

TOWN PLANNING BOARD

Minutes of 548th Meeting of the Metro Planning Committee held at 9:00 a.m. on 18.12.2015

Present

Director of Planning
Mr K.K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Professor P.P. Ho

Ms Julia M.K. Lau

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 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 (Regional 1),
Lands Department
Mr Simon S.W. Wang

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

Secretary

Absent with Apologies

Mr Clarence W.C. Leung

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

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 Sincere C.S. Kan

Agenda Item 1

Confirmation of the Draft Minutes of the 547th MPC Meeting held on 4.12.2015

[Open Meeting]

1. The draft minutes of the 547th MPC meeting held on 4.12.2015 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Mr William K.C. Ying, Town Planner/Tsuen Wan and West Kowloon (TP/TWK) was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/431 Proposed Broadcasting, Television and/or Film Studio, Information Technology and Telecommunications Industries, Off-course Betting Centre, Office, 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/431A)

3. The Secretary reported that the site was located at Kwai Chung, and the owner of the application premises was related to CK Hutchison Holdings Ltd. (CK Hutchison). LLA Consultancy Ltd. (LLA) and LWK & Partners (HK) Ltd. (LWK) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having current business dealings with CK Hutchison and LLA;

Professor P.P. Ho - having current business dealings with CK Hutchison;

Mr Dominic K.K. Lam - having past business dealings with LLA;

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

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

4. The Committee noted that Mr Laurence L.J. Li and Mr Clarence W.C. Leung had tendered apologies for being unable to attend the meeting. The Committee considered that

the interests of Mr Patrick H.T. Lau and Professor P.P. Ho were direct and agreed that they should be invited to leave the meeting temporarily. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that he could stay in the meeting.

5. The Secretary also reported that a replacement page (page 11 of the Paper) was dispatched to Members to amend paragraph 10.1.9.

[Mr Patrick H.T. Lau and Mr Martin W.C. Kwan left the meeting temporarily, and Professor P.P. Ho left the meeting at this point.]

Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Mr William K.C. Ying, TP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed broadcasting, television and/or film studio, eating place, education institution, information technology and telecommunications industries, off-course betting centre, office, public clinic, and shop and services (in wholesale conversion of an existing building only);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Director General of Trade and Industry (DG of TI) had reservation on the application. He noted that the site was not proposed for rezoning in the 2014 Area Assessment of Industrial Land in the Territory (2014 Area Assessments) released on 11.8.2015 by the Planning Department (PlanD) and was concerned about the further depletion of industrial land resulting from the approval of the application. He also pointed out that the proposed wholesale conversion might have impacts on the current operators within the application premises. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the three statutory publication periods, a total of 965 public comments were received. Of which, 963 opposed the application on the grounds that the application premises was in active operation and had a high occupancy rate; the application was not in line with the intention of revitalisation of industrial building with low occupancy rate, and more support should be given to the industrial development in Hong Kong; and there were adverse impacts on sewerage, traffic and pedestrian safety. The remaining two comments did not indicate their views. After the issuance of the Paper, a total of 78 out-of-time public comments objecting to the application were received; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed wholesale conversion generally complied with the Town Planning Board Guidelines No. 25D for Use/Development within “Industrial” (“I”) Zone (TPB PG-No. 25D) in that the site was easily accessible and located near Kwai Hing MTR Station; there was a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area that the vacancy rate of office and commercial floor space was only 3.6% and 7.5% respectively; the proposed development would provide adequate provision of parking and loading/unloading facilities and the operation of the proposed commercial/office use would not adversely affect the traffic conditions in the local road network; and the proposed development was not incompatible with the surrounding uses and could provide/retain employment opportunities in the area. The proposed development was also in line with the Government's policy to encourage wholesale conversion of industrial building. The proposed wholesale conversion would not result in any increase in the existing building bulk and would not cause any significant adverse traffic, environmental, fire safety, visual and landscape impacts on the surrounding areas. There were also five similar approved applications within the “I” zones in Kwai Chung. With regard to DG of TI's concern, the application would not alter the current “I” zoning of the site. The approval of the application would be for the

lifetime of the existing building only, and would not jeopardize the long-term planning intention of the site for general industrial uses to meet the future demand. Regarding the public comments received, the above planning assessments and departmental comments were relevant.

7. In response to the Vice-chairman's question on the current uses of the application premises and the five similar applications for wholesale conversion, Mr William K.C. Ying, TP/TWK, said that current uses were industrial related and might need to be moved out from the application premises should the application be approved. As for the five similar applications, they were for wholesale conversion of the entire premises from industrial uses to commercial/offices uses within "I" zones, but information on the occupancy rate of the concerned premises at the time of application was not available. The Vice-chairman said that the policy on revitalisation of industrial building was intended for vacant or under-utilised industrial buildings. It was questionable if the subject application for proposed wholesale conversion was in line with the Government's policy as the application premises had a high occupancy rate. In response, Mr William K.C. Ying said that according to the said policy, wholesale conversion of an industrial building would have to meet several criteria. First, the concerned building should be aged 15 years or above and situated in "I", "Commercial" or "Other Specified Use" annotated "Business" zones. Second, the application should be made jointly by all owners of the building. Third, there would be no increase in building height and building bulk after the conversion. Fourth, the concerned building would not be reverted to industrial use during the waiver period. Fifth, full market premium would be payable when the concerned building was redeveloped in the future. The proposed wholesale conversion generally fulfilled the aforementioned criteria.

8. A Member noted that the application premises was in active operation and asked whether occupancy rate was a factor in the consideration of the application. The Chairman said that occupancy rate was one of the planning considerations for application for wholesale conversion of an existing industrial building.

9. In response to a Member's question on the nil premium/waiver fee for wholesale conversion under the policy on revitalisation of industrial building and the zoning of the application premises, Mr William K.C. Ying said that the revitalisation policy would end on 31.3.2016. For application submitted after March 2016, the owner of the industrial building

would be required to pay the premium for wholesale conversion. As for the zoning issue, according to the findings of the 2014 Area Assessments, the zoning of the application premises and its surrounding area would be retained as “I”.

10. The Chairman asked for elaboration on the current uses in the application premises. In response, Mr William K.C. Ying said the application premises was a 22-storey mixed-use industrial building with a 2-storey car park, data centres, warehouses, offices and logistic companies. Of which, an information technology company occupied 10 storeys and over 90% of the public comments were received from the employees of that company. A Member observed that the information technology company, which was a tenant, had office, warehouse, storage, packing facilities and manufacturing plant inside the application premises.

11. The Chairman remarked that the car parking provision for the proposed development could not meet the requirement stipulated in the Hong Kong Planning Standards and Guidelines, and enquired why the Transport Department (TD) considered that the proposed provision was acceptable. In response, Mr W.L. Tang, Assistant Commissioner for Transport, said that TD mainly had concern on the provision of car parking and loading/unloading facilities for the proposed clinic use. Since the applicant had confirmed that no more than five consulting rooms for the clinic use would be provided within the application premises after conversion, TD had no objection to the application. Nevertheless, an approval condition on the submission and implementation of vehicular access, car park and loading/unloading proposal was recommended to be imposed should the application be approved.

12. In response to a Member’s question on the public comments received, Mr William K.C. Ying said that a total of 965 public comments were received. Of which, 963 opposed the application, and the remaining two did not indicate their views.

Deliberation Session

13. The Vice-chairman said that the site was not proposed for rezoning in the 2014 Area Assessments released in August 2015, and the zoning of the site and its surrounding areas would be retained as “I”. He considered that the findings had revealed the

Government's intention to retain industrial buildings to meet the future demand for industrial uses. Secondly, application for nil premium to facilitate wholesale conversion under the policy on revitalisation of industrial building would end on 31.3.2016. Thirdly, DG of TI had reservation on the application and was concerned that the approval of the application would result in further depletion of industrial land. Lastly, the application premises had a high occupancy rate. In view of the above, the Vice-chairman said that even if the proposed wholesale conversion generally complied with TPB PG-No. 25D, the conversion was considered not appropriate taking into account the prevailing planning circumstances.

14. A Member did not support the application and said that the major tenant in the application premises was a regional high-tech company equipped with a considerable amount of advanced machineries. Should the proposed wholesale conversion of the application premises would result in the relocation of the company, it might lead to the close-down of the company and discourage the development of high-tech industry in Hong Kong.

15. A Member had reservation on the application and said that industrial activities in the application premises and its surrounding areas were active and the zoning of the site would continue be retained as "I" to facilitate industrial development. Moreover, according to TPB PG-No. 25D, favourable consideration would only be given to proposed commercial/office development on sites within the part of an industrial area requiring renewal or restructuring.

16. Another Member concurred with other Members' views and said that since the application premises had a high occupancy rate, the proposed wholesale conversion was not in line with the Government's policy on revitalising vacant or under-utilised industrial buildings. There was also demand for industrial buildings to accommodate uses such as warehouse/storage and logistics company. Preference should not be given to commercial/office development only.

17. In response to some Members' earlier questions and to facilitate discussion of the application, the Secretary said that TPB PG-No. 25D was applicable to the consideration of applications within the "I" zone. It was not related to the policy on revitalisation of industrial building. In considering the application, three considerations should be taken into account, namely the relevant Town Planning Board guidelines, the context of the application

premises and its surrounding areas, and the prevailing government policy. With regard to the two similar applications (No. A/KC/361 and A/KC/409) located adjacent to the application premises, both applications were for wholesale conversion of the entire industrial buildings and were approved by the Committee before the release of the findings of the 2014 Area Assessments in August 2015, whilst the subject application was the first application for wholesale conversion after the release of the findings. The premises under application No. A/KC/361 was a 5-storey vacant industrial building with a building age of 45 years; while the one under application No. A/KC/409 was a godown which was claimed to be under-utilised by the applicant. The Secretary further said that the Committee had previously considered applications with similar context in other industrial areas in the territory, and had approved an application for wholesale conversion for eating place, office and shop and services uses in On Lok Tsuen after the release of the findings of the 2014 Area Assessments.

18. A Member said that the Committee should consider the application from planning perspective in deciding whether the proposed change of use was appropriate. The Chairman said that the objective of the policy on revitalisation of industrial building was to encourage wholesale conversion of industrial buildings by providing financial incentives, but the suitability of the proposed wholesale conversion should also be assessed. Planning permission for wholesale conversion for industrial buildings for Column 2 uses would be required within “I” zone, and the Committee should assess each application on its individual merits.

19. In response to the Vice-Chairman’s question on the inadequate provision of car parking and loading/unloading facilities, Mr W.L. Tang said that the applicant had submitted further information to confirm that not exceeding five consulting rooms would be provided for the proposed clinic use. The applicant also had no objection to the imposition of an approval condition on the submission and implementation of vehicular access, car park and loading/unloading proposal.

20. The Chairman noted that Members generally did not support the application and went through the main planning criteria of TPB PG-No. 25D. The Chairman pointed out that the location of the application premises was easily accessible to public transport facilities, and TD had no objection to the application in terms of the provision of car parking and loading/unloading facilities. However, the applicant had not demonstrated that there was a

shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area. Moreover, there were suitable alternative sites, such as the adjacent “Other Specified Uses” annotated “Business” zone, to accommodate office/commercial buildings in the vicinity, and the subject “I” zone was recommended to be retained as “I” in the 2014 Area Assessments. The applicant also had not demonstrated that the proposed wholesale conversion would induce significant improvement to the general amenity and environment of the area. A Member also said that the vacancy rate of the application premises and its surrounding industrial buildings was low and hence there was no urgent need to convert the application premises for commercial/office use. Hence, the proposed wholesale conversion did not fully comply with TPB PG-No. 25D.

21. Members then went through the rejection reasons as suggested in paragraph 13.2(a) of the Paper. The Chairman said that an additional rejection reason should be added to point out the current active usage of the application premises and the subject “I” zone, while the rejection reason concerning TPB PG-No. 25D should be amended to reflect that the applicant had failed to demonstrate that the proposed wholesale conversion was able to induce improvement to the surrounding areas. Members agreed.

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

- “(a) the proposed wholesale conversion was not in line with the planning intention of the “Industrial” (“I”) zone, which was primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries;
- (b) the application premises was in active operation and there were vibrant industrial activities in the Central Kwai Chung Industrial Area covering the site, which was recommended to be retained as an “I” zone in the 2014 Area Assessments of Industrial Land in the Territory; and
- (c) the proposed wholesale conversion was not in line with the Town Planning Board Guidelines No. 25D in that the applicant failed to provide information to demonstrate that the proposed wholesale conversion would

induce significant improvement to the general amenity and environment of the area, and that there was a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area, and there were no suitable alternative sites to accommodate the proposed office and commercial building in the vicinity.”

[The Chairman thanked Mr William K.C. Ying, TP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[Mr Patrick H.T. Lau and Mr Martin W.C. Kwan returned to join the meeting, and Ms Julia M.K. Lau and Mr Frankie W.C. Yeung arrived to join the meeting at this point.]

[Mr Lawrence Y.C. Chau, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) and Ms Annie H.Y. Wong, Town Planner/Tsuen Wan and West Kowloon (TP/TWK) were invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/TY/127 Proposed Temporary Concrete Batching Plant for a Period of 5 Years in “Other Specified Uses” annotated “Boatyard and Marine-oriented Industrial Uses” Zone and an area partly outside the boundary of Planning Scheme Area, Tam Kon Shan Road, Tsing Yi Town Lots 14 and 15 and Adjoining Government Land, Tsing Yi
(MPC Paper No. A/TY/127D)

23. The Secretary reported that AECOM Asia Co. Ltd. (AECOM), LLA Consultancy Ltd. (LLA) and BMT Asia Pacific Ltd. (BMT) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Patrick H.T. Lau - having current business dealings with AECOM, LLA and BMT;
- Mr Dominic K.K. Lam - having past business dealings with AECOM, LLA and BMT; and
- Ms Julia M.K. Lau }
Professor P.P. Ho } having current business dealings with AECOM.

24. The Committee noted that Professor P.P. Ho had left the meeting already. As Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Ms Julia M.K. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

25. With the aid of a PowerPoint presentation, Ms Annie H.Y. Wong, TP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed temporary concrete batching plant for a period of 5 years;
- (c) departmental comments – departmental comments were set out in paragraph 8 and Appendix 5 of the Paper. Major departmental comments were summarised as follows:
 - (i) the Commissioner for Transport had reservation on the application as the applicant could not demonstrate that the proposed development would not have adverse traffic impact on the road network;
 - (ii) the Commissioner of Police objected to the application from the traffic management point of view as more complaints relating to the illegal parking of the trucks of the existing concrete batching plant at

Tam Kon Shan Road were received in recent years. With the proposed development, the possibility of further traffic congestion and serious obstruction in the vicinity was expected;

- (iii) the Director of Marine did not agree with the applicant that the proposed marine and berthing operation of the application was similar to the existing shipyard activities at the site, and considered that the proposed marine operation and cargoes delivery by using mooring facilities would have adverse impact on the shipyards nearby and in the area, and the shallow water environment in the area would impose water depth constraint and safety concerns. The applicant had also yet to secure the mooring facilities; and
 - (iv) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the five statutory publication periods, a total of 240 public comments were received. The grounds of the public comments were summarised as follows:
- (i) 48 comments supported the application on the grounds that the proposed development could contribute to the productivity of Hong Kong's industry; environmental impact arising from the proposed development was not that bad and adverse health impacts on the workers were not anticipated; and the location of site was considered suitable and could upgrade the visual appearance of the North Tsing Yi waterfront;
 - (ii) 185 comments objected to the application on the grounds that the proposed development would have adverse impacts on the environment, traffic, health and the operations of shipyards nearby; and the long-term use of the site as a dockyard in the past could have generated contaminative sources; and

- (iii) seven comments provided general views on the application, including concerns on the adverse traffic, environmental and health impacts, monitoring the mitigation measures of air pollution, and restricting the use of truck on Tsing King Road and Tsing Tsuen Bridge so as to avoid impacts on residents; 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 applicant failed to demonstrate in the marine impact assessment that the mooring arrangement of the delivery barge was feasible and the proposed development would not have adverse impact on the marine traffic. The applicant also failed to demonstrate in the traffic impact assessment (TIA) that the proposed development would not have adverse traffic impact on the road network and there were traffic management concerns. With the proposed development, the possibility of further traffic congestion and serious obstruction in the vicinity was expected. Regarding the public comments received, the above planning assessments and departmental comments were relevant.

26. The Chairman remarked that the site had a direct marine access for the delivery of raw materials for the proposed development but the ready-mixed concrete would be transported by land. He asked about the traffic volume of concrete trucks leaving and entering the site through Tam Kon Shan Road per hour, the current situation along Tam Kon Shan Road and the number of residential developments the concrete trucks would pass by. In response, Ms Annie H.Y. Wong, TP/TWK, said that according to the TIA submitted by the applicant, the proposed development would generate a one-way traffic volume of eight concrete trucks per hour, i.e. a two-way traffic volume of 16 concrete trucks. Regarding the routing of concrete trucks leaving and entering the site, the concrete trucks would enter the site through Tsing Yi North Coastal Road and via the western portion of Tam Kon Shan Road. Since all trucks over 7m would be restricted along the eastern portion of Tam Kon Shan Road, the concrete trucks, when leaving the site, would need to turn right to enter Tsing Yi North Coastal Road without passing through the eastern portion of Tam Kong Shan Road. In view of that, there would be minimal induced traffic noise impacts on the residential developments located to the north of Tam Kon Shan Interchange along Tam Kon Shan Road.

27. In response to the Vice-chairman's question on the vehicular routing of the existing concrete batching plant located to the west of the site, Ms Annie H.Y. Wong said that the routing was similar to that of the proposed development. The Vice-chairman further enquired if the existing concrete batching plant had a direct marine access for delivery. In response, Mr Lawrence Y.C. Chau, DPO/TWK, said that there was no such information available at hand. He supplemented that the existing concrete batching plant had a high production volume, and according to a recent site visit, it was noted that there were around 10-20 concrete trucks queuing up along the western portion of Tam Kon Shan Road at one time to transport the ready-mixed concrete.

Deliberation Session

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

- “(a) the applicant failed to demonstrate that the proposed barging operation by using private mooring facility for the proposed concrete batching plant was feasible and would not have adverse impact on marine safety and the shipyards nearby;
- (b) the applicant failed to demonstrate that the proposed development would not have adverse traffic impact and traffic management concerns on the road network; and
- (c) the approval of the application would set an undesirable precedent for similar applications and the cumulative effect of approving such application would result in aggravating marine traffic safety issue in the concerned sea area and adverse traffic impact and traffic management concerns on the road network.”

[The Chairman thanked Mr Lawrence Y.C. Chau, DPO/TWK, and Ms Annie H.Y. Wong, TP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting]

A/TY/130 Renewal of Planning Approval for Proposed Temporary Concrete Batching Plant for a Period of 5 Years in “Other Specified Uses” annotated “Boatyard and Marine-oriented Industrial Uses” Zone, Tsing Yi Town Lot 102 (Part), 98 Tam Kon Shan Road, Tsing Yi
(MPC Paper No. A/TY/130A)

29. The Secretary reported that the application was submitted by Hong Kong Ferry (Holdings) Co. Ltd. which was a subsidiary of Henderson Land Development Co. Ltd. (HLD), with Ramboll Environ Hong Kong Ltd. (Environ), CKM Asia Ltd. (CKM) and Mott Connell Ltd. (Mott Connell) as three of the consultants of the applicant. The following Members had declared interests on the item:

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

- Mr Dominic K.K. Lam - having past business dealings with HLD, Environ and Mott Connell;

- Mr Roger K.H. Luk - being a member of the Council of the Chinese University of Hong Kong (CUHK) which received a donation from a family member of the Chairman of HLD before;

- Professor P.P. Ho - being an employee of CUHK which received a donation from a family member of the Chairman of HLD before; and having current business dealings with CKM;

Dr Wilton W.T. Fok - being an employee of the University of Hong Kong which received a donation from a family member of the Chairman of HLD before; and

Ms Julia M.K. Lau
Mr H.W. Cheung } having current business dealings with Environ.

30. The Committee noted that Mr H.W. Cheung had tendered apologies for being unable to attend the meeting, and Professor P.P. Ho had left the meeting already. The Committee also noted that the applicant had requested for deferral of consideration of the application and agreed that Mr Roger K.H. Luk, Mr Dominic K.K. Lam, Ms Julia M.K. Lau and Dr Wilton W.T. Fok could stay in the meeting. As the interest of Mr Patrick H.T. Lau was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

31. The Committee noted that on 10.12.2015, the applicant had requested for deferment of the consideration of the application for two months in order to address the departmental comments. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted an environmental assessment, an updated contamination assessment plan, an updated location plan, site plan, layout plan, section plans, and plans on traffic arrangement.

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K1/252 Minor Relaxation of Building Height Restriction for Permitted Residential Development (Flats) and Shops and Services and/or Eating Place in “Residential (Group A)” Zone, 2 Tak Shing Street, Jordan
(MPC Paper No. A/K1/252)

33. The Secretary reported that Oriental Landscapes Ltd. was one of the consultants of the applicant, which was a subsidiary of Swire Properties Ltd. (Swire). Mr Patrick H.T. Lau had current business dealings with Swire and had declared an interest on the item. The Committee noted that the applicant had requested for deferment of consideration of the application, and agreed that Mr Patrick H.T. Lau could stay in the meeting.

34. The Committee noted that on 1.12.2015, the applicant had requested for deferment of the consideration of the application for two months in order to prepare further information to address the departmental comments. It was the first time that the applicant had requested for deferment of the application.

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

Hong Kong District

Agenda Item 7

Section 12A Application

[Open Meeting]

Y/H3/8

Application for Amendment to the Approved Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/29

- To rezone the Application Site at 122A to 130 Hollywood Road, Sheung Wan and Adjoining Government Land from “Government, Institution or Community” (“G/IC”) to “Government, Institution or Community(2)” (“G/IC(2)”)
- Stipulation of Building Height Restriction of 1 storey for Man Mo Temple Compound portion and 97mPD for the Youth Hostel Site
- To amend the Schedule of Use by incorporating ‘Residential Institution (Hostel only)’ use under Column 1 of Proposed “G/IC(2)” Zone, and unless otherwise specified, ‘Residential Institution’ remains as a Column 2 use within “G/IC” Zone

(MPC Paper No. Y/H3/8)

36. The Secretary reported that the application was submitted by Tung Wah Group of Hospitals, with Kenneth To & Associates Ltd. (KTA), Ramboll Environ Hong Kong Ltd. (Environ) and Ove Arup & Partners Hong Kong Ltd. (ARUP) as three of the consultants of the applicant. The following Members had declared interests on the item:

Ms Bonnie J.Y. Chan - her father being a member of the advisory board of Tung Wah Group of Hospitals;

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

Mr Dominic K.K. Lam - having past business dealings with KTA, Environ and ARUP;

Professor P.P. Ho - having current business dealings with ARUP; and

Ms Julia M.K. Lau }
Mr H.W. Cheung } having current business dealings with Environ.

37. The Committee noted that Ms Bonnie J.Y. Chan and Mr H.W. Cheung had tendered apologies for being unable to attend the meeting, and Professor P.P. Ho had left the meeting already. The Committee also noted that the applicant had requested for deferral of consideration of the application and agreed that Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Ms Julia M.K. Lau could stay in the meeting.

38. The Committee noted that on 2.12.2015, the applicant had requested for deferment of the consideration of the application for two months in order to address the departmental comments including conducting relevant technical assessments. It 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 three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H3/425 Proposed Eating Place and Shop and Services on the 4th and 5th floors of Proposed Composite Commercial/Residential Development in “Residential (Group A) 12” and “Residential (Group A)” Zones and an area shown as ‘Road’, 37-39 Elgin Street and 73-73E Caine Road, Sheung Wan
(MPC Paper No. A/H3/425A)

40. The Secretary reported that the application was submitted by Sun Crystal Ltd., which was a subsidiary of Henderson Land Development Co. Ltd. (HLD), with CKM Asia Ltd. (CKM) as one of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|--|
| Mr Patrick H.T. Lau | having current business dealings with HLD; |
| Mr Dominic K.K. Lam | having past business dealings with HLD; |
| Mr Roger K.H. Luk | - being a member of the Council of the Chinese University of Hong Kong (CUHK) which received a donation from a family member of the Chairman of HLD before; |
| Professor P.P. Ho | - being an employee of CUHK which received a donation from a family member of the Chairman of HLD before; and having current business dealings with CKM; and |
| Dr Wilton W.T. Fok | - being an employee of the University of Hong Kong which received a donation from a family member of the Chairman of HLD before. |

41. The Committee noted that Professor P.P. Ho had left the meeting already. The Committee also noted that the applicant had requested for deferment of consideration of the application and agreed that Mr Dominic K.K. Lam, Mr Roger K.H. Luk and Dr Wilton W.T. Fok could stay in the meeting. As the interest of Mr Patrick H.T. Lau was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

42. The Committee noted that on 4.12.2015, the applicant had requested for deferment of the consideration of the application for two months in order to address the departmental comments. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted further information including a Traffic Impact Assessment. Relevant government departments still had questions/concerns on the proposed development, and requested the submission of additional technical assessments.

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/H3/427 Proposed Composite Commercial/Residential Development (Flat, Eating Place and Shop and Services) and Minor Relaxation of Building Height Restriction in “Government, Institution or Community” and “Residential (Group A) 7” Zones, 6-18 Chung Ching Street, Sai Ying Pun
(MPC Paper No. A/H3/427A)

44. The Secretary reported that the site was located at Sai Ying Pun, and Kenneth To & Associates Ltd. (KTA), Ramboll Environ Hong Kong Ltd. (Environ) and Ove Arup & Partners Hong Kong Ltd. (ARUP) were three of the consultants of the applicant. The following Members have declared interests on the item:

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

Mr Dominic K.K. Lam - having past business dealings with KTA, Environ and ARUP;

Ms Julia M.K. Lau
Mr H.W. Cheung } having current business dealings with Environ;

Professor P.P. Ho - having current business dealings with ARUP; and

Mr Clarence W.C. Leung - his mother owning an office in Sai Ying Pun.

45. The Committee noted that Mr H.W. Cheung and Mr Clarence W.C. Leung had tendered apologies for being unable to attend the meeting, and Professor P.P. Ho had left the meeting already. The Committee also noted that the applicant had requested for deferment of consideration of the application, and agreed that Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Ms Julia M.K. Lau could stay in the meeting.

46. The Committee noted that on 4.12.2015, the applicant had requested for deferment of the consideration of the application for two months in order to prepare further information including an Air Ventilation Assessment (AVA) to respond to departmental comments. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted a revised ground floor plan and a qualitative AVA. The Planning Department (PlanD) considered that the AVA was not acceptable. As such, the applicant needed more time to address PlanD's comments.

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

[Mr Sunny L.K. Ho left the meeting at this point.]

[Ms Irene W.S. Lai, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/H21/142 Proposed Religious Institution (Redevelopment of Temple) in “Green Belt” Zone, Government Land to the northwest of 986 King’s Road, Quarry Bay

(MPC Paper No. A/H21/142A)

48. The Secretary reported that a replacement page (page 13 of the Paper) to amend paragraph 10.1.9.b was tabled at the meeting for Members’ reference. Mr Simon S.W. Wang who owned a property in Kornhill, and Mr Martin W.C. Kwan and his spouse, and Dr Wilton W.T. Fok who owned a property in Tai Koo Shing respectively, had declared interests on this item. Since the properties of Mr Simon S.W. Wang, Mr Martin W.C. Kwan and his spouse, and Dr Wilton W.T. Fok had no direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

49. With the aid of a PowerPoint presentation, Ms Irene W.S. Lai, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed religious institution (redevelopment of temple);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Major departmental comments were summarised as follows:
 - (i) the Secretary of Home Affairs confirmed that the applicant was a charitable religious organisation and gave policy support to the proposed temple and joss paper furnace;
 - (ii) the Head of the Geotechnical Engineering Office, Civil Engineering

and Development Department did not support the application from the geotechnical point of view and expressed disagreement to the postponement of the submission of the Geotechnical Planning Review Report;

- (iii) the Director of Environmental Protection did not support the application as the applicant did not provide supplementary information to address the environmental concern and demonstrate the environmental acceptability of the proposed redevelopment;
 - (iv) the Chief Architect/Central Management Division 2, Architectural Services Department had concerns about the exposed retaining structures/footings, as they appeared to be too extensive in scale that might have adverse visual impact;
 - (v) the Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservation on the application from landscape planning perspective, as the proposed redevelopment would have adverse impact on the vegetation within the subject “Green Belt” (“GB”) zone, and the approval of the application might set an undesirable precedent; and
 - (vi) other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of nine public comments were received. Amongst them, five comments objected to the application on the grounds that the proposed redevelopment was not in line with the planning intention of the “GB” zone and the Town Planning Board Guidelines No. 10 for Application for Development within “GB” Zone under section 16 of the Town Planning Ordinance (TPB PG-No. 10); there were concerns on geotechnical stability of the slopes, and noise, air and sewerage nuisance to the local residents; there was no relevant information on conservation of the current temple structure; and the

approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The remaining four comments supported the application on the grounds that the temple had a long history; the local residents could continue to worship at the temple; and the proposed redevelopment would become a new landmark of Quarry Bay to facilitate cultural development in the community. Of which, one comment also considered that slope safety and fire prevention were important issues;

- (e) PlanD’s views – PlanD did not support the application based on the assessments set out paragraph 12 of the Paper. The proposed redevelopment did not comply with TPB PG-No. 10 in that the applicant had not demonstrated that the proposed redevelopment would not have adverse impact on the visual context, slope stability, environment and natural landscape of the area. Moreover, there had been no similar application within the “GB” zone of the area approved by the Committee. Approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative impact of approving such applications would result in a general degradation of the environment. Regarding the public concerns, the above planning assessments and departmental comments were relevant; while the supporting views in relation to the long history of the temple and its importance to the local culture were noted.

50. The Chairman asked about the location and scale of both the original and the current temples, in comparison with the proposed redevelopment in the current application. In response, Ms Irene W.S. Lai, STP/HK, said that according to Plan A-2 of the Paper, the original temple was shaded in yellow and its location and scale were referenced from the previous survey plans. According to the applicant, the original temple collapsed in 1980s. As for the current temple, it was located to the northern part of the application site. The proposed redevelopment would cover both the current temple and a piece of land located to its south. With regard to the scale of the original and the current temples, Ms Irene W.S. Lai said that no such information was available at hand. Yet, according to the areas indicated on Plan A-2 of the Paper, the site of the proposed redevelopment, with a total area of around

186m², should be slightly larger than the original temple. The southern portion of the site was included in the proposed redevelopment as an expansion of the current temple.

51. In response to the Chairman's question on Figure 2-2 in Appendix I of the Paper, Ms Irene W.S. Lai said that the figure showed the section and layout plan of the original temple which was a pavilion-like structure. The architectural design of the original temple was described in the extract of "Chinese Temples on Hong Kong Island", while the biography of Yee Bark Kung was elaborated in the extracts of "入廟拜神 – 遊走香港廟宇" and "香港民間神靈與廟宇探究". The extracts were included in Appendix I of the Paper.

52. In response to a Member's question on the planning background and the changes in site area of Yee Bark Kung Tai Sing Temple, Ms Irene W.S. Lai said that the site of the original temple was first included in the North Point Outline Development Plan No. LH 8/31 gazetted in 1964. While the majority of the site was later included in the Quarry Bay Outline Zoning Plan, the "GB" zoning of the site remained unchanged up to now. The original temple collapsed in 1980s, and the temple was reconstructed at its current site within the "GB" zone in 1985 without planning permission. As for the site area of the original temple, a comparison between the survey sheets in 1961 and 1974 indicated that there were changes in site area over the years, and the yellow-shaded area of the original temple indicated on Plan A-2 of the Paper was referenced from the survey sheet in 1974.

Deliberation Session

53. The Chairman said that while the local heritage and culture were respected, the proposed redevelopment involved some technical issues that had not been resolved satisfactorily, and its scale of development was considered extensive. The southern portion of the site was also situated adjacent to the former Quarry Bay School which was a Grade 3 historic building.

54. The Vice-chairman noted the long history of the temple but questioned why the proposed redevelopment required a site area about five times larger than that of the current temple. In view of the technical issues arising from its location on the slope and its scale of development, sympathetic consideration could not be given to the application.

55. The Chairman asked the District Planning Office to explain to the applicant that while the Committee respected the existence of the temple, the concerns on the technical issues and the scale of the proposed redevelopment should be properly addressed.

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

- “(a) the proposed development was not in line with the Town Planning Board Guidelines No. 10 for Application for Development within “Green Belt” (“GB”) Zone under section 16 of the Town Planning Ordinance in that the submission had not demonstrated that the proposed development would not have adverse impacts on the visual context, slope stability, environment and natural landscape of the area; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative impact of approving such applications would result in a general degradation of the environment of the area.”

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

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

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

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

Kowloon District

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/727 Proposed Comprehensive Redevelopment with Residential and Commercial Uses including Hotel, Office, Retail, Public Open Space, Government, Institution or Community Facilities, Public Transport Interchange and Supporting Facilities (Amendments to Approved Master Layout Plan) in “Comprehensive Development Area (1)” Zone, Kwun Tong Town Centre – Main Site (Area Bounded by Kwun Tong Road, Hong Ning Road, Mut Wah Street and Hip Wo Street)
(MPC Paper No. A/K14/727)

57. The Secretary reported that the application was submitted by the Urban Renewal Authority (URA), with AECOM Asia Co. Ltd. (AECOM), Ramboll Environ Hong Kong Ltd. (Environ), Urbis Ltd. (Urbis), MVA Hong Kong Ltd. (MVA), and Hyder Consulting Ltd. (Hyder) as five of the consultants of the applicant. The following Members had declared interests on the item:

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

Mr Laurence L.J. Li

Dr Lawrence W.C. Poon

} being non-executive directors of the Board of URA;

- Mr Simon S.W. Wang - being an alternate member of the non-executive
as the Assistant Director director of the Board of URA;
(Regional 1) of the Lands
Department
- Mr H.W. Cheung - being a co-opted member of the Planning,
Development and Conservation Committee of
URA; and having current business dealings with
Environ;
- Mr Stephen H.B. Yau - being a member of the Wan Chai District Advisory
Committee of URA;
- Professor P.P. Ho - being a conservation consultant of URA; and having
current business dealings with AECOM;
- Mr Patrick H.T. Lau having current business dealings with URA,
AECOM and MVA;
- Ms Julia M.K. Lau - having current business dealings with AECOM,
MVA and Environ; and
- Mr Dominic K.K. Lam - having past business dealings with AECOM,
Environ, Urbis, MVA and Hyder.

58. The Committee noted that Mr Laurence L.J. Li and Mr H.W. Cheung had tendered apologies for being unable to attend the meeting, and Professor P.P. Ho and Mr Patrick H.T. Lau had left the meeting already. The Committee considered that the interests of Mr K.K. Ling, Mr Simon S.W. Wang and Dr Lawrence W.C. Poon were direct and agreed that they should be invited to leave the meeting temporarily. As the interest of Mr Stephen H.B. Yau was indirect, and Ms Julia M.K. Lau and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Mr K.K. Ling and Mr Simon S.W. Wang left the meeting temporarily, and Dr Lawrence

W.C. Poon left the meeting at this point.]

Presentation and Question Sessions

59. 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:

Background

- (a) the application was submitted by URA, for amendments to the Master Layout Plan (MLP) for a comprehensive redevelopment with residential and commercial uses at Kwun Tong Town Centre (KTTC) – Main Site (the site) under application No. A/K14/576, which was first approved by the Committee on 23.1.2009. Three applications for amendments to the approved MLP were subsequently submitted and were approved;
- (b) the site was zoned “Comprehensive Development Area(1)” (“CDA(1)”) on the approved URA KTTC – Main Site Development Scheme Plan No. S/14S/URA1/2, and the scheme area was indicated on the approved Kwun Tong (South) Outline Zoning Plan No. S/K14S/20. The site covered the entire “CDA(1)” site (about 4.62 ha) which was divided into four Development Areas (DAs), i.e. DA 2 to DA 5;

Proposed Development Scheme

- (c) as compared to the last approved scheme under application No. A/K14/576-3, the proposed amendments mainly focused on the proposed redevelopment in DAs 2 and 3. There were no changes to the major development parameters including site area, plot ratio, total gross floor area, number of blocks, number of storeys and site coverage. In brief, the proposed redevelopment comprised 4 residential towers, 1 office cum hotel and retail block, a Government, institution and community (GIC) building on top of podia comprising a public transport interchange and retail facilities, and a public open space mainly at the centre of the site. The

major amendments to the last approved scheme were summarised as follows:

- (i) increase in the number of flats by dividing a portion of 3-bedroom units into 1-bedroom units;
- (ii) slight increase in the lowest limit of building height (BH) of residential towers;
- (iii) reduction of average flat size;
- (iv) increase in public and private open space provision due to corresponding increase of population;
- (v) refinement in podium layout at DAs 2 and 3, public and private open space layout and extent of noise barriers near residential towers;
- (vi) adjustment of parking spaces; and
- (vii) change in implementation programme;

Departmental Comments

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

Public Comments

- (e) during the first three weeks of the three statutory publication periods, a total of 12 public comments were received. The grounds of the public comments were summarised as follows:
 - (i) five comments supported the application on the ground that the

increase in number of flats with reduced flat size could meet the current market demand;

- (ii) five comments objected to the application on the grounds of incompatible BH of the proposed office/hotel and GIC tower, poor connectivity of the site with the surrounding areas, unsustainable comprehensive planning, inadequate GIC facilities and no provision of active open space;
- (iii) MTR Corporation Limited provided comments on the potential noise impacts and recommended the imposition of an approval condition on noise mitigation measures should the application be approved; and
- (iv) Kowloon Kwun Tong Tung Yan Street Temporary Market Mutual Aid Committee raised concerns about the proposed permanent hawker bazaar; and

Planning Department's Views

- (a) PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed scheme maintained the same major development parameters and key planning and design features with those of the last approved scheme, and generally complied with the planning and design requirements as set out in the Planning Brief endorsed by the Town Planning Board on 7.9.2007. As for the changes in the proposed scheme and the associated technical issues, concerned government departments had no objection to or no adverse comment on the application, subject to the imposition of appropriate approval conditions should the application be approved. Regarding the public comments received, the above planning assessments and departmental comments were relevant. In particular, there was no change in the BH of the commercial tower in the last approved scheme. For comments related to the noise mitigation measures and the temporary hawker bazaar, appropriate actions

had been or would be taken by the applicant and/or the concerned government departments. Relevant approval conditions were recommended to be imposed requiring the submission of a revised noise impact assessment and the provision of a hawker bazaar respectively.

60. A Member asked why the anticipated completion years for DAs 4 and 5 (i.e. 2024) were stated to be tentative. In response, Ms Joyce Y.S. So, STP/K, said that the proposed amendments mainly focused on the proposed redevelopment in DAs 2 and 3, and the anticipated completion years for the two DAs (i.e. 2021) remained unchanged under the proposed scheme. Since DAs 4 and 5 comprised both private lots and government land, the applicant anticipated that more time would be needed for land acquisition and clearance which led to the postponement of the completion years of DAs 4 and 5 to 2024 as compared with the last approved scheme.

61. In response to the Vice-chairman's question, Ms Joyce Y.S. So said although the proposed amendments mainly focused on the proposed redevelopment in DAs 2 and 3, the applicant was required to submit a MLP for the entire site covering all DAs. Therefore, the applicant took the opportunity to provide an update on the latest implementation schedule of DAs 4 and 5.

62. The Member further asked if the Town Planning Board had the authority to monitor the implementation schedule of the proposed redevelopment should the application be approved. In response, the Secretary said that an approval condition on the submission of an implementation schedule would normally be imposed if the Committee had concerns on the anticipated completion years of the proposed redevelopment. The Committee noted that the proposed amendments to DAs 2 and 3 were mainly due to the change in average flat size and the revised implementation schedule for DAs 4 and 5 was supplementary information of the subject application.

63. The Secretary further supplemented that it was not unusual that only tentative implementation date could be provided for large scale redevelopment scheme such as the subject application. According to Drawing A-35 of the Paper, implementation date for DA 4 was also stated as 'tentative' under the last approved application No. A/K14/576-3.

Deliberation Session

64. A Member supported the application and considered it acceptable to state that the implementation schedule was tentative as it was difficult to anticipate the progress of land resumption and construction works for the proposed large scale redevelopment scheme.

65. 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 18.12.2019, 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 revised Master Layout Plan (MLP) to take into account the approval conditions as stated in paragraphs (b) to (u) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the building height of the proposed commercial development within the site should not exceed 260mPD;
- (c) the proposed observation deck should be opened for public enjoyment;
- (d) the submission of a detailed breakdown of the site area and gross floor area for each of the Development Package Areas to the satisfaction of the Director of Planning or of the TPB;
- (e) the submission and implementation of the public transport interchange proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (f) the submission and implementation of a detailed setback proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (g) the submission of a Landscape Master Plan (LMP) including a tree

preservation scheme to the satisfaction of the Director of Planning or of the TPB;

- (h) the implementation of the approved LMP to the satisfaction of the Director of Planning or of the TPB;
- (i) the submission of the quarterly tree monitoring report to the satisfaction of the Director of Planning or of the TPB;
- (j) the submission and implementation of a LMP for the proposed at-grade public open space to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (k) the submission and implementation of a tree preservation and tree replanting scheme to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (l) the submission of a revised air ventilation assessment and the implementation of mitigation measures identified therein, to the satisfaction of the Director of Planning or of the TPB;
- (m) the submission of a revised drainage impact assessment and a revised sewerage impact assessment to the satisfaction of the Director of Drainage Services and the Director of Environmental Protection or of the TPB;
- (n) the submission of a revised traffic impact assessment and the implementation of traffic mitigation measures (i.e. roads, footpaths and junctions improvement) identified therein for the proposed development to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (o) the submission of a revised water impact assessment to the satisfaction of the Director of Water Supplies or of the TPB;

- (p) the submission and implementation of an interim sewerage diversion scheme to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (q) the provision of a refuse collection point and a hawker bazaar to the satisfaction of the Director of Food and Environmental Hygiene or of the TPB;
- (r) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (s) the submission and implementation of a detailed risk assessment and a contingency plan on potential road unsettlement of Hip Wo Street, Mut Wah Street, Hong Ning Road, and Kwun Tong Road arising from construction activities of the proposed car park and sunken bazaar to the satisfaction of the Director of Highways or of the TPB;
- (t) the submission and implementation of a design proposal for the retail podium façade and the pedestrian deck along Kwun Tong Road to the satisfaction of the Director of Planning or of the TPB; and
- (u) the submission of a noise impact assessment and the implementation of noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

66. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

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

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

[Ms Johanna W.Y. Cheng, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K18/313 Proposed School (Kindergarten) in “Residential (Group C) 3” Zone, 3
Flint Road, Kowloon Tong
(MPC Paper No. A/K18/313B)

67. The Secretary reported that the site was located at Kowloon Tong, and Lanbase Surveyors Ltd. (Lanbase) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having current business dealings with Lanbase and
MVA;

Mr Dominic K.K. Lam having past business dealings with Lanbase and
MVA;

Ms Julia M.K. Lau - having current business dealings with MVA;
owning a share of a property near the junction of
Hereford Road and Waterloo Road; and her family
members living in Waterloo Road;

Mr Clarence W.C. Leung - owning a property near the junction of Durham
Road and La Salle Road; and

Dr Lawrence W.C. Poon - living in Kowloon Tong.

68. The Committee noted that Mr Clarence W.C. Leung had tendered apologies for being unable to attend the meeting, and Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left the meeting already. As Mr Dominic K.K. Lam and Ms Julia M.K. Lau had no

involvement in the application, and the properties of Ms Julia M.K. Lau and her family members had no direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

69. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the school (kindergarten);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Major departmental comments were summarised as follows:
 - (i) the Commissioner of Police (C of P) had reservation on the application from the traffic policing point of view as the traffic volume of the Kowloon Tong area had already reached the saturation point. The dropping off and picking up of students outside the kindergarten would pose potential risk to students as well as other road users. There were also no measures proposed to mitigate impacts of the ‘kerbside’ activities;
 - (ii) the Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD) had reservation on the application from landscape planning perspective as no tree survey nor tree treatment proposal was submitted to demonstrate that the existing trees would not be affected by the development. Hence, the landscape impact to be incurred could not be fully ascertained. Besides, there was no landscape provision for the development; and
 - (iii) other concerned government departments had no objection to or no

adverse comment on the application;

- (d) during the first three weeks of the three statutory publication periods, a total of 12 public comments were received, which objected to the application on the grounds of impacts on the residential neighbourhood, creating additional pressure on existing infrastructure, excessive supply of schools in Kowloon Tong, adverse traffic impact and road safety issues, and setting an undesirable precedent for similar applications for school use in the area; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Although the development was not incompatible with the surrounding land uses, the traffic impact of the development at school peak hours was still a main concern. Apart from the provision of school buses, the applicant had not proposed other traffic mitigation measures. No parking spaces or loading/unloading facilities would be provided within the site and on-street dropping off and picking up of students were to be carried out outside the development. Moreover, the landscape impact to be incurred by the development could not be fully ascertained. There was only one similar application within the subject “Residential (Group C)3” zone which was rejected by the Town Planning Board on review for the reasons of having adverse traffic impact and setting of an undesirable precedent. For another similar application in the “Residential (Group C)4” zone to the further north of the site, it was approved by the Committee on a temporary basis for a period of two years on a special consideration that permission for non-residential uses at the same site had previously been granted, and the Commissioner for Transport and C of P had not raised technical concerns on the application. The Committee emphasized that the said application should not be regarded as a precedent for similar applications. In view of that, approval of the subject application would set an undesirable precedent for similar applications in the area. Regarding the public comments received, the above planning assessments and departmental comments were relevant.

70. Members had no question on the application.

Deliberation Session

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

- (a) the development was located on Flint Road/Chester Road with narrow width and busy traffic at school peak hours. The applicant failed to demonstrate that the traffic impact of the development on the area was acceptable; and
- (b) approval of the application with no on-site transport provision and without adequately addressing the traffic problem would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would aggravate the traffic congestion problem of the area at school peak hours.

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

Agenda Item 13

Section 16 Application

[Open Meeting]

A/K18/316 Proposed Minor Relaxation of Building Height Restriction from 13 storeys to 15 storeys for Proposed Educational Institution (University Hostel and Academic Building Complex) in "Government, Institution or Community (9)" Zone, 30 Renfrew Road (part), Kowloon Tong
(MPC Paper No. A/K18/316A)

72. The Secretary reported that the site was located at Kowloon Tong, and the application was submitted by the Hong Kong Baptist University (HKBU), with Townland Consultants Ltd. (TCL) and AGC Design Ltd. (AGC) as two of the consultants of the

applicant. The following Members had declared interests on the item:

- Mr Laurence L.J. Li - being an Honorary Member of the Court of HKBU;
- Mr Stephen H.B. Yau - being the Chairman of the Social Work Advisory Committee of the Department of Social Work in HKBU;
- Mr Dominic K.K. Lam - having past business dealings with HKBU and TCL;
- Mr Patrick H.T. Lau - having current business dealings with TCL and AGC;
- Professor P.P. Ho - having current business dealings with TCL;
- Ms Julia M.K. Lau - owning a share of a property near the junction of Hereford Road and Waterloo Road; and her family members living in Waterloo Road;
- Mr Clarence W.C. Leung - owning a property near the junction of Durham Road and La Salle Road; and
- Dr Lawrence W.C. Poon - living in Kowloon Tong.

73. The Committee noted that Mr Laurence L.J. Li and Mr Clarence W.C. Leung had tendered apologies for being unable to attend the meeting, and Professor P.P. Ho, Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left the meeting already. The Committee also noted that the applicant had requested for deferment of consideration of the application and agreed that Ms Julia M.K. Lau and Mr Dominic K.K. Lam could stay in the meeting. As the interest of Mr Stephen H.B. Yau was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

74. The Committee noted that on 7.12.2015, the applicant had requested for deferment of the consideration of the application for one month as further comments were received from the Environmental Protection Department (EPD) and the applicant was in the

midst of discussion with EPD to address their comments. It was the second time that the applicant requested for deferment of the application. Since the last deferment, the applicant had submitted further information.

75. 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 second deferment of the application and a total of three months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 14

Any Other Business

76. There being no other business, the meeting closed at 11:45 a.m..