

## **TOWN PLANNING BOARD**

### **Minutes of 554<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 18.3.2016**

#### **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 Laurence L.J. Li

Ms Bonnie J.Y. Chan

Dr Wilton W.T. Fok

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 W.L. Tang

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

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

Assistant Director (R1), Lands Department  
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 H.W. Cheung

Mr Sunny L.K. Ho

Mr Frankie W.C. Yeung

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Lily Y.M. Yam

Town Planner/Town Planning Board  
Ms Floria Y.T. Tsang

**Agenda Item 1**

Confirmation of the Draft Minutes of the 553<sup>rd</sup> MPC Meeting held on 4.3.2016

[Open Meeting]

1. The draft minutes of the 553<sup>rd</sup> MPC meeting held on 4.3.2016 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**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/KC/7

Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/28, To Rezone the Application Site from “Industrial” to “Other Specified Uses” annotated “Industrial and Columbarium” (“OU(Industrial and Columbarium)”), 24 - 28 Wing Lap Street, Kwai Chung, New Territories  
(MPC Paper No. Y/KC/7A)

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3. The Committee noted that the applicant requested on 29.2.2016 for deferment of the consideration of the application for two months so as to allow enough time to prepare further information to respond to 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 revised Traffic Impact Assessment which was not exempted from the publication and recounting requirements.
4. 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of the further information, no further deferment would be granted unless under very special circumstances.

#### **Agenda Item 4**

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

[Open Meeting]

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

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5.                      The Secretary reported that the application was submitted by Hong Kong Ferry (Holdings) Company Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). Ramboll Environ Hong Kong Limited (Environ), CKM Asia Limited (CKM) and Mott MacDonald Hong Kong Limited (MMHK) were three of the consultants of the applicant. The following Members had declared interests in the item:

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

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

- Mr Roger K.H. Luk - being a member of the Council of 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 the 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 - having current business dealings with Environ.

6. The Committee noted that Dr Wilton W.T. Fok and Ms Julia M.K. Lau had not yet arrived at the meeting. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee agreed that as the interests of Mr Roger K.H. Luk was indirect and as Professor P.P. Ho and Mr Dominic K.K. Lam had no involvement in the application, they 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.

7. The Committee noted that the applicant requested on 9.3.2016 for deferment of the consideration of the application for two months so as to allow sufficient time to address the departmental comments. It was the third time that the applicant requested for deferment of the application. Since the first and second deferments agreed by the Committee, the applicant submitted additional information and responses to departmental comments on 5.2.2016, 2.3.2016, 7.3.2016 and 8.3.2016.



time for preparation of further information/technical clarifications 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 a table of responses to departmental comments, supplementary information of the Traffic Impact Assessment and replacement pages of Environmental Assessment Report.

12. 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 and a total of four months had been allowed for preparation of the submission of the further information, no further deferment would be granted unless under very special circumstances.

13. Since a number of Members had declared interests in the items related to the Hong Kong Housing Authority (HKHA), the Chairman suggested and Members agreed to discuss the three agenda items that were related to HKHA first (i.e. Items 6, 21 and 22).

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

[Dr Wilton W.T. Fok arrived to join the meeting and Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon left the meeting temporarily at this point.]

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/133                      Renewal of Planning Approval for Temporary Public Vehicle Park (excluding Container Vehicle) (Surplus Car Parking Spaces Only) and Minor Relaxation of Non-Domestic Plot Ratio Restriction under Application No. A/TY/121 for a Period of 3 Years until 3.5.2019 in “Residential (Group A)” Zone, Easeful Court, Tsing King Road, Tsing Yi, New Territories  
  
(MPC Paper No. A/TY/133)

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14.                      The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

Mr K.K. Ling                      - being a member of the Strategic  
(the Chairman)                      Planning Committee (SPC) and the  
*as the Director of Planning*                      Building Committee (BC) of HKHA;

Mr Martin W.C. Kwan                      - being an alternate member for the  
*as the Chief Engineer (Works) of*                      Director of Home Affairs who was a  
*Home Affairs Department*                      member of the SPC and Subsidized  
Housing Committee of HKHA;

Ms Julia M.K. Lau                      - being a member of the Commercial  
Properties Committee and Tender  
Committee of HKHA;

Professor P.P. Ho                      - being a member of the BC of HKHA;

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

- Mr Dominic K.K. Lam - having past business dealings with HKHA; and
- Dr Lawrence W.C. Poon - his spouse working in the Housing Department but had no involvement in the application.

15. The Committee noted Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left the meeting temporarily and Ms Julia M.K. Lau had not yet arrived at the meeting. The Committee agreed that as the interests of Mr K.K. Ling, Mr Martin W.C. Kwan and Professor P.P. Ho were direct, they should be invited to leave the meeting temporarily for the item. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting. As the Chairman had to leave the meeting, the Committee agreed that Mr Roger K.H. Luk, the Vice-chairman, should take over and chair the meeting for the item.

[Mr K.K. Ling, Mr Martin W.C. Kwan and Professor P.P. Ho left the meeting temporarily at this point.]

#### Presentation and Question Sessions

16. 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 renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ (surplus car parking spaces only) and minor relaxation of non-domestic plot ratio restriction under application No. A/TY/121 for a period of three years until 3.5.2019;
- (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, with one from Designing Hong Kong Limited and another one from an individual. They provided views that the public vehicle parks would generate more traffic to the residential area that might impact on traffic and pedestrian safety; the continuous renewal of the application showed that the public vehicle park was not a temporary use; and opportunity could be taken to explore ways to make better use of the excess car parking spaces for the provision of community services in Tsing Yi. No local objection/view was received by the District Officer (Kwai Ching); and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 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 for Temporary Use or Development. With respect to the public comment regarding the better use of the excess car parking spaces for the provision of community services in Tsing Yi, an advisory clause to advise the applicant that consideration might be given to letting the surplus vehicle parking spaces for community uses so as to fully utilise the surplus vehicle parking spaces in Easeful Court was suggested.

17. The Vice-chairman noted that there was a public comment suggesting that opportunity could be taken to explore ways to better utilise the surplus car parking spaces for provision of community services in Tsing Yi. He doubted the feasibility of converting the excess car parking spaces into non-parking use as the surplus car parking spaces were scattered amongst the occupied car parking spaces. He also noted that the residents of Easeful Court would be given priority in renting the excess car parking spaces. In response, Ms Fannie F.L. Hung, STP/TWK, with reference to the car park layout plan of Easeful Court showing the location of the proposed 24 private car parking spaces and five motor cycle parking spaces proposed for public vehicle park use, said that the public comment was more concerned about the continuous renewal of the application which demonstrated that the public vehicle park use was not a temporary use. She said that HKHA might consider

taking the opportunity to group the car parking spaces to be rented to the residents into clusters and convert the area occupied by surplus car parking spaces for provision of community services. In that regard, an advisory clause had been suggested for the Committee's consideration.

#### Deliberation Session

18. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 4.5.2016 to 3.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“ priority should be accorded to the residents of Easeful Court in Tsing Yi in the letting of the surplus vehicle parking spaces and the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for Transport. ”

19. 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 Ms Fannie F.L. Hung, STP/TWK, 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.]

**Agenda Item 21**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K/15                      Renewal of Planning Approval for Temporary Public Vehicle Park (excluding Container Vehicle) (Vacant Vehicle Parking Spaces only) under Application No. A/K/13 for a Period of 3 Years until 28.5.2019 in “Open Space” and “Residential (Group A)” Zones, (a) Wan Hon Estate and (b) Wo Lok Estate, Kwun Tong, Kowloon  
(MPC Paper No. A/K/15)

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20.                      The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

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| Mr K.K. Ling<br>(the Chairman)<br><i>as the Director of Planning</i>                   | - being a member of the Strategic Planning Committee (SPC) and the Building Committee (BC) of HKHA;                                |
| Mr Martin W.C. Kwan<br><i>as the Chief Engineer (Works) of Home Affairs Department</i> | - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA; |
| Ms Julia M.K. Lau  | - being a member of the Commercial Properties Committee and Tender Committee of HKHA;  |
| Professor P.P. Ho  | - being a member of the BC of HKHA;  |
| Mr Patrick H.T. Lau  | - having current business dealings with HKHA;  |

- Mr Dominic K.K. Lam - having past business dealings with HKHA; and
- Dr Lawrence W.C. Poon - his spouse working in the Housing Department but had no involvement in the application.

21. The Committee noted that Ms Julia M.K. Lau had not yet arrived at the meeting and Mr K.K. Ling, Mr Martin W.C. Kwan, Professor P.P. Ho, Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left 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. The Committee also agreed that Mr Roger K.H. Luk, the Vice-chairman, should continue to chair the meeting for the item.

#### Presentation and Question Sessions

22. 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 renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ (vacant vehicle parking spaces only) under application No. A/K/13 for a period of three years until 28.5.2019;
- (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. A commenter supported the application without providing reason, while another commented that alternative permanent use of the surplus parking spaces should be considered in view of the perceived deficit in the provision of open-air recreation/exercise facilities in the estate.

No local objection/view was received by the District Officer (Kwun Tong);  
and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 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 for Temporary Use or Development. Regarding the public comment on alternative use, an advisory clause to advise the applicant to consider letting the area of surplus parking spaces for community uses in need was suggested.

23. A Member noted that in the current application, the number of public vehicle parking spaces applied for were identical to that of the vacant parking spaces, which was different from that of other similar applications with the number of public vehicle parking spaces under application higher than that of the vacant parking spaces. The same Member asked why different approach was adopted in similar type of applications. In response, Ms Joyce Y.S. So, STP/K, said that the applicant had stated in the application that the number of parking spaces for letting to non-residents would be allotted according to the vacancy rate of the concerned housing estates and they were subject to review. An approval condition was suggested requiring that priority should be accorded to the residents of Wan Hon Estate and Wo Lok Estate in letting the vacant vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport (C for T). Thus, the actual parking spaces for letting to non-residents would need to be confirmed and agreed with C for T.

24. The same Member asked whether additional vacant parking spaces could be let to non-residents after approval of the planning application. In response, the Secretary said that the number of parking spaces to be let to non-residents was subject to review and the additional vacant parking spaces could be let to non-residents with C for T's agreement.

Deliberation Session

25. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 28.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“ priority should be accorded to the residents of Wan Hon Estate and Wo Lok Estate in the letting of the vacant vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport. ”

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

**Agenda Item 22**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/117            Renewal of Planning Approval for Temporary Public Vehicle Park (excluding Container Vehicle) (Vacant Vehicle Parking Spaces only) under Application No. A/K15/109 for a Period of 3 Years until 25.5.2019 in “Residential (Group A)” Zone, Yau Tong Estate and Yau Chui Court, Yau Tong, Kowloon  
(MPC Paper No. A/K15/117)

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27. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

Mr K.K. Ling (the Chairman) <i>as the Director of Planning</i>	- being a member of the Strategic Planning Committee (SPC) and the Building Committee (BC) of HKHA;
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- Mr Martin W.C. Kwan - being an alternate member for the  
*as the Chief Engineer (Works) of* Director of Home Affairs who was a  
*Home Affairs Department* member of the SPC and Subsidized  
Housing Committee of HKHA;
- Ms Julia M.K. Lau - being a member of the Commercial  
Properties Committee and Tender  
Committee of HKHA;
- Professor P.P. Ho - being a member of the BC of HKHA;
- Mr Patrick H.T. Lau - having current business dealings with  
HKHA;
- Mr Dominic K.K. Lam - having past business dealings with  
HKHA; and
- Dr Lawrence W.C. Poon - his spouse working in the Housing  
Department but had no involvement in  
the application.

28. The Committee noted that Ms Julia M.K. Lau had not yet arrived at the meeting and Mr K.K. Ling, Mr Martin W.C. Kwan, Professor P.P. Ho, Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left 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. The Committee also agreed that Mr Roger K.H. Luk, the Vice-chairman, should continue to chair the meeting for the item.

#### Presentation and Question Sessions

29. 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 renewal of planning approval for temporary public vehicle park (excluding container vehicle) (vacant vehicle parking spaces only) under application No. A/K15/109 for a period of three years until 25.5.2019;
- (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, three public comments were received, of which a Member of the Kwun Tong District Council raised concern that goods vehicles which were 5.5 tonnes or above or marked as ‘public light buses’ on vehicle registration documents were not permitted to apply for using the parking spaces of the subject vehicle park anymore; Designing Hong Kong Limited commented that alternative use of the temporary public vehicle park should be considered in view of repetitive renewal applications and the proposal would generate more traffic to the residential area; and an individual supported the application without providing reason. No local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 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 for Temporary Use or Development. Regarding the public comments, an advisory clause to advise the applicant to consider letting the area of surplus parking spaces for community uses in need was suggested and the letting of parking spaces for other goods vehicles and public light buses was a management issue which was outside the scope of the current application.

30. Members had no question on the application.

Deliberation Session

31. In response to a Member's query, the Secretary said that there was so far no rejected application for temporary public vehicle park (excluding Container Vehicle) in public housing estates. He continued to explain that the vehicle parking provision in public housing estates was provided in accordance with the prevailing standards and guidelines to serve the residents. In order to better utilise public resources, HKHA proposed to let the surplus vehicle parking spaces to non-residents. As vehicle parking spaces for non-residents of the public housing estate was not a use that was ancillary to the public housing estate, planning permission for the proposed use, which was considered as 'public vehicle park', was required. Nevertheless, there were concerns that the right of the residents to use the parking spaces might be affected if they were let to non-residents. To address such concern, HKHA decided to apply for letting out the surplus parking spaces to non-residents on a temporary basis for a period of 3 years. For similar planning applications so far approved by the Town Planning Board (TPB), approval conditions requiring the applicant to accord priority to the residents to rent the vehicle parking spaces and the number of public vehicle parking spaces to be let had to be provided to the satisfaction of C for T were stipulated. The Secretary said that the temporary approvals were operating smoothly. HKHA and the Transport Department (TD) had worked closely and monitored the vacancy rate of vehicle parks such that priority was given to the residents in the letting of the vehicle parking spaces.

32. The same Member was of the view that as there was so far no rejected case for the renewal of planning applications for temporary public vehicle park (excluding Container Vehicle) in the public housing estate, consideration should be given to streamlining the procedure for letting out the surplus vehicle parking space to non-residents where opportunity arose. Possible mechanism such as giving *en bloc* approval to HKHA for letting out surplus parking spaces to non-residents and requiring separate planning approval for special cases only, such as those with a high percentage of parking spaces to be let to non-residents, so as to reduce the number of cases to be submitted to the TPB for consideration. Members agreed that the above views could be conveyed to HKHA and TD for their consideration.

33. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 25.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“ priority should be accorded to the residents of Yau Tong Estate, Yau Chui Court and Yau Lai Estate in the letting of the vacant vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport. ”

34. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III 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.]

[Ms Julia M.K. Lau arrived to join the meeting and Mr K.K. Ling, Mr Martin W.C. Kwan, Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon returned to join 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 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/476 Proposed Wholesale Conversion of an Existing Building for Eating Place, Shop and Services and Office in “Industrial” Zone, 60 - 62 Sha Tsui Road, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/476A)

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35. The Secretary reported that LLA Consultancy Limited (LLA) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared an interest in the item as he had current business dealings with LLA. Mr Dominic K.K. Lam had also declared an interest in the item as he had past business dealings with LLA. As Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

36. 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;

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

- (b) the proposed wholesale conversion of an existing building for eating place, shop and services and office;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport (C for T) had reservation on the application as given the serious illegal parking problem in the Chai Wan Kok Industrial Area and that the proposed under-provision of car parking spaces under the subject wholesale conversation would further aggravate the problem, car parking spaces in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) should be provided; the applicant failed to demonstrate that it was technically not feasible to meet the heavy goods vehicles (HGV) loading/unloading requirement in the subject building and that there were adequate HGV loading/unloading points available in close proximity to the site; and there was no assessment report to demonstrate that the proposed waiting area would be large enough to accommodate the anticipated vehicles waiting to enter the car park without causing a tail-back onto the public road. The Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) considered that the proposed means of escape was not acceptable as the applicant proposed to use the strip of land in the adjoining lots for means of escape; and the proposed accessible route for the disabled through private premises was not acceptable;

- (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 (Tsuen Wan); and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed parking and loading/unloading spaces after conversion were below the HKPSG requirement. Given that C for T had reservation on the application, the application failed to demonstrate that the transport facilities were adequate and the proposal did not comply with the Town Planning Board Guidelines for Use/Development within “Industrial” Zone (TPB PG-No. 25D). Approval of the application would also set an undesirable precedent for similar applications without provision of adequate parking and loading/unloading facilities, the cumulative impacts of which would aggravate the traffic problem on the local road network.

37. In response to the Vice-chairman query, Mr Walter W.N. Kwong, STP/TWK, elaborated the comments of CBS/NTW, BD that the proposed means of escape using the strip of land in the adjoining private lots (i.e. Ho Lik Centre and Excelsior Building) and the proposed disabled access through private premises were not acceptable as they might be blocked/obstructed by the owners of the lots/building. Also, it was noted that the means of escape was blocked by a metal gate.

#### Deliberation Session

38. The Chairman noted that the proposed development was considered not incompatible with the surrounding areas from the land use point of view and the 2014 Area Assessments of Industrial Land in the Territory (the 2014 Area Assessments) carried out by PlanD recommended that the “Industrial” zone of Chai Wan Kok Industrial Area including the site could be considered for rezoning to “Other Specified Uses” annotated “Business” (“OU(B)"). However, there were technical problems unsolved for the proposed wholesale conversion of the subject existing industrial building into a commercial building. In that regard, concerned government departments considered the proposed use not acceptable, and PlanD could not render support to the application.

39. A Member asked whether the wholesale conversion should commence before or

after the proposed zoning of the “I” zone to “OU(B)” zone and how the Committee might consider to facilitate such transformation. The same Member also said that unlike industrial buildings that might require loading/unloading spaces for daily operation, people who worked in commercial buildings might not drive to work if there was no provision of vehicle parking spaces. Thus, wholesale conversion to a commercial building might help alleviate the illegal parking problem in the Chai Wan Kok Industrial Area. However, as there were similar applications rejected mainly due to traffic considerations, the Member considered that the application should not be approved at the current stage. In response, the Chairman said that if the site had already been rezoned to “OU(B)”, such wholesale conversion would always be permitted under the OZP, but it would still be required to comply with relevant government legislations/requirements and the lease concerned. Noting its elongated shape, the site might have to be amalgamated with the adjacent lot(s) for redevelopment in order to comply with the technical requirements for a modern industrial/office or office building.

40. The Vice-chairman said that the application would have to be considered from the land use and technical perspectives. While the proposed use was considered acceptable from the land use compatibility point of view, the associated technical issues remained unsolved. In that regard, the application could not be supported.

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

- “(a) the applicant fails to demonstrate that the proposed development would not have adverse traffic impact on the road network in the area;
- (b) the proposed wholesale conversion does not comply with the Town Planning Board Guidelines for Use/Development within “Industrial” Zone (TPB PG-No. 25D) in that the applicant fails to provide sufficient car parking and loading/unloading facilities; and
- (c) approval of the application will set an undesirable precedent for similar applications without provision of sufficient car parking and loading/unloading facilities, the cumulative impacts of which would aggravate the traffic problem on the local road network.”

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

## **Agenda Item 8**

### **Section 16 Application**

[Open Meeting]

A/TWW/110            Proposed House Development at Plot Ratio of 0.75 in "Residential (Group C)" Zone, Lots 210, 212, 213, 214, 215 RP, 215 s.A, 230, 231 RP, 234, 235 and 427 in D.D. 399, and adjoining Government Land, Ting Kau, Tsuen Wan, New Territories  
(MPC Paper No. A/TWW/110)

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42.            The Secretary reported that LLA Consultancy Limited (LLA) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared an interest in the item as he had current business dealings with LLA. Mr Dominic K.K. Lam had also declared an interest in the item as he had past business dealings with LLA.

43.            The Committee noted that the applicant had requested for deferment of consideration of the application. As Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

44.            The Committee noted that the applicant requested on 9.3.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested for deferment of the application.

45.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

### **Hong Kong District**

#### **Agenda Item 9**

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

[Open Meeting (Presentation and Question Sessions Only)]

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

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46.            The Secretary reported that the application was submitted by Kam Yiu Company Limited, which was a subsidiary of Tai Sang Land Development Limited. Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. The following Members had declared interests in the item:

- |                     |   |
|---------------------|---|
| Ms Bonnie J.Y. Chan | - her family member being the shareholder of Tai Sang Land Development Limited; |
| Ms Julia M.K. Lau   | - having current business dealings with Environ; and                            |
| Mr Dominic K.K. Lam | - having past business dealings with Environ.                                   |

47.            The Committee noted that Ms Bonnie J.Y. Chan had not yet arrived at the meeting. As 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.

#### Presentation and Question Sessions

48. 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 hotel;
- (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. The Commissioner for Tourism (C for Tourism) advised that hotel occupancy rate in the past decade in general stood at a high level of over 80% and supported the proposed hotel development as it would increase the number of hotel rooms, broaden the range of accommodations for the visitors, and support the rapid development of convention and exhibition, tourism and hotel industries;
- (d) during the first three weeks of the two statutory publication periods, a total of four public comments were received, of which one supported, one objected to and two provided comments. The public comment supported the application for the reasons that the proposed development could bring employment to the area; it was better to have commercial than industrial development on the site; and adverse traffic impact was not expected as the area would soon be served by the future MTR South Island Line (East) (SIL(E)). The public comment objected to the application on the grounds that hotels located outside Central locations would be affected by reduction in number of overnight stayers; and there was strong demand for office space in Wong Chuk Hang. The remaining two public comments commented that a public accessible promenade should be reserved along the nullah and it should be connected with the adjacent Heung Yip Road sitting out area. 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 site was the subject of a previous application (No. A/H15/245) submitted by the same applicant for hotel use only, which was approved with conditions by the Committee on 22.7.2011. The proposed development would not generate unacceptable traffic, environmental, infrastructural and landscape impacts on the surrounding areas. Regarding the public comment on the demand for hotel use, comments of C for Tourism were relevant. As regards the suggestion for a promenade along the nullah, a pedestrian link was being constructed along the southern side of the nullah to facilitate access from the MTR SIL(E) Wong Chuk Hang Station to the Aberdeen waterfront promenade. Besides, the site was connected with the Heung Yip Road sitting out area via a 3m wide footpath proposed along Heung Yip Road.

49. Members had no question on the application.

#### Deliberation Session

50. 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 18.3.2020, 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 setting back of the proposed development from Heung Yip Road to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of parking facilities, loading/unloading spaces and lay-bys for the proposed development and the implementation of traffic management measures to the satisfaction of the Commissioner for Transport or of the TPB;

- (c) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) 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;
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (f) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/268            Proposed Residential Institution (Student Residences) and Minor Relaxation of Building Height Restriction from 80mPD to 87mPD in “Government, Institution or Community” Zone, Government Land at Police School Road, Wong Chuk Hang, Hong Kong  
(MPC Paper No. A/H15/268)

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52. The Secretary reported that the application was submitted by the University of Hong Kong (HKU). AECOM Consulting Services Limited (AECOM) and Meinhardt (M&E) Limited (Meinhardt) were two of the consultants of the applicant. The following Members had declared interests in the item:

- Dr Wilton W.T. Fok - being an employee of HKU;
- Professor P.P. Ho - being the Board of Director of the Singapore International School which was located adjacent to the site; and having current business dealings with AECOM;
- Mr Patrick H.T. Lau - having current business dealings with AECOM;
- Ms Julia M.K. Lau - having past business dealings with AECOM; and
- Mr Dominic K.K. Lam - having past business dealings with HKU, AECOM and Meinhardt.

53. The Committee agreed that as the interest of Dr Wilton W.T. Fok and Professor P.P. Ho were direct, they should be invited to leave the meeting temporarily for the item. As Mr Patrick H.T. Lau, 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.

[Dr Wilton W.T. Fok and Professor P.P. Ho left the meeting temporarily at this point.]

#### Presentation and Question Sessions

54. 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 residential institution (student residences) and minor relaxation of building height restriction from 80mPD to 87mPD;

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

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had some reservations on the application from the landscape planning perspective mainly on the low tree compensation ratio in terms of quality (1:0.17). Other 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 19 public comments were received, of which four supported, 11 objected to and four provided comments on the applications. The supporting comments were made on the grounds that the site was ideal and crucial for hostel development for HKU students and teaching staff; the site was convenient for HKU expansion with MTR South Island Line; and the proposed hostel would bring diversity to the society. The objecting comments were made on the grounds that the site was not near to HKU; would create pressure on the already chaotic traffic situation; the proposed hostel was a wide and high building creating a canyon effect; and the site should be considered for land sale or public housing. The remaining comments were that the overall traffic problems in the area should be resolved first and the traffic impact generated by the Wong Chuk Hang MTR station development should also be taken into account in the assessment; Police School Road was already overloaded; HKU should consider opening the hostel's facilities for use by local residents; the building height of the proposed development should not exceed that of the Singapore International School; and there were concerns on the lack of facilities in the area and noise and air quality impacts during construction; 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 Secretary for Education and University Grants Committee had given policy support to

the proposed development which could provide about 1,224 hostel places to help address the shortfall. As the site was located on a steep slope covered with natural vegetation, the applicant had made effort to reduce the site coverage of the podium to 52% (less than 100% as permitted under the Building (Planning) Regulations (B(P)R)) with a view to minimising the extent of slope cutting and thus tree felling. The applicant had also incorporated a number of building design measures to enhance the built environment in the vicinity. While CTP/UD&L, PlanD had some reservation on the landscape aspect, the applicant had made reasonable effort to mitigate impact on the existing trees, given the site context. Besides, an approval condition was recommended requiring the submission and implementation of a landscape and tree preservation proposal. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comments, the assessments above were relevant and the noise and air quality impacts during the construction stage were subject to control under the relevant environmental legislation. With respect to the public concerns on lack of facilities in the area, there was in general no deficiency in the provision of major community facilities in the Aberdeen & Ap Lei Chau area. A site at the junction of Police School Road and Nam Long Shan Road had been designated for the development of a community hall. The planned Wong Chuk Hang Station “Comprehensive Development Area” development would also provide a variety of commercial and retail facilities to serve the daily needs of the residents in the area.

55. In response to the Vice-chairman’s query, Miss Jessica K.T. Lee, STP/HK, explained that 287 trees were proposed to be felled and it would be compensated by the planting of about 273 trees resulting in a compensation ratio of 1:0.95 in terms of quantity. Yet, the compensation ratio would be reduced to only 1:0.17 in terms of quality because the aggregate size of compensated trees would be smaller than that of the original trees. Further, whips were included in calculating the compensation ratio. Considering the lower survival rate of whips, the number of compensatory trees that could survive in the long term could not be ensured and the compensatory ratio might be lower. Thus, CTP/UD&L, PlanD had some reservations on the application from the landscape planning perspective and advised that

should the Committee approve the application, a condition requiring the submission and implementation of a landscape and tree preservation proposal was suggested to be included. She further said that the applicant, in fulfilling the approval condition, would be required to submit the number and size of the proposed trees for compensation and PlanD would further liaise with the applicant in that aspect.

56. The Vice-chairman asked about the rationale for minor relaxation of building height (BH) restriction of 7m for the proposed development. In response, Miss Jessica K.T. Lee said that the applicant had made an effort to reduce the site coverage (SC) of the tower block from the maximum permitted SC (i.e. 33.33%) under B(P)R to 30%. The applicant further advised that even if the tower block was developed to the maximum permitted SC under B(P)R, it would not be possible to provide the number of hostel rooms required under the maximum BH restriction of 80mPD on the outline zoning plan. The Chairman supplemented that the applicant had also made an effort to reduce the SC of the podium to 52% which was less than the 100% as permitted under B(P)R with a view to minimising the extent of slope cutting and tree felling; and the minor BH relaxation of 7m would be sufficient to accommodate two additional floors for increasing the number of hostel rooms.

57. In response to a Member's query, Miss Jessica K.T. Lee said that there was no rezoning proposal for the adjacent Hong Kong Police College.

#### Deliberation Session

58. A Member had no objection to the application for student hostel, but considered that sites near the MTR station were subject to competing land uses and a balance among the competing land uses should be struck.

59. 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 18.3.2020, 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 parking facilities, loading/unloading spaces and

lay-bys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;

- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment 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 fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[Dr Wilton W.T. Fok and Professor P.P. Ho returned to join the meeting at this point.]

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

**Agenda Item 11**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/184                      Proposed Wholesale Conversion of an Existing Building for Office, Eating Place, Shop and Services Use in “Industrial” Zone, 8 Fung Yip Street, Chai Wan, Hong Kong  
(MPC Paper No. A/H20/184A)

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61.            The Secretary reported that the application was submitted by Asia One Printing Limited. Kenneth To & Associates Limited (KTA), LLA Consultancy Limited (LLA) and Ramboll Environ Hong Kong Limited (Environ) were three of the consultants of the applicant. The following Members had declared interests in the item:

- |                     |  |
|---------------------|--|
| Mr Laurence L.J. Li | - his close friend being the shareholder of Asia One Printing Limited; |
| Professor P.P. Ho   | - his friend being the shareholder of Asia One Printing Limited;       |
| Mr Patrick H.T. Lau | - having current business dealings with KTA and LLA;                   |
| Ms Julia M.K. Lau   | - having current business dealings with Environ; and                   |
| Mr Dominic K.K. Lam | - having past business dealings with KTA, LLA and Environ.             |

62.            The Committee agreed that as the interest of Mr Laurence L.J. Li and Professor P.P. Ho were direct, they should be invited to leave the meeting temporarily for the item. As Mr Patrick H.T. Lau, 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 Laurence L.J. Li and Professor P.P. Ho left the meeting temporarily at this point.]

Presentation and Question Sessions

63. 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:

- (a) background to the application;
- (b) the proposed wholesale conversion of an existing industrial building for office, eating place and shop and services use;
- (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 as there was concern over the further depletion of industrial premises resulting from the approval of the subject application, whether would hamper Hong Kong’s economic and industrial development. The Chief Town Planner/Housing & Office Land Supply, Planning Department (PlanD) advised that in view of the area’s low vacancy rate and the relatively high usage for industrial use (including both warehouse/storage and manufacturing/workshop), it was recommended to retain the “Industrial” zoning of the subject area. The Commissioner of Police (C of P) had concern on the adverse impact of the proposed wholesale conversion on the traffic flow at Ka Yip Street. He advised that to ensure a smooth traffic flow and reduce the likelihood of congestion, the applicant was reminded to ensure sufficient parking and loading spaces within the building for the use of customers, employees and carriers and to arrange shuttle bus transport from MTR to the subject building so that the traffic flow would not be overloaded during busy hours;
- (d) during the first three weeks of the two statutory publication periods, a total of three public comments was received objecting to the application on the grounds that the proposed wholesale conversion was against the original planning intention of the subject area; the subject building might be turned into residential studios; and the proposed conversion would aggravate the traffic load of the road network within the area. The District Officer

(Eastern) (DO (Eastern)) advised that the Eastern District Council (EDC) member of the subject constituency, the Chairman and Vice-chairman of Wan Tai Area Committee, as well as the Owners' Incorporations/management bodies in the vicinity were consulted. Among the 12 respondents, six of them either supported or had no comment on the application. The management body of the MP Industrial Centre raised objection to the proposal as they feared the conversion would lead to traffic congestion in the nearby area. She also advised that the proposed conversion should not cause traffic overload in the area, which was a concern of the community; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. According to the 2014 Area Assessments of Industrial Land in the Territory (the 2014 Area Assessments), the area zoned “Industrial” (“I”) in Chai Wan, where the site was located, was recommended to be retained as an “I” zone in view of the low vacancy rate of industrial buildings within the area and the relatively high usage for industrial use. The subject industrial building was under active industrial use with about 96.7% of its gross floor area being used for warehouse/storage purposes. The subject industrial building was neither under-utilised nor vacant, and it might not be a suitable site for wholesale conversion under the revitalisation policy. DG and TI had reservation on the application. Also, the proposed development was not in line with the Town Planning Board Guidelines for Use/Development within “Industrial” Zone (TPB PG-No. 25D) as 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; there was no evidence of a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area; and there was no proof that suitable alternative sites were not available to accommodate the proposed office and commercial building in the vicinity. While C of P and DO (Eastern) had concern on the possible traffic overload brought by the proposed wholesale conversion and hence adverse impact on the traffic flow at Ka Yip Street, C for T had no objection to the

proposal on the understating that the whole 3/F of the building would be used for car parking purpose. Regarding the public comments, the assessments above were relevant.

64. In response to the Vice-chairman's query, Mr J.J. Austin, STP/HK, said that there were a few vehicle repair workshops along Fung Yip Street.

#### Deliberation Session

65. The Vice-chairman noted that the subject industrial building was previously used by a bank for file and stationary storage and was sold to the applicant afterwards. He said that there was currently a large vehicle repair workshop in the Kailey Industrial Centre, which resulted in many on-street parking that had worsened the traffic conditions in the area. According to the 2014 Area Assessments, the vacancy rate from 2008 to 2014 of the area zoned "I" in Chai Wan, where the application site was located, had dropped. Hence, he considered that piecemeal development for the proposed office, eating place, and shop and services uses was not fully justified and the applicant had not demonstrated that there was sufficient demand for the proposed uses.

66. The Chairman remarked that the 2014 Area Assessments recommended that the area zoned "I" in Chai Wan should be retained and Chai Wan was the only remaining industrial area on Hong Kong Island.

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

- “(a) the proposed wholesale conversion is not in line with the planning intention of the “Industrial” (“I”) zone, which is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries;
- (b) the application site is under active industrial use and the area in which the application site is located is vibrant with industrial activities. The 2014 Area Assessments of Industrial Land in the Territory has recommended

retaining the “I” zoning of the subject area;

- (c) the proposed wholesale conversion of the application site is not in line with 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; there is no evidence of a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area; and there is no proof that suitable alternative sites are not available to accommodate the proposed office and commercial building in the vicinity; and
- (d) the approval of the application will set an undesirable precedent for similar applications for wholesale conversion of an existing industrial building within a vibrant industrial area.”

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

[Mr Laurence L.J. Li and Professor P.P. Ho returned to join the meeting and Mr Dominic K.K. Lam left the meeting temporarily at this point.]

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/185            Temporary Shop and Services (Property Agency) for a Period of 2 Years in “Other Specified Uses” annotated “Business” Zone, Part of Workshop 5, G/F, Cheung Tat Centre, 18 Cheung Lee Street, Chai Wan, Hong Kong  
(MPC Paper No. A/H20/185)

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68.            The Secretary reported that Mr Dominic K.K. Lam had declared interest in the item as his company owned a workshop at Cheung Lee Street, Chai Wan. The Committee noted that Mr Dominic K.K. Lam had already left the meeting temporarily.

Presentation and Question Sessions

69. 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:

- (a) background to the application;
- (b) the temporary shop and services (property agency) for a period of two years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection/view was received by the District Officer (Eastern); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of two years based on the assessments set out in paragraph 11 of the Paper. The application complied with the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses” annotated “Business” zone in that it would unlikely induce adverse traffic, environmental or infrastructural impacts on the developments within the subject building and the adjacent area. If the application premises (21.5m<sup>2</sup>) was included in the current aggregate commercial floor area of the subject building, the aggregate commercial floor area would be 204.56m<sup>2</sup>, which was within the maximum permissible limit of 460m<sup>2</sup> for an industrial building with sprinkler system.

70. Members had no question on the application.

Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of two years until 18.3.2018, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire safety measures including fire service installations, water supplies for firefighting and means of escape completely separated from the industrial portion within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.9.2016; and
- (b) if the above approval condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

**Agenda Item 13**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H4/94                      Proposed Alteration and Modification Works to the Building and External Facade for Cultural/Leisure/Retail/Food & Beverage Uses/Open Space/Ancillary Support, for the Central Market Revitalization Project in “Other Specified Uses” annotated “Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses” Zone, The Former Central Market, 80 Des Voeux Road Central, Central, Hong Kong  
  
(MPC Paper No. A/H4/94A)

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73.            The Secretary reported that the application was submitted by the Urban Renewal Authority (URA). AGC Design Limited (AGC), Ove Arup & Partners Hong Kong Limited (ARUP), AECOM Asia Company Limited (AECOM), Earthasia Limited (Earthasia) and CKM Asia Limited (CKM) were five of the consultants of the applicant. The following Members had declared interests in the item:

Mr K.K. Ling (the Chairman) <i>as the Director of Planning</i>	}	being non-executive directors of the Board of URA
Dr Lawrence W.C. Poon		
Mr Laurence L.J. Li		
Mr Simon S.W. Wang <i>as the Assistant Director (Regional 1) of the Lands Department</i>	-	being an alternate member of the non-executive director of the Board of URA;

- |                     |  |
|---------------------|--|
| Mr Stephen H.B. Yau | - being a member of the Wan Chai District Advisory Committee of URA;   |
| Professor P.P. Ho   | - having current business dealings with ARUP, AECOM and CKM;   |
| Mr Patrick H.T. Lau | - being the Board Chairman of Earthasia; and having current business dealings with URA, AGC, ARUP and AECOM; |
| Ms Julia M.K. Lau   | - having past business dealings with AECOM;  |
| Mr Dominic K.K. Lam | - having past business dealings with ARUP, AECOM and Earthasia; and  |
| Ms Bonnie J.Y. Chan | - her rented company office was near to the site.  |

74. The Committee agreed that as the interests of Mr K.K. Ling, Dr Lawrence W.C. Poon, Mr Laurence L.J. Li, Mr Simon S.W. Wang and Mr Patrick H.T. Lau were direct, they should be invited to leave the meeting temporarily. As Mr Stephen H.B. Yau, Professor P.P. Ho, Ms Julia M.K. Lau and Mr Dominic K.K. Lam had no involvement in the application and Ms Bonnie J.Y. Chan's company office did not have a direct view of the application site, they could stay in the meeting. As the Chairman had to leave the meeting, the Committee agreed that Mr Roger K.H. Luk, the Vice-chairman, should take over and chair the meeting for the item.

[Mr K.K. Ling, Dr Lawrence W.C. Poon, Mr Laurence L.J. Li, Mr Simon S.W. Wang and Mr Patrick H.T. Lau left the meeting temporarily at this point.]

#### Presentation and Question Sessions

75. The following representatives from the Planning Department (PlanD) and the

Antiquities and Monuments Office (AMO), Leisure and Cultural Services Department (LCSD) were invited to the meeting:

- |                      |   |
|----------------------|---|
| Ms Ginger K.Y. Kiang | - District Planning Officer/Hong Kong (DPO/HK), PlanD;                  |
| Mr J.J. Austin       | - Senior Town Planner/Hong Kong (STP/HK), PlanD;                        |
| Mr Kenneth S.W. Tam  | - Chief Heritage Manager (Antiquities & Monuments) (CHM(A&M)), AMO; and |
| Mr Leo C.K. Lee      | - Senior Heritage Officer 4 (SHO 4), AMO.                               |

76. 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:

*The Proposal*

- (a) the application was submitted for the proposed alteration and modification works to the building and external façade of the Central Market in “Other Specified Uses” (“OU”) annotated “Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses” zone;
- (b) the previous scheme (application No. A/H4/92 approved with conditions by the Committee on 19.7.2013) had an estimated cost of about \$1,500 million and required a construction time of about 8 years. In view of its complexity, URA indicated that refinements to the approved scheme were required. The proposed alteration and modification works of the revised scheme that required planning permission included:
  - (i) widening of two existing openings on the lower part of the external

walls, without interventions to the upper part of the external façade, fronting Queen Victoria Street and Jubilee Street at G/F;

- (ii) demolition and re-construction of the end bay facing Des Voeux Road Central to provide a pair of escalators connecting G/F to 2/F, a steel staircase leading from 2/F to the roof floor, a public toilet and links to the two existing footbridges connecting the Hang Seng Bank Headquarters;
- (iii) demolition of the toilet block at the junction of Queen's Road Central and Jubilee Street and provision of a small entrance plaza/gathering place with electrical and mechanical (E&M) facilities underneath;
- (iv) widening of the internal footbridges (separated by the atrium) on 1/F and 2/F of the building; and
- (v) demolition of market stalls on G/F, 1/F and 2/F with conservation of a minimum of one number of intact market stall for each type of market stall;

*Departmental Comments*

- (c) departmental comments were set out in paragraph 10 of the Paper and summarised as follows:
  - (i) AMO had no comment on the proposed demolition of the façade facing Des Voeux Road Central from the heritage conservation perspective as the end bay of the existing building adjoining Des Voeux Road Central was a later-addition structure reconstructed in 1990s together with the addition of escalators connecting G/F to 2/F, re-provision of lift, staircases and public toilets as well as the connection footbridges to the Hang Seng Bank Headquarters. The applicant should refine the design and provide further information to AMO for comment at the detailed design stage. Also, AMO

considered that the conservation of a minimum of one number of intact market stall for each type was in line with the five principles of conservation established, but welcomed more market stalls to be retained;

- (ii) the Director of Environmental Protection (DEP) had no in-principle objection to the proposed works, but her office was concerned about noise from possible musical performances which might be allowed in the open core area or other not centrally air-conditioned area of the compound as part of the cultural events. Those activities would be subject to control under the Noise Control Ordinance;
- (iii) the Director of Food and Environmental Hygiene advised that the two existing public toilets would not be re-provisioned as URA had ensured the provision of 24-hour toilet facilities with unrestricted public access within the Central Market. URA should advise the Central and Western District Council (C&WDC) regarding the provision of 24-hour toilet facilities during the construction stage since the existing public toilet service would be terminated once the former Central Market was handed over to URA for redevelopment. Also, URA should ensure the re-provisioning of the designated parking space for the Food and Environmental Hygiene Department (FEHD)'s vehicles with similar scale in Central District before deletion of the parking space in order to maintain FEHD's operation needs and not to affect FEHD's daily vehicle deployment arrangement;
- (iv) the Director of Leisure and Cultural Services considered that the provision of a lawn at the atrium was not feasible due to insufficient sunlight; the provision of a lawn with seating facilities at the entrance at street level was not feasible because the turf would unlikely tolerate the high pedestrian flow at Central; and the opening hours of the public open space should not be less than the operating hours from 7 a.m. to 11 p.m.;

- (v) the Chief Architect/Central Management Division 2, Architectural Services Department considered that the Central Market Revitalization Project was a valuable opportunity to provide visual relief and better pedestrian linkage in the existing crowded urban context. More diversity of use particularly in arts and cultural facilities were expected. The content and design quality of the proposed development from the view of place making, conservation, accessibility and connectivity, availability for public use/enjoyment should not be compromised; and
- (vi) other concerned departments had no objection to or no adverse comment on the application;

*Public Comments*

- (d) during the first three weeks of the two statutory publication periods, 105 public comments were received, of which 8 were in support of (including part of comment No. 5-88 was in general support of the 'minimal intervention' approach); 21 objected to (including the remaining part of comment No. 5-88); and the remaining 77 expressed comments and concerns on the application;
- (e) the main supporting views were that it was a 'Minimalist Intervention' approach; last chance to realise the revitalisation of the former Central Market; would transform the market building into a valuable community-oriented heritage place; and the proposal appeared to be realistic and would enhance street frontage and provide public open space;
- (f) the major grounds of objection/concerns were mainly from the aspects of conservation, land use, traffic and technical issues. The main issues included URA's proposal to demolish the façade facing the Des Voeux Road Central was unreasonable and violated the requirement of the Town Planning Board (TPB) and conservation principles; more market stalls

should be retained; the application did not meet the international heritage conservation standards; Central Market should be restored to its original market use and should not be developed as a shopping mall; the public toilet amenities were a feature of the original buildings and should be retained; consideration should be given to the traffic capacity of the area and to avoid further deteriorating the traffic and pedestrian problems in the Central area; and there should be greater public supervision over the management and operation of the future Central Market;

- (g) an email was received from an individual on 16.3.2016, which was out of time and should be treated as not having been made under s.16(2H)(a) of the Town Planning Ordinance;

*Comments from the District Officer (Central & Western) (DO(C&W)), Home Affairs Department*

- (h) DO(C&W) noted that the application was discussed at the meeting of the C&WDC on 9.7.2015. C&WDC Members had given different views on the redevelopment of the Central Market as detailed in Appendix IV of the Paper; and

*PlanD's View*

- (i) PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper and summarised as follows:

Planning Intention

- (i) the application was in line with the planning intention of "OU" annotated "Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses" zone. The effort to conserve the key architectural features and revitalize the Central Market for public enjoyment could provide spatial relief in the existing congested urban core;

### Conservation

- (ii) the proposed scheme was generally in line with the conservation principles adopted by AMO for the application site. There would be no intervention to the upper portion of the external façade that was required to be preserved by AMO. While there was concern from the general public on the demolition of the façade facing Des Voeux Road Central, the proposed demolition was considered acceptable by AMO as the façade was a later-addition structure reconstructed in 1990s. With reference to the study of Conservation of Character Defining Elements of the Central Market, AMO agreed to the conservation of a minimum of one number of intact market stall for each type and welcomed retention of more market stalls. An approval condition requiring the submission of a Conservation Management Plan and the implementation of the Plan was suggested;

### Provision of public open space (POS)

- (iii) while the size of the proposed POS was in compliance with the requirement of not less than 1,000m<sup>2</sup> POS under the outline zoning plan (OZP), there was concern that the proposed lawn at the atrium and the proposed turf at street level facing Queen's Road Central might not be practicable. In that regard, an approval condition requiring the applicant to submit and implement landscape proposal was recommended;
- (iv) URA agreed to take up the responsibility for the operation and maintenance of the proposed POS and indicated that the POS would be open to public at reasonable hours during the operating hours of the building;

### Other Technical Aspects

- (v) regarding DEP's concern on the possible noise arising from the

cultural events/musical performances, the applicant responded that the detailed arrangement could only be determined at the implementation stage. In that connection, DEP advised that no musical performance should be undertaken outside the centrally air-conditioned area between 11 p.m. to 7 a.m. and the applicant should conduct real-time noise monitoring and implement effective noise mitigation measures to avoid violation of Noise Control Ordinance. An advisory clause in that regard was recommended. Other concerned departments had no objection to or no adverse comment on the application; and

#### Public Comments

- (vi) regarding the public comments, the assessments above were relevant and for the future operation, the applicant stated that it would follow the Operation Principles derived from the public engagement process and endorsed by the Central Oasis Community Advisory Committee.

#### *Authority of the Committee*

77. In response to a Member's query, Ms Ginger K.Y. Kiang, DPO/HK, recapitulated the addition, alteration and modification works of the revitalisation scheme that required planning permission from TPB. She further said that other features of the revitalisation scheme including the proposed uses were in compliance with the concerned OZP and did not require planning permission. Nevertheless, the entire revitalisation scheme was submitted to the Committee for Members' reference.

78. In response to a Member's query on the lack of comprehensiveness of the proposal as only piecemeal elements of addition, alteration and modification works were involved in the application and not the entire revitalisation scheme, Ms Ginger K.Y. Kiang said that the planning permission for the revitalisation project was made in accordance with the development requirements stipulated on the OZP. The planning intention of the "OU" annotated "Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses" zone was primarily for preserving the building facades and

special architectural features of the Central Market building and such works required planning permission from TPB. The permitted uses (i.e. Column 1 uses) and uses requiring planning permission from TPB (i.e. Column 2 uses) were stipulated in the Notes of the OZP. All of the proposed uses of the current scheme were Column 1 uses that did not require planning permission and the applicant intended to revitalise the building based on the current scheme.

79. In response to the Vice-chairman's question on the status of the Central Oasis proposal (application No. A/H4/92) approved with conditions by the Committee on 19.7.2013, Ms Ginger K.Y. Kiang said that as the previously approved scheme involved a more extensive new addition to the Central Market building which was completely different from the current scheme which adopted a "Minimal Intervention" approach, they were not directly comparable. She added that the applicant could choose to implement either the previously approved scheme (which was still valid) or the current scheme should the subject application be approved.

*Widening of entrances and elevation treatment facing Queen Victoria Street and Jubilee Street*

80. A Member asked whether the applicant had considered pedestrianization of Queen Victoria Street to enhance the greenery and widen the public space, in addition to the current proposal of widening of the entrances at Queen Victoria Street and Jubilee Street only. In response, Ms Ginger K.Y. Kiang said that portion of the pavements of the two streets, though not forming not part of the application, was proposed for widening with the planting of trees to enhance the greenery.

81. In response to a Member's question on the future transport arrangement, especially the provision of loading/unloading bays at Queen Victoria Street and Jubilee Street, Ms Ginger K.Y. Kiang said that the prime objective of opening up the facades facing Jubilee Street and Queen Victoria Street was to enhance the vitality of the two adjacent streets and provide an opportunity to enhance pedestrian circulation at street level. Although some of the existing loading/unloading bays would be used for footpath widening, the loading/unloading activities would continue to be carried out on the remaining on-street lay-bys located at the western side of Queen Victoria Street and the eastern side of Jubilee

Street. The future operator of the revitalization scheme would be requested to liaise with its tenants to restrict the carrying out of loading/unloading activities to non-peak hours during the busy period or the non-busy periods through the licensing and tenancy agreements. The Commissioner for Transport (C for T) had no comment on the proposed traffic measures.

*Demolition and re-construction of the end bay facing Des Voeux Road Central*

82. In response to a Member's request for elaboration of the design of the curtain wall at the end bay facing Des Voeux Road Central, Ms Ginger K.Y. Kiang said that while the detailed design of the façade was yet to be confirmed, the design intent of the new façade was to differentiate the new and old structures by using transparent materials to enhance visual permeability into the building, as well as to recapture the horizontality characteristic of the original Streamline Moderne architecture of Central Market in 1930s by reconnecting the original key architectural features of the horizontal windows and fins to the façade. As detailed building design for the façade was not yet available, the applicant had provided illustrative materials to demonstrate the transparent design concept to be adopted. Mr Kenneth S.W. Tam, CHM(A&M), AMO of LCSD, supplemented that the existing façade of the building facing Des Voeux Road Central was considered as late additions, which was not a "Character Defining Elements" that needed to be conserved. According to the expert advice on the proposed façade design approach, the 1990s remodelled façade, together with the addition of escalators connecting G/F to 2/F, reprovision of lift, staircases and public toilets as well as the connection footbridges to the Hang Seng Bank Headquarters, were to provide a functional connection to the Mid-Levels Escalator Link bearing no relation to the original Streamline Moderne architecture. Considering that some of the elements in the existing façade could not be removed, AMO of LCSD had no comment on the proposed reconfiguration of the façade but had advised the applicant on the crucial factors of designing the façade including, inter alia, the interfaces among the new and old facades as well as the existing footbridges, the materials used, the colour and the scale of the new façade.

83. A Member asked whether the public toilet facing Queen's Road Central could be conserved or adaptively reused to enhance the utilisation of the existing structures/spaces. In response, Ms Ginger K.Y. Kiang said that during the extensive public consultation exercise conducted for the revitalisation project between 2009 and 2011, there was a general public consensus for demolition of the public toilet. Besides, the toilet was a late addition

which did not have any connection with the original architectural elements of Central Market. Demolition of the public toilet would have no adverse implication from heritage conservation perspective. Moreover, toilet facilities would be provided within the premises in the revitalisation project.

#### *Conservation of market stalls*

84. A Member was concerned about the requirement to conserve a minimum of one number of intact market stall for each type of market stall only and asked whether the conservation of the number of market stalls could be increased to create a cluster of each type of stalls. In response, Mr Kenneth S.W. Tam said that while conservation of more market stalls was supported from heritage conservation perspective, flexibility should be allowed on the conservation of market stalls as the adaptive reuse of the premises, the design and cost of the revitalisation scheme were not finalised at the current stage. Nevertheless, in view of the comments supporting conservation of more market stalls, the applicant had preliminarily examined the feasibility of such proposal and the findings revealed that the structures and conditions of the market stalls, which were built over 70 years ago, were in dilapidated condition which required substantial technical and financial inputs for conservation purpose. Subject to the finalisation of the detailed design and the approved cost of the revitalisation proposal, the number of market stalls to be conserved could be finalised with a hope to increasing the number of stalls to be conserved.

85. The same Member continued to ask whether the proposal could restore the function of a market in either traditional or modern form, considering there were numerous overseas examples of successful revitalisation of historic and monumental markets (e.g. the market at Mercado de San Miguel in Madrid, Spain). In response, Ms Ginger K.Y. Kiang said that while the future operation mode of Central Market was yet to be confirmed, it would follow the operation principles of the Central Market as generally agreed among the public, District Council and professionals in the public consultation exercise for the revitalisation project conducted by the applicant between 2009 and 2011.

#### *Technical issues*

86. In response to the Vice-chairman's queries on the potential noise to be generated

by future uses within the building, Mr Ken Y.K. Wong, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department (PEPO(MA), EPD) said that while DEP had no in-principle objection to the subject application, there were concerns on the proposed curtain façade and enlarged entrances which might weaken the containment of noise from musical performances, such as band shows and Chinese orchestra, which might be allowed in the open core area or other not centrally air-conditioned area inside the compound as part of the cultural events, thus affecting the surrounding residential buildings. The situation would be similar to the former Hollywood Road Police Married Quarters (PMQ), another revitalisation project approved several years ago and was currently in operation. While the need for holding such performances to enhance the vibrancy and viability of the project was noted, the applicant of PMQ revitalisation project had submitted environmental assessment demonstrating that the noise of the proposed development would be subject to control under the Noise Control Ordinance. However, upon its implementation, there were numerous complaints received about the noise nuisance generated from such performances and there were also enquiries from the Ombudsman. In the process of handling the PMQ case, it was found that, on top of the enforcement controls by the relevant authorities, some self-regulating measures such as real-time noise monitoring at representative noise sensitive receivers by the applicant (or his future venue management agency) whenever there was a noisy performance and deployment of noise mitigation measures based on the real-time monitoring results, such as immediate lowering the sound level of the sound amplification system, were effective in minimising the noise nuisance to nearby residents at PMQ and should be considered for similar development. In view of the above, Mr Ken Y.K. Wong suggested that appropriate approval conditions should be stipulated in the planning permission should the subject application be approved. In response, Ms Ginger K.Y. Kiang said that cultural use within the site was always permitted on the OZP and did not require planning permission. In that regard, DEP's concerns were noted and appropriate advisory clauses were suggested should the application be approved. The applicant had also committed that the future operation of the premises would comply with the Noise Control Ordinance.

87. The Vice-chairman asked the rationale for cancelling the requirement of providing a footbridge connecting the Central Market and the adjacent IL8827 ("The Center") upon government's request as stated in the comments of the District Lands Officer/Hong Kong West & South, Lands Department, i.e. in paragraph 10.1.2 of the Paper. In response,

Ms Ginger K.Y. Kiang said that the requirement incorporated in the lease of IL8827 was intended to facilitate the pedestrian connection between The Center and the originally proposed redevelopment at the Central Market site. Since a new revitalisation scheme involving preservation of the façade of the building was proposed for the site, the proposed pedestrian connection would no longer be necessary and the applicant, who was also responsible for complying with such requirement under IL8827, advised that it would liaise with relevant departments to cancel such requirement. The Vice-chairman queried whether it was pre-mature to cancel the requirement as there might be a need for the proposed pedestrian connection upon the development/redevelopment of the site in future. In response, Ms Ginger K.Y. Kiang said that the requirement for providing a footbridge connection under the lease was not related to the subject application, and the issue could be separately considered by relevant departments.

#### Deliberation Session

88. The Secretary summarised that the current application requiring permission from TPB was the proposed alteration and modification works to the building and external façade of the Central Market. The development of the building for commercial, cultural and/or community uses were always permitted and did not require planning permission from TPB. The specific alteration and modification works requiring planning permission were listed in paragraph 1.2 of the Paper. The Secretary then recapitulated the individual elements of the proposed alteration and modification works. With reference to the illustrative materials contained in Appendix Id of the Paper, the Secretary explained to Members the proposed reconfiguration of the end bay facing Des Voeux Road Central. The façade design of the Central Market built in 1939 was characterised by the streamlined modern style influenced under Bauhaus and the simple geometry expressed through the emphasis on the horizontality of the façade design. In the 1990s, the end bay of the Central Market facing Des Voeux Road Central was completely demolished and rebuilt to facilitate the connections to Mid-levels escalator and the Hang Seng Bank Headquarters. The continuity of horizontality was disrupted by the rebuilt façade. The current application would modify the façade of the end bay by adopting the Bauhaus Design concept using transparent materials. The horizontal lines exemplified by the architectural fins, windows and parapets of the original façade to be preserved would be maintained at the new structure in the form of architectural features or window frames subject to detailed design. As to the future operation of the

Central Market, the Secretary explained with reference to figure 2.16 at Appendix Ia of the Paper that the applicant had listed out the operation principles of the Central Market. Although the operator was yet to be identified, the Operation Principles adopted would be adhered to. With regard to the transport arrangement of Queen Victoria Street and Jubilee Street, the applicant had submitted traffic review study which was attached at Appendix C of Appendix Ia of the Paper for Members' reference and consideration.

89. Members agreed to deliberate the application following the sequence of the proposed alteration and modification works as listed in paragraph 1.2 of the Paper.

*Widening of entrances and elevation treatment facing Queen Victoria Street and Jubilee Street*

90. A Member had no objection to the proposed widening of entrances and elevation treatment at Queen Victoria Street and Jubilee Street but considered that, given the opportunity, the footpath on the two streets should be widened with traffic mitigation measures to create a more comfortable pedestrian environment. The same Member suggested that the applicant should be advised to liaise with the concerned government departments to explore the feasibility of those works. Referring to Figure 4.4 at Appendix C of Appendix Ia of the Paper, Members noted the pedestrian circulation improvement works of the project in association with the proposed widening of the entrances at Queen Victoria Street, which included the conversion of some of the existing lay-bys along the street to pavement with planting. The Secretary said that according to the Traffic Review Study submitted by the applicant, the footpath at the two corners of Jubilee Street would also be widened and road level at junction of Queen Victoria Street and Queen's Road Central would be raised to enhance pedestrian circulation. The same Member further suggested to reduce the number of lanes of Queen Victoria Street from two to one, releasing more area for footpath widening. Mr W.L. Tang, Assistant Commissioner for Transport (Urban), Transport Department (AC for T(U), TD) had reservation over such proposal as the traffic flow at Queen Victoria Street was already heavy with bus stops and lay-bys. Also, the applicant had not submitted any detailed assessments on the proposed raising of road level at junction of Queen's Road Central and Queen Victoria Street. Together with the concerns on the loading/unloading activities with reduced lay-bys, TD suggested to impose an approval condition on the requirement for traffic measures to the satisfaction of C for T.

91. After deliberation, Members agreed to the proposed widening of the two existing openings and to stipulate an approval condition requiring the submission of footpath widening proposals in connection to the entrance widening proposals of Queen Victoria Street and Jubilee Street to the satisfaction of TPB and to modify approval condition (i) recommended in the Paper by adding a requirement on the implementation of the footpath widening proposals to the satisfaction of C for T or of TPB.

*Demolition and re-construction of the end bay facing Des Voeux Road Central*

92. A Member considered that the prime objective of the revitalisation project was to create a landmark and a vibrant place in Central instead of the creation of a functional space or a shopping mall. Under that circumstance, the Member weighted architectural design more than the functionality of the building, which could be compromised if the design of the building could help revitalise the place. Another Member considered that from heritage conservation perspective, the entire Central Market building should be preserved *per se* as far as possible. While the planning intention of the site for preserving building facades and special architectural features of the existing Central Market building, and revitalising the building for commercial, cultural and/or community uses was agreed, a Member was concerned about the current alteration and modification works, even with strong architectural merits and public planning gains (e.g. enhancing pedestrian connectivity), might compromise the objective of heritage conservation. The same Member suggested that a balance among heritage preservation, public interest and intended use of the site should be sought.

93. A Member had no objection to demolishing the end bay facing Des Voeux Road Central but considered that the design of the reconstructed façade should be improved. Specifically, the Member considered that the use of glass curtain wall for the entire new façade was not compatible with the original Bauhaus design of the Central Market façade which was made up of stripes of concrete and glass. Another Member considered that the use of glass curtain wall for the cultural facilities would induce high operation cost as the indoor space would rely heavily on air-conditioning for ventilation and noise insulation. Quoting the Youth Square at Chai Wan as an example, the management and maintenance costs of the glass curtain wall of the building were so high that they had created heavy burden on the operator. Without details on the future operation of the Central Market, the Member

doubted the viability of such design and considered that the detailed design of the façade of the end bay should be submitted to TPB for consideration. Another Member shared the same concerns. A Member however supported the use of glass curtain to replace the façade.

94. A Member raised concern on the interface of the new façade design might not be compatible with the existing footbridges connecting to the Hang Seng Bank Headquarters, which was considered not visually pleasant, and asked if the footbridges could be reprovisioned. A Member concurred and suggested that consideration could be given to modifying the design of the existing footbridges. Another Member shared the same view and further suggested that the modern-style of the existing footbridges could be modified to tie in with the original style of the Central Market building. In response, the Vice-chairman explained that the footbridge connecting the Hang Seng Bank Headquarters and the Central Market to the waterfront were stipulated in the lease conditions of the lot where the Hang Seng Bank Headquarters was situated. The current footbridges were an extension of the existing building design of the Hang Seng Bank Headquarters, and the intention was to provide pedestrian connections to the Central Market site, the surrounding commercial building and the Mid-level escalator.

95. The Vice-chairman summarised that Members generally agreed to demolish and reconstruct the end bay facing Des Voeux Road Central but had concerns on the design of the façade which should be compatible with the original Bauhaus design details of the Central Market building. Members were also concerned about the interface of the reconstructed façade with the existing footbridges connecting to the Hang Seng Bank Headquarters. In response to the Members' concerns, the Secretary said that Members could consider requiring the applicant to submit further information on the detailed design of the façade for Members' further consideration before making a decision on the application; or stipulating an approval condition requiring the applicant to submit the same to TPB for Members' consideration should the application be approved.

96. After deliberation, Members agreed to modify the approval condition (b) recommended in the Paper by requiring the applicant to submit a detailed design proposal for the new façade facing Des Voeux Road Central to the satisfaction of TPB and to add a new condition requiring the implementation of the design proposal for the new façade to the satisfaction of the AMO. Members also agreed to add an advisory clause to advise the

applicant to explore measures to better integrate the design of the façade with the two existing footbridges connecting to the Hang Seng Bank Headquarters.

*Demolition of the toilet block at the junction of Queen's Road Central and Jubilee Street*

97. A Member supported demolishing the toilet block to provide an enlarged POS for public enjoyment. Another Member shared the same view and considered that the provision of POS was a planning gain. A Member, while agreeing to the demolition proposal, was concerned about the future use of the demolished toilet block site. A Member was also concerned about the design of the small entrance plaza in that if substantial modification was involved for commercial purpose, it would defeat the purpose of heritage conservation of the project. In response, the Secretary said that the proposed demolition of toilet block and the provision of POS formed part of the application and the applicant should implement the scheme, on the terms of the application as submitted, should the application be approved. Furthermore, Members agreed that the proposed small entrance plaza could be more open and inviting to the public.

98. After deliberation, Members agreed to the proposed demolition of the toilet block and the proposed demolition of the toilet block and modifying approval condition (h) recommended in the Paper to the effect that the public open space, including the small entrance plaza at the junction of Queen's Road Central and Jubilee Street, would be designed and implemented to the satisfaction of the Planning Department or of TPB.

*Widening of the internal footbridges*

99. Members generally agreed to the proposed widening of internal footbridges within the Central Market building.

*Conservation of Market Stalls*

100. A Member considered that more market stalls should be preserved as the various type of stalls had different distinct characteristics worthwhile for protection and the preservation of only one of each type was not desirable. A cluster of each type of market stalls should be preserved to restore their function and enhance vibrancy. Two other

Members shared the same view and considered that preservation of a cluster of each type of market stalls could help recreating the ambience of the old wet market.

101. After deliberation, Members agreed to add new approval conditions requiring the submission of a market stall preservation plan to the satisfaction of TPB, and the implementation of the plan to the satisfaction of AMO. Members also agreed to add an advisory clause to advise the applicant to preserve a cluster of each type of market stalls in the preservation plan.

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

#### *Technical Issues*

102. With regard to the noise aspect, Mr Ken Y.K. Wong reiterated his concerns that the proposed alteration and modification works for, inter alia, cultural use might create noise nuisance to the surrounding residents. He suggested the Committee to stipulate suitable approval conditions on noise control to address the problem. In response, the Vice-chairman said that the current application was for alteration and modification of the design of the building only and the proposed cultural use of the building were always permitted on the OZP. It might not be appropriate to stipulate approval conditions on aspects that did not require planning permission. The Secretary supplemented that in response to DEP's concerns, an advisory clause requesting the applicant to note the comments of DEP was proposed. Besides, future uses of the building would be subject to control under the Noise Control Ordinance. A Member considered that the proposed cultural use of the building should be acceptable and would be regulated under the prevailing legislation, including the Noise Control Ordinance.

103. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.3.2020, 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 Conservation Management Plan prior to

commencement of any major works and implementation of the Plan to the satisfaction of the Antiquities and Monuments Office, Leisure and Cultural Services Department or of TPB;

- (b) the submission of a detailed design proposal for the new façade facing Des Voeux Road Central demonstrating the compatibility of interface between the new and old façades and the new façade and the existing footbridge to the satisfaction of TPB;
- (c) in relation to (b) above, the implementation of a detailed design proposal for the new façade facing Des Voeux Road Central to the satisfaction of the Antiquities and Monuments Office, Leisure and Cultural Services Department or of TPB;
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of TPB;
- (e) the submission of a sewerage impact assessment to the satisfaction of Director of Environmental Protection or of TPB;
- (f) the implementation of sewerage upgrading/connection works as identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of TPB;
- (g) the design and provision of the 24-hour pedestrian passageway to the satisfaction of the Commissioner for Transport or of TPB;
- (h) the design and provision of the public open space (including the small entrance plaza at the junction of Queen's Road Central and Jubilee Street), at no cost to the Government, as proposed by the applicant, to the satisfaction of the Director of Planning or of TPB;
- (i) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of TPB;
- (j) the submission of footpath widening proposals in connection to the entrance widening proposals of Queen Victoria Street and Jubilee Street to the

satisfaction of TPB;

- (k) the implementation of footpath widening proposals in relation to (j) above and traffic measures on loading/unloading activities, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of TPB;
- (l) the submission of a market stall preservation plan to the satisfaction of TPB; and
- (m) in relation to (l) above, the implementation of the market stall preservation plan to the satisfaction of the Antiquities and Monuments Office, Leisure and Cultural Services Department or of TPB.

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

“(k) to note the comments of TPB that:

- (i) the applicant should explore measures to better integrate the design of the façade facing Des Voeux Road Central with the existing footbridges connecting to the Hang Seng Bank Headquarters; and
- (ii) a cluster of market stalls for each type of market stall should be preserved.”

[The Vice-chairman thanked Ms Ginger K.Y. Kiang, DPO/HK, Mr Kenneth S.W. Tam, CHM(A&M), and Mr Leo C.K. Lee, SHO4, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[Mr K.K. Ling, Dr Lawrence W.C. Poon, Mr Laurence L.J. Li, Mr Simon S.W. Wang returned to join the meeting, Professor P.P. Ho and Dr Wilton W.T. Fok left the meeting and Ms Bonnie J.Y. Chan, Mr W.L. Tang and Mr Martin W.C. Kwan left the meeting temporarily at this point.]

**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H4/95                      Renewal of Planning Approval for Temporary Public Utility Installation (Telecommunications Radio Base Station) for a Period of 5 Years in “Other Specified Uses” annotated “Pier” Zone, Portions of Roof Floor, Western Berth of 1/F and G/F of Central Pier No. 2, Central, Hong Kong (MPC Paper No. A/H4/95)

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105.            The Secretary reported that the application was submitted by Park Island Transport Company Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Mr Patrick H.T. Lau had declared an interest in the item as he had current business dealings with SHK. Ms Julia M.K. Lau and Mr Dominic K.K. Lam had also declared an interest in the item as they had past business dealings with SHK.

106.            The Committee noted Mr Patrick H.T. Lau had left the meeting temporarily. As 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.

[Ms Julia M.K. Lau left the meeting temporarily at this point.]

**Presentation and Question Sessions**

107.            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:

- (a) background to the application;
- (b) the renewal of planning approval for temporary public utility installation (telecommunications radio base station) under application No. A/H4/85 for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or

no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a public comment was received which raised concern on whether the proposed use would impose possible public health implications, especially on workers at the pier and operators of refreshment outlets nearby and whether the base stations could be located elsewhere; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. In view of the small scale of the proposed public utility installation, it was anticipated that it would not cause adverse impacts on the operation of the existing ferry services, the ferry passengers or users of the existing roof-top open space. 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 for Temporary Use or Development. Regarding the public comment, the assessments above were relevant and relevant government departments consulted did not raise any concerns on public health implications.

108. Members had no question on the application.

#### Deliberation Session

109. After deliberation, the Committee decided to approve the application on a temporary basis for a period of five years until 20.5.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“ The provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board. ”

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

### **Agenda Items 15 and 16**

#### **Section 16 Applications**

[Open Meeting]

A/H6/78 Proposed Underground Vehicular Tunnel (Connecting Lee Garden One and the Redevelopment of Sunning Plaza/Sunning Court) in area shown as 'Road' and "Commercial" Zone, under Hysan Avenue between Lee Garden One (33 Hysan Avenue) and 10 Hysan Avenue, Hong Kong  
(MPC Paper No. A/H6/78)

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A/H6/79 Proposed Underground Vehicular Tunnel (Connecting Lee Garden One and Lee Garden Two) in area shown as 'Road' and "Commercial" and "Commercial(2)" Zones, under Yun Ping Road between Lee Garden One (33 Hysan Avenue) and Lee Garden Two (2-38 Yun Ping Road), Hong Kong  
(MPC Paper No. A/H6/79)

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111. The Committee agreed that the two applications should be considered together since they were similar in nature and the sites were located in close proximity to each other.

112. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP), Meinhardt (M&E) Limited (Meinhardt), Rider Levett Bucknall Limited (Rider) and MVA Hong Kong Limited (MVA) were four of the consultants of the applicants. The following Members had declared interests in the items:

Mr Patrick H.T. Lau - having current business dealings with ARUP, Rider and MVA;

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

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

Mr Dominic K.K. Lam - having past business dealings with ARUP, Meinhardt, Rider and MVA.

113. The Committee noted that Professor P.P. Ho had already left the meeting and Mr Patrick H.T. Lau and Ms Julia M.K. Lau had left the meeting temporarily. The Committee noted that the applicant had requested for deferment of consideration of the application. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that he could stay in the meeting.

114. The Committee noted that the applicants requested on 3.3.2016 for deferment of the consideration of the application for two months in order to allow time for the applicants to provide responses to the comments raised by government departments. It was the first time that the applicants requested for deferment of the applications.

115. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants 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.

[Mr Patrick H.T. Lau, Ms Julia M.K. Lau, Ms Bonnie J.Y. Chan, Mr W.L. Tang and Mr Martin W.C. Kwan 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.]

**Kowloon District**

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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 Façade Design for the Hong Kong Polytechnic University Complex in “Government, Institution or Community (3)” Zone, Chung Hau Street/Oi Sen Path, Ho Man Tin, Kowloon  
(MPC Paper No. A/K7/111A)

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116. The Secretary reported that the application was submitted by the Hong Kong Polytechnic University (PolyU). Kenneth To & Associates Limited (KTA), ADI Limited, MVA Hong Kong Limited (MVA), Ramboll Environ Hong Kong Limited (Environ) and AECOM Consulting Services Limited (AECOM) were five of the consultants of the applicant. The following Members had declared interests in the 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, MVA and AECOM;
- Ms Julia M.K. Lau - having current business dealings with MVA and Environ; and having past business dealings with AECOM;

- Professor P.P. Ho - having current business dealings with AECOM; and
- Mr Dominic K.K. Lam - having past business dealings with KTA, ADI, MVA, Environ and AECOM.

117. The Committee noted that Mr Sunny L.K. Ho had tendered apologies for being unable to attend the meeting and Professor P.P. Ho had already left the meeting. The Committee agreed that as the interest of Mr Laurence L.J. Li was direct, he should be invited to leave the meeting temporarily for the item. As Mr Patrick H.T. Lau, 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 Laurence L.J. Li left the meeting at this point.]

#### Presentation and Question Sessions

118. The Committee noted that a replacement page (i.e. page 2) of the Paper had been tabled at the meeting to rectify editorial errors regarding gross floor area and plot ratio of the proposed development. 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 proposed campus expansion development (including residential institution and educational institution) and minor relaxation of the location and building height (BH) restriction for the 25m-wide building gap to accommodate a stepped building facade design for the PolyU complex;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD) had reservation on

the application from landscape planning point of view as the quantity of the retained trees was significantly reduced when compared with the previous approved s.12A application, and the tree compensatory ratio in terms of quality was quite low at 1:0.37 despite the compensatory ratio in terms of quantity exceeded 1:1; local open space provision for students living in the hostel failed to meet the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG); and the provision of a functional, accessible and qualitative open space for public use was still in doubt. Other 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 12 public comments were received, of which three supported, six objected to and three provided views on the application. The supporting comments were made on the grounds that the proposed development could relieve PolyU's current shortfalls of academic floor space and student hostel places; student hostels would provide opportunities for interaction among students; student would save travelling time and enjoy a fully integrated university life; it would provide publicly accessible landscaped area, greening and pedestrian connection; and the proposed stepped BH profile would help maintain spatial relief for visual permeability and wind penetration. The objecting comments were made on the grounds that PolyU needed to provide an overall assessment and explain the projected demand of hostel places to address the Committee's previous concern on the s.12A application; the air ventilation performance and its impact on Carmel Secondary School (CSS) was yet to be substantiated; failure to demonstrate why lower BH could not be adopted; visual impacts on CSS would still be moderate adverse even with mitigation measures; and if approved, the maximum BH should be specified in the approval condition to forestall further amendment. The remaining three commenters commented that the Committee's previous concern on the s.12A application had not been addressed; proposed open space was too inconvenient and there were no amenities for active activities; and the applicant should ensure that the proposed mitigation measures could

address railway noise. The District Officer (Kowloon City) advised that the Town Planning Board (TPB) should take into account all the comments gathered in the consultation exercise and should take appropriate measures to address the residents' concerns should the application be approved; and

- (e) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The applicant had largely complied with all restrictions on the OZP with enhancements on some aspects to address the concerns raised on the previous s.12A application and in the OZP amendment process. Regarding development quantum, the Secretary for Education (SED) and UGC had no adverse comments on the proposed floor space for hostel and academic facilities. The applicant had proposed various measures to address concerns on the impacts on CSS and made efforts to address the TPB's concerns on the previous indicative development scheme, such as the proposed set-back distance was increased from 12m to 15m from the boundary of the CSS, thus increasing a building-to-building distance from 20m to 23m between the CSS building and the western hostel block; the overall BHs of the western block had been generally reduced; the width of the 8-storey open decks in the northwest wing of the western block facing the CSS playground had been reduced from 8m to 6m; the area of open space for public use had been increased from 3,250m<sup>2</sup> to 3,500m<sup>2</sup>; and the current scheme proposed greening at all levels and the overall greening ratio had been increased from 50% to 51%. Regarding the minor relaxation of location and BH of the building gap, as the extent of the structures within the building gap were not excessive and a minimum distance of 25m could be maintained at all levels above 45mPD, it was unlikely that air ventilation and visual permeability would be worsened. Concerned departments, except CTP/UD&L, PlanD, had no objection to or no adverse comment on the application. The proposal had merits in providing the much-needed higher education facilities for the territory, and the applicant had made efforts to minimize the impacts on the landscape quality in the area. Regarding the public comments, the assessments above were relevant. Also, to address CSS' concerns about the BH of the proposed development,

an approval condition stipulating that the proposed development should not exceed the BHs on the Master Layout Plan was recommended.

119. In response to the Vice-chairman's query, Ms Johanna W.Y. Cheng, STP/K, said that a total of 3,500m<sup>2</sup> of open space for use by students, staff and the public would be provided on the site and CTP/UD&L, PlanD's concern was on local open space provision for students living in the hostel saying that a minimum of 1,279m<sup>2</sup> local open space should be provided for the 1,279 students accommodating in the site as required under the HKPSG. She further said that the applicant had advised that the current calculation had not included the proposed sky gardens and terraced gardens, the aggregate sum of which would be sufficient to meet the provision requirements of 1,279m<sup>2</sup> local open space.

120. In response to the Vice-chairman's query regarding the accessibility of the public open space, Ms Johanna W.Y. Cheng, referring to Drawing A-4 of the Paper, said that there were two pedestrian accesses to the public open space, one from Oi San Path connecting to the landscaped deck and the route along the south western boundary of the site via an escalator; and the other to the nature park via Chung Hau Street. The nature park could also be accessed via a staircase from Oi San Path. The landscaped deck and nature park would be connected by the public open space between the buildings. A Member also asked whether the applicant had further responded to the comments of CTP/UD&L, PlanD about the inaccessibility of the proposed public open space. In response, Ms Johanna W.Y. Cheng said that there was no response from the applicant, yet CTP/UD&L advised that the design of the public open space, including the accessibility issue, could be dealt with by stipulating an approval condition should the Committee approve the application.

121. A Member asked why the number of the retained trees was significantly reduced when compared with the s.12A planning application. In response, Ms Johanna W.Y. Cheng said that as part of the site was being occupied for the railway project construction works by the Mass Transit Railway Corporation Limited, some trees had already been removed.

122. In response to a Member's query, Ms Johanna W.Y. Cheng said that a 25-m wide building gap was stipulated on the concerned outline zoning plan (OZP) in order to allow for better air ventilation and visual permeability. The application for minor relaxation of the building gap was technical in nature to accommodate the stepping façade design of the

proposed development. A small portion of the eastern end of the 7/F to 9/F of the north wing of the western block would encroach into the western edge of the building gap above 45mPD but there would be corresponding extension of the building gap in the eastern edge at that level such that the minimum width of 25m was maintained at all levels above 45mPD.

#### Deliberation Session

123. A Member queried if approval of the application might set an undesirable precedent that adjustments of the location of building gap stipulated on the OZP was allowed. Notwithstanding that, the Member supported the subject application as the proposed set-back distance from CSS was increased and visual permeability and air ventilation would not be affected. In response, the Chairman said that the building gap was delineated with reference to the indicative development scheme submitted by the applicant in the s.12A planning application and the Notes of the OZP had made provision for application for minor relaxation of the location of building gap under exceptional circumstances. The applicant had demonstrated that the performance of air ventilation and visual permeability would be acceptable after the proposed minor relaxation.

124. A Member shared the concerns of CTP/UD&L, PlanD on the landscape proposal as this Member considered that 'open space' use was an important element in considering the s.12A planning application for rezoning from "Open Space" ("O") to "Government, Institution or Community" ("G/IC"). The same Member was concerned that the current design of the proposed public open space approved to be more for private use instead of for public use, and suggested that the applicant should provide the main access to the public open space at Chung Hau Street instead of Oi Sen Path and improve the design of public open space entailed in the landscape proposal. The Member considered that there was still room for improvement of the current scheme.

125. The Vice-Chairman said that given the residential nature of student hostel, the opening of open space for public use should not cause conflicts to students residing there. Nevertheless, he agreed with the comments of the other Member that the layout of the open space for public use should be carefully considered.

126. The Chairman remarked that the concerns on the landscaping and open space

provision could be dealt with by stipulating approval condition(s) as appropriate and concerned government departments could further look into the issue of accessibility at the stage. Various measures, such as adding of signage, could be considered as a means to improve the accessibility to the public open space.

127. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.3.2020, 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 proposed development should not exceed the building heights as proposed in the Master Layout Plan;
- (b) not less than 3,500m<sup>2</sup> of open space for public use should be provided and should be opened from 7:00am to midnight every day, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB;
- (c) two pedestrian routes linking Oi Sen Path with Chung Hau Street should be provided and should be opened from 7:00am to midnight every day, as proposed by the applicant to the satisfaction of the Director of Planning or of the TPB;
- (d) the provision of emergency vehicular access, fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (e) the design and 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;
- (f) the submission and implementation of tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the TPB;

- (g) the implementation of noise mitigation measures as proposed in the environmental assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (h) the implementation of the local sewerage upgrading/sewerage connection works to the satisfaction of the Director of Drainage Services or of the TPB.”

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

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting]

A/K7/112                      Proposed Minor Relaxation of Plot Ratio Restriction from 0.6 to 0.6513 (for KIL No. 6812RP), 0.6634 (for KIL No. 6813RP) and 0.6446 (for KIL No. 6814RP) and Minor Relaxation of Building Height Restriction from 2 to 3 storeys to Allow for One Storey of Basement for Parking and Ancillary Plant Room Use for the Proposed Residential Development in “Residential (Group C)” Zone, 10, 12 and 14 Braga Circuit, Ho Man Tin, Kowloon  
(MPC Paper No. A/K7/112)

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129. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Patrick H.T. Lau had declared interest in the item as he had current business dealings with LD. The Committee noted that the applicant had requested for deferment of consideration of the application. As Mr Patrick H.T. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

130. The Committee noted that the applicant requested on 10.3.2016 for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to prepare a Geotechnical Planning Review Report and a chimney emission survey

to address departmental comments. It was the first time that the applicant requested for deferment of the application.

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

### **Agenda Item 19**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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

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132. The Secretary reported that Professor P.P. Ho had declared interest in the item as his spouse owned a flat in Harbour Place. The Committee noted that Mr P.P. Ho had already left the meeting.

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

133. Ms Johanna W.Y. Cheng, STP/K, reported that the consultant of the applicant submitted further information (FI) on 17.3.2016, which was tabled at the meeting for Member's information. The FI raised concern on the objection of the Fire Services

Department (FSD) to the application and questioned whether FSD had applied double-standard when they made reference to the Guidelines that were Town Planning Board's instead of FSD's. The applicant considered that the application was unprecedented and that the justifications and planning merits put forward were very strong and requested the Committee to give favourable consideration to the application. As the FI involved no amendment to the development proposal, it could be accepted and there was no need to publish the FI for public comment.

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

- (a) background to the application;
- (b) the proposed shop and services (motor-vehicle 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 as the aggregate commercial area of the subject building with industrial use exceeded 460m<sup>2</sup>. Having considered the responses of the applicant in the FI, D of FS maintained his previous comment. Other 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 26 public comments were received, of which 19 supported, three objected, one requested information and three provided information. The supporting comments were made on the grounds that it was compatible with the high-density residential neighbourhood; unlikely to pose environmental, traffic and drainage impacts, and fire risks in the area; enhanced street vibrancy and revitalized streetscape; FSD's comments were general without detailed explanation; and technical matters could be addressed by relevant conditions. The objecting comments were made on the grounds that the proposed use would aggravate vehicular flow and generate noise and air pollution; there was previous record of noise

nuisance at midnight and complaint from residents of the Juniper Mansion; and the outdoor carpark area contravened the approved building plans. A commenter asked about reasons for not approving the previous applications, while the remaining three commenters provided views that the proposed use was non-polluting which was far better than a petrol filling station (PFS). The District Officer (Kowloon City) advised that the Town Planning Board (TPB) should take into account all the comments gathered in the consultation exercise and should take appropriate measures to address the concerns of relevant stakeholders if approving the application; 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. The proposed use was considered not incompatible with the other uses in the subject car park building (including vehicle repair workshop and public car park) and the residential developments in the surrounding areas and would not increase building bulk or intensity. The proposed use would not lead to loss of existing public car parking spaces in upper floors of the building, and the non-provision of PFS in the building should not bring about any inconvenience to motorists as there were two existing PFSs within 500m in the vicinity of the premises. As the motor vehicles were displayed within the showroom during opening hours, frequent vehicular trip in and out from the showroom was not expected. The premises was highly accessible and it was expected that the visitors would make use of public transport or the public car park in the subject building. Both the Commissioner for Transport and the Commissioner of Police had no comment on the application from traffic impact perspective. Notwithstanding the above, D of FS objected to the application from fire safety point of view for the reason that the aggregate commercial area of the building with industrial use exceeded 460m<sup>2</sup>. Such comments seemed to have made reference to the maximum aggregate commercial floor area permissible on the ground floor of an existing industrial or industrial-office building as stated in the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses” annotated “Business”

("OU(B)") zone (TPB PG-No. 22D). PlanD had pointed out that the said guidelines were not applicable to the current application as the premises did not fall within an "OU(B)" zone and the building was specifically used for a centre for repair and servicing of vehicles and public car park. Also, the currently applied motor vehicle showroom was a Column 1 use which was always permitted on G/F of an industrial or industrial-office building in an "OU(B)" zone, and should not be counted towards the 460m<sup>2</sup> limit. The fact that the premises was on G/F with direct access to the main streets should also be considered. However, D of FS maintained his objection to the application. Regarding the public comment, the assessments above were relevant and the comment relating to the area annotated 'existing outdoor carpark' being in contravention of the approved building plans was unrelated to the application.

135. In response to the Chairman's query, Ms Johanna W.Y. Cheng, STP/K, said that 'motor vehicle showroom' was a Column 1 use which was always permitted on the ground floor of an existing industrial building in "Industrial" ("I") and "OU(B)" zones.

136. In response to a Member's query, Ms Johanna W.Y. Cheng said that as specified in TPB PG-No. 22D, ancillary showroom use of up to 20% of the total usable floor area of an industrial firm in the same premises or building would be permitted without application and should not be counted towards the 460m<sup>2</sup> and 230m<sup>2</sup> limit of the maximum aggregate commercial gross floor area on the ground floor of an industrial or industrial-office building with and without sprinkler systems respectively in "OU(B)" and "I" zones. The Chairman supplemented that the above limits on commercial floor area also did not apply to uses which were ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or industrial-office building, such as banks.

137. The Vice-chairman asked whether TPB PG-No. 22D was applicable to the application as the proposed 'motor vehicle showroom' might not be considered as ancillary use of the 'maintenance/vehicle repair workshops' on the upper floors of the building. In response, Ms Johanna W.Y. Cheng said that TPB PG-No. 22D and TPB Guidelines for Use/Development within "I" Zone (TPB PG-No. 25D) were not applicable to the premises which was zoned "OU" annotated "Multi-storey Carpark to Include Garages for Maintenance

and Servicing of Motor Vehicles and Petrol Filling Station” and that the proposed ‘motor vehicle showroom’ was not an ancillary use of ‘maintenance/vehicle repair workshops’.

#### Deliberation Session

138. The Chairman noted that although PlanD did not support the application in view of the concern of D of FS from the fire safety perspective, ‘motor vehicle showroom’ was a Column 1 use which was always permitted on the ground floor of an industrial building in “I” and “OU(B)” zones. He remarked that rejecting the application should be fully justified.

139. The Vice-chairman considered that the fire safety risk that might be generated by the customer services centre of the vehicle maintenance/repair workshops on the ground floor of the subject building, which provided a reception area to receive the customers, was similar to that of the proposed motor vehicle showroom. There was no strong justification to reject the application.

140. A Member concurred with the applicant’s views that the previous petrol filling station in the subject premises was a more incompatible land use as compared with the proposed motor vehicle showroom. The same Member considered that the application could be approved as the proposed use would not increase the fire risk of the subject building.

141. The Chairman said that motor vehicle showrooms were usually spacious and there would not be many customers staying in the showroom at one time. Hence, ‘motor vehicle showroom’ was a Column 1 use which was always permitted on ground floor of an industrial building in the “I” and “OU(B)” zones. The Vice-chairman said that from fire safety point of view, the vehicles in the motor vehicle showroom were stored with limited petrol, which was different from vehicles parked in a car park. Besides, crowd control measures would be adopted in the showroom, effectively limiting the number of customers staying in the subject premises.

142. Members noted said that D of FS did not agree that the fire safety issue should be dealt with by stipulating an approval condition to the satisfaction of D of FS. Members also noted that the existing use on the ground floor of the subject building on the approved building plan was ‘Garages, Showroom and Petrol Filling Station’ and the showroom use was

not indicated in the subject premises. The Chairman remarked that the proposed use would be subject to approval of general building plans for converting the subject premises to showroom use and D of FS would be required to further consider the fire safety aspect of the proposal at the building plan submission stage.

143. In response to a Member's suggestion of stipulating an approval condition requiring the applicant to obtain approval of general building plan within a specified period of time, the Secretary said that in the approval letter, there was a general statement to alert the applicant that the permission granted by TPB under section 16 of the Town Planning Ordinance should not be taken to indicate that any other government approval which might need in connection with the development would be given. Members noted and agreed that no approval condition would be imposed for the planning permission.

144. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 18.3.2020, 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.

145. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper and amended the following clause to rectify a typographical error:

“(b) to note the comments of DLO/~~KEKW~~, LandsD that the lot owner has to apply to LandsD for a waiver/lease modification. However, there was no guarantee that the waiver/lease modification application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application was approved, it would be subject to such terms and conditions including, among others, the payment of wavier fee/premium and administrative fee as may be imposed by LandsD.”

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

[Dr Lawrence W.C. Poon left the meeting at this point.]

**Agenda Item 20**

**Section 16 Application**

[Open Meeting]

A/K11/223                      Proposed Public Housing Development including ‘Flat’, ‘Shop and Services’, ‘Market’, ‘Place of Recreation, Sports or Culture’, ‘Public Transport Terminus or Station’, ‘Religious Institution’, ‘School’ and ‘Eating Place’ in “Comprehensive Development Area” Zone and area shown as ‘Road’, “Comprehensive Development Area” Site, Diamond Hill, Kowloon  
(MPC Paper No. A/K11/223)

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146.            The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

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|--|--|
| Mr K.K. Ling<br>(the Chairman)<br><i>as the Director of Planning</i>                   | - being a member of the Strategic Planning Committee (SPC) and the Building Committee (BC) of HKHA;                                |
| Mr Martin W.C. Kwan<br><i>as the Chief Engineer (Works) of Home Affairs Department</i> | - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA; |
| Ms Julia M.K. Lau  | - being a member of the Commercial Properties Committee and Tender Committee of HKHA;  |
| Professor P.P. Ho  | - being a member of the BC of HKHA;  |

- Mr Patrick H.T. Lau - having current business dealings with HKHA;
- Mr Dominic K.K. Lam - having past business dealings with HKHA; and
- Dr Lawrence W.C. Poon - his spouse working in the Housing Department but had no involvement in the application.

147. The Committee noted that the applicant had requested for deferment of consideration of the application and noted that Professor P.P. Ho and Dr Lawrence W.C. Poon had already left the meeting. The Committee agreed that as the interests of Mr K.K. Ling, Mr Martin W.C. Kwan, Ms Julia M.K. Lau and Mr Patrick H.T. Lau were direct, they could stay in the meeting but should refrain from participating in the discussion. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that they could stay in the meeting.

148. The Committee noted that the applicant requested on 4.3.2016 for deferment of the consideration of the application for one month so as to allow time for preparation of further information to address the comments of relevant government departments. This was the first time that the applicant requested for deferment of the application.

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

**Agenda Item 23**

Any Other Business

150. As this was the last MPC meeting of the current term, the Chairman took the opportunity to thank Members for their dedication and support to the work for the Committee over the past two years.

151. There being no other business, the meeting closed at 1:25 p.m.