

TOWN PLANNING BOARD

**Minutes of 568th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 28.10.2016**

Present

Mr Lincoln L.H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Thomas O.S. Ho

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

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

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

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

Assistant Director of Lands/Regional 1, Lands Department
Mr Simon S.W. Wang

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

Secretary

Absent with Apologies

Director of Planning
Mr K. K. Ling

Chairman

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Wilson Y. W. Fung

Mr T. Y. Ip

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Karen F.Y. Wong

Assistant Town Planner/Town Planning Board
Mr Harris K.C. Liu

Agenda Item 1

Confirmation of the Draft Minutes of the 567th MPC Meeting held on 14.10.2016

[Open Meeting]

1. The draft minutes of the 567th MPC meeting held on 14.10.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

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

Hong Kong District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/H15/11 Application for Amendment to the Draft Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/30, To rezone the application site from "Government, Institution or Community" and an area shown as 'Road' to "Residential (Group A)", Junction of Shek Pai Wan Road and Tin Wan Hill Road, Tin Wan, Aberdeen
(MPC Paper No. Y/H15/11)

3. The Committee noted that a replacement page (page 10 of the Paper) with revised paragraph 8.12(c) to incorporate the latest comments of District Officer (Southern) was

tabled at the meeting.

4. The Secretary reported that the application was submitted by the Hong Kong Housing Society (HKHS). Townland Consultants Limited (TCL), Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Limited (DLN), C.M. Wong & Associates Limited (CMW) and Ramboll Environ Hong Kong Limited (Environ) were four 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 an ex-officio member of the Supervisory Board of HKHS; |
| Mr K.K. Cheung | - his firm having current business dealings with HKHS; |
| Mr Patrick H.T. Lau | - having current business dealings with TCL and DLN; |
| Mr Thomas O.S. Ho | - having past business dealings with HKHS, TCL, DLN and CMW; |
| Mr Dominic K.K. Lam | - having past business dealings with HKHS and Environ; |
| Mr Franklin Yu | - having past business dealings with CMW; |
| Dr Lawrence W.C. Poon | - being an ex-employee of HKHS; |
| Dr Wilton W.T. Fok | - co-owning with spouse a flat in Ap Lei Chau; and |
| Mr Wilson W.S. Pang | - owning a flat in Ap Lei Chau. |

5. The Committee noted that the Chairman, Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting and Mr Franklin Yu

had not arrived at the meeting yet. Since the interests of Mr Thomas O.S. Ho and Dr Lawrence W.C. Poon were indirect and the properties of Dr Wilton W.T. Fok and Mr Wilson W.S. Pang did not have a direct view of the site, the Committee agreed that they could stay in the meeting. As the interest of Mr K.K. Cheung was direct, the Committee agreed that he should leave the meeting temporarily for the item.

[Mr K.K. Cheung left the meeting temporarily at this point.]

Presentation and Question Sessions

6. The following representatives from the Planning Department (PlanD) and the representatives of the applicant were invited to the meeting at this point:

Mr Louis K. H. Kau - District Planning Officer/Hong Kong (DPO/HK)

Miss Jessica K.T. Lee - Senior Town Planner/Hong Kong (STP/HK)

Mr Eric Yeung]

Mr Pang Chuck Hang]

Ms Cindy Tsang]

Ms Gladys Leung]

Ms Mary Chan] Applicant's representatives

Mr James Chong]

Mr Tony Cheng]

Mr Chris Lee]

Mr Robin Li]

7. The Vice-chairman extended a welcome and explained the procedure of the hearing. He then invited Miss Jessica K.T. Lee, STP/HK, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to rezone the site located at the junction of Shek Pai Wan Road and Tin Wan Hill Road from “Government, Institution or Community” (“G/IC”) and an area shown as ‘Road’ to “Residential (Group A)” (“R(A)”) with a maximum building height (BH) restriction of 100mPD;
- (b) the site (about 7,725m²) was mainly covered by natural and man-made slopes with a 1-storey building at its southern corner for the Food and Environmental Hygiene Department’s (FEHD’s) pest control office. The proposed public housing development providing 600 flats would serve as a decanting site for the redevelopment of Yue Kwong Chuen (YKC). Based on an indicative development scheme proposal submitted by HKHS, the proposed development comprised one 25-storey residential block on top of a 3-storey podium with retail facilities, a multi-function room for residents, a relocated integrated family service centre (IFSC) and a reprovisioned FEHD’s pest control office subject to a total plot ratio of 10.5 and a site coverage of 38%;

Surrounding Areas

- (c) the site was surrounded by natural slopes to the northeast, north and northwest. To the southeast were private residential developments and some industrial buildings within the “R(A)” and “R(E)” zones respectively, and to the further northeast was Tin Wan Estate. A number of government, institution and community (GIC) uses, including Tin Wan Market, Tin Wan Station Building and a school, were located to the east of the site across Tin Wan Hill Road, and the Shek Pai Wan Road Playground was located to the south;
- (d) the site was currently subject to a BH restriction of one storey. The surrounding developments were subject to stepped maximum BH restrictions of 85mPD, 100mPD, 130mPD and 150mPD;

Public Comments and Departmental Comments

- (e) during the first three weeks of the three statutory publication periods, a total of four comments from a Southern District Council (SDC) member and individuals were received. The SDC member supported the application for reasons of increasing housing supply and shortening the waiting time for public housing and indicated that 70% of the respondents of a questionnaire survey of Tin Wan residents supported the application. The other two commenters objected to the application on the grounds of adverse visual and air ventilation impacts and traffic congestion problem arising from the proposed residential development. The remaining commenter considered that the existing traffic congestion problem was already very serious and there was insufficient supporting facilities in the area;
- (f) 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 Transport (C for T) considered the submitted traffic impact assessment (TIA) acceptable and the Secretary for Transport and Housing had granted policy support to the proposed public housing development at the site in order to provide rehousing support for the redevelopment of YKC;

PlanD's View

- (g) PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper, which were summarised as follows:
 - (i) the proposed rezoning for residential use was compatible with the surrounding developments and the BH restrictions stipulated for "R(A)" zones in the Tin Wan area. The site located 900m away from YKC was a suitable decanting site for YKC redevelopment, and there was no request from relevant bureaux/departments to use/reserve the site for GIC uses;

- (ii) the application would have no adverse implication on the GIC and open space provisions in the Aberdeen and Ap Lei Chau area. The existing pest control office would be reprovided in the proposed development and an IFSC at Tin Wan would also be relocated to the proposed development with an enlarged premises. Relevant departments had agreed to the reprovisioning and relocation arrangements; and
- (iii) the proposed rezoning was considered acceptable in traffic, environmental and infrastructural terms. Concerned departments had no objection to or no adverse comment on the application. Regarding the objecting public comments, the assessments above were relevant.

8. The Vice-chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Cindy Tsang made the following main points:

Background

- (a) the rezoning application was to facilitate the redevelopment of YKC. YKC was completed in 1960s and in dire need of redevelopment to meet the current living standards. The success of the redevelopment would depend on the smooth re-housing of 2,500 affected residents. During the site search exercise for a suitable decanting site, HKHS consulted the SDC on 30.9.2013 and noted the request of YKC residents for relocation within the same district;
- (b) the site, being 900m away from YKC, was identified as a suitable decanting site for affected tenants of Phase 1 redevelopment while the Phase 2 affected tenants would be decanted to Phase 1 site. The proposed development at the site together with the redevelopment of YKC would provide about 1,400 additional public housing units;

Site Characters and Indicative Development Scheme

- (c) the site had a number of site constraints including the irregular topography and steep slopes ranging from 14mPD to 50mPD. The difficult site topography was one of the factors defining the layout of the proposed development which resulted in a compact building footprint. The proposed development comprised a residential tower with 100mPD to provide 600 flats on top of a 3-storey podium which would accommodate the FEHD's pest control office, an IFSC, a multi-function room for future residents and retail facilities;

Local Consultations

- (d) the HKHS had actively engaged with the local residents and SDC on the proposed development and held briefing sessions on 20.1.2016 and 27.1.2016 with SDC members, representatives of incorporated owners/owners corporation and local residents. On 21.3.2016, the indicative development scheme was presented to the District Development Housing Committee (DDHC) of SDC which indicated their support to the scheme;

Planning Justifications

- (e) the proposed rezoning was in line with the policy objectives in enhancing housing supply and better utilising land resource. It was compatible with the surrounding land uses and BH restrictions in the area and would have no implication on the GIC and open space provisions. The proposed development also respected the request of the affected residents for rehousing in the same district. The proposed development had a number of design merits including a compact building footprint to minimise slope cutting and disturbance to natural landscape, the provision of convenient communal open space for residents, maximising greening coverage and road side greening, compliance with sustainable building guidelines and maintaining the character the area;

Technical Assessments and Departmental Comments

- (f) a number of technical assessments were conducted which concluded that the proposed development would not have adverse impact on the surroundings from the visual, landscape, traffic, environmental, geotechnical, drainage, sewage and ecological aspects. Besides, concerned departments had no objection to or no adverse comment on the application and the Secretary for Transport and Housing had granted policy support for the proposed public housing development at the site; and

Conclusion

- (g) the proposed rezoning could optimise the use of land resource and responded to the Government's initiatives of increasing housing supply. It was compatible with the surrounding land uses and had the planning gain of providing affordable housing to the community and enhancing the existing GIC facilities. As a decanting site, the proposed development would allow rehousing of YKC residents within the same district so as to minimise the adjustment of those elderly residents and would facilitate the success of the YKC redevelopment. The proposed layout with compact footprint would minimise slope works required and the impact on surrounding landscape. The design of the proposed development could ensure a quality, healthy and safe living environment for future residents and would not induce undesirable impacts.

9. As the presentations from PlanD's representatives and the applicant's representatives had been completed, the Vice-chairman invited questions from Members.

10. Noting that there was a shrine located to the immediate south of the site, a Member asked whether the design of the indicative development scheme had taken into account the potential interface between the proposed development and the shrine and whether the owner/operator of the shrine had been consulted. In response, Ms Cindy Tsang said that the shrine fell outside the site boundary and would not be affected by the proposed

development. The residential tower would be set back from the shrine and planting would be provided along the site boundary to minimise potential nuisance. Mr Pang Chuck Hang, the applicant's representative, supplemented that HKHS had made an attempt to identify the owner/operator of the shrine through the Home Affairs Department but in vain. The proposed development would be designed in such a way to minimise the interface problem between the shrine and future residents, if any.

11. A Member asked the number of residents that could be accommodated in the proposed development, the redevelopment programme of YKC, and any special design in the proposed development to cater for the needs of the elderly. In response, Mr Pang Chuck Hang said that YKC had a total of 1,144 flats and 600 flats would be affected in the Phase 1 redevelopment. Residents of Phase 1 redevelopment would be decanted to the proposed development upon its completion in 2022. The Phase 1 redevelopment of YKC was expected to be completed by 2026 for accommodating residents of Phase 2 redevelopment. Upon completion of the whole redevelopment of YKC in 2031 and the proposed development, about 2,600 flats would be provided. Noting that over 50% of the YKC residents were currently aged 50 or above, the proposed development would adopt an universal design to cater for the needs of the elderly.

12. The Vice-chairman asked about the views of the YKC residents consulted at the meeting on 27.1.2016 and measures to be taken to address the comments of Architectural Services Department (ArchSD) with regard to solar heat gain and glare issue for flats facing west. In response, Ms Cindy Tsang said that at the briefing session on 27.1.2016, YKC residents indicated support to the proposal of rehousing them within the same district and their major concerns were the details of the rehousing arrangement and the design of the proposed development. Regarding ArchSD's comments, Ms Mary Chan, the applicant's representative, said that only a limited number of flats in the proposed development would be facing west and consideration could be given to have architectural fins and special materials for the window glass to address the concerns on solar heat and glare.

13. A Member asked about the provisions of GIC facilities and open space in the area and whether the nearby Tin Wan Station Building would have any impact on the proposed development. In response, Mr Louis K.H. Kau, DPO/HK, said that the provision of GIC facilities such as sports centres, social welfare facilities and wet markets were sufficient to

serve the population in Aberdeen and Ap Lei Chau area in accordance with the Hong Kong Planning Standards and Guidelines. Whilst there was a shortfall of about 2.8 ha district open space, there was a surplus of about 8.4 ha local open space making an overall surplus of open space provision. Ms Jessica K.T. Lee, STP/HK, said that Tin Wan Station Building was located to the further northeast of the site and an application for government staff quarters next to it was approved by the Committee earlier this year. In that application, the Electrical and Mechanical Services Department (EMSD) confirmed that Tin Wan Station Building would have no adverse impact on the government staff quarters. EMSD had no comment on the current application and thus it was anticipated that Tin Wan Station Building would have no adverse impact on the proposed development. Mr Tony Cheng, the applicant's representative, supplemented that the noise impact assessment for the proposed development concluded that there would be no adverse noise impact arising from Tin Wan Station Building and the nearby industrial buildings on the future residents.

14. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Vice-chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and informed the applicant of the Committee's decision in due course. The Vice-chairman thanked the applicant's representatives and PlanD's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

15. A Member said that there were temple and shrine in the vicinity of the site, the traffic and pedestrian flow as well as the joss-sticks burning activities of the temple/shrine might create nuisance and generate complaints from the future residents of the proposed development. The Member considered that the applicant should adopt appropriate design measures to minimise the possible interface problem between the proposed development and the temple/shrine. The Committee noted the Member's view and agreed to convey the concern to the applicant.

16. After further deliberation, the Committee decided to agree to the application for rezoning the site from "G/IC" and an area shown as 'Road' to "R(A)" with a maximum BH restriction of 100mPD. The proposed amendment to the draft Aberdeen and Ap Lei Chau

Outline Zoning Plan (OZP) No. S/H15/30 would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance after reference back of the OZP for amendment by the Chief Executive in Council. The Committee also agreed to advise the applicant to adopt appropriate design measures to minimise any possible interface problem between the proposed development at the site and the adjacent temple/shrine.

Tsuen Wan and West Kowloon District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/KC/9 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", 24-28 Wing Lap Street, Kwai Chung
(MPC Paper No. Y/KC/9)

17. The Committee noted that the applicant requested on 3.10.2016 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.

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

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

[Ms Michelle M.S. Yuen and Mr. Philip Y.L. Chum, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/571 Proposed Flat, Shop and Services in "Residential (Group E)1" Zone and an Area shown as 'Road', No. 25-29 Kok Cheung Street and Adjoining Government Land, Tai Kok Tsui
(MPC Paper No. A/K3/571A)

19. The Committee noted that a replacement page (page 2 of the Paper) with updated figures of parking spaces was tabled at the meeting.

20. The Secretary reported that the application was submitted by Asia Turbo Development Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). Kenneth To & Associates Limited (KTA) and Parsons Brinckerhoff (Asia) Limited (PB) were two 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 and KTA;

Mr Franklin Yu - having past business dealings with HLD and PB;

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

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

Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business Accountants Association which had obtained sponsorship from HLD before.

21. The Committee noted that Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Mr Wilson Y.W. Fung had tendered apologies for being unable to attend the meeting and Mr Franklin Yu had not arrived at the meeting yet. The Committee agreed that Dr Wilton W.T. Fok could stay in the meeting as his interest was indirect.

Presentation and Question Sessions

22. With the aid of a PowerPoint presentation, Michelle M.S. Yuen, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed flat and shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the four statutory publication periods, a total of eight public comments were received. Six commenters objected to the application mainly on the grounds of adverse air ventilation and quality, adverse traffic and pedestrian flow and safety concern in relation to the nearby petrol filling station (PFS). The remaining two commenters suggested to increase or maintain the number of car parking spaces for private cars and lorries to meet the demand from the public and the proposed development; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed composite development for residential and shop and services

uses was in line with the planning intention of “Residential (Group E)” zone and was compatible with the surrounding residential and office uses. Since there was no programme for the proposed extension of Fuk Chak Street, the Commissioner for Transport had no objection to the application and the inclusion of the land shown as ‘Road’ into the development proposal as a 24-hour public pedestrian walkway. The proposal of including part of the area shown as ‘Road’ under private ownership for plot ratio (PR) calculation did not conflict with the Government lease. The maximum PR of 8.4, the 5m wide non-building area along the northern boundary of the site and the building height of 80mPD complied with the requirements as stipulated on the Outline Zoning Plan. Concerned departments, including the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) had no objection to or no adverse comment on the application. Relevant approval conditions were also recommended to address the technical concerns of relevant departments. Regarding the public comments objecting to the application, the assessments above were relevant.

23. In response to a Member’s enquiry, Ms Michelle M.S. Yuen, STP/TWK, said that the applicant had submitted a landscape proposal in support of the application. CTP/UD&L, PlanD had no in-principle objection to the submitted landscape proposal, and advised that an approval condition requiring the submission of a tree preservation and landscape proposal be imposed should the application be approved.

24. Noting that a PFS was located near the site, a Member asked whether there was any plan to relocate the PFS in the future. In response, Ms Yuen said that she had no such information. However, the PFS was for filling of petrol without any facilities for filling of liquefied petroleum gas. The Director of Fire Services and the Director of Electrical and Mechanical Services had no objection to the application from fire safety and hazard perspectives.

25. Noting that the proposed vehicular ingress/egress of the site together with the proposed 24-hour pedestrian walkway were located at the Fuk Chak Street Extension, the Vice-chairman asked about the details of the measures proposed by the applicant to minimise

the conflict of the vehicular and pedestrian traffic at Sham Mong Road. With reference to a plan in Appendix Ih of the Paper, Ms Yuen said that the proposed vehicular ingress/egress would lead from Kok Cheung Street to the underground car park of the proposed development, and would not lead to Sham Mong Road. The applicant had clarified that the traffic flow from the car park of the proposed development was expected to be low and also proposed to arrange staff to monitor the vehicular traffic to address the concern on pedestrian safety.

Deliberation Session

26. A Member had no objection to the application. However, having noted that there were two PFSs close to the application site and Tai Kok Tsui was transforming from an industrial into a residential area, the Member said that the Government might consider reviewing the number of PFS in the area when opportunity arose.

27. 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 28.10.2020, 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, provision and maintenance of the pedestrian walkway at the Fuk Chak Street Extension open for public use 24-hour, as proposed by the applicant, to the satisfaction of the Director of Highways or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of the internal transport facilities and vehicular access arrangement to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the implementation of the noise mitigation measures identified in the Noise Impact Assessment Report to the satisfaction of the Director of

Environmental Protection or of the TPB;

- (e) the implementation of the local sewerage upgrading/sewerage connection works to the satisfaction of the Director of Drainage Services or of the TPB; and
- (f) the provision of fire services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.

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

[The Vice-chairman thanked Michelle M.S. Yuen, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/778 Proposed Minor Relaxation of Maximum Plot Ratio Restriction for Permitted Office/Shop and Services/Eating Place Uses in "Other Specified Uses" annotated "Business (1)" Zone, 476 Castle Peak Road, Cheung Sha Wan
(MPC Paper No. A/K5/778)

29. 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 for having current business dealings with LD. The Committee noted that Mr Patrick H.T. Lau had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Mr Philip Y.L. Chum, STP/TWK,

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

- (a) background to the application;
- (b) the proposed minor relaxation of maximum plot ratio (PR) restriction for permitted office/shop and services/eating place uses;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received objecting to the application without providing any grounds; 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. Although the total PR of 14.92 under the current application for minor relaxation of PR restriction would exceed the maximum PR restriction of 12 for the “Other Specified Use” annotated “Business (1)” zone, it was still lower than the total PR of 14.93 approved in the previous planning application No. A/K5/228 when the site was then zoned “Industrial” on the Outline Zoning Plan. There was no material change in the building bulk of the existing building and the increase in PR was mainly due to the alteration and amendment (A&A) works which included internal renovation and extension of floor space at recessed areas of first to third floors and previous void areas at upper floors of the existing commercial building. The proposed minor relaxation was considered minor in nature. All concerned departments had no objection to or no adverse comment on the application. Regarding the public comment objecting to the application, no grounds of objection was provided.

31. A Member asked about the assessment criteria in considering the current application for minor relaxation of PR and the previous application for in-situ conversion of

the industrial building to a retail/office building, and how the additional GFA could serve the local and community's needs. In response, Mr. Philip Y.L. Chum, STP/TWK, said that the previous application was approved in 1994 mainly for the reasons that the proposed retail/office building was compatible with the surrounding residential and hospital uses and it would phase out incompatible industrial use in the area to reduce the interface issue. The current application for minor relaxation of PR was mainly due to the internal renovation works of the existing building which would provide additional floor space of about 350m² for commercial uses, including retail, office and eating place uses, to serve the local and community's needs.

Deliberation Session

32. A Member asked about the implication on the government revenue if the application was approved. In response, Mr Simon S.W. Wang, Assistant Director of Lands/Regional 1 of Lands Department (LandsD), said that the lot was subject to a maximum GFA of 13,859.56m² permitted under the lease conditions. In general, if the total GFA under the approved application exceeded the maximum GFA permitted under lease for the lot, the applicant would have to apply to LandsD for a lease modification to proceed with the proposal. In the event that such lease modification application was approved, it would be subject to such terms and conditions including payment of premium and administrative fee as appropriate.

33. Two Members asked about the design/planning merits of the current planning application which could warrant a favourable consideration. With reference to the Explanatory Statement of Cheung Sha Wan Outline Zoning Plan shown on the visualizer, the Committee noted the criteria for consideration of the application for minor relaxation of development restrictions. It also noted that such criteria were more applicable to the case of new development. In the current application, the additional PR arose from the internal renovation works of an existing building without any change in its existing building bulk. Upon relaxation, the resultant PR was still slightly smaller than that in the previously approved planning application. As such, the current application for minor relaxation of PR warranted a special consideration.

34. Given that there was no change in the building bulk of the existing development and no adverse impact on the surrounding area was anticipated, a Member considered the application acceptable in that it would allow more efficient use of the internal space of the building to provide additional retail/office space in the urban area to serve the local and community's needs.

35. After 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 28.10.2020, 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.

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

Hong Kong District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/H6/80 Proposed Access Road and Associated Works for Residential Development in "Green Belt" and "Residential (Group B)" Zones, 4 - 4C Tai Hang Road and Adjoining Government Land, Hong Kong
(MPC Paper No. A/H6/80A)

37. The Secretary reported that MVA Hong Kong Limited (MVA), Ove Arup & Partners Hong Kong Limited (Arup) 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 Patrick H.T. Lau - having current business dealings with MVA and Arup;
- Mr Thomas O.S. Ho - having current business dealings with MVA;
- Mr K.K. Cheung - his firm having current business dealings with Arup;
- Mr Dominic K.K. Lam - having past business dealings with MVA, Arup and Environ;
- Mr Franklin Yu - having past business dealings with MVA and Arup; and
- Ms Sandy H.Y. Wong - living in Tai Hang.

38. The Committee noted that the applicant had requested for deferment of consideration of the application and that Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting and Mr Franklin Yu had not arrived at the meeting yet. Since Mr Thomas O.S. Ho and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting. As the interest of Ms Sandy H.Y. Wong was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion.

39. The Committee noted that the applicant requested on 14.10.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of responses 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 attended the meeting of Wan Chai District Council's Development, Planning and Transport Committee for discussion on matters related to the application.

40. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

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

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H11/106 Shop and Services (Fast Food Shop) in "Residential (Group B)" Zone
and an area shown as 'Road', Garage No. 6, Kennedy Heights, 10, 12, 14,
16 and 18 Kennedy Road, Hong Kong
(MPC Paper No. A/H11/106)

41. The Committee noted that seven replacement pages (pages 3, 7, 8 and 9, page 1 of Appendices III and IV, and Plan A-1 of the Paper) and one additional page (Appendix II of the Paper) to update information of similar planning applications were tabled at the meeting.

42. The Secretary reported that Mr Cheung Kwok Ho was one of the consultants of the applicant. Mr K.K. Cheung had declared interest in the item for having current business dealings with Mr Cheung Kwok Ho. The Committee agreed that Mr K.K. Cheung could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the shop and services (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from the Incorporated Owners of Kennedy Terrace and two property companies. While one property company had no adverse comment on the application, the Incorporated Owners of Kennedy Terrace and another property company raised objection to and commented on the application mainly on traffic as well as environmental and hygiene grounds; 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 fast food shop under application had been in operation at the application premises since 1993 and the application was to regularise such use. The applied use was not incompatible with the surrounding developments and served the needs of the local community. Given its small scale and nature of operation, adverse traffic, noise, odour and environmental hygiene impacts were not anticipated. Also, potential environmental nuisance could be controlled under the relevant legislations. Although two similar applications for fast food shop were rejected by the Committee, they had different planning circumstances as compared with the current application in that in the rejected applications, the residential uses were directly above the application premises and there were adverse

comments from the government departments. Regarding the concerns raised by the public comments, the assessments above were relevant.

44. Members had no question on the application.

Deliberation Session

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following condition :

The provision of fire services installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.

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

[Mr Franklin Yu arrived to join the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/186 Temporary Shop and Services (Chinese Medical Clinic and Laundry) 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

(MPC Paper No. A/H20/186)

47. The Secretary reported that the application was submitted by Jetweal Development Limited (Jetweal). The following Members had declared interests in the item:

- Mr K.K. Cheung - his firm having past business dealings with Jetweal; and
- Mr Dominic K.K. Lam - being a director of a company which owned a property in Chai Wan.

48. The Committee noted that Mr Dominic K.K. Lam had tendered apology for being unable to attend the meeting. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

49. With the aid of a PowerPoint presentation, Mr. Jerry 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 (Chinese medical clinic & laundry) 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) during the first three weeks of the statutory publication period, two public comments were received from the management office of Cheung Tat Centre and an individual. While the management office of Cheung Tat Centre indicated no objection to the application, the other commenter considered that the application had not provided sufficient details for consideration; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was generally in line with the planning intention of “Other

Specified Use” annotated “Business” (“OU(B)”) zone and was not incompatible with non-pollution industrial uses, industrial-related offices and other uses within the same industrial building. According to the Director of Fire Services (D of FS), the industrial building with a sprinkler system was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on ground floor. If the current application was approved, the aggregate commercial floor area would be 255.56m² and would still be within the limit, such that D of FS had no objection to the application. The applied use also complied with the Town Planning Board Guidelines No. 22D on development within “OU(B)” zone in that it would unlikely induce adverse traffic, environmental or infrastructural impacts and concerned departments had no objection to or no adverse comment on the application. Besides, the applied use was similar to the two previously approved applications and there was no change in planning circumstances or in the characteristics of the surrounding area since the last approval. Regarding the public comments, the assessments above were relevant.

50. In response to the Vice-chairman’s question, Mr Jerry Austin, STP/HK, confirmed that there was one comment objecting to the application on the grounds that sufficient details had not been provided in the application.

51. Noting that part of the application premises for laundry shop was already in operation and the remaining part for Chinese medical clinic was under renovation, a Member asked whether the planning assessment had taken into account the fact that the uses and the renovation works had commenced before obtaining the planning approval. In response, Mr Jerry Austin said that PlanD would not encourage such practice and an advisory clause had been recommended to remind the applicant that prior planning permission should have been obtained before commencing the applied use.

52. A Member, having noted that an advisory clause was recommended for the applicant to apply to the Lands Department (LandsD) for lease modification or temporary waiver while in other applications, the applicant was advised to apply to LandsD for a licence, asked the difference among lease modification, temporary waiver and licence. In response,

Mr Jerry Austin said that the advisory clause was recommended based on LandsD's advice. Mr Simon S.W. Wang, Assistant Director of Lands/Regional 1 of LandsD, supplemented that lease modification was generally required for a change of lease conditions for a longer term, while the temporary waiver was for exempting a premises/building from complying with specific lease conditions within a specified short period. Having considered that the current application was temporary in nature for a period of two years, Mr Simon S.W. Wang considered that a temporary waiver would be more appropriate to give effect to the uses under application, if approved. In some old leases, there was a restriction prohibiting offensive trades without the previous licence of the Government. Accordingly, the owner/operator of the premises should apply for a licence from LandsD for such use including eating place in the concerned building.

53. Noting that an approval condition not allowing structure to extend from the site onto the public footpath was recommended, a Member asked whether that approval condition was commonly imposed in the planning permission of similar applications. In response, Mr Jerry Austin said that the approval condition was to prevent illegal occupation of the public footpath for operation of the applied use. Mr Wilson W.S. Pang, Assistant Commissioner for Transport (Urban), supplemented that such approval condition was required in cases where the subject premises had a raised floor, as in the current application, to ensure that the steps would be provided inside the premises, instead of on the public footpath, to prevent obstructing the pedestrian movement.

Deliberation Session

54. A Member had no objection to the application but considered that the current situation of commencing operation of the applied use and renovation works prior to obtaining planning approval should be reflected in the planning assessment. The Secretary said that in general, the condition of the application premises/site would be reflected in the Paper. In the urban area, the enforcement of zonings on Outline Zoning Plan would mainly rely on the lease, other ordinances and licencing authority. The Committee noted that each application should be considered on a case-by-case basis and generally considered the use under application acceptable.

55. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 2 years until 28.10.2018, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) no structure is allowed to extend from the application premises onto the public footpath at any time during the planning approval period;
- (b) the submission and implementation of fire safety measures including fire services installations, water supplies for firefighting and means of escape completely separated from the industrial portion within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2017;
- (c) if the above approval condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (d) if the above approval condition (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked immediately without further notice.

56. 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 Mr. Jerry Austin, STP/HK, for his attendance to answer Members' enquiries. Mr Stephen H. B. Yau and Mr. Jerry Austin left the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting]

A/H19/74 Proposed Minor Relaxation of Building Height Restriction for Permitted Hotel Development within "Commercial (1)" Zone and Proposed 'Hotel' Use within an area shown as 'Pedestrian Precinct/Street', 7 Stanley Market Road and 78 and 79 Stanley Main Street, Stanley (Stanley Inland Lot 124, Stanley Lots 427 and 428)

(MPC Paper No. A/H19/74)

57. The Secretary reported that Ramboll Environ Hong Kong Limited (Environ) was one of the consultants of the applicant. Mr Dominic K.K. Lam had declared interest in the item for having past business dealings with Environ. The Committee noted that the applicant had requested for deferment of consideration of the application and Mr Dominic K.K. Lam had tendered apology for being unable to attend the meeting.

Presentation and Question Sessions

58. The Committee noted that the applicant requested on 30.9.2016 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from relevant departments and the public. It was the first time that the applicant requested for deferment of the application.

59. 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 11

Section 16 Application

[Open Meeting]

A/H21/143 Proposed Comprehensive Development for Office, Shop and Services, Eating Place, Place of Recreation, Sports or Culture (Fitness Centre or Art Gallery) and Private Club Uses, and Minor Relaxation of Building Height Restriction for Phase 2B of Redevelopment of Taikoo Place in "Comprehensive Development Area" Zone, Taikoo Place, 979 King's Road, Quarry Bay
(MPC Paper No. A/H21/143)

60. The Secretary reported that the application was submitted by Taikoo Place Holdings Limited, which was a subsidiary of Swire Properties Limited (Swire). Urbis Limited (Urbis), MVA Hong Kong Limited (MVA) and Wong & Ouyang (Hong Kong) Limited (WOL) were three of the consultants of the applicant. The following Members had declared interests in the item:

- | | |
|--------------------------------|---|
| Mr K.K. Ling
(the Chairman) | - his close relative owning a property in Quarry Bay; |
| Mr Thomas O.S. Ho | - having current business dealings with Swire and MVA and his firm having current business dealings with Urbis;
- owning a flat in Quarry Bay; |
| Mr K.K. Cheung | - his firm having current business dealings with Swire, Urbis and WOL; |
| Mr Patrick H.T. Lau | - having current business dealings with MVA and past business dealings with Swire; |

- Mr Franklin Yu - having past business dealings with Urbis and MVA;
- Mr Dominic K.K. Lam - having past business dealings with MVA;
- Mr Simon S.W. Wang]
- Dr Wilton W.T. Fok] co-owning with spouse a flat in Quarry Bay; and
- Mr Wilson Y.W. Fung]
- Mr Martin W.C. Kwan - co-owning with spouse two properties in Quarry Bay.

61. The Committee noted that the applicant had requested for deferment of consideration of the application and that the Chairman, Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Mr Wilson Y.W. Fung had tendered apologies for being unable to attend the meeting. Since the interest of Mr Franklin Yu was indirect, and the properties of Mr Simon S.W. Wang, Dr Wilton W.T. Fok and Mr Martin W.C. Kwan did not have a direct view of the site, the Committee agreed that they could stay in the meeting. As the interests of Mr Thomas O.S. Ho and Mr K.K. Cheung were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion.

62. The Committee noted that the applicant requested on 14.10.2016 for deferment of the consideration of the application for one month in order to allow time for preparation of further information in response to the departmental comments. It was the first time that the applicant requested for deferment of the application.

63. 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.

[Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

Kowloon District

Agenda Item 12

Section 16 Application

[Open Meeting]

A/K13/301 Proposed Vehicle Repair Workshop in "Other Specified Uses" annotated "Business (1)" Zone, Portion of G/F, 1/F, 2/F and 3/F, No. 7 Wang Mau Street, Kowloon Bay
(MPC Paper No. A/K13/301)

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

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

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

65. The Committee noted that the applicant had requested for deferment of consideration of the application and that Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting.

66. The Committee noted that the applicant requested on 17.10.2016 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from the Transport Department. It was the first time that the applicant requested for deferment of the application.

67. 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 13

Any Other Business

68. There being no other business, the meeting closed at 10:47 a.m..