

TOWN PLANNING BOARD

**Minutes of 603rd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 4.5.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Sunny L.K. Ho

Dr Frankie W.C. Yeung

Dr Lawrence W. C. Poon

Mr Wilson Y. W. Fung

Mr Alex T. H. Lai

Professor T. S. Liu

Ms Sandy H. Y. Wong

Mr Franklin Yu

Ms Lilian S. K. Law

Professor John C. Y. Ng

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

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 Simon S.W. Wang

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

Secretary

Absent with Apologies

Mr Lincoln L. H. Huang

Vice-chairman

Mr Stephen H. B. Yau

Mr Thomas O.S. Ho

Mr Stanley T. S. Choi

Mr Daniel K. S. Lau

Professor Jonathan W. C. Wong

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/Town Planning Board
Ms W.H. Ho

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

Agenda Item 1

Confirmation of the Draft Minutes of the 602nd MPC Meeting held on 20.4.2018

[Open Meeting]

1. The draft minutes of the 602nd MPC meeting held on 20.4.2018 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/11 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 “Funeral Parlour and Green Funeral Facility”, Kwai Chung Town Lot 351, 13-15 Wing Kei Road and 20-22 Wing Lap Street, Kwai Chung, New Territories
(MPC Paper No. Y/KC/11B)

3. The Secretary reported that MVA Hong Kong Limited (MVA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho - having current business dealings with MVA; and

Mr Franklin Yu - having past business dealings with MVA.

4. The Committee noted that the applicant had requested deferment of consideration of the application, Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting, and Mr Franklin Yu had yet to arrive to join the meeting.

5. The Committee noted that the applicant’s representative requested on 17.4.2018 deferment of the consideration of the application for two months so as to allow time to address the departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised traffic impact assessment and tables of 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 the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, it would be the last deferment and no further deferment would be granted.

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K20/130 Proposed Comprehensive Residential Development in "Comprehensive Development Area" Zone, New Kowloon Inland Lot 6549, Off Hing Wah Street West, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K20/130)

7. The Secretary reported that the application was submitted by Sky Asia Properties Limited, which was a joint venture of Wheelock Properties (Hong Kong) Limited (Wheelock) and other four companies. AECOM Asia Company Limited (AECOM), Urbis Limited (Urbis) and Wong Tung & Partners Limited (WT&PL) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho - having current business dealings with Wheelock and past business dealings with AECOM, and his firm having current business dealings with Urbis;

Mr Alex T.H. Lai - his firm having current business dealings with Wheelock and WT&PL; and

Mr Franklin Yu - having past business dealings with AECOM and Urbis.

8. The Committee noted that the applicant had requested deferment of consideration of the application, Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting, and Mr Franklin Yu had yet to arrive to join the meeting. Since Mr Alex T.H.

Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

9. The Committee noted that the applicant's representative requested on 19.4.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments and general public. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/496 Proposed Temporary Information Technology and Telecommunications Industries (Data Centre) and Ancillary Office for a Period of 3 Years in “Comprehensive Development Area (5)” Zone, G/F to 7/F, 145–159 Yeung Uk Road, Tsuen Wan, New Territories
(MPC Paper No. A/TW/496A)

11. The Secretary reported that the application was submitted by Top Merchant Investments Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The site was located in Tsuen Wan. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho - having current business dealings with SHK;

- Mr Franklin Yu - having past business dealings with SHK and his spouse being an employee of SHK;

- Mr Alex T.H. Lai - his firm having current business dealings with SHK;

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

- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan area; and

- Professor John C.Y. Ng - his spouse owning a property in Tsuen Wan area.

12. The Committee noted that Mr Thomas O.S. Ho and Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting, and Mr Franklin Yu had yet to arrive to join the meeting. Since Mr Alex T.H. Lai had no involvement in the application, the interest of Mr Wilson Y.W. Fung was indirect and the property of Professor John C.Y.

Ng's spouse did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

13. 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 temporary information technology and telecommunications industries (data centre) and ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received raising objection to the application. Major objection views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The proposed temporary development involved only internal alteration and addition works within the subject building. Although the existing plot ratio (PR) of the industrial building already exceeded the maximum PR restriction, there would be no changes to the existing gross floor area, PR and building height of the subject building and existing parking facilities would be retained. There was no objection to consider a minor relaxation of the PR restrictions for the proposed development on a temporary basis. Besides, there was no active redevelopment proposal at the subject "Comprehensive Development Area (5)" ("CDA(5)") zone, approval of the application on a temporary basis would not jeopardize the long-term planning intention of

the site. The temporary use was not incompatible with the surrounding developments. Similar applications had been approved within the “CDA(3)” zone and approval of the current application was in line with the Committee’s previous decisions on similar applications. Given that the proposed use was relatively clean in nature and less staff was required for operation, the temporary use would induce less environmental and traffic impacts than other industrial use. Concerned departments had no objection to or adverse comment on the application. Regarding the adverse public comment on traffic grounds, the Commissioner for Transport had no adverse comment on the application.

14. Members had no question on the application.

Deliberation Session

15. Regarding the implementation progress of the surrounding “CDA” sites, the Committee noted that a Home Ownership Scheme development together with a public playground in the “CDA(2)” site had been completed and a Master Layout Plan for comprehensive residential development at the “CDA(3)” site was approved by the Committee in 2015. No development/redevelopment proposal for residential use at the remaining “CDA(4)”, “CDA(5)” and “CDA(6)” sites was received. Although a s.12A planning application to rezone the “CDA(5)” site to “Other Specified Use” annotated “Business” use was rejected by the Committee in 2017, there were some similar planning applications for data centre use approved on a temporary basis for a period of three years in the “CDA(3)” zone. PlanD would monitor the progress of development in the “CDA” sites in its biennial review of “CDA” sites.

16. Taking into account that the subject “CDA(5)” site was under multiple ownership, some Members supported the application as it would take time to realise its planning intention. The proposed temporary use for a period of three years would not jeopardise the long-term planning intention and would enable better utilization of the existing building at the site.

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

temporary basis for a period of 3 years until 4.5.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of fire service installations and water supplies for fire-fighting proposals 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 with as specified, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

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

[Mr Sunny L.K. Ho arrived to join the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/TY/135 Proposed Temporary Asphalt Plant for a Period of 5 Years in “Industrial”
Zone, Tsing Yi Town Lot 108 RP (Part), Sai Tso Wan Road, Tsing Yi
(MPC Paper No. A/TY/135B)

19. The Secretary reported that the application was submitted by Hong Kong United Dockyards Limited, which was a joint venture of CK Hutchison Holdings Limited (CKH) and Swire Limited (Swire). The following Members had declared interests on the item:

Mr Thomas O.S. Ho - having current business dealings with Swire;

Mr Alex T.H. Lai - his firm having current business dealings with CKH;
and

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

20. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. Since Mr Alex T.H. Lai had no involvement in the application and the interest of Mr Wilson Y.W. Fung was indirect, the Committee agreed that they could stay in the meeting

21. The Committee noted that the applicant's representative requested on 25.4.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted revised technical assessments and tables of responses to departmental comments.

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

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

Hong Kong District

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H7/174 Proposed Shop and Services/Eating Place in “Residential (Group B)”
Zone, Ground Floor (Part), 17 Yuk Sau Street, Happy Valley, Hong
Kong
(MPC Paper No. A/H7/174)

23. The Secretary reported that the application was submitted by Bank of East Asia (Trustees) Limited (BEA). The application site was located in Happy Valley, Wong Nai Chung area. The following Members had declared interests on the item:

Mr Alex T.H. Lai - his firm having current business dealings with BEA;
and his family members owning a flat in Wong Nai
Chung area;

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

Ms Lilian S.K. Law - co-owning with her spouse a flat in Wong Nai Chung
area.

24. As Mr Alex T.H. Lai had no involvement in the application, the interest of Mr Wilson Y.W. Fung was indirect and the properties of Mr Alex T.H. Lai’s family members and Ms Lilian S.K. Law did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

25. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services/ eating place;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public objection from the management company of La Vogue Court was received. Major objecting 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 current application was to convert a vacant premises at the ground floor to shop and services or eating place uses, which could allow flexibility to serve the neighborhood in the area. Having considered that the application premises was close to the “Residential (Group A)” (“R(A)”) zone with various shops and services as well as eating places located to its east, the applied use was considered not incompatible with the neighborhood. The subject building had been included in the “List of New Items for Grading Assessment”. The Antiquities and Monuments Office of the Leisure and Cultural Services Department (AMO, LCSD) had no objection to the application but reserved further comments on the works arising from the proposed use and other concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comment, comments of government departments in paragraph 8 of the Paper and the planning assessments above were relevant.

26. Some Members raised the following questions:

- (a) given that the subject building had been included in the “List of New Items for Grading Assessment”, whether there was any timetable for the grading of the subject building, and whether there was any statutory responsibility

for the applicant/owner of the subject building to preserve the building;

- (b) noted that there were two graded historic buildings in the vicinity of the site, what measures to conserve those buildings had been adopted;
- (c) whether the façade of the subject premises would be modified for the proposed uses; and
- (d) whether approval of the current application would set a precedent to encourage similar uses to proliferate in the subject “Residential (Group B)” (“R(B)”) zone.

27. Mr Anthony K.O. Luk, STP/HK, made the following responses:

- (a) the subject building was in the “List of New Items for Grading Assessment” with no concrete timetable for the grading of it by AMO. The applicant would be advised to consult AMO on the details of their proposed works before its commencement, should the application be approved;
- (b) there were a Grade 2 and a Grade 3 historic buildings located to the east of the site. Under the current administration practice, owners of Grade 2 and Grade 3 historic buildings were encouraged to submit proposed alteration works to their building to AMO for comment. There were also various initiatives provided by the Government to encourage adaptive re-use and facilitate maintenance of the graded historic buildings;
- (c) according to the applicant, there would be no substantial change of the existing elevation of the building, except minor modification works at the existing front entrance along Yuk Sau Street for barrier free access and one window at the rear portion of the ground level to provide exit door to comply with the statutory requirement on means of fire escape. Drawings A-2 and A-3 illustrated that there would be no major changes in internal layout nor façade of the subject building. According to the applicant, an

architect familiar with conservation measures to historic buildings had been engaged by the applicant for preparation of the detailed building alteration works for AMO's comment; and

- (d) areas along Sing Woo Road were mainly designated as "R(A)" zone with shop and services as well as eating place uses always permitted in the lowest three floor of a building. The eastern portion of Yuk Sau Street close to Sing Woo Road was designated as "R(A)" zone and the western portion was designated as "R(B)" zone. Currently, the ground floor of the buildings in the "R(B)" zone were mainly used as lift lobby for residential developments. Since no similar planning application for such uses had been received in the past, approval of the current application might not have a wide planning implication in the subject "R(B)" zone.

Deliberation Session

28. Members generally supported the application for adaptive re-use of the potential graded building at the subject site. With respect to two Members' questions on whether the Government and the Board would take a more proactive approach to collaborate with other stakeholders to conserve private historic buildings in the urban area, the Committee noted that conservation of such buildings was under the purview of AMO with advice from the Antiquities Advisory Board. To facilitate conservation of historic buildings, there were cases that specific conservation zonings with development restrictions and design requirements were designated on statutory plans, such as the conservation of the Central Market building in Central. Besides, the Commissioner for Heritage's Office under the Development Bureau would coordinate inter-departments effort in heritage conservation.

29. 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 4.5.2022, 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 condition :

“the provision of fire service installations and water supplies for fire fighting

to the satisfaction of the Director of Fire Services or of the TPB.”

30. 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 Anthony K.O. Luk (STP/HK) for his attendance to answer Members’ enquiries. He left the meeting at this point.]

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

[Dr Frankie W.C. Yeung, Ms Sandy H. Y. Wong and Mr Franklin Yu arrived to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H18/83 Proposed Public Utility Installation (High Voltage Distribution Pillar) in
“Green Belt” Zone, Government Land near Hok Tsui Village, Cape
D’Aguilar, Shek O, Hong Kong
(MPC Paper No. A/H18/83)

31. The Secretary reported that the application was submitted by The Hong Kong Electric Company Limited, which was a subsidiary of CK Hutchison Holdings Limited (CKH). Urbis Limited (Urbis) was the consultant of the applicant. The following Members have declared interests on the item:

Mr Thomas O.S. Ho - his firm having current business dealings with Urbis;

Mr Alex T.H. Lai - his firm having current business dealings with CKH;

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

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

32. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. Since Mr Alex T.H. Lai had no involvement in the application and the interests of Mr Franklin Yu and Mr Wilson Y.W. Fung were indirect, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

33. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (high voltage distribution pillar (HVDP));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 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 site was a piece of government land zoned “Green Belt” (“GB”) and located close to the village cluster of Hok Tsui Village. While there was a general presumption against development within the “GB” zone, the proposed HVDP was an essential installation to maintain reliable and

secure electricity supply in the surrounding areas. Given the small scale of the proposed HVDP, it was not incompatible with the surrounding environment and was not envisaged to have significant environmental, visual and landscape impacts. In this regard, the application complied with the Town Planning Board Planning Guidelines No. 10.

34. Members raised the following questions:

- (a) the applicant's justifications for the site selection and the reasons of not locating the proposed HVDP closer to the existing supply network;
- (b) the flexibility of relocating the HVDP away from roadside of the access road to allow some spaces for pedestrian access;
- (c) the appearance of the proposed HVDP and what building materials would be used; and
- (d) measures to minimize the visual impact of the proposed HVDP.

35. Miss Jessica K.T. Lee, STP/HK, made the following responses:

- (a) according to the applicant, the proposed HVDP was an essential facility to maintain reliable and secure electricity supply to Hok Tsui village. The site, which was located at an access road branching off Cape D'Aguilar Road, was located in the nearest flat land to the existing supply network at the junction of Cape D' Aguilar Road (Drawing A-1). Concerned departments had no objection to the application and no public comment against the application was received;
- (b) the access road was a restricted road mainly for the maintenance of the radio communication station at the top of D'Aguilar Peak. As there were slope to the west and Country Park to the north of the site, the applicant considered that the proposed roadside site was a suitable location to minimise the impact on the environment and nearby trees;

- (c) while no photomontage for the proposed HVDP was submitted by the applicant, the outlook of the HVDP was shown at Drawing A-2 of the Paper. The dimension of the proposed HVDP was be 2.76m tall, 4.5m long and 2.5m wide. The proposed HVDP was a prefabricated stainless steel enclosure, for which painting or wall sticker could be used as aesthetic treatments; and
- (d) the Chief Town Planner/Urban Design and Landscape of PlanD (CTP/UD&L, PlanD) advised the applicant to provide some aesthetic treatments to the proposed HVDP, such as its finish with appropriate materials or colour scheme that was compatible to the natural environment. Relevant advisory clause was recommended, should the application be approved.

Deliberation Session

36. Members generally had no objection to the proposed HVDP to serve the local community but had some comments on its location and visual impact.

37. Noting that the proposed HVDP was located on the roadside without leaving any space between the installation and the carriageway, some Members considered that the location of proposed HVDP should be adjusted to allow some spaces for pedestrian passage and tree planting for visual screening. A Member suggested and another Member concurred to impose an approval condition to require the applicant to adjust the location of proposed HVDP for a few metres so as to address Members' concern.

38. In response to a Member's question on whether the proposed HVDP's location could be adjusted in the land allocation stage, Mr Simon S.W. Wang, Assistant Director (Regional 1) of Lands Department, clarified that under the existing provision, small-scale electricity installations with an area not exceeding 12m² within government land were covered by Block Licence to some utility companies and no separate application was required. Since the floor area of the proposed HVDP was about 11.25m², no application to the Lands Department would be required.

39. A Member raised that the access road was a restricted road with very limited vehicular traffic. It was not a popular hiking route. Besides, it was not uncommon that the hikers would walk on the carriageway in the countryside if there was very limited vehicular traffic. He also pointed out that there was no information to ascertain the technical feasibility of an alternative location for the proposed HVDP. After discussion, Members generally agreed that an approval condition regarding minor adjustment of the proposed HVDP's location was not necessary but an advisory clause could be incorporated.

40. Regarding the visual impact of the proposed HVDP, Members generally agreed that the applicant should be advised to adopt suitable mitigation measures to improve the aesthetic appearance of the installation, including using suitable finishing material, painting, screening and vertical greening. The Meeting noted that an advisory clause regarding the provision of aesthetic treatments to the proposed HVDP had been suggested.

41. 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 4.5.2022, 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.

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

“the applicant should consider minor adjustment to the disposition of the proposed High Voltage Distribution Pillar (HVDP) so as to allow some spaces between the carriageway and the HVDP for pedestrian passage and tree planting to provide visual screening.”

[The Chairman thanked Miss Jessica K.T. Lee, STP/HK, 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.]

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/K9/270A)

43. The Secretary reported that Townland Consultant Limited (Townland) was one of the consultants of the applicant. The application site was located in Hung Hom. The following Members had declared interests on the item :

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

Mr Alex T.H. Lai - his firm having current business dealings with Townland; and

Mr Stanley T.S. Choi - owning a flat in Hung Hom area.

44. The Committee noted that Mr Thomas O.S. Ho and Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. Since Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

(a) background to the application;

(b) the proposed hotel (partial conversion of existing non-domestic building)

and minor relaxation of plot ratio (PR) restriction;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, six public comments were received. An individual supported the application, while the remaining five comments submitted by Owners' Incorporations of Yue Sun Mansion and Bulkeley Building, two individuals, as well as a co-signed letter from a Legislative Council Member, a Kowloon District Council Member and a local resident objected to the application. Major objecting views 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. Although the proposed hotel use was not in line with the planning intention of the "Residential (Group A)" ("R(A)") zone, the subject building was previously approved for non-domestic uses and there were approved hotel developments in the vicinity. The proposed conversion for hotel use was not incompatible with other uses of the building and the surrounding developments and would not impact on the existing housing supply in the area. Besides, the proposed minor relaxation of PR restriction from 9 to 11.763 was to reflect the PR of existing building and there was no change in physical bulk and building height. The submitted traffic impact assessment (TIA) had demonstrated that the proposed hotel use would not create adverse traffic impact in the area and the applied use would unlikely generate adverse environmental, drainage and sewerage impacts. Concerned departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

46. Members raised the following questions:

Traffic Impact

- (a) given that no internal transport facilities was proposed, how the applicant would carry out loading/unloading activities for hotel operation;
- (b) whether the applicant could remove the roadside railing to provide an opening for a run-in/out for the hotel in future;
- (c) whether the applicant had demonstrated that the proposed hotel use would not result in adverse traffic impact;
- (d) the legal effect of the undertaking letter submitted by the applicant for not using minibus/coaches for their operation;
- (e) with reference to table 5.1 of the TIA report, why the junction capacity (represented by reserve capacity) in 2022 was higher than that in 2017 under reference scenarios;
- (f) how the parking and loading/unloading requirements for the proposed development were derived; and
- (g) the implication on the traffic condition if coaches were used for hotel operation;

47. Ms Johanna W.Y. Cheng, STP/K, and Mr Peter P.C. Wong, Assistant Commissioner for Transport (Urban) of the Transport Department (TD) made the following responses:

Traffic Arrangements and Traffic Impact

- (a) there was loading/unloading area at Wuhu Street to the east of the site and metered parking spaces at Bulkeley Street. The applicant could carry out loading/unloading activities at Wuhu Street during the periods when the no-stopping restriction was not in force;
- (b) any opening for a run-in/out would involve government land and approval

from TD and other relevant authorities would be required. Given the heavy traffic flow in the nearby roads, the chance for granting such approval would be very slim;

- (c) according to the TIA (paragraphs 2.4.2 and 2.4.3) submitted by the applicant, the proposed conversion of office to hotel use would result in net reduction of overall parking and loading/unloading length requirements. More kerb side space might be freed up and would improve traffic circulation in the area. Besides, the applicant claimed that group tours were not the target customers of the proposed hotel and the applicant had undertaken not to operate any minibus/coaches for visitors. It was expected that the visitors would choose public transport and the trip generation would not be concentrated at peak hours;
- (d) while the applicant's undertaking letter had no legal effect, it was noted that the TIA was considered acceptable by relevant departments;
- (e) according to paragraph 5.2.3 of the TIA, the lower figure of the reserve capacity under the reference scenario in 2022 as compared with 2017 indicated an overall traffic improvement at the relevant junctions after the implementation and operation of major road works and railway system;
- (f) the parking and loading/unloading area requirements were derived based on the standards specified in the Hong Kong Planning Standards and Guidelines, which were advised by TD based on regular studies and reviews; and
- (g) in general, if coaches were used for hotel operation, lay-by for coaches should be provided within the site. In the current application, the target visitors of the proposed hotel were young entrepreneurs or business people and the applicant had indicated that it would not serve group tours in its hotel website.

48. Members raised the following questions:

Development Restrictions and Constraints

- (a) why the subject building, which fell within the “R(A)” zone, was approved for non-domestic use by the Building Authority (BA);
- (b) what the maximum PR for the “R(A)” zone was and whether the proposed hotel was considered as domestic or non-domestic use by the BA;
- (c) whether the site was suitable for residential development given the noise impact from Chatham Road North; and

Others

- (d) the territory-wide or district provision of hotel rooms.

49. Ms Johanna W.Y. Cheng, STP/K made the following responses:

Development Restrictions and Constraints

- (a) the subject building was built for office with retail shop use in 1976 when the site was zoned as “Commercial/Residential”. Subsequently, the site was rezoned to “R(A)” in 1987. Since ‘hotel’ was a column 2 use in the Notes of the “R(A)” zone, planning permission from the Board was required;
- (b) according to the Notes of the “R(A)” zone, maximum PRs for domestic building and non-domestic building were 7.5 and 9 respectively. Generally, hotel use was considered as a non-domestic use under the planning regime. The BA could exercise discretionary power to treat a hotel building or the hotel part of a building as non-domestic use and grant concession in accordance with relevant practice notes;
- (c) noise impact from Chatham Road North and Wuhu Street would impose constraint for residential development at the site. The site had never been used for residential use since the completion of the existing building thereat; and

Others

- (d) there was no information in hand on the provision of hotel rooms in the territory or local district. Nevertheless, the Commissioner for Tourism supported the application as it would help increase the provision of hotel facilities and broaden the range of accommodations for visitors.

Deliberation Session

50. A Member did not support the application as the findings of the TIA were doubtful and the undertaking letter had no legal effect to the future hotel operators. As the undertaking might not be enforceable, the possibility of coach operation could not be precluded, which would have great traffic implication in the area. The Member noted that similar applications had been rejected by the Committee on traffic grounds.

51. Another Member had reservation on the application as no detailed traffic plan had been submitted and there was fire safety concern due to the lack of emergency vehicular access.

52. Some Members had no objection to the application on the following considerations:

- (a) the site, which was subject to severe traffic noise and air quality impacts, was not suitable for residential use. Non-domestic uses were considered more suitable for the subject site and the proposed hotel use was compatible with the surrounding land uses;
- (b) the traffic impact arising from the proposed hotel use was expected to be less than that of the existing office use according to the TIA submitted by the applicant and the TIA was accepted by relevant departments; and
- (c) the proposed hotel would only provide 89 rooms and was considered small in scale.

53. Members generally considered that although the subject site fell within the “R(A)” zone, hotel use was more appropriate at the location due to traffic noise and air quality concerns, the minor relaxation of PR was to reflect the existing development bulk and the proposed hotel would generate less traffic impact compared to the existing office use. With respect to provision of transport facilities, Members noted that the loading/unloading activities of the proposed hotel could be carried out at Wuhu Street or Bulkeley Street during the period when the no-stopping restriction was not in force. The relevant authorities would monitor the situation to ensure traffic condition would not deteriorate and if required, adopt suitable traffic management and enforcement measures.

54. 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 4.5.2022, 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 of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Ms 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

56. There being no other business, the meeting closed at 11:45 a.m..