

TOWN PLANNING BOARD

Minutes of 586th Meeting of the Metro Planning Committee held at 9:00 a.m. on 11.8.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Professor T.S. Liu

Mr Franklin Yu

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Peter C.K. Mak

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr Tony W.H. Cheung

Assistant Director (Regional 1), Lands Department
Mr Denis K.N. Li

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Ms Sandy H.Y. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board
Mr Eric C.Y. Chiu

Agenda Item 1

Confirmation of the Draft Minutes of the 585th MPC Meeting held on 28.7.2017

[Open Meeting]

1. The Secretary said that an amendment to the draft minutes of meeting to revise the word “malicious” in paragraph 20 to “vexatious” was proposed by the Vice-chairman.
2. The Committee agreed that the draft minutes of the 585th MPC meeting held on 28.7.2017 were confirmed subject to the above amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

3. 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/11 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 “Funeral Parlour and Green Funeral Facility”, Kwai Chung Town Lot 351, 13-15 Wing Kei Road and 20-22 Wing Lap Street, Kwai Chung
(MPC Paper No. Y/KC/11)

Presentation and Question Sessions

4. The Secretary reported that Kenneth To & Associates Ltd. (KTA) and MVA Hong Kong Ltd. (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|---------------------|--|
| Mr Patrick H.T. Lau | - having current business dealings KTA and MVA; |
| Mr Thomas O.S. Ho | - having current business dealings with MVA; and |
| Mr Franklin Yu | - having past business dealings with MVA. |

5. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Franklin Yu had yet to arrive to join the meeting. As Messrs Patrick H.T. Lau and Thomas O.S. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

6. The Committee noted that the applicant’s agent requested on 28.7.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government

departments. It was the first time that the applicant requested deferment of the application.

7. 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. 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 Louis K.H. Kau, District Planning Officer/Hong Kong (DPO/HK), and Miss Josephine Y.M. Lo, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

Hong Kong District

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/408 Proposed Hotel (including Hotel Ancillary Office) and Commercial (Shop and Services and Eating Place) Development in “Other Specified Uses” annotated “Comprehensive Redevelopment Area” Zone, Inland Lot 8715 on Kennedy Road and Ship Street, Wan Chai, Hong Kong
(MPC Paper No. A/H5/408)

8. The Secretary reported that the application site was located in Wan Chai and Wetherall Investment Ltd., a subsidiary of Hopewell Holdings Ltd. (Hopewell), was the applicant with AECOM Asia Co. Ltd. (AECOM), Team 73 Hong Kong Ltd. (Team 73), Lanbase Surveyors Ltd. (Lanbase) and Parsons Brinckerhoff (Asia) Ltd. (PBA) being four of the consultants of the applicant. The following Members had declared interests on the item:

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

sponsorship from Hopewell before;

- Mr Patrick H.T. Lau - having current business dealings with AECOM and Lanbase;
- Mr Franklin Yu - having past business dealings with AECOM, Team 73 and PBA;
- Mr Thomas O.S. Ho - having past business dealings with AECOM;
- Dr Wilton W.T. Fok - co-owning with spouse a shop in Wan Chai; and
- Mr Stephen H.B. Yau - his office locating at Southorn Centre.

9. The Committee noted that Dr Wilton W.T. Fok and Mr Franklin Yu were indirect and they had yet to arrive to join the meeting. As the interest of Mr Wilson Y.W. Fung was indirect, Messrs Patrick H.T. Lau and Thomas O.S. Ho had no involvement in the application, and the office of Mr Stephen H.B. Yau had no direct view of the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed hotel (including hotel ancillary office) and commercial (shop and services and eating place) development (i.e. Hopewell Centre II (HCII));
- (c) departmental comments were set out in paragraph 8 of the Paper. The District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) advised that the proposed road improvement works (RIWs) at

Kennedy Road (KR) in the current scheme was different from the gazetted 2009 RIWs scheme and regazettal was required for the proposed revisions to the RIWs. The Commissioner for Transport (C for T) had no objection to the application and advised that whilst it was generally agreed that there was a decreasing trend of traffic flows on KR and Queen's Road East (QRE) in the past years and the findings of the Traffic Impact Assessment (TIA) conducted were still valid, the applicant should update the TIA to illustrate more clearly the traffic situation in the anticipated completion year of HCII. The Chief Building Surveyor/Hong Kong East & Heritage, Buildings Department (CBS/HKE&H, BD) reserved his comments on the calculation of gross floor area (GFA) as the justifications provided by the applicant for high headroom of 4/F to 6/F and 15/F were inadequate. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that the current scheme was inferior to the previously approved scheme as the change in podium design would reduce the openness along KR and create higher walls surrounding the public open space at Ship Street (Public Park), aggravating the overbearing impact on the already confining public realm in the immediate vicinity. He also had reservations on the feasibility of the proposed off-site compensatory planting as well as the design of a void for the elevated walkway at KR near trees No. T304 and T305. The Chief Highway Engineer/Hong Kong, Highways Department (HyD) also advised that the design of a void with a 700mm-wide planter strip above the tree canopy of T304 and T305 was considered undesirable. The Director of Leisure and Cultural Services (DLCS) had reservations on the sustainability and maintenance of vertical greening on the podium facades facing the Public Park. The District Officer (Wanchai), Home Affairs Department advised that while the community wished the construction works to be completed soon so as to reduce the nuisance caused to the surrounding, the proposed development would still attract oppositions from the residents living along KR on traffic issues. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of

4,629 public comments, including 4,034 supportive comments, 574 opposing comments and 21 providing views, were received from a Legislative Councillor, Wan Chai District Council Members, KR Protection Group, Designing Hong Kong Limited, Wan Chai Cultural Concern Group, Central and Western Concern Group, Green Sense, Incorporated Owners of the residential developments along KR, residents at KR and individuals. Major supportive views and objection grounds were set out in paragraph 9 of the Paper; and

- (e) the PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The current application involved revisions to the design of the hotel, office and retail development previously approved under application No. A/H5/217 (the 1994 Scheme), which was subsequently revised with Class A Amendments as agreed by the Board in 2008 with the Master Layout Plan (MLP) deposited at the Land Registry on 17.8.2009 (i.e. the 2009 Scheme). While the overall development intensity, including gross floor area (GFA), plot ratio (PR) and number of hotel rooms remained the same, major changes pertaining to the mix of uses, building height (BH) and building form, open space design and tree treatment, as well as the arrangement for vehicular access and internal transport facilities were proposed. The current proposal was considered in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Redevelopment Area” zone and not incompatible with its immediate surrounding which was characterised by a mix of residential and commercial uses. C for T had no objection to the proposed redistribution of GFA from traffic point of view as there was minimal change in the traffic generated/attracted in the current scheme as compared with the 2009 Scheme. Relevant government bureaux and departments consulted had no adverse comment on the application in respect of land administration, environmental impacts, drainage and sewerage, water supplies, fire safety, geotechnical consideration, licensing and heritage preservation. Approval conditions were suggested to address various technical concerns of relevant departments. Regarding the public comments received, the comments of government departments and the

planning assessments above were relevant.

[Dr Wilton W.T. Fok, Dr Frankie W.S Yeung and Mr Franklin Yu arrived to join the meeting during the presentation.]

11. The Vice-chairman and some Members raised questions on the following aspects:

Approved Scheme

- (a) the validity of the 2009 Scheme and whether the applicant could still implement it;

Open Space and Tree Preservation

- (b) background on provision of the private open space for public use (Private Park) in the development and measures to ensure proper management of the open space; and whether the revised design of the Private Park was a result of enlargement of the podium at KR for provisioning of additional facilities such as swimming pool for the hotel or enhancement of the view from podium of the hotel;
- (c) rationale for change in design of the Public Park at Ship Street and how the public could access the Public Park and the Private Park;
- (d) maintenance responsibility of the mature trees and Old and Valuable Tree (OVT) at KR and whether their encroachment onto the application site would have any implication if emergency tree maintenance works were required to be carried out;

Traffic

- (e) whether the internal transport arrangements had catered for the need of large vehicles; and the implications of the excessively high headroom for some floors in terms of GFA calculation;

- (f) whether it was a common practice requiring the submission of a revised TIA as an approval condition after granting approval to an application;
- (g) whether the proposed ingress/egress arrangement with underpass/flyover connecting to KR would affect the properties at No. 64 KR, the owner of which had objected to the proposed development;
- (h) compared to the previous applications at the site rejected by the Committee, what the major changes were in the ingress/egress arrangement; and whether the proposed underpass at KR would encroach onto private land; and
- (i) clarification on accessibility to the site by pedestrian noting the site was some distance away from the Wan Chai MTR station.

12. Mr Louis K.H. Kau, DPO/HK, and Miss Josephine Y.M. Lo, STP/HK, made the following responses:

Approved Scheme

- (a) the current scheme under application was formulated based on the approved 1994 Scheme. For the 1994 Scheme, as the General Building Plans of which had been approved by the BD, the proposed development was considered as having commenced hence the planning permission was still valid. The 2009 Scheme involved only Class A amendments to the 1994 Scheme. It was up to the applicant to implement either of the Schemes;

Open Space and Tree Preservation

- (b) the Private Park was first included in the 1994 Scheme as part of the planning gain, as proposed by the applicant. An approval condition requiring provision of a private open space of not less than 3,850m² for

public use was incorporated into the planning permission. The applicant, under the current land lease, was required to open the park to the public at “reasonable hours” and based on the applicant’s current proposal, the park would be opened from 6:00 a.m. to 11:00 p.m. In designing and managing the Private Park, the applicant would need to observe the “Public Open Space in Private Developments Design and Management Guidelines” promulgated by the Development Bureau. The applicant considered that the current design of the Private Park would enhance its accessibility by providing a pedestrian access along the hotel podium linking the eastern and western parts of the site above KR level. Compared with the 2009 Scheme, the footprint of the podium viewing from KR level was increased. By making reference to the photomontage in a PowerPoint slide, they explained that part of the podium would be used for provision of hotel facilities, including swimming pool and landscape area;

- (c) for the Public Park, the current scheme had adopted a two-level design, compared to a five-level cascading design in the 2009 Scheme. According to the applicant, the revised design with a larger platform at two levels would allow a more sensible use of the space and more types of activities could be conducted within the Park. The public could access the Park at Ship Street via QRE which was at 7.5mPD. The two platforms of the Park at 14mPD and 20mPD would be accessible by staircases/escalators and elevators. Another elevator would also be provided to connect the Public Park at 20mPD level platform with the Private Park at KR at 64mPD. For access to the Private Park from KR, entrances would be provided along KR at both the western (about 63mPD) and eastern ends (about 55mPD with elevator);
- (d) the mature trees and OVT along KR were located on government land outside the application site and they were maintained by the government departments. As part of the tree canopies fell within the application site, relevant government departments, including the Leisure and Cultural Services Department and HyD, would make suitable arrangement with the applicant if any emergency maintenance works for the trees were required

to be carried out;

Traffic

- (e) with reference to Plans A-17 to 19 in the Paper, they explained that the westbound traffic along KR entering and leaving the proposed HCII would be through the underpass at 16/F and the flyover at 18/F respectively. Eastbound traffic along KR would enter HCII at 18/F and exit at 17/F. The internal ramps had been designed to accommodate larger vehicles including coaches which required a minimum headroom of 4.7m. BD considered that the justification provided by the applicant for the high headroom in some floors not adequate and reserved his comments on the calculation of GFA for those floors. In some cases BD would count the floors with excessively high headroom as two separate floors in GFA calculation. If the applicant had to amend the scheme due to that reason, a fresh s.16 application might need to be submitted;
- (f) C for T had no adverse comment on the traffic review submitted by the applicant for the current application. It was not uncommon for TD to require the applicant to submit a revised TIA under an approval condition;
- (g) the owner of 64 KR was planning for the redevelopment of his property and he was concerned that the ingress/egress at his site would be affected by the proposed RIWs for HCII. However, based on the information submitted by the applicant, the proposed underpass connecting KR and HCII would not encroach onto any private lot. The owner made a similar claim during the gazettal of the RIWs at KR associated with the 2009 Scheme and the government had undertaken that ingress/egress at 64 KR would not be adversely affected. Notwithstanding that, LandsD had advised that regazettal was required for the proposed revisions to the RIWs at KR under the current scheme. Should the interest of the owner of 64 KR be affected, his concerns could be dealt with in that context. In addition, as required by TD, detailed drawings of the RIWs would need to be submitted at the detailed design stage to demonstrate compliance with all traffic engineering

design requirements;

- (h) compared to the previously rejected applications, the proposed design of the egress in the current scheme had been revised with set back from KR so as to address the traffic safety concerns arising from larger vehicles exiting onto KR; and
- (i) the applicant had indicated that the feasibility of linking the proposed development and existing Hopewell Centre to the Wan Chai MTR Station through an underground walking system connecting the existing basement of The Avenue was being explored.

Deliberation Session

13. Noting that the development parameters in the current proposal had not exceeded those in the 2009 Scheme and the current application mainly involved redistribution of some commercial floor space for hotel uses, Members generally had no adverse comment on the application in terms of compliance with the planning intention and land use compatibility aspects.

Building Design and Visual Impacts

14. A Member noted that there were public concerns on glare and heat issues associated with the proposed glass curtain wall and considered that suitable approval condition might be imposed. In response, another Member considered that as long as the development was conforming with the statutory planning restrictions and planning intention, the applicant should have the flexibility to decide on building design and materials and it was noted that the applicant had undertaken to use suitable materials to minimise the possible glare. Furthermore, if GFA exemption was to be claimed, the applicant would have to follow the Sustainable Building Design Guidelines, which aimed to foster a quality and sustainable built environment.

Park Design

15. The Vice-chairman and some Members had the following views/concerns on the design of the Private Park and Public Park:

- (a) despite the podium height viewing from KR had been reduced, the enlarged footprint in the current scheme had reduced the accessibility of the Private Park. A more transparent façade design should be adopted to minimise the visual bulkiness of the proposed podium;
- (b) if the elevated walkway of the Private Park could only serve as a passage way, it should not be counted towards open space provision. There might be scope to provide seating area on the elevated walkway so that it could better function as an open space. However, in doing so, the elevated walkway would need to be widened and might further affect the nearby trees on KR which might not be desirable. The current design of the elevated walkway as part of the open space might not have much planning merit from the public's perspective. It would also be more desirable for open space to be provided at-grade;
- (c) the current design of the parks, in particular the Public Park with a two-platform design at a higher level, was inferior to the 2009 Scheme. The Public Park at Ship Street would be surrounded by buildings and it might be visually unpleasant for its users. The applicant should strive to improve its design and provide suitable façade treatments; and
- (d) there might be scope to improve the vertical integration and connectivity between the Public Park and Private Park, so that the public could easily travel from QRE to KR through the parks.

Tree Compensation and Impact on OVT/Mature Trees

16. The Committee noted that the applicant had proposed a tree protection zone in the approved Landscape Master Plan (LMP) of the 2009 Scheme. While the applicant had

not indicated such protection zone in the current LMP, an approval condition requiring the applicant to set up a tree protection zone and employ suitable tree protection measures during construction phase had been recommended.

17. A Member was concerned on whether the off-site tree compensatory proposal could be duly implemented as it might not be easy for the applicant to identify suitable planting locations within Wan Chai. There were also concerns on proper management of these off-site compensatory trees. In response to two other Members' query, the same Member said that the required spacing between trees would depend on the species to be planted and a soil depth of 1.2m was generally sufficient for healthy growth of trees on podium and the applicant should endeavour to provide as many compensatory trees within the application site as possible. If redevelopment was required in the future, whether the trees should be preserved would depend on their species, life cycle and conditions. A Member said that based on the experience from 1881 Heritage at Tsim Sha Tsui, in-situ preservation of large OVTs, if required, was technically feasible. Another Member said that the applicant should be reminded to take proper measures to preserve the OVT and mature trees.

Traffic and Pedestrian Connection

18. In response to a Member's query and the Chairman's request, Mr Peter C.K. Mak, Assistant Commissioner for Transport (Urban), TD, explained that according to the latest traffic forecast, the traffic flows in the area had decreased compared to the scenario adopted in the previous TIA. However, an approval condition requiring the applicant to provide a revised TIA/traffic review, taking into account the latest major development in the area, was still recommended.

19. A Member considered that if the applicant could pursue the proposal to provide an underground connection to the Wan Chai MTR Station, the pedestrian accessibility in the area could be improved in the long-run.

20. The Vice-chairman considered that the current design of the lift shaft with a glassy surface and the footbridge connecting HCII to the southern side of pavement on KR should be improved so as to better integrate the new structures with the surrounding

environment.

Proposed Public Passage at the Back Lane of QRE

21. A Member said that the proposed setting back of the development from the service lane near QRE would improve the pedestrian environment in that area. Another Member supported that view and said that the back lane with an improved environment might create a character similar to the shopping street at The Avenue.

22. Noting that the Committee generally had no objection to the proposed development, the Chairman summarised Members' views that the current scheme should be improved in terms of building design and design of the Public Park and Private Park. In particular, design of the elevated walkway of the Private Park, the connection between the eastern and western portions of the Private Park, and the vertical integration between the Public Park and Private Park should be reviewed and enhanced at the detailed design stage. The Chairman said that the applicant would be advised to note the advisory clauses and observe the views of the Committee on the current scheme in preparing the revised MLP and complying with the approval conditions.

23. 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 11.8.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a revised Master Layout Plan, taking into account the approval conditions (b) to (g), (k) to (m) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a development programme, including the implementation of works necessitated by the proposed development, to the satisfaction of Director of Planning or of the TPB;
- (c) the submission and implementation of a Landscape Master Plan

including tree preservation and compensatory planting proposal, to the satisfaction of Director of Planning or of the TPB;

- (d) the design and construction of a public park of not less than 2,030m² in area, including an option to provide a pedestrian route through the public park and connecting to Ship Street, at no cost to the Government, as proposed by the applicant, before the occupation of the proposed development to the satisfaction of the Director of Leisure and Cultural Services or of the TPB and to hand over the public park to the Government;
- (e) to spend not less than HK\$80 million on the design, construction and landscaping of the public park, and that any surplus money over the actual costs will be donated, as proposed by the applicant, to the relevant authority to be agreed with the Director of Planning or the TPB, for expenditure on provision of other open space within Wan Chai District;
- (f) the design and construction of a private park of not less than 3,930m² in area within the proposed development, and opening it to the general public at reasonable hours, as proposed by the applicant, before the occupation of the proposed development to the satisfaction of the Director of Planning or of the TPB;
- (g) the design of the podium and elevated walkway along Kennedy Road for providing adequate space for healthy growth of the Old and Valuable Tree and three adjacent mature trees (T301, T304 and T305) on Kennedy Road to the satisfaction of the Director of Leisure and Cultural Services and the Director of Highways, or of the TPB;
- (h) the submission of a construction phase tree protection plan and method statement for the Old and Valuable Tree and the three adjacent mature trees (T301, T304 and T305) on Kennedy Road and implementation of the mitigation measures identified therein to the satisfaction of the Director of Leisure and Cultural Services and the Director of Highways,

or of the TPB;

- (i) the submission of a revised traffic impact assessment or traffic review to substantiate the adequacy of the proposed road improvement works to Kennedy Road and its junction with Queen's Road East as necessitated by the proposed development, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (j) the submission of a construction traffic impact assessment, including detailed temporary traffic arrangement plans, and implementation of the necessary measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (k) the design and implementation of widening of and improvement to Ship Street and the backlane area of Queen's Road East abutting the Site, as proposed by the applicant, before the occupation of the proposed development to the satisfaction of the Commissioner for Transport and the Director of Highways, or of the TPB;
- (l) the design and implementation of widening of and improvement to Kennedy Road before the occupation of the proposed development, including the provision of a new flyover and tunnel access to the Site and its junction with Queen's Road East as necessitated by the proposed development, measures to allow adequate sight distance from 64 Kennedy Road, and the design and provision of pedestrian connections at Kennedy Road and Queen's Road East/Ship Street with measures to be implemented during lift failure/maintenance, as proposed by the applicant, to the satisfaction of the Commissioner for Transport and the Director of Highways, or of the TPB;
- (m) the design and provision of car parking spaces, loading/unloading facilities and ingress/egress and pedestrian access arrangement for the proposed development, including relevant traffic management measures, setting back of the proposed development for provision of the at-grade

egress at Kennedy Road for improving sightline and permanent closure of the existing egress of Hopewell Centre at Kennedy Road as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;

- (n) the provision of water supplies for firefighting and fire service installations for the proposed development to the satisfaction of the Director of Fire Services or of the TPB;
- (o) the implementation of the proposed sewerage diversion and upgrading works to the prevailing statutory standard, as proposed by the applicant, to the satisfaction of the Director of Drainage Services or of the TPB;
- (p) the submission of a Drainage Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (q) the submission and implementation of diversion of water mains for the proposed development to the satisfaction of the Director of Water Supplies or of the TPB.”

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

[The Chairman thanked Mr Louis K.H. Kau, DPO/HK, and Miss Josephine Y.M. Lo, STP/HK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

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

Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/226 Proposed Shop and Services in “Other Specified Uses” annotated
 “Business” Zone, Workshop 13, G/F, New Tech Plaza, 34 Tai Yau
 Street, San Po Kong, Kowloon
 (MPC Paper No. A/K11/226)

Presentation and Question Sessions

25. With the aid of a PowerPoint presentation, Ms Sandy S.K. Ng, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; 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 in line with the planning intention of the “Other Specified Use” annotated “Business” zone in that it was not incompatible with the uses within the subject building. The proposed use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic, environmental and infrastructural

impacts on the developments within the subject building and the adjacent areas. Relevant government departments had no objection to or no adverse comment on the application. The aggregate commercial floor area on the G/F, including the premises if approved, would amount to about 280m², which was still within the permissible limit of 460m².

26. Members had no question on the application.

Deliberation Session

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 11.8.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

[Mr Denis K.N Li returned to join the meeting at this point.]

Agenda Items 6 and 7

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/227 Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of G/F, Lead On Industrial Building, 18 Ng Fong Street, San Po Kong, Kowloon

A/K11/228 Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of G/F, Lead On Industrial Building, 18 Ng Fong Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/227 and 228)

29. The Committee noted that the two applications were similar in nature and the application premises were located in close proximity to each other in the same building. The Committee agreed that the two applications would be considered together.

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Ms Sandy S.K. Ng, STP/K, presented the applications and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed shop and services and each of the premises;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, 14 public comments on application No. A/K11/228, including 8 objections, were received from the Incorporated Owners of the subject building, owners/occupiers of premises of other units of the subject building and individuals. Major objection grounds and concerns were set out in

paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. The applied use was in line with the planning intention of the “Other Specified Use” annotated “Business” zone in that it was not incompatible with the uses within the subject building. The proposed use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent areas. Relevant government departments had no objection to or no adverse comment on the applications. The aggregate commercial floor area on the G/F, including both premises if approved, would amount to 230m², which was the same as the permissible limit of 230m². Regarding the public comments received on application No. A/K11/228, the comments of government departments and the planning assessments above were relevant.

31. Members had no question on the applications.

Deliberation Session

32. In response to a Member's query, the Chairman remarked that there were applications for shop and services in other industrial buildings that had been rejected due to access and interface issues with other existing industrial uses in the same building. Noting that the premises in the current applications had direct access onto the street, no significant issue was expected in this aspect.

33. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). The permission should be valid until 11.8.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission for each application was subject to the following conditions :

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

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

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

[Miss Eva K.W. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/120 Proposed Comprehensive Commercial/Residential Development
(including Flats, Shop and Services, Eating Place and Public Vehicle
Park (excluding container vehicle)) in “Comprehensive Development
Area (5)” Zone and an area shown as ‘Road’, Yau Tong Inland Lot 44
and Adjoining Government Land, Junction of Shung Shun Street and
Yan Yue Wai, Yau Tong, Kowloon

(MPC Paper No. A/K15/120)

35. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

- Mr Franklin Yu - having past business dealings with ARUP; and

- Mr K.K. Cheung - his firm having current business dealings with
ARUP.

36. As Messrs Patrick H.T. Lau, Franklin Yu and K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

37. With the aid of a PowerPoint presentation, Miss Eva K.W. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed comprehensive commercial/residential development (including flats, shop and services, eating place and public vehicle park

(excluding container vehicle));

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 18 public comments, including two supporting and 16 objecting/providing views, were received from Coral Sea Ferry Service Company Limited, Designing Hong Kong Limited and individuals. Major grounds of the comments were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 11 of the Paper. The proposed comprehensive commercial/residential development with the provision of a public waterfront promenade and a public vehicle park was considered generally in line with the planning intention of the “Comprehensive Development Area(5)” zone. The site was located at the southeastern waterfront area of the Yau Tong Industrial Area currently occupied by various industrial uses. The proposed development would facilitate the gradual transformation of the area for residential use. It was also in compliance with the statutory restrictions and the Planning Brief (PB) in terms of plot ratio and building height (BH) and a general gradation in BH from inland towards waterfront was maintained. While the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing of Harbourfront Commission (the Task Force) had provided comments on the application regarding the design and management arrangement of the waterfront promenade and the access road, the applicant had responded that the relevant suggestions of the Task Force could be explored and considered at the detailed design stage. Relevant government departments had no objection to or no adverse comment on the application and it was considered that the proposed development would not cause insurmountable problems on traffic, drainage and sewerage aspects. Regarding the public comments received, the comments of government

departments and the planning assessments above were relevant.

38. Some Members raised questions on the following aspects:

- (a) how to ensure the alfresco dining of the restaurants along the waterfront promenade would not affect public enjoyment of the promenade;
- (b) information on the height of the podium along the waterfront and whether the proposed landscape deck in the non-building area was allowed;
- (c) the design and management of the waterfront promenade, including whether it would be handed back to the Government;
- (d) given that the area in general was lacking parking spaces, whether the site and the adjacent ferry pier were accessible by MTR; and
- (e) whether social welfare facilities (SWF) and kindergarten could be provided within the development.

39. Miss Eva K.W. Chan, STP/K, made the following responses:

- (a) the applicant had proposed to set back the semi-alfresco dining area by 1.5m to 1.8m along the waterfront promenade as shown in Drawing A-11 of the Paper so that these eating places would not encroach onto the promenade and disturb the public's enjoyment;
- (b) the podium facing the waterfront was about 10m in height and while the proposed landscape deck was located within the non-building area, which was designated for air ventilation purpose, it would not cause any significant impact in this regard;
- (c) the PB had provided guidance on design of the promenade and the relevant land owners of "CDA" sites along the promenade were required to take into account the design of other sections of the promenade in other approved

schemes. The applicant was required to hand back the promenade to the government upon request;

- (d) the MTR station was about 550m from the site and within walking distance. As shown in the submission from the applicant, the area was currently well-served by public transport such as buses and mini-buses. There were bus/mini-bus stops within very short walking distance from the ferry pier. A public vehicle park with not less than 171 spaces would be provided by the applicant, as required under lease, to alleviate the shortage of parking spaces in the area; and
- (e) a piece of land zoned “Government, Institution or Community” (“G/IC”) had been reserved in the vicinity for development of SWF, however there was no firm programme for implementation. As such, the Social Welfare Department (SWD) had suggested the applicant to explore the possibility of incorporating suitable SWF within the development. For kindergarten which was usually premises-based, the applicant might consider to provide such facilities within the development.

Deliberation Session

40. The Committee noted that while it was not uncommon for SWD to require SWF to be provided within comprehensive development. In the current case, the requirement of SWF and kindergarten were not specified in the PB and the lease. A site zoned “G/IC” had been reserved in the vicinity for provision of SWF by the government. The Vice-chairman considered that provision of SWF in the comprehensive development should be explored when opportunity arose.

41. A Member considered that the pedestrian walking environment in the area, including accessibility to the ferry pier nearby, could be improved. The Chairman remarked that the nearby pedestrian environment would be improved as the area gradually transformed.

42. A Member made reference to the Harbour Planning Principles and said that suitable design, including a stepping BH profile, should be incorporated for the podium along

the waterfront promenade to create a softer edge that would be visually less bulky.

43. 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 11.8.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a revised Master Layout Plan (MLP) to incorporate the approval conditions as stipulated in conditions (b) to (i) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a revised Landscape Master Plan, including tree preservation proposals, to the satisfaction of the Director of Planning or of the TPB;
- (d) the design and provision of a public waterfront promenade to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (e) the design and provision of a public vehicle park to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design and provision of ingress/egress point, vehicular access, parking spaces, and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission of a revised Air Quality Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;

- (h) the submission of a revised Noise Impact Assessment and the implementation of the mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) the provision of emergency vehicular access, water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (j) the public waterfront promenade should be opened on a 24-hour basis every day, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (k) the implementation of the sewerage facilities identified in the Sewerage Impact Assessment Report to the satisfaction of the Director of Drainage Services or of the TPB; and
- (l) the implementation of the drainage facilities identified in the Drainage Impact Assessment Report to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[The Chairman thanked Miss Eva K.W. Chan, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/324 Renewal of Planning Approval for Temporary “School (Kindergarten)”
for a Period of 3 Years in “Residential (Group C) 4” Zone, 31 Cambridge
Road, Kowloon Tong, Kowloon

(MPC Paper No. A/K18/324)

45. The Secretary reported that the application site was located in Kowloon Tong and Townland Consultants Ltd. (TCL) and LLA Consultancy Ltd. (LLA) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having past business dealings with TCL and LLA;

Mr Thomas O.S. Ho - having past business dealings with TCL; and

Dr Lawrence W.C. Poon - living in the City University of Hong Kong’s quarters in Kowloon Tong.

46. As Messrs Patrick H.T. Lau and Thomas O.S. Ho had no involvement in the application and the residence of Dr Lawrence W.C. Poon had no direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

47. 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 renewal of planning approval for temporary school (kindergarten) under application no. A/K18/310 for a period of 3 years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 121 public comments, including 18 supporting, 102 objecting and one providing views, were received from residents, parents and workers in Kowloon Tong, Owners' Committee of Casa Pino, a Kowloon City District Council Member and individuals. Major grounds of the comments were set out in paragraph 10 of the Paper; 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. Compared with the approved scheme under application No. A/K18/310, classrooms would only be provided on the G/F in the current scheme with 1/F blocked off and not be used for any activity. Hence, the proposed number of classrooms would be reduced from 4 to 3 and the number of students would be reduced from 180 (90 per session) to 138 (69 per session). The application generally complied with the assessment criteria in the Town Planning Board Guideline No. 34B in that there had been no material change in the planning circumstances and the surrounding land uses since the temporary approval granted in 2014; the total number of classrooms and students had been reduced and the potential impacts (such as traffic, noise and sewerage) from the proposed kindergarten would likely be less than the approved scheme, relevant government departments had no objection/adverse comment on the renewal application; and adverse planning implications arising from the renewal of the planning permission for temporary kindergarten use were unlikely. The applicant had also made submissions/revised submissions for discharge of two of the three planning conditions and submitted an application for temporary waiver to the Lands Department that was being processed. It was considered that genuine efforts had been made by the applicant to implement the approved scheme. In approving the last application for a period of two years and 10 months, instead of three years sought, the Committee's main consideration

was to tie in the approval period with the school term (i.e. ending in August). Taking into account the above unique circumstance, it was considered appropriate to approve the current application for a period of three years despite it was a slightly longer period of two months as compared to that of the last approval, so as to tie in with the school term. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

48. Members had no question on the application.

Deliberation Session

49. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 1.9.2017 to 31.8.2020, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the implementation of the traffic mitigation measures, including ‘school bus only’ campus, ‘staggered school hours’, and ‘in-campus pick up/set down only’ policy during the school operation period, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of bi-monthly monitoring reports on the implementation of the proposed traffic mitigation measures stated in condition (a) above during the school operation period to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB before the operation of the school; and
- (d) if any of the above planning conditions (a), (b) or (c) is not complied with, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

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

Agenda Item 10

Any Other Business

51. There being no other business, the meeting closed at 12:20 p.m..