restriction (PR 5) to be imposed on the five “CDA” sites, it might result in more bulky developments along the waterfront given that the waterfront portions of the five “CDA” sites were restricted to a maximum building height of 80mPD while the inland portions of “CDA(1)”, “CDA(3)” and “CDA(5)” were subject to a maximum building height of 100mPD. In response, Mr Tom C.K. Yip said that a conceptual layout for the five “CDA” sites prepared by PlanD, which was based on the development parameters stipulated on the OZP, demonstrated that the future developments would unlikely have significant impacts on urban design perspective and there was room for creative design. In particular, the waterfront and inland portions of the “CDA(1)”, “CDA(3)” and “CDA(5)” zones could have sufficient design flexibility to accommodate the permitted PR. He further said that in the development proposal submitted by the applicant of the “CDA(1)” zone under planning application No. A/K15/114, a stepped building height profile for the proposed comprehensive residential development varying between 60mPD and about 78mPD could be achieved in the waterfront portion of the “CDA(1)” zone.

High Permeability Podium Design

31. In response to the Vice-chairman’s queries on criteria for achieving a high permeability podium design, Mr Tom C.K. Yip said that the purpose of the PB was to set out the broad planning parameters and development requirements to facilitate the preparation of Master Layout Plans (MLPs) for the comprehensive developments in the five “CDA” zones and the developers had to demonstrate that their proposed developments could meet the requirements in the PB. He further said that providing setback at the ground level or providing a void in-between the podium were examples of a podium design that could satisfy the high permeability requirement. Detailed design of the buildings would be worked out by the developer(s) in the form of MLP(s) submission for consideration by the Committee in due course.

32. In response to the Vice-chairman’s query on the need for podium development on the “CDA” sites, the Chairman remarked that podium might serve different functions such as separating the domestic uses at higher floors from non-domestic uses at the lower floors, and

providing buffers to mitigate the potential noise and air impacts generated from the commercial uses at the podium. The requirement of high permeability podium design could avoid bulky and elongated podium design along the waterfront which might create adverse visual and air ventilation impacts. Members generally considered that the detailed design of the podium could be considered by the Committee at the MLP submission stage.

33. After deliberation, the Committee decided to:

- “(a) note the views of Kwun Tong District Council and the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing of the Harbourfront Commission, and the responses of government departments as summarized in paragraph 4 of the Paper; and
- (b) endorse the revised draft Planning Brief at Appendix I of the Paper.”

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/728 Shop and Services (Convenience Store) in “Other Specified Uses” annotated “Business” Zone, Workshop A on Ground Floor, Hing Win Factory Building, 110 How Ming Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/728)

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the shop and services (convenience store)
- (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 first three weeks of the statutory publication period, a public comment supporting the application was received from the Chairman of Kwun Tong Central Area Committee without providing any reason. No local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use at the premises was considered generally in line with the planning intention, compatible with the changing land use character of the area and complied with the Town Planning Board Guidelines for Development within the “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) 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. Since the revocation of the previous applications (Applications No. A/K14/699 and A/K14/716) due to non-compliance with the approval condition on provision of fire safety measures, the applicant had demonstrated his efforts to prepare the materials to address the comments of the Director of Fire Services (D of FS) and was confident that the condition could be complied with. In that regard, a shorter compliance period (three months) for submission of the proposal for fire safety measures was proposed to monitor the progress of compliance. It was suggested that no time clause for commencement of development was proposed as the ‘Shop and Services (Convenience Store)’ use under the application was already in operation.

35. The Vice-chairman asked why the applicant, which was a Listed Company and operator of a chain store in Hong Kong, could not comply with the approval condition of

provision of fire safety measures within the specified time limit of the previous approval. In response, Ms Joyce Y.S. So, STP/K said that whilst the applicant had submitted the fire service installations proposal, due to the applicant's unfamiliarity with the planning application system, the proposal was not revised in time to meet the requirements of D of FS. While the Vice-chairman still maintained his concern, the Chairman said that the applicant should be fully aware of the need to take timely actions to comply with approval conditions should planning permission be granted by the Committee.

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 of the proposal for fire safety measures, including the provision of fire service installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building within three months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.2.2016;
- (b) the implementation of the proposal for fire safety measures, including the provision of fire service installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 20.5.2016; and
- (c) if any of the above planning conditions (a) or (b) is not complied with by the specified dates, 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) prior planning permission should have been obtained before commencing the applied use at the application premises (the Premises);

- (b) to note that a shorter compliance period is granted in order to monitor the fulfilment of the approval conditions. Should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration may not be given by the Metro Planning Committee of the TPB to any further application;

- (c) to apply to the District Lands Office/Kowloon East, Lands Department for temporary waiver for the applied ‘Shop and Services (Convenience Store)’ use at the Premises;

- (d) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings administered by the Building Authority, and to observe the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises; and

- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that all buildings works/change in use are subject to compliance with the Buildings Ordinance (BO); the applicant should appoint an Authorized Person to submit building plans for the proposed change in use and/or alterations and additions works to demonstrate compliance with the BO, in particular, the provision of adequate means of escape, the separation of the premises from the remaining portion of the building by fire barriers of adequate fire resistance rating, the provision of access and facilities for persons with a disability and adequate sanitary fitments; structural justification to be provided if solid partition walls are to be erected; and that the proposed rear exit of the shop exit to carpark and installed with roller shutter with fusible link cannot be used as means of escape. As the shop is provided with one exit route only, the applicant shall arrange the layout of the shop to limit the occupant capacity to not exceeding 30 persons. Detailed comments under the BO can only be

provided at the building plan submission stage. For unauthorized building works (UBW) erected on leased land/private buildings (if any), enforcement action may be taken by the Building Authority to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any UBW on the application Premises under the BO. Attention should be drawn to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47 that the BA has no powers to give retrospective approval or consent for any UBW."

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K9/265 Proposed Shop and Services (Motor-vehicle Showroom) in "Other Specified Uses" annotated "Multi-storey Carpark to include Garages for Maintenance and Servicing of Motor Vehicles and Petrol Filling Station" Zone, Portion of Ground Floor, Zung Fu Car Park Building, 50 Po Loi Street, Hung Hom, Kowloon
(MPC Paper No. A/K9/265)

Presentation and Question Sessions

38. The Secretary reported that Professor P.P. Ho had also declared an interest in the item as his spouse owned a flat in Harbour Place. The Committee noted that Professor P.P. Ho had tendered apologies for being unable to attend the meeting.

39. The Committee noted that the applicant requested on 13.11.2015 for deferment of the consideration of the application for two months in order to allow time to provide

additional information to the Fire Services Department/Kowloon District Planning Office of the Planning Department and to resolve the technical/planning matter in respect of the application. This was the first time that the applicant requested for deferment of the application.

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

Agenda Item 10

Any Other Business

41. There being no other business, the meeting closed at 10:55 a.m.