

TOWN PLANNING BOARD

Minutes of 549th Meeting of the Metro Planning Committee held at 9:00 a.m. on 8.1.2016

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	
Mr Clarence W.C. Leung	
Mr Laurence L.J. Li	
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	
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

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 Secretary
Mr Raymond K.W. Lee

Absent with Apologies

Ms Bonnie J.Y. Chan

Mr Frankie W.C. Yeung

In Attendance

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

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

Town Planner/Town Planning Board
Mr William W.L. Chan

Agenda Item 1

Confirmation of the Draft Minutes of the 548th MPC Meeting held on 18.12.2015

[Open Meeting]

1. The Secretary reported that as advised by Mr Martin W.C. Kwan, Chief Engineer (Works), Home Affairs Department the property in Tai Koo Shing was co-owned by his spouse, he suggested to amend paragraph 48 of the draft minutes on Item 10 as follows:

3rd line “... Mr Martin W.C. Kwan ...” should read “... Mr Martin W.C. Kwan ***and his spouse*** ...”

2. The minutes of the 548th MPC meeting held on 18.12.2015 were confirmed subject to the amendment mentioned in paragraph 1 above.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Mr Philip Y.L. Chum, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) was invited to the meeting at this point.]

[Dr Wilton W.T. Fok, Mr Dominic K.K. Lam and Mr Sunny L.K. Ho arrived to join the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K16/41 Proposed Eating Place, Office, Shop and Services in "Comprehensive Development Area" Zone, G/F (Part), Kowloon Motor Bus Headquarters Building, 9 Po Lun Street, Lai Chi Kok
(MPC Paper No. A/K16/41)

4. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ) was the consultant of the applicant. Ms Julia M.K. Lau, Mr H.W. Cheung and Mr Dominic K.K. Lam had declared interests in this item as Ms Lau and Mr Cheung had current business dealings with Environ and Mr Lam had past business dealings with Environ. As Mr Lam and Mr Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting. The Committee noted that Ms Lau had not arrived to join the meeting yet.

Presentation and Question Sessions

5. The Committee noted that two replacement pages for pages 1 and 4 of the Paper had been tabled at the meeting. 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 eating place, office, shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 10 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, one public comment was received from an individual objecting to the application mainly on the grounds that the application was purely to achieve

commercial interests rather than actual operational need. No local objection/view was received by the District Officer (Sham Shui Po); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed conversion only involved 7m² of floor space constituting 0.67% of the GFA on G/F. It would unlikely generate adverse traffic and environmental impacts on the surrounding areas. The proposed use was considered compatible with the commercial uses on the G/F of the building. Regarding the public comment, the above planning assessments were relevant.

6. In response to the Vice-chairman's question, Mr Philip Y.L. Chum, STP/TWK, said that according to the applicant, the subject premises would enable better and more efficient use of floor space and would be included as part of the business operation of the previously approved commercial uses.

Deliberation Session

7. 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 8.1.2020, 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 and development schedule incorporating the proposed eating place, office, shop and services uses on G/F of the Kowloon Motor Bus Headquarters Building to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of fire services installations to the satisfaction of the Director of Fire Services or of the TPB.”

8. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix V of the Paper.

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

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/771 Shop and Services (Showroom) in "Other Specified Uses" annotated
 "Business(2)" Zone, Workshop A4, G/F, Block A, Hong Kong
 Industrial Centre, Nos. 489-491 Castle Peak Road, Cheung Sha Wan
 (MPC Paper No. A/K5/771)

9. The Secretary reported that Lawson David & Sung Surveyors Ltd. (Lawson) was the consultant of the applicant. Ms Bonnie J.Y. Chan had declared an interest in this item as she had current business dealings with Lawson. The Committee noted that Ms Chan had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

10. 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 shop and services (showroom);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Fire Services (D of FS) objected to the application from the fire safety point of view. According to the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses” annotated “Business” (“OU(Business)”) Zone (TPB PG-No. 22D), the maximum permissible aggregate commercial floor area on G/F of the subject industrial building with a sprinkler system was 460m².

It was noted from the planning statement that the showrooms were not only related to a number of industrial/trading firms on the upper floors of the subject industrial building, but also other nearby buildings. D of FS had concern on the use of these ancillary showrooms to provide direct customer services or goods to the general public or attract visitors to the industrial building instead of supporting the industrial activities in the same building, and the aggregate commercial floor area on G/F of the subject industrial building would exceed 460m² should this application be approved. Other concerned departments had no objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view 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 11 of the Paper. D of FS advised that as the applicant failed to demonstrate that the applied showroom was an ancillary use in connection with the main industrial use of the subject building, the applied showroom should be counted towards the aggregate commercial floor area on the G/F of 460m² as stipulated in TPB PG-No. 22D. While the total commercial floor area on the G/F of the subject building already approved by the Committee was 459.224m², should the application be approved, the concerned commercial floor area would exceed the aforesaid GFA limit. D of FS objected to the application from the fire safety point of view.

11. In response to the Chairman's question, Mr Philip Y.L. Chum, STP/TWK, said that the commercial uses in Workshops A5, A6 and A8 (Portion) with a total area of 459.224m² on the G/F of the subject building were accountable for the "460m² GFA limit". They were approved under applications No. A/K5/761 and 767. Other commercial uses on the G/F of the subject building which were not counted towards the aforesaid limit included showrooms, local provision store and fast food counter. In response to the Chairman's further question, Mr Chum said that while the nature of the applied use in the current

application was a showroom, D of FS considered that it should be counted towards the GFA limit since the applicant stated that the showroom was not only related to the industrial/trading firms in the subject building but also firms in other nearby buildings. The Secretary supplemented that D of FS' comments were detailed in paragraph 9.1.2(b)(ii) of the Paper.

12. In response to the Vice-chairman's question on the consistency of the D of FS' views on similar applications, Mr Chum said that in application No. A/K5/737 for a showroom at G/F of 688-690 Castle Peak Road, D of FS considered that the concerned showroom should be counted towards the GFA limit since that applicant could not demonstrate the concerned showroom was solely related to the main industrial use of the concerned building.

13. In response to a Member's question, the Secretary said that fire safety risk was a major consideration in formulating TPB PG-No. 22D. Taking into account the advice from the Fire Services Department (FSD), the maximum aggregate commercial floor area to be allowed on the G/F of industrial buildings with and without sprinkler systems were set at 460m² and 230m² respectively.

[Professor P.P. Ho arrived to join the meeting at this point.]

Deliberation Session

14. A Member said that the logic of exempting ancillary commercial uses at the G/F of industrial building from the GFA limit was based on the consideration that visitors to such ancillary uses would be limited to the perspective customers of those industrial firms at the upper floors of the building. For those non-ancillary commercial uses such as retail shops, more visitors including the general public would be attracted to the industrial building and they would be exposed to higher potential fire risk. As such, there was a need to limit the floor area of non-ancillary commercial uses at the G/F of industrial buildings to minimize the fire safety risk.

15. Noting that many of the commercial uses on the G/F of the subject industrial building operated as retail shops rather than ancillary showrooms, a Member said that there

might be an abuse of the approved uses and requested relevant departments to take appropriate enforcement action.

16. A Member said that it might be too restrictive to reject all non-ancillary commercial uses only if the GFA limit as stipulated in TPB PG-No. 22D was exceeded. The fire risk should be assessed on a case-by-case basis taking into account the actual nature of operation, the context of the concerned premises and surrounding uses, as well as the fire safety measures proposed by the applicant. It was noted that many parts of the ground floors of industrial buildings in the area had been converted to non-industrial uses. Given the subject premises was located at the G/F fronting a street and the applied use would not be incompatible with the surrounding uses, the fire risk of the applied use might not be unacceptable.

17. The Vice-chairman had reservation and said that the criteria used in TPB PG-No. 22D had taken into account FSD's advice. FSD had made its assessment on the subject premises based on its professional knowledge and experiences. Both the criteria in TPB PG-No.22D and FSD's professional judgment should not be overridden lightly. Besides, it was based on the statement made by the applicant that the showroom was considered not an ancillary use by FSD. Approval of the application would set an undesirable precedent for similar applications, thereby exposing more public to higher potential fire risk in industrial buildings.

18. The Committee in general agreed that the application should be rejected in accordance with the criteria in TPB PG-No. 22D, and enforcement action at G/F of industrial buildings would need to be followed up by the relevant departments such as FSD, the Lands Department and Buildings Department, as appropriate.

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

“(a) the shop and services (showroom) use under application is accountable for the aggregate commercial floor area on the ground floor of the subject industrial building and does not comply with the Town Planning Board Guidelines for Development within “Other Specified Uses (Business)”

Zone (TPB PG-No. 22D) as the total floor area accountable for the aggregate commercial floor area has exceeded the maximum permissible limit of 460m²; and

- (b) approval of the application would set an undesirable precedent for similar applications, thereby resulting in adverse fire safety impact on such industrial buildings equipped with a sprinkler system.”

[The Chairman thanked Mr Philip Y.L. Chum, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr Walter W.N. Kwong, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting]

A/TW/474 Renewal of Planning Approval for Temporary Shop and Services (Motor-vehicle Showroom) and Temporary Minor Relaxation of Non-domestic Gross Floor Area Restriction for a Period of 3 Years in "Residential (Group A) 6" Zone, Portion of Car Park at 7/F, Discovery Park, 398 Castle Peak Road – Tsuen Wan, Tsuen Wan
(MPC Paper No. A/TW/474)

20. The Secretary reported that the shopping centre at Discovery Park was owned by New World Development Co. Ltd. (NWD). Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr Patrick H.T. Lau - having current business dealings with a subsidiary of NWD and KTA;

Mr Dominic K.K. Lam - having past business dealings with NWD and

KTA; and

Mr Laurence L.J. Li - being the director of a charitable organisation which received a donation from another charitable organization under NWD.

21. As the interest of Mr Lau was direct, the Committee agreed that he should leave the meeting temporarily for this item. As Mr Lam had no involvement in the application and as the interest of Mr Li was remote, the Committee agreed that they could stay in the meeting.

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

Presentation and Question Sessions

22. With the aid of a PowerPoint presentation, Mr Walter W.N. Kwong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the renewal of planning approval for temporary shop and services (motor-vehicle showroom) and temporary minor relaxation of non-domestic gross floor area restriction under previous application No. A/TW/435 for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application. The Commissioner for Transport (C for T) advised that based upon the updated requirements in the Hong Kong Planning Standards and Guidelines (HKPSG), 817 car parking spaces should be provided in Discovery Park, of which 519 for residential, 36 for visitor and 262 for commercial. 1,000 car parking spaces were provided in the development and surplus car parking spaces of 183 was more than 156, i.e. the number of parking spaces proposed to be used as the subject

motor-vehicle showroom. Besides, the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD) advised on 7.1.2016 that his comment in paragraph 10.1.1(c) of the Paper should be revised as follows:

“Should the planning application be approved by the Town Planning Board based on the recommended planning approval condition (a) on minimum parking spaces (i.e. 817 parking spaces of 519 for residential, 36 for visitor and 262 for commercial), the existing Waiver Letter dated 22.12.2014 would be amended to tally with the approval numbers of carpark. The owner of the subject premises would have to apply to LandsD to amend the temporary waiver, which will be processed and considered by LandsD acting in the capacity as the landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions, including inter alia, payment of waiver fees and administrative fee, as may be imposed by LandsD.”

- (d) during the first three weeks of the statutory publication period, 21 public comments were received from the Tsuen Wan West Area Committee, two Legislative Council members, a Tsuen Wan District Council (TWDC) member, the Owners' Committee of Discovery Park (Residential Portion), residents of Discovery Park and individuals. They all objected to the application mainly on grounds of inadequate provision of car parking spaces in Tsuen Wan, generation of high demand for hourly car parking spaces by significant increase of visitors especially during weekends, difficulties encountered by some residents of Discovery Park to rent parking spaces, deviation from the planning intention of residential zone, the planning permissions for the subject showroom having been renewed many times, concerns on pedestrian flow and security induced by the arrangement of sharing the lifts for usage by residents and showroom users, adverse traffic impact on Mei Wan Street, no evidence on the availability of at least 672 car parking spaces for the residents, and the proposed use was a kind of favour to the developer;
- (e) the District Officer (Tsuen Wan) advised that as certain TWDC members

had been expressing concerns over the inadequacy of carparks in Tsuen Wan, professional advice from C for T should be sought on whether these carpark, if released to the public, could alleviate the traffic congestion in the district; and

- (f) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a further period of three years based on the assessments set out in paragraph 12 of the Paper. The application complied with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions and Temporary Use or Development (TPB PG-No. 34B) in that there was no material change in planning circumstances since the previous temporary approval and there was no adverse planning implications arising from the renewal of the planning approval. Concerned departments had no objection to or no adverse comment on the application. Regarding the public comments received, the above planning assessments and departmental comments were relevant.

23. In response to the Vice-Chairman's question, Mr Walter W.N. Kwong said that amongst the 1,000 car parking spaces provided on the approved Master Layout Plan of Discovery Park, the split of parking spaces for residential and commercial purposes was 672 and 328 respectively. The temporary showroom involved conversion of 156 parking spaces at 7/F of the carpark. As a result, the car parking spaces designated for commercial purpose would be reduced to 172. To address the demand for commercial parking spaces, the applicant had proposed to make use of surplus residential parking spaces for commercial parking purposes. According to the applicant, even with the 156 parking spaces converted to temporary motor-vehicle showroom, the remaining 844 parking spaces were still able to fulfill the latest HKPSG parking requirement for Discovery Park. C for T had no comment on the application as under his assessment there would be a surplus of 183 parking spaces, which were more than 156 parking spaces used for the temporary motor-vehicle showroom. He also had no comment on the applicant's proposal of using the surplus residential parking spaces for commercial parking purpose.

Deliberation Session

24. Regarding the public concern on shared use of lifts with residents, the Committee noted that there were lifts solely for the use of the residents. In addition, there were four lifts which could provide access not only to the subject premises at 7/F but also the residential podium at 8/F, carparks at 4/F to 7/F and shopping centres at 1/F to 3/F of the Discovery Park podium.

25. In response to the Chairman's question, Mr Wilson W.S. Pang, Assistant Commissioner for Transport (Urban), Transport Department said that according to the latest HKPSG, there would be a surplus of 183 parking spaces. Besides, the actual utilisation of the carpark in Discovery Park was not high which was also demonstrated by the findings of the parking demand study conducted by the applicant.

26. While having no objection to use surplus parking spaces as motor-vehicle showroom from resource utilization perspective, the Vice-chairman said that the planning permission might become permanent in nature given repeated renewals were granted by the Committee and it might not be desirable if the remaining parking spaces for commercial purpose were not adequate to meet the demand. In response, the Chairman said that the previous approvals and the current application were all on a temporary basis. The Committee would duly consider each application for renewing planning permission taking into account the latest planning circumstances and other criteria stated in TPB PG-No. 34B.

27. The Committee agreed to grant renewal of the subject planning approval on temporary basis for a period of three years so that the Committee could monitor the demand and utilization rate of car parking spaces in Discovery Park.

28. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of 3 years from 19.1.2016 until 18.1.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

“(a) the provision of minimum number of car parking spaces: 519 for residents, 36 for visitors and 262 for commercial, to the satisfaction of the

Commissioner for Transport or of the TPB;

- (b) the provision of fire service installations within six months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.7.2016; and
- (c) if the above planning condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Mr Walter W.N. Kwong, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms Fannie F.L. Hung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) was invited to the meeting at this point.]

[Dr Lawrence W.C. Poon left the meeting temporarily at this point. Mr Laurence L.J. Li left the meeting at this point]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/433 Proposed Minor Relaxation of Domestic Plot Ratio for Proposed
 Subsidised Sale Flats Development in "Residential (Group A)" Zone,
 Government Land and Vesting Order No. 116 at Texaco Road,
 Kwai Chung
 (MPC Paper No. A/KC/433)

30. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). AECOM Consulting Services Limited (AECOM) was the

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

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|---|--|
| Mr K.K. Ling
as the Director of Planning | - being a member of the Strategic Planning Committee (SPC) and the Building Committee (BC) of the HKHA; |
| Mr Martin W.C. Kwan
as the Chief Engineer (Works) of the Home Affairs Department | - being an alternate representative of the Director of Home Affairs who was a member of SPC and the Subsidised Housing Committee of HKHA; |
| Professor P.P. Ho | - being a member of BC of HKHA;

- having current business dealings with AECOM; |
| Ms Julia M.K. Lau | - being a member of HKHA and its Commercial Properties Committee and Tender Committee of HKHA;

- having current business dealings with AECOM; |
| Mr Patrick H.T. Lau | - having current business dealings with HKHA and AECOM; |
| Mr Dominic K.K. Lam | - having past business dealings with HKHA and AECOM; |
| Dr Lawrence W.C. Poon | - his spouse being an employee of the Housing Department but not involved in planning work;
and |
| Mr Clarence W.C. Leung | - having an office in Kwai Chung. |

31. As the interests of the Chairman, Mr Kwan and Professor Ho were direct, the Committee agreed that they should leave the meeting temporarily for this item. As Mr Lam had no involvement in the application and Mr Leung's office did not have direct view of the site, the Committee agreed that they could stay in the meeting. The Committee noted that Ms Lau had not arrived to join the meeting yet, and Mr Lau and Dr Poon had left the meeting temporarily.

[The Chairman, Mr Martin W.C. Kwan, Professor P.P. Ho and Mr Dominic K.K. Lam left the meeting temporarily at this point. The Vice-chairman took over the chairmanship of the meeting at this point.]

Presentation and Question Sessions

32. The Committee noted that a replacement page for page 2 of the Paper had been tabled at the meeting. With the aid of a PowerPoint presentation, Ms Fannie F.L. Hung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of domestic plot ratio (PR) from 5 to 6 for the proposed subsidised sale flats development;
- (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 two statutory publication periods, two public comments were received. They objected to the application mainly on the grounds that the sloped area should not be included for development; the proposed increase in PR would affect the view of residents of Fu Tak House; the proposed development would have adverse traffic impact on surrounding area; the proposed development did not meet the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) on the

provision of local open space; and there was no children's playground and no outdoor amenity space. No local objection/view was received by the District Officer (Kwai Tsing); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed minor relaxation of PR was in line with the government policy in boosting housing supply by increasing the development intensity. The proposed relaxation was considered minor in nature and acceptable for the subject location and site context without major changes to the character of the locality. It would not have adverse visual, environmental, drainage, sewerage and traffic impacts. Regarding the public comment received, the above planning assessments were relevant. In respect of the concern on the local open space provision, the proposed development would provide about 1,200m² of local open space which was in line with the HKPSG requirement. Moreover, a sitting out area and a children playground located in the adjoining Tai Wo Hau Estate were only about 50m and 100m from the site respectively.

33. Members had no question on the application.

Deliberation Session

34. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of vehicular access, car park and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB; and
- (b) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman, Mr Martin W.C. Kwan, Mr Dominic K.K. Lam, Dr Lawrence W.C. Poon, Professor P.P. Ho and Mr Patrick H.T. Lau returned to join the meeting at this point. The Chairman took over the chairmanship of the meeting at this point.]

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/131 Proposed Animal Welfare Centre (including Animal Boarding Establishment with Ancillary Eating Place) in "Government, Institution or Community" Zone, Government Land at Cheung Fai Road, Tsing Yi
(MPC Paper No. A/TY/131)

36. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ) was one of the consultants of the applicant. Ms Julia M.K. Lau, Mr H.W. Cheung and Mr Dominic K.K. Lam had declared interests in this item as Ms Lau and Mr Cheung had current business dealings and Mr Lam had past business dealings with Environ. As Ms Lau, Mr Lam and Mr Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed animal welfare centre (including animal boarding establishment with ancillary eating place);

- (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 two statutory publication periods, 15 public comments were received. Four of them from a Kwai Tsing District Council member, Designing Hong Kong Limited and individuals supported the application mainly on the grounds that the site was accessible; the use was compatible with the adjacent land uses and in line with the planning intention of “Government, Institution or Community” (“G/IC”) zone; and able to ease the lack of animal welfare centre in Hong Kong. Five of them objected to the application on grounds of shortage of car parking spaces in Tsing Yi District; unnecessary provision of animal welfare centre; and omission of increased population in the district and noise pollution from animals in the submitted technical assessments. Five of them commented on the inadequacy of car parking spaces, adverse traffic impacts caused and the usefulness of the proposed development; and suggested to provide an additional car park; require submission of landscape proposal to enhance the design; and use the site for private residential development. The remaining one suggested to build a community centre at the site;
- (e) no local objection/view was received by the District Officer (Kwai Tsing) (DO(K&T)); and
- (f) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed development was in line with the planning intention of “G/IC” zone and had obtained policy support from Food and Health Bureau. The site was away from the nearby residential developments and the proposed development was considered not incompatible with the surrounding non-domestic uses including government use, cargo handling uses and public vehicle park. The proposed development intensity was also considered acceptable at the waterfront location. Concerned departments had no objection to or no adverse comment on the application.

Approval conditions were recommended to address technical concerns of the departments. Regarding the public comments received, the above planning assessments were relevant. With regard to the proposal of building a community hall raised by the public, whilst DO(K&T) had not made such a request, the site was not a suitable location for a community centre in view of its relatively remote location.

38. In response to the Chairman's question, Ms Fannie F.L. Hung, STP/TWK said that while no assessment on noise pollution from animals was conducted in the environmental assessment submitted by the applicant, the site was surrounded by container terminals and cargo handling area and the nearest residential block (i.e. Ching Tao House of Cheung Tsing Estate) was located more than 100m from the site.

39. In response to the Vice-chairman's question, Ms Hung said that in the traffic impact assessment (TIA) submitted by the applicant, reference had been made to the traffic pattern of another centre of Society for the Prevention of Cruelty to Animals (Hong Kong) at Ho Man Tin. The TIA had not specifically mentioned about any adverse impact of Cheung Fai Road, being a dead end road, as the only access road to the site. The Commissioner for Transport had no adverse comment on the TIA.

Deliberation Session

40. A Member considered that the architectural design of the proposed building was monotonous and suggested that the façade of the building should be improved. The Committee noted that similar comments were raised by the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD) and an advisory clause had already been recommended for the applicant to take note of CA/ASC, ArchSD's comments at the detailed design stage.

41. Another Member considered that the design of the building should also take into account the needs for interaction between people and animals as well as to cater for the special needs of the animals. The Committee noted that there were features adopted in the building design to facilitate the interaction between people and animals. However, the Committee agreed to add an advisory clause for the applicant to pay more attention to ensure

that the detailed design and future maintenance of the proposed animal welfare centre would be user-friendly for animals.

42. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of water supplies for firefighting and fire service installations to the satisfaction the Director of Fire Services or of the TPB;
- (b) the submission and implementation of the landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission and implementation of the car parking and lay-by proposal, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB.”

43. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper in addition to the following clause:

- “(j) to pay more attention to ensure that the detailed design and future maintenance of the proposed animal welfare centre would be user-friendly for animals.”

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

[Mr Derek P.K. Tse, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

Hong Kong District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H10/90 Proposed School (Kindergarten cum Child Care Centre) in "Residential (Group B)" Zone, Shop No. 101, Chi Fu Landmark, Chi Fu Fa Yuen, Pok Fu Lam

(MPC Paper No. A/H10/90A)

Presentation and Question Sessions

44. With the aid of a PowerPoint presentation, Mr Derek P.K. Tse, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed school (kindergarten cum child care centre);
- (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) no public comment was received during the first three weeks of the statutory publication period and no local objection/view 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 10 of the Paper. The proposed use was generally in line with the planning intention and not incompatible with other commercial uses within the shopping centre, as well as the residential uses in the vicinity.

45. Members had no question on the application.

Deliberation Session

46. 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 8.1.2020, 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 condition:

“The provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Mr Derek P.K. Tse, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/264 Proposed Hotel in "Other Specified Uses" annotated "Business(1)" Zone,
 43 Heung Yip Road, Wong Chuk Hang
 (MPC Paper No. A/H15/264A)

48. The Secretary reported that Ramboll Environ Hong Kong Ltd. (Environ) was one of the consultants of the applicant. Ms Julia M.K. Lau, Mr H.W. Cheung and Mr Dominic K.K. Lam had declared interests in this item as Ms Lau and Mr Cheung had current business dealings and Mr Lam had past business dealings with Environ. As the applicant had requested for deferment of consideration of the application, and Ms Lau, Mr Cheung and Mr Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

49. The Committee noted that on 24.12.2015, the applicant requested for deferment

of the consideration of the application for another one month so as to allow time for the applicant to address the Transport Department's comments. This was the applicant's second request for deferment.

50. 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 a maximum period of one month was allowed for preparation of the submission of the further information. Since it was the second deferment of the application, the Committee agreed to advise the applicant that the Committee had allowed a total of three months including the previous deferment for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

[Miss Jessica K.T. Lee, 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/H15/266 Proposed Flat (Government Staff Quarters) and Minor Relaxation of Building Height Restriction in "Government, Institution or Community" Zone, Ex-Housing Department Staff Quarters Site, Tin Wan Street, Tin Wan, Aberdeen

(MPC Paper No. A/H15/266)

51. The Secretary reported that Townland Consultants Ltd. (TCL) and Earthasia Ltd. were the consultants of the applicant. The following Members had declared interests on this item:

- Mr Patrick H.T. Lau - being a member of the Board of Directorship of Earthasia Ltd. and having current business dealings with TCL;
- Mr Dominic K.K. Lam - having past business dealings with TCL and Earthasia Ltd.; and
- Professor P.P. Ho - having past business dealings with TCL.

52. As the interest of Mr Lau was direct, the Committee agreed that he should leave the meeting temporarily for this item. As Mr Lam and Professor Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

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

Presentation and Question Sessions

53. 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 flat (government staff quarters) and minor relaxation of building height restriction;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the two statutory publication periods, a total of five public comments were received, with four of them objected to and one provided comments on the application. Their main concerns included the government housing policy being not to increase housing supply for the disciplinary forces; no great demand for staff quarters of the Correctional

Services Department (CSD); consideration to take up vacant public housing units nearby for staff quarters; being far away from working places; excessive high building height of the proposed development; lack of air ventilation assessment provided; serious disruption to nearby elderly centre during preparation of meals by CSD staff; higher pressure on the current provision of community and social facilities; the site being more suitable to be used as an open space to provide a buffer between the existing elderly centre and the Tin Wan Electrical Sub-station Building, or an ideal location for a residential facility for the disabled or a youth hostel. No local objection/view was received by the District Officer (Southern) (DO(S)); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed staff quarters was generally in line with the planning intention of “Government, Institution or Community” zone. For CSD alone, there was an outstanding demand of 340 flats and the average waiting time for junior staff married quarters was about 4 years from the date of marriage and 11.5 years from the date of joining CSD. The proposed development was considered not incompatible with the surrounding land uses of government, institution and community uses and residential developments. The scale and intensity of the proposed development were also in keeping with that of the adjacent developments. The applicant had also made an effort to minimize the extent of building height increase by reducing heights of typical floor and landscaped deck. Regarding the public comment received, the above planning assessments were relevant.

54. Members had no question on the application.

Deliberation Session

55. 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 8.1.2020, 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 of a revised Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB; and
- (d) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/H15/267 Proposed Eating Place in "Open Space" Zone, Site to the east near Aberdeen Wholesale Fish Market on Aberdeen Promenade
(MPC Paper No. A/H15/267)

57. The Secretary reported that the application was submitted by the Home Affairs Department (HAD). Townland Consultants Ltd. (TCL), Architectural Services Department (ArchSD), BMT Asia Pacific Ltd. (BMT) and MVA Hong Kong Ltd. (MVA) were the

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

- Mr Martin W.C. Kwan - being the Chief Engineer (Works) of HAD;
- Mr Patrick H.T. Lau - having current business dealings with HAD, TCL, ArchSD, BMT and MVA;
- Mr Stephen H.B. Yau - working in an organisation which had a project funded by HAD;
- Mr Dominic K.K. Lam - having past business dealings with TCL, ArchSD, BMT and MVA;
- Professor P.P. Ho - having current business dealings with TCL and ArchSD; and
- Ms Julia M.K. Lau - having current business dealings with MVA.

58. The applicant had requested for deferment of consideration of the application. As the interests of Mr Kwan and Mr Lau were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion. As Mr Yau, Mr Lam, Professor Ho and Ms Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

59. The Committee noted that on 30.12.2015, the applicant requested for deferment of the consideration of the application for two weeks so as to allow time for the applicant to liaise with relevant government departments for the various issues whilst meeting the tight deadline for applying project funding from the Legislative Council. This was the applicant's first request for deferment.

60. 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 a period of two weeks was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[The meeting was adjourned for a break of 10 minutes.]

[Mr J.J. Austin, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H24/23 Further Consideration of the Proposed Development (Eating Place, Shop and Services and Private Club) in "Open Space" Zone and an area shown as 'Road', Fenwick Pier, 1 Lung King Street, Wan Chai
(MPC Paper No. A/H24/23A)

61. The Secretary reported that Townland Consultants Ltd. (TCL), MVA Hong Kong Ltd. (MVA) and Urbis Ltd. (Urbis) were the three consultants of the applicant. The following Members had declared interests in this item:

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

Professor P.P. Ho - having current business dealings with TCL;

Ms Julia M.K. Lau - having current business dealings with MVA; and

Mr Dominic K.K. Lam - having past business dealings with TCL, MVA and Urbis;

62. As Mr Lau, Professor Ho, Ms Lau and Mr Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

63. The Secretary reported that a letter dated 6.1.2016 from the Secretary of Task Force on Harbourfront Developments on Hong Kong Island expressing comments on the application was tabled at the meeting for Members' information. Members also noted that a replacement page for page 6 of the Paper had been tabled at the meeting.

64. With the aid of a PowerPoint presentation, Mr J.J. Austin, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

Background

- (a) on 29.5.2015, the applicant sought planning permission for the reconstruction and refurbishment of the existing facilities at Fenwick Pier;
- (b) on 4.9.2015, the Committee considered the application and decided to defer making a decision on the application pending the submission of further information on the design of the proposed development. Members generally had no objection to the proposed uses, the increase in gross floor area and building height, as well as excising the south-western corner of the site from the site boundary, but were concerned about the design of the proposed open spaces for public use and their integration with the adjoining land uses;

Further Information

- (c) the applicant submitted two design options in response to the Members' concerns. Under both options, the building portion remained the same as

the scheme considered by the Committee on 4.9.2015. Encroachment of the proposed development onto Lung King Street was minimised. The proposed public open space in the northern part of the site was still included into the project boundary for its early implementation, but the applicant could surrender it to the Government, if considered necessary. Besides, as requested by the Transport Department (TD), three more carparking spaces would be provided and one loading/unloading bay would be upgraded to cater for heavy goods vehicles;

Option 1

- (d) the eastern site boundary would be shifted backward for about 1.4m to limit the encroachment onto Lung King Street. As proposed in the original scheme, the south-western corner would be excised from the site mainly to facilitate pedestrian circulation at Road D11. The total amount of open space proposed for public use was 1,926m², an increase of 34m² as compared to 1,892m² under the original scheme;

Option 2

- (e) the eastern boundary abutting Lung King Street would be shifted backward for about 4.4m to allow a wider strip of land for pedestrian flow towards the harbour, but the south-western corner of the site would have to be kept within the site boundary for car parking purposes. In addition, the northern boundary would be shifted backward slightly to allow for more public open space to be provided. The total amount of open space proposed for public use was 1,700m², which was 192m² less than the provision under the original scheme due to the need to use the south-western corner for carparking purposes and the shifting of the northern boundary;
- (f) departmental comments – departmental comments were set out in paragraph 3 of the Paper. The major departmental comments on the two options were summarised as follows:

- (i) the Harbour Unit, Development Bureau commented that the strip of land between the site and the future APA extension should be developed into open space and preferably be included in the project for early public enjoyment and to ensure that there would be sufficient width for pedestrian connection. The open space on the northern part for public use should be open to the public around the clock to enable public enjoyment;
- (ii) the Chief Town Planner/Housing & Office Land Supply, Planning Department (PlanD) commented that the proposed excision of the south-western corner of the site in Option 1 would help maintain the visual permeability and pedestrian accessibility to the harbourfront and facilitate the future implementation of Road D11;
- (iii) the Chief Town Planner/Urban Design and Landscape, PlanD advised that from urban design and visual point of view, Option 1 would have less encroachment on Lung King Street while in Option 2 parking spaces proposed at the south-western corner of the site would disconnect the open space with the future Las Ramblas along Road D11, thus distracting from the amenity of the pedestrian environment. From tree preservation and landscape point of view, open space for public use in Option 2 would be reduced which would affect the integrity of the landscape design of the aforesaid open space. Pedestrian flow around and within the open space and linkage between Fenwick Pier Road and the future Las Ramblas would be interrupted; and
- (iv) the Chief Architect/Central Management Division 2, Architectural Services Department commented that Option 2 was preferred as the revised boundary would project less in width into the pedestrian zone. More flexibility in future planning and better pedestrian connectivity between the developments to the harbourfront could be allowed in Option 2;

- (g) no public comment was received during the statutory publication period of the aforesaid further information; and
- (h) PlanD's views – PlanD had no objection to the application and considered that Option 1 was preferable to Option 2 based on the assessments as set out in paragraph 4 of the Paper. While some encroachment of the site onto Lung King Street was unavoidable due to the need to provide an emergency vehicular access on the eastern side of the site, the applicant had proposed to retreat the eastern boundary of the site by 1.4m (Option 1) or 4.4m (Option 2) to enable the opportunity for a wider pedestrian passageway to the harbourfront at the eastern side of the site. In order to enable a retreat of 4.4m under Option 2, however, the south-west corner of the site had to be retained to accommodate the displaced car parking spaces. That would compromise the original design merit to widen the entrance of the pedestrian gateway at Road D11. While the northern portion of the site would be retained as a public open space and surrendered to the Government if deemed necessary under both options, Option 1 would maximize the amount of open space for public use.

65. In response to a Member's question, the Chairman said that two alternative design options were submitted by the applicant to address Members' concerns raised previously. The Committee would have to consider which option was preferred.

Deliberation Session

66. The Committee noted that the need for the applicant to surrender the northern part of the site to the Government upon request could be specified in the conditions of the corresponding land grant.

67. Noting that the site was at a prominent waterfront location along Victoria Harbour, a Member considered that the elevation of the proposed development should be improved. The Committee agreed to add an advisory clause requesting the applicant to further improve the exterior design of the proposed development. The Committee also noted that TD had no comment on the two options but indicated that Option 1 was preferred

because of better sightline.

68. The Committee in general agreed to adopt Option 1 on the grounds that it would maximize the amount of open space for public use and retain the design merit of widening the pedestrian entrance at Road D11 while still providing an opportunity for an additional passageway of about 5m to the east of the site.

69. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted under Option 1 to the Town Planning Board (TPB). The permission should be valid until 8.1.2020, 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 design and provision of open spaces for public use to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a landscape and tree preservation proposal and a quarterly tree monitoring report to the satisfaction of the Director of Planning or of the TPB;
- (c) the provision of car parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (d) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (f) the provision of fire service installations and water supplies for firefighting being provided to the satisfaction of the Director of Fire Services or of the TPB.”

70. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix FA-VII of the Paper in addition to the following clause:

“(o) to improve the exterior design of the proposed development given the prominent waterfront location of the site along Victoria Harbour.”

[The Chairman thanked Mr J.J. Austin, STP/HK for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H7/171 Proposed Minor Relaxation of Building Height Restriction for a Proposed Residential Development with 'Eating Place' on Ground Floor in "Residential (Group A)" Zone, No. 25 Wong Nai Chung Road, Happy Valley

(MPC Paper No. A/H7/171A)

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

Mr Patrick H.T. Lau - being the Chairman of Happy Valley Residents' Association and having current business dealings with Lanbase;

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

Dr Wilton W.T. Fok - his parents owned a property at Blue Pool Road;
and

Ms Bonnie J.Y. Chan - her parents owned a property at Blue Pool Road.

72. As the interest of Mr Lau was direct, the Committee agreed that he should leave the meeting temporarily for this item. As Mr Lam had no involvement in the application and the property of Dr Fok's parents did not have direct view of the site, the Committee agreed that they could stay in the meeting. The Committee noted that Ms Chan had tendered apologies for being unable to attend the meeting.

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

Presentation and Question Sessions

73. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of building height restriction (BHR) from 85mPD to 88.85mPD for a proposed residential development with 'eating place' on ground floor;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper, which were summarised as follows :
 - (i) the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) advised that the BHRs were determined in a holistic approach with a stepping pattern and were imposed to preserve the views to the ridgelines near Wong Nai Chung Gap and maintain a stepped BH concept. There was no strong justification from the applicant for an increase in BH. Air ventilation impacts of the proposed relaxation was yet to be

demonstrated;

- (ii) the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) advised that in view of the size of the units, the original storey height was considered a reasonable standard and common for habitation use in private sector. Other than the improved living quality, the applicant was encouraged to provide further justifications on environmental merits and public interest in association with the proposed BHR relaxation; and
 - (iii) other concerned departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a member of the public and the Incorporated Owners of a nearby residential development. They objected to the application mainly on the grounds that the intention of the BHR to ensure a better living environment would be eroded by the subject application for minor relaxation of BHR; the relaxation of BHR would create wall effect in terms of air ventilation; the proposed restaurant would cause adverse environmental hygienic and public safety impacts; and there were sufficient restaurants in the Happy Valley;
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows :
- (i) in 2008, the Board determined more stringent control should be adopted at the lower valley floor of Wong Nai Chung area to preserve character of the area and the vista towards Wong Nai Chung Gap;
 - (ii) the site was located at the first tier of the height band of 85mPD

which marked the lowest of the stepped BH profile. The proposed development at 88.85mPD would breach the first tier of height band and affect the vista to the Wong Nai Chung Gap;

- (iii) while the applicant claimed that the increase in floor-to-floor height to 3.15m could improve the living quality, CTP/UD&L, PlanD considered that there was no strong justification for the departure from the stepped BH concept and CA/CMD2, ArchSD considered that the floor-to-floor height of 2.975m under the scheme complying with current restrictions of the Outline Zoning Plan was reasonable. No planning or design merits could be identified in the applicant's proposal;
- (iv) while the applicant stated that the proposed BHR relaxation was required to allow for a higher floor-to-floor height of 3.15m without a loss of domestic gross floor area (GFA) due to site constraints, there was no technical substantiation on how the loss of domestic GFA would be resulted; and
- (v) two public comments objecting to the application were received. The above assessments were relevant.

74. Members had no question on the application.

Deliberation Session

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

- “(a) there is no strong justification nor planning and design merit in the development proposal for the proposed minor relaxation of building height restriction (BHR); and
- (b) approval of the application would set an undesirable precedent for similar

applications for relaxation of BHRs without adequate justifications or planning and design merits in the area. The cumulative effect of which would jeopardize the planning intention of achieving a stepped height profile for the Wong Nai Chung area.”

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/75 Proposed Hospital in "Other Specified Uses" annotated "Business (1)"
Zone, 3 A Kung Ngam Village Road, Shau Kei Wan
(MPC Paper No. A/H9/75C)

Presentation and Question Sessions

76. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hospital;
- (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 two statutory publication periods, a total of 14 public comments were received from Eastern District Council (EDC) members, the Principal of Shaukiwan Tsung Tsin School, the Incorporated Owners of a nearby industrial building, local residents and members of the public. One comment supported the application on the grounds that a good healthcare centre for Eastern District was needed. Seven comments

objected to and five expressed their concerns on the application. Their views/objecting grounds included that the proposed hospital was not compatible with A Kung Ngam area and would cause severe traffic congestion; there would be potential health impact arising from proton therapy and other radiotherapy; no technical assessments on risk, visual, ventilation and landscape aspects had been conducted; public consultation period should be extended and the applicant should maintain good communication with the locals; all facilities should be self-contained within the proposed hospital building; the use of car lifts might lead to tailing back to A Kung Ngam Village Road; car parking spaces should be reduced or one more car lift should be provided to reduce the waiting time; and the Government should study the feasibility of widening A Kung Ngam Village Road and the surrounding road network and provision of more parking spaces in the area;

- (e) the District Officer (Eastern) advised that the proposal was discussed on the joint meeting of the Community Building and Services Committee and the Planning, Works and Housing Committee of the EDC on 10.10.2013. In gist, EDC Members generally supported the Hong Kong Sanatorium and Hospital (HKSH) to set up a medical centre at A Kung Ngam Village Road to provide 24-hour outpatient service and advanced medical services. They considered that the proposed medical centre would ease the pressure on the medical services of Pamela Youde Nethersole Eastern Hospital, but raised concerns on affordable pricing, clinical waste, radiological impact and traffic impact. They were concerned about the standards of radiological safety, locations of the minibus stops and taxi stand and measures to revitalise the area. EDC members also suggested HKSH to reduce the service charges and strengthen the training of medical staff; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The proposed hospital was not incompatible with the surroundings. The traffic impact assessment submitted by the applicant demonstrated that the proposed hospital was acceptable in traffic terms and the Transport

Department (TD) had no comment on the proposed traffic measures. The applicant would establish and strictly follow the safe operational procedures conforming with the requirements of the Radiation Ordinance. The Health Department had no objection to the application in this regard. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comments received, the above planning assessments were relevant. Regarding the public concerns on lack of public consultation and the request to extend the public inspection period of the application, it should be noted that the application had been processed in accordance with the statutory requirements under the Town Planning Ordinance and the administrative measures specified in the Town Planning Board Guidelines No. 30A in relation to public consultation. Also, the applicant explained that a series of engagement meetings had been conducted to maintain continuous communication with key stakeholders in the Eastern District.

77. The Vice-chairman said that he expected that the proposed hospital would have similar mode of operation and hence traffic pattern as HKSH in Happy Valley. Since many doctors would not station at the proposed hospital, they were expected to drive to the hospital in paying visits to their patients. This would generate a considerable amount of traffic. Noting that a substantial portion of parking spaces in HKSH at Happy Valley was reserved for staffs, the proposed ten parking spaces for staffs in the subject application might not be enough. In response, Mr Wilson W.S. Pang, Assistant Commissioner for Transport (Urban), TD said that the proposed car parking provision in the subject application was based on the requirement of the Hong Kong Planning Standards and Guidelines. The provision of staff parking spaces was proposed by the applicant and the usage of these parking spaces should be handled by the proposed hospital. TD was more concerned about the adequacy of proposed car parking provision for visitors. It was expected that hospital staffs could choose to use public transport or taxi to commute to/from the proposed hospital. Taxi lay-by was already proposed in the application. In response to the Chairman's question, Miss Josephine Y.M. Lo, STP/HK said that the proposed hospital was within a reasonable walking distance from the MTR station.

78. In response to the Chairman's further question, Miss Lo said that no information

was readily available regarding the split between staff and visitor parking spaces in HKSH at Happy Valley.

Deliberation Session

79. The Committee noted that the applicant had conducted a radiological impact assessment which concluded that the proposed hospital would not cause any radiation impact on the health of both the public and the staff of the hospital. The applicant would also need to ensure that prior to the operation of the proposed hospital, safe operational procedures conforming with the requirements of the Radiation Ordinance (Cap. 303) would be established and strictly followed.

80. A Member was concerned that the use of car lift might create traffic chaos along Tung Wong Road, and some ambulance parking spaces would be obstructed by columns as shown in the proposed car parking layout. In response, Mr Pang said that the applicant had conducted a car lift assessment which concluded that the probability of waiting vehicle on the lower ground level for the car lifts was minimal and queuing back onto the public road was not expected. The applicant had already been required to provide a car waiting space adjacent to the car lifts. Besides, it was expected that the car lift system would not delay the medical treatment of some urgent patients since those patients would be dropped off at the entrance of the proposed hospital. TD had raised no adverse comment on the swept path analysis and car parking layout submitted by the applicant.

81. The Chairman said that some Members had concerns on the adequacy of staff parking spaces provision, the car parking layout of the proposed hospital as well as the need to make reference to the traffic pattern of HKSH at Happy Valley. In view of the proximity of the proposed hospital to the MTR station, use of public transport by visitors/staffs of the proposed hospital should be encouraged. It was also noted that TD had no adverse comment on the proposed provision and design of car parking spaces.

82. Noting that an approval condition was recommended requiring the design and provision of car parking spaces, loading/unloading bays and vehicular access by the applicant to the satisfaction of the Commissioner for Transport, the Committee agreed that some Members' traffic concerns could be addressed during the detailed design stage. TD was

also requested to pay attention to Members' concerns when considering the applicant's submission for compliance with the approval condition in future.

83. 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 8.1.2020, 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 design and provision of car parking spaces, loading/unloading bays and vehicular access to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of an assessment to demonstrate that the residual water head at the supply point will be sufficient to provide the water supply for the proposed development to the satisfaction of the Director of Water Supplies or the TPB;
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or the TPB; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or the TPB.”

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

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

[Dr Wilton W.T. Fok left the meeting at this point.]

Kowloon District

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/730 Proposed Wholesale Conversion of An Existing Industrial-Office Building for Hotel Development in "Other Specified Uses" annotated "Business" Zone, Nos. 69-71, King Yip Street, Kwun Tong
(MPC Paper No. A/K14/730)

85. The Secretary reported that Ove Arup & Partners (Hong Kong) Ltd. (OAP) was the consultant of the applicant. Mr Patrick H.T. Lau, Professor P.P. Ho and Mr Dominic K.K. Lam had declared interests in this item as Mr Lau and Professor Ho had current business dealings and Mr Lam had past business dealings with OAP. As Mr Lau, Professor Ho and Mr Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

86. 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 proposed wholesale conversion of an existing industrial-office building for hotel development;
- (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, two public comments were received. While an individual supported the application without providing any reason, a resident of Laguna City raised objection to

the application on grounds of the traffic congestion in Kwun Tong Business Area; the noise produced by hotel guests wandering at the nearby open space during late night; and the luminous pollution from signboards and lighting of the hotel; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed hotel was in line with the Town Planning Board Guidelines No. 22D for “Other Specified Uses” annotated “Business” zone in that it was compatible with the surrounding land uses. In respect of the public comments on possible traffic and noise impacts and luminous pollution generated from the proposed hotel, concerned departments including the Commissioner for Transport and the Director of Environmental Protection had no objection to/no adverse comments on the application.

87. Members had no question on the application.

Deliberation Session

88. 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 8.1.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of parking facilities, loading/unloading spaces, lay-bys, vehicular access and internal driveway for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) 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;
- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;

- (d) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in condition (d) above to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[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 16

Section 16 Application

[Open Meeting]

A/K7/111 Proposed Campus Expansion Development (including Residential Institution and Educational Institution) and Minor Relaxation of the Location and Building Height Restriction for the 25m wide Building Gap to Accommodate a Stepped Building Design for the Hong Kong Polytechnic University in "Government, Institution or Community (3)" Zone, Chung Hau Street/Oi Sen Path, Ho Man Tin
(MPC Paper No. A/K7/111)

90. The Secretary reported that the application was submitted by the Hong Kong Polytechnic University (PolyU). Kenneth To & Associates Ltd. (KTA) was the consultant of the applicant. The following Members had declared interests on this item:

Mr Sunny L.K. Ho - being visiting scholar of PolyU;

Mr Laurence L.J. Li - being an immediate past member of the Council of PolyU;

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

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

91. The applicant had requested for deferment of consideration of the application. As the interest of Mr Ho was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Mr Lau and Mr Lam had no involvement in the application, the Committee agreed that they could stay in the meeting. The Committee also noted that Mr Li had already left the meeting.

92. The Committee noted that on 23.12.2015, the applicant requested for deferment of the consideration of the application for one month in order to allow time to provide further information to respond to comments from the Transport Department, Civil Engineering Development Department, Environmental Protection Department and Planning Department. This was the applicant's first request for deferment.

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

Agenda Item 17

Any Other Business

94. There being no other business, the meeting closed at 12:10 p.m..