

TOWN PLANNING BOARD

Minutes of 599th Meeting of the Metro Planning Committee held at 9:00 a.m. on 2.3.2018

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 Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Peter P.C. Wong

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr C.F. Wong

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

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

Secretary

Absent with Apologies

Dr Frankie W.C. Yeung

Mr Thomas O.S. Ho

In Attendance

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

Chief Town Planner/Town Planning Board
Ms April K.Y. Kun

Town Planner/Town Planning Board
Miss Gloria Y.L. Sze

Agenda Item 1

Confirmation of the Draft Minutes of the 598th MPC Meeting held on 9.2.2018

[Open Meeting]

1. The draft minutes of the 598th MPC meeting held on 9.2.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/KC/13 Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/29, To Rezone the Application Site from “Industrial” to “Other Specified Uses” annotated “Columbarium (2)”, 24-28 Wing Lap Street, Kwai Chung, New Territories
(MPC Paper No. Y/KC/13A)

3. The Secretary reported that the application was for proposed rezoning from “Industrial” to “Other Specified Uses” annotated “Columbarium (2)”. The following Members had declared interests on the item:

Mr Lincoln L.H. Huang (the Vice-chairman)	} being a member of the Private Columbaria Appeal Board.
Mr Sunny L.K. Ho	

4. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also agreed that as the interests of the Vice-chairman and Mr Sunny L.K. Ho were indirect, they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 12.2.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address further comments of the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including new Landscape Master Plan, revised photomontages, revised figures for Traffic Impact Assessment and responses to departmental comments.

6. 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 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 K.S. Ng, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/DPA/TW-CLHFS/5 Proposed Low-density Residential Development, Filling of Land and Excavation of Land in “Unspecified Use” Area, Lots 385, 386 RP, 387, 388, 389, 392, 394, 395, 396, 400 and 404 (Part) in D.D. 433 and Adjoining Government Land, Route Twisk, Chuen Lung, Tsuen Wan, New Territories

(MPC Paper No. A/DPA/TW-CLHFS/5C)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed low-density residential development, filling of land and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application as the submitted landscape and tree preservation proposal was unacceptable and approval of the application would set an undesirable precedent encouraging similar site formation prior to planning approval, and the cumulative effect of piecemeal developments would result in degradation of the existing woodland landscape character of the area. The Director of Agriculture, Fisheries and Conservation had reservation on the application and had concerns on the potential adverse impacts on the natural stream during the construction and operation phases. The District Officer (Tsuen Wan) noted objections from various locals on the application and some members of the District Management Committee and the Culture, Recreation and Sports Committee of the Tsuen Wan District

Council raised concerns on the adverse traffic impact caused by the proposed development. In the latest comments of the Director of Water Supplies, no objection to the application was raised, but a review on the application was being conducted by the Water Supplies Department (WSD) in view of the comments of the Environmental Protection Department (EPD) and Drainage Services Department (DSD). 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, 53 objecting public comments were received from the Chuen Lung Village Office, a member of Tsuen Wan West Area Committee, the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Kadoorie Farm and Botanic Garden Corporation, Designing Hong Kong Limited, Land Justice League, Ho Koon Nature Education cum Astronomical Centre and individuals. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the general planning intention for the Chuen Lung and Ha Fa Shan area as stated in the development permission area (DPA) plan at the time of submission of the application, and it was also not in line with the latest planning intention of the “Green Belt” (“GB”) zone on the extant Outline Zoning Plan (OZP). There was no exceptional circumstance to justify a departure from the planning intention. The proposed development was not compatible with the surrounding natural environment and the Country Parks. Approval of the application might set an undesirable precedent encouraging similar residential developments nearby, and the cumulative impact would result in general degradation of the rural landscape quality of the surrounding Country Parks. The applicant had not provided sufficient information to justify the proposed development intensity at the application site (the site). Given the sensitive location of the site within the upper indirect Water Gathering Ground

(WGG), the applicant should demonstrate that the proposed development would not induce any adverse impact on the WGG. While a gateway at the north-east of the site was proposed by the applicant for maintaining the access to the private lots located to its east, the proposed gateway did not align with the existing access to those private lots and was for pedestrian access only. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant. In view of the latest comments of WSD, PlanD recommended to reject the application based on the first two rejection reasons as stated in paragraphs 12.1(a) and (b) of the Paper.

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

8. Some Members raised the following questions:
 - (a) the background of the zoning of the site;
 - (b) whether the vehicle park and open storage yard within the site were “Existing Uses” tolerated under the Town Planning Ordinance or required planning permission;
 - (c) whether site formation works or dredging for installation of pipelines was regarded as filling or excavation of land;
 - (d) whether there were regulations under the purview of other departments for regulating uses within “GB” zones or ecologically sensitive areas; and
 - (e) whether the applicant would be invited to attend the meeting.

9. Mr K.S. Ng, STP/TWK, made the following responses:
 - (a) before 2013, there was no statutory plan covering Chuen Lung and Ha Fa Shan area. While landfilling and dumping were observed, a DPA plan was prepared and gazetted in December 2013 to put the area under control

of the Town Planning Ordinance. The site was designated as “Unspecified Use” on the DPA plan pending further study on the appropriate land use zoning in the course of OZP preparation. Most of the uses within “Unspecified Use” area required planning permission. The DPA plan was replaced by an OZP in December 2016. The site had been zoned “GB” since then and planning permission was required for development of house, filling and excavation of land;

- (b) according to the freezing survey in 2013 when the DPA plan was gazetted, storage of vehicles was found at the southern portion of the site but intensification of such use had been observed since then. If there was sufficient evidence to constitute such use as unauthorized development, enforcement action would be taken;
- (c) according to the Definitions of Terms, filling of land referred to the depositing or placing of earth, gravel or any other substances on land, which resulted in an elevation of ground level. Filling and/or excavation of land associated with residential development was usually considered together with the proposed development while processing planning applications;
- (d) there were regulations under the purview of other departments controlling uses within environmentally sensitive areas. The respective pollution control ordinances and regulations relevant to WGG would be relevant; and
- (e) there was no provision for inviting the applicant to attend the meeting at the s.16 application stage. Should the application be rejected by the Committee and a s.17 review application was submitted by the applicant, the applicant would be invited to attend the review meeting.

10. In response to a Member’s enquiry, the Secretary explained that the consideration of the application should be based on the zoning of the site at the time of submission of the application, i.e. “Unspecified Use” zone on the DPA plan while the latest planning intention under the current zoning (i.e. “GB”) on the extant OZP should also be taken into account.

11. In response to the Vice-chairman's enquiry, Mr K.S. Ng said that the latest comments of WSD were that it was still reviewing on the application and confirmed that its technical comments on the application provided previously could be disregarded. Nevertheless, in considering the current application, the planning intention of the area and the land use zoning should also be assessed in addition to departments' comments on the technical feasibility of the proposed development. In this regard, even if WSD had no objection to the application, PlanD would still recommend to reject the application as the proposed development was not in line with the planning intention of the area and the "GB" zone.

Deliberation Session

12. Members generally did not support the application. In view of the latest comments of WSD, Members agreed that the proposed rejection reason (c) as stated in paragraph 12.1(c) of the Paper regarding the adverse impact on WGG should be disregarded. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) the proposed development is not in line with the general planning intention for the Chuen Lung and Ha Fa Shan area, which is to protect the natural habitats and the rural landscape which complements the overall natural environment and the landscape beauty of the surrounding Country Parks; and
- (b) the proposed development is not in line with the latest planning intention of the “Green Belt” zone for the area which is to define the limits of urban and sub-urban development areas by natural features and to provide passive recreational outlets. There is a general presumption against development within this zone. There is no exceptional circumstance to justify a departure from the planning intention.”

[The Chairman thanked Mr K.S. Ng, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

developments and the existing non-domestic uses within the same commercial building, the subject premises was located at the lower floor of the subject building and there was provision of a pair of separate staircases serving the lower floors (including the subject premises) only within the same building. Nuisance to the occupants within the same building was expected to be minimal. Concerned government departments had no objection to or no adverse comment on the application and the proposed use was subject to relevant licensing requirements of the Commissioner of Police (C of P) and the Director of Food and Environmental Hygiene. An approval condition on the submission and implementation of fire service installations and water supplies for firefighting was recommended to address comments of the Director of Fire Services (D of FS). Similar applications within the same building and in Tsim Sha Tsui had been approved by the Committee and approval of the application was in line with the previous decisions of the Committee. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

14. Some Members raised the following questions:
 - (a) reasons for recommending an approval condition on the submission and implementation of fire service installations and water supplies for firefighting noting that such facilities were normally required; and
 - (b) reasons for requiring a licence from C of P.

15. Ms Caroline T.Y. Tang, STP/TWK, made the following responses:
 - (a) it was the general requirement of D of FS for imposing such approval condition to ensure the provision of such facilities before the operation of the commercial bathhouse and massage establishment for fire safety purpose; and

- (b) according to the Massage Establishments Ordinance (Cap. 266), a Massage Establishments Licence was required from the licensing authority (i.e. C of P) if full-body massage was administered to a customer by a person of the opposite sex.

Deliberation Session

16. A Member pointed out that it would be difficult to provide views on the application without the knowledge and experience on the operation of commercial bathhouse and massage establishment. Another Member raised concern that the proposed use might cause nuisances, as well as leading to an increase in the number of similar establishments and crime rate in the district.

17. A Member pointed out that factors such as whether there was residential use nearby, availability of separate access to minimise impacts on other users of the same building, and comments of nearby residents and owners' committees, were taken into account by the Committee when considering similar applications in the past. The same Member had no objection to the subject application as the subject premises was not located within a residential building and no local objection nor adverse comment from concerned departments had been received.

18. The Chairman said that the Committee could focus on land use compatibility with and impacts on the surrounding uses in assessing applications for commercial bathhouse and massage establishment. Members' concerns on daily operation and public order should be regulated under the licensing control and handled by the C of P.

19. A Member suggested that for future similar applications, a plan showing the location of similar uses in the vicinity of the application site/premises could be provided in the relevant papers for reference by the Committee.

20. In summary, Members generally had no objection to the application as it generally complied with the Town Planning Board Guidelines. Members went through the approval conditions as recommended in paragraph 12.2 of the Paper and agreed with them.

21. 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 2.3.2022, 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 fire service installations and water supplies for firefighting before the operation of the use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition (a) 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.”

22. 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 Caroline T.Y. Tang, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/451 Proposed Minor Relaxation of Building Height Restriction for Kwai Chung Hospital Redevelopment in “Government, Institution or Community” Zone, 3-15 Kwai Chung Hospital Road, Kwai Chung, New Territories

(MPC Paper No. A/KC/451A)

23. The Secretary reported that the application was submitted by the Architectural Services Department (ArchSD) and Urbis Limited (Urbis) 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 ArchSD;
- Mr Franklin Yu - having past business dealings with Urbis; and
- Mr Thomas O.S. Ho - his firm having current business dealings with Urbis.

24. The Committee noted that Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting. As the interest of Mr Patrick H.T. Lau was direct, the Committee agreed that he should leave the meeting temporarily for the item. The Committee also agreed that as Franklin Yu had no involvement in the application, he could stay in the meeting.

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

25. The Committee noted that a replacement page (page 12) of the Paper making revisions to the comments of the District Officer (Kwai Tsing) was tabled at the meeting for Members’ reference.

Presentation and Question Sessions

26. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, 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 building height (BH) restriction for Kwai Chung Hospital (KCH) redevelopment;
- (c) departmental comments – departmental comments were set out in paragraph 8 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, two supporting public comments were received from the Vice-chairman and a member of the Kwai Tsing District Council. Major views were set out in paragraph 9 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 10 of the Paper. The proposed redevelopment of KCH, which was intended to upgrade the medical facilities to serve the community's increasing demand for health care services, was in line with the planning intention of the "Government, Institution or Community" ("G/IC") zone. The proposed redevelopment was generally compatible with the existing BH profile of the surrounding developments in the low-to-medium-rise "G/IC" cluster and the relaxed BH of 120mPD was considered visually acceptable and compatible with the surrounding developments. The proposed relaxation of BH was minor in nature and would not generate significant adverse visual and landscape impacts. Various mitigation measures had been proposed in the air ventilation assessment and relevant advisory clauses were recommended. The application site (the site) was subject to development constraints with the presence of a large amount of existing slopes bordering the site and the land requirement of the new road network within the site. With the relaxed BH, planning merits such as better building/layout design to enhance internal circulation and improvement in the ward and therapeutic

environment could be achieved and the number of beds would be increased from 920 to 1,000. The proposed redevelopment could meet the relevant criteria for consideration of minor relaxation of BH restriction as stated in the Explanatory Statement of the Outline Zoning Plan (OZP). Relevant approval conditions had been recommended to address the technical requirements of concerned government departments.

Site Optimisation

27. A Member asked whether the expansion of KCH could be further explored by: (i) including the site currently occupied by the Lai Chi Kok Storage Compound to the north of KCH within the same “G/IC” zone into the proposed redevelopment scheme; and (ii) further increase the BH of the proposed redevelopment scheme such that more beds could be provided.

28. In response, Mr Stephen C.Y. Chan, STP/TWK, said that for (i), the proposal had not been considered by ArchSD and it would involve a huge amount of excavation works in view of its location at headland surrounded by slopes with level difference. Also, it would involve relocation of the existing storage uses. For (ii), ArchSD had advised that an increase in BH from 110mPD to 120mPD was sufficient to cater for the current expansion plan of KCH.

Redevelopment and Accessibility of KCH and Princess Margaret Hospital (PMH)

29. Some Members raised the following questions:

- (a) whether there was any alternative redevelopment proposal for KCH;
- (b) whether there was any redevelopment programme for PMH; and
- (c) whether there was any consideration to improve the pedestrian accessibility to KCH and PMH from MTR stations in the context of redevelopment of KCH.

30. Mr Stephen C.Y. Chan made the following responses:

- (a) there was no alternative redevelopment scheme for KCH provided by the applicant;
- (b) while the redevelopment project of PMH had been mentioned in the latest Budget Speech, he had no information at hand on the redevelopment programme; and
- (c) KCH and PMH were more than 500m away from MTR stations and the accessibility mainly relied on public transportation. The Commissioner for Transport had no objection to the application and advised that 10 visitor parking spaces should be provided.

Provision of Medical Services

31. The Vice-chairman and a Member raised the following questions:

- (a) whether KCH was a hospital with psychiatry as the only specialty; and
- (b) whether there was a surplus or shortfall of hospital beds in Kwai Chung with reference to the requirement in the Hong Kong Planning Standards and Guidelines (HKPSG).

32. Mr Stephen C.Y. Chan made the following responses:

- (a) KCH was a hospital providing psychiatric services only and it also provided psychiatric support to other general hospitals in the Kowloon West Cluster; and
- (b) there was no shortfall of hospital beds in Kwai Chung district with reference to the requirement in HKPSG.

Building Height

33. A Member raised the following questions:

- (a) the basis of the calculation of the percentage of increase in BH; and
- (b) whether the redevelopment of PMH would be subject to BH restriction of 125mPD as stipulated on the OZP noting that the BH of an existing block in PMH was 147mPD.

34. Mr Stephen C.Y. Chan made the following responses:

- (a) the percentage increase in BH of 9.1% was based on the proposed redevelopment up to 120mPD as compared with the BH restriction of 110mPD imposed under the OZP; and
- (b) the concerned block in PMH was completed prior to the stipulation of BH restriction on the OZP. With reference to the Remarks of the Notes for the “G/IC” zone on Kwai Chung OZP, redevelopment up to the height of the existing building would be allowed.

Deliberation Session

35. While agreeing the redevelopment of KCH should be proceeded as soon as possible, a Member raised concern that in-situ redevelopment might cause nuisances to patients. The same Member considered that it would be a better arrangement if a new hospital could be constructed elsewhere to avoid creating nuisance during redevelopment, and land should be reserved near hospitals for future expansion.

36. Noting that the existing and planned provisions of hospital beds in Kwai Chung were 2,490 and 2,970 respectively without breakdown on the types of beds and there was no shortfall of provision in the same district, a Member was of view that even if the provision of hospital beds in Kwai Chung complied with the requirement in HKPSG, there was a need to review the overall provision of hospital service on various specialties in view of a general

shortage of hospital beds on a territorial basis. The Member suggested to include information on the provision of GIC facilities in the wider district in papers on similar applications in future for Members' reference.

37. The Chairman drew Members' attention to the latest Budget that the Government would increase its recurrent expenditure on healthcare. Members noted that a total of 27,000 beds were currently provided, i.e. a ratio of 3.8 beds per 1,000 persons. It was targeted to provide a total of 35,000 beds by 2036, i.e. 4.3 beds per 1,000 persons and the number was targeted to be further increased to 40,000 by 2046, though still not be able to meet the standard provision of 5.5 beds for 1,000 persons in HKPSG.

38. A Member pointed out that the waiting queue for psychiatric services was long in Hong Kong and provision of a therapeutic environment with sufficient space and daylight penetration was important to psychiatric patients. The Member suggested to explore the further expansion of KCH by including the surrounding areas within the same "G/IC" zone, as well as to improve the pedestrian accessibility and signage to KCH and PMH from nearby MTR stations.

39. A Member supported the application and considered that the proposed increase in BH could improve the design, daylight penetration and provide a larger podium garden for a better therapeutic environment for psychiatric patients. However, the same Member pointed out that the proposed increase in BH might not be minor in terms of the absolute BH of the buildings.

40. In response, the Chairman said that the BH restriction for the site was stipulated in terms of mPD on the OZP. Each application for minor relaxation of BH restriction would be considered on its own merits.

41. A Member suggested to further increase the BH of the proposed redevelopment scheme for KCH such that more beds could be provided. Another Member concurred and suggested to further increase the BHs of some of the blocks of KCH.

42. In summary, Members generally had no objection to the application. The Chairman said that Members' suggestions to (i) include surrounding areas within the same

“G/IC” zone for expansion; (ii) further increase the BH to optimise the use of the site; and (iii) improve the pedestrian accessibility could be conveyed to concerned departments for consideration at the detailed design stage or in future planning.

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 2.3.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the design and implementation of vehicular access, parking provision, loading/unloading including taxi queue arrangement to the satisfaction of the Commissioner for Transport or of the TPB.”

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

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/452 Temporary Government Use (Driving Test Centre) for a Period of 3 Years in “Residential (Group A)”, “Green Belt”, “Government, Institution or Community” Zones and an area shown as ‘Road’, 103 Lei Muk Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/452)

45. The Secretary reported that the application was submitted by the Driving Services Section of the Transport Department (TD), and Able Engineering Company Limited (AECL)

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

Mr Peter P.C. Wong - being the representative of TD; and
(the Assistant
Commissioner for
Transport (Urban), TD)

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

46. As the interest of Mr Peter P.C. Wong was direct, the Committee agreed that he should leave the meeting temporarily for the item. The Committee also agreed that as Mr K.K. Cheung had no involvement in the application, he could stay in the meeting.

[Mr Peter P.C. Wong left the meeting temporarily at this point.]

Presentation and Question Sessions

47. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary government use (driving test centre) for a period of three years;
- (c) 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) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis of three years based on the assessments set

out in paragraph 11 of the Paper. About half of the application site (the site) fell within an area shown as 'Road', which was intended for a proposed road linking up Tai Pak Tin Street and Wo Yi Hop Road. The temporary use (i.e. Shek Yam Driving Test Centre (SYDTC)) would not jeopardise the implementation of the planned road as there was no development programme for the road portion according to TD. About 42% of the site fell within "Residential (Group A)" ("R(A)") zone which was a long and narrow strip of land not suitable for residential development. About 7% of the site fell within "Green Belt" zone, but no significant adverse landscape impact was anticipated. The use was considered not incompatible with the surrounding uses. It had been used as a driving test centre for private cars and light goods vehicles since April 2007 and there had been no change in planning circumstances for the site since the last planning approval. In view that the feasibility of permanent reprovisioning of SYDTC at Sheung Kwai Chung Vehicle Examination Centre at Wo Yi Hop Road was being explored by TD, consideration could be given to permit the continual operation of the applied use for a period of three years in order to continue the service to the public.

48. Some Members raised the following questions:

- (a) whether the relocation of Hong Kong School of Motoring (HKSM) at Ap Lei Chau was related to the application and whether a reprovisioning site had been identified for HKSM; and
- (b) whether the zoning for the "R(A)" portion of the site was appropriate noting that it was considered not suitable for residential development, and whether there was any plan for residential development at that portion of the site.

49. Mr Stephen C.Y. Chan, STP/TWK, made the following responses:

- (a) the relocation of HKSM at Ap Lei Chau was not related to the application and he had no information at hand regarding the reprovisioning

arrangement for HKSM; and

- (b) the proposed road works had divided two “R(A)” sites (i.e. to the east was Shek Yam East Estate and to the west was Ning Fung Court). If the planned road was not implemented by TD, the possibility of combining the “R(A)” portion of the site with the adjoining areas within the same “R(A)” zone for residential development could be explored. However, given the long and narrow configuration enclosed by slopes, this piece of residual land might not be suitable for residential development given the current site condition.

Deliberation Session

50. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 2.3.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“ the provision of fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 2.9.2018.”

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[Mr Peter P.C. Wong returned to the meeting at this point.]

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

Hong Kong District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H8/428 Proposed Office in “Residential (Group E)” Zone, 9th Floor, Lok’s Industrial Building, 204 Tsat Tsz Mui Road, North Point, Hong Kong
(MPC Paper No. A/H8/428)

51. The Secretary reported that the application premises (the premises) was located in North Point. The following Members had declared interests on the item:

Mr Stephen H.B. Yau	}	owning a flat in North Point; and
Mr Thomas O.S. Ho		
Dr Wilton W.T. Fok	-	co-owning with spouse a flat in North Point.

52. The Committee noted that Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting. The Committee agreed that as the properties of Mr Stephen H.B. Yau and Dr Wilton W.T. Fok did not have a direct view on the premises, they could stay in the meeting.

Presentation and Question Sessions

53. With the aid of a PowerPoint presentation, Mr T.W. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed office;
- (c) 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) no public comment was received during the first three weeks of the statutory publication period; 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 subject industrial building was not fully in line with the planning intention of the “Residential (Group E)” (“R(E)”) zone which was to phase out existing industrial uses through redevelopment for residential use. However, the application was for conversion of the premises at the 9th floor to office use which would not jeopardize the long-term planning intention of the “R(E)” zone. The proposed use was not incompatible with other uses within the subject industrial building. It would unlikely have adverse traffic, environmental and fire safety impacts given that it would only occupy about 253m² of the subject industrial building and would not involve direct provision of customer services or goods.

54. In response to a Member's enquiry, Mr T.W. Ng, STP/HK, said that according to the applicant's submission, the premises would be exclusively used as a general office without direct customer goods or services provision to the general public. The Director of Fire Services had no in-principle objection to the application provided that the proposed office would be used as general office and would not involve direct provision of customer services or goods.

Deliberation Session

55. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 2.3.2022, 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 fire safety measures 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 (a) is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked 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 Chairman thanked Mr T.W. Ng, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K9/270 Proposed Hotel (Partial Conversion of Existing Non-domestic Building) and Minor Relaxation of Plot Ratio Restriction in “Residential (Group A)4” Zone and an area shown as ‘Road’, 5/F to 14/F, 270-274 Chatham Road North, Hung Hom, Kowloon
(MPC Paper No. A/K9/270)

57. The Secretary reported that Townland Consultants Limited (Townland) was one 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 Townland; and
Mr Thomas O.S. Ho		
Mr K.K. Cheung	-	his firm having current business dealings with Townland.

58. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting. The Committee agreed that Messrs Patrick H.T. Lau and K.K. Cheung could stay in the meeting as they had no involvement in the application.

59. The Committee noted that the applicant's representative requested on 22.2.2018 deferment of the consideration of the application for one month in order to allow time to prepare further information to address comments of the Transport Department. It was the first time that the applicant requested deferment of the application.

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

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/755 Proposed Shop and Services in “Other Specified Uses” annotated
 “Business” Zone, G/F, Hay Nien Building, 1 Tai Yip Street, Kwun Tong,
 Kowloon

 (MPC Paper No. A/K14/755)

Presentation and Question Sessions

61. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, 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) no public comment was received during the first three weeks of the statutory publication period; 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 use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and it was not incompatible with the changing land use character of the Kwun Tong Business Area. The subject building was protected with a sprinkler system and the proposed use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts. Should the application be approved, the total approved commercial floor area on G/F of the subject building would be

292.9m², which was within the permissible limit of 460m². To address the comments of the Director of Fire Services, an approval condition on the submission and implementation of a proposal for fire safety measures was recommended.

62. Members had no question on the application.

Deliberation Session

63. 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 2.3.2020, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a proposal for fire safety measures, including the provision of fire services installations and equipment at the application premises and means of escape separated from the industrial portion of 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 (a) is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 11

Any Other Business

65. There being no other business, the meeting closed at 11:00 a.m..