

TOWN PLANNING BOARD

Minutes of 621st Meeting of the Metro Planning Committee held at 9:00 a.m. on 1.2.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Michael H.S. Law

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

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

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairman

Dr Frankie W.C. Yeung

Mr Alex T.H. Lai

In Attendance

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 620th MPC Meeting held on 18.1.2019

[Open Meeting]

1. The draft minutes of the 620th MPC meeting held on 18.1.2019 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/14 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)”, 19-21 Wing Kin Road, Kwai Chung, New Territories
(MPC Paper No. Y/KC/14B)

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 and the Vice-chairman had tendered apologies for being unable to attend the meeting. As the interest of Mr Sunny L.K. Ho was indirect, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 15.1.2019 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 (TD). It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted responses to comments of TD.

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 third deferment and a total of six months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted.

Hong Kong District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/H15/12 Application for Amendment to the Approved Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/33, to Rezone the Application Site from “Other Specified Uses” annotated “Business (3)” to “Residential (Group E)”, 111 Lee Nam Road, Ap Lei Chau
(MPC Paper No. Y/H15/12B)

[The item was conducted in English and Cantonese.]

7. The Secretary reported that the application site (the site) was located in Ap Lei Chau, and Ove Arup & Partners Hong Kong Limited (Arup) 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 Arup;

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

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

Mr Paul Y.K. Au - co-owing two units in South Horizons.
(*Chief Engineer (Works),
Home Affairs Department*)

8. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Mr Franklin Yu had not yet arrived to join the meeting. As the properties co-owned by Mr Paul Y.K. Au did not have a direct view on the site and Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

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

PlanD's Representatives

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

Mr Vincent W.Y. Wong - Senior Town Planner/Hong Kong (STP/HK)

Applicant and its Representatives

Tendo Limited

Mr Michael Choi

Masterplan Limited

Mr Ian Brownlee

Mr Benson Poon

Arup

Ms Carmen Chu

Mr Eddy Cheung

} Applicant's representatives

Presentation and Question Sessions

10. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Vincent W.Y. Wong, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the site from "Other Specified Uses" annotated "Business (3)" ("OU(B)3") to "Residential (Group E)" ("R(E)") to facilitate a proposed private residential development, and stipulation of a building height (BH) restriction of 100mPD for the zone;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) advised that the proposed development and other planned developments in the area would exhaust a significant portion of the reserved capacity of road junctions in the area, in particular Ap Lei Chau Bridge Road/Lee Chi Road junction, unless there were major traffic improvements to the junctions. The Chief Town Planner/Housing and Office Land Supply, PlanD advised

that under the 2014 Area Assessments of Industrial Land in the Territory (the 2014 Area Assessments), the existing industrial building (IB) stock in the “Industrial” (“I”) and “OU(B)” zones would not be able to meet the projected industrial floor space requirement in IBs and there were shortfalls of floor space in IBs in the short, medium and long terms. The District Officer (Southern) advised that the Southern District Council (SDC) strongly objected to the application and urged the Board to reject the application and retain the site for business use. 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 periods, a total of 1,370 public comments were received. Amongst which, 17 were supporting or with no objection to the application; 274 were providing comments or with no comment on the application; and the remaining 1,079 were objecting comments from two Legislative Council members, SDC, two SDC members, the Southern District Caucus of the Democratic Party Hong Kong, the Hong Kong Electric Company Limited, South Horizons Concern Group (海怡關注組), South Horizons Estate Owners’ Committee and individuals. Major views 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 findings of the 2014 Area Assessments concluded that the Ap Lei Chau West Industrial Area (ALCWIA) (later known as Ap Lei Chau Business Area (ALCBA)) had been undergoing active transformation into warehouse/storage, office and manufacturing/workshop uses and the vacancy rate was only 2.4% as compared with the territorial average of 3.5%. Another round of Area Assessments would be undertaken by PlanD in 2019 and a more updated overview of the utilization of existing IBs including the site for industrial and business uses would be available to facilitate a holistic review of the business situation of the area. As ALCBA had only been rezoned from “I” to “OU(B)” for about three years, the area was still undergoing a transition

from an industrial area into a business area and the full effect of the transformation of the area was yet to be fully materialized. While the Wong Chuk Hang Business Area (WCHBA) would serve as one of the primary nodes of employment in the Southern District, ALCBA, being a vibrant employment centre with a mixture of active office, retail and non-polluting manufacturing activities, offered an alternative and could serve as a secondary employment centre. The retention of the “OU(B)” zone in ALCBA would help to spread out the distribution of employment and residential places in the Southern District. The “OU(B)3” zone for the subject site was appropriate to reflect the planning intention of the area to promote general business uses and to generate employment and there was no strong justification for rezoning the site to residential use. The site was located in the centre of ALCBA and approval of the application for piecemeal rezoning of the site for residential use would set an undesirable precedent for other similar applications in ALCBA and the cumulative impact of such approvals would diminish the function of ALCBA as an employment centre in the area and would result in adverse traffic impact on the surrounding area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

11. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Messrs Ian Brownlee and Benson Poon, the applicant’s representatives, made the following main points:

- (a) background of the application, including the characteristics of the site and surrounding areas, details of the rezoning proposal and the proposed residential development;
- (b) the site was neither a suitable location for business nor industrial uses due to its distance from the major transport infrastructure and remote location from the Mainland border. The expansion of ALCBA was constrained by the topographic characteristics of the area;

- (c) the 2014 Area Assessments, which was outdated and generalized, did not reflect the current local circumstances. There were five industrial buildings in ALCBA, but they were only presented in a generalized assessment of ALCBA as a single site. According to the survey conducted by the applicant in June 2018, the latest vacancy rate of the subject building was 13.7% whereas the average vacancy rate of the three IBs within the subject “OU(B)3” zone was 46%, which was higher than that of the Southern District (8.2%). The latest survey revealed that the whole “OU(B)3” zone was under-utilized and the use of the site was not optimizing land resources;
- (d) according to the Review of Land Requirement for Grade A Offices, Business and Industries Uses completed in 2017 (the 2017 Review), which provided inputs to the Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030, there would be surplus in floor space for general business use and non-central business district (CBD) grade A offices in the short, medium and long-term. Besides, ALCBA was insignificant in terms of size and location for business and industrial development;
- (e) WCHBA, which had locational advantage with available infrastructure and supporting facilities, had a critical mass of jobs and business and become a district employment and commercial node. The market demand for business uses at ALCBA, however, might continue to diminish. The rental price in ALCBA was generally lower than that of WCHBA. Currently, almost 37% of the rented areas of the subject building were occupied by the applicant’s parent group of companies. It was expected that the vacancy rate would remain high if the subject building was maintained for industrial use;
- (f) according to the recommendations of the 2009 Area Assessments, two sites in Tung Tau Industrial Area of Yuen Long and Tai Kok Tsui had been rezoned from “OU(B)” to “R(E)1” and “R(E)” respectively. Besides, a site at Ap Lei Chau Praya Road was rezoned from “I” to “R(E)1” in 1999.

The site complied with PlanD's criteria in the rezoning of the abovementioned sites and should be rezoned to "R(E)";

- (g) Ap Lei Chau and the immediate neighbourhood of the site would be progressively transformed from a predominantly industrial area into a residential area. A piece of land to the north-west of the site had been rezoned from "OU" annotated "Cargo Handling Area", "Government, Institution or Community" ("G/IC") and "I" to "Residential (Group A)4" ("R(A)4") with a plot ratio (PR) of 6 and a maximum BH of 110mPD in 2016. The subject application was similar to that rezoning in terms of intended use (i.e. private residential) and PR (i.e. 6) in that it was technically feasible and could expedite the housing land supply in the short-term. Given there were acute shortage in private housing supply and surplus in general business floor space, the need for housing outweighed that for industrial or business uses;
- (h) there were planning merits of the proposed residential development, including providing street-level landscaping and beautification, increasing green coverage to 21.2%, reducing building bulk and visual impact, improving permeability and circulation by allowing portions of private open space accessible to the public, and providing retail facilities to create vibrancy and complement the Horizon Plaza as a retail outlet destination;
- (i) the proposed residential development was technically feasible and would not set an undesirable precedent. Should the rezoning application be approved, planning application for the proposed residential development would still be required to be submitted to the Committee for consideration;
- (j) concerned government departments had no adverse comment on the application except C for T. According to the Traffic Impact Assessment (TIA), the junctions at Ap Lei Chau Bridge Road/Ap Lei Chau Drive, Ap Lei Chau Bridge Road/Lee Chi Road and Lee Nam Road/Lee Hing Street would perform satisfactorily with spare capacities. Regarding the cumulative traffic impact, no technical assessment had been provided by

PlanD or the Transport Department to justify their comments on this aspect. A sensitivity test had been conducted by the applicant under two scenarios. Under Scenario 1, all of the three existing IBs within the subject “OU(B)3” zone would be redeveloped into office/commercial use with the allowable PR of 15 under the Building (Planning) Regulations (B(P)R). Under Scenario 2, all the three IBs would be redeveloped into residential use under the proposed “R(E)” zoning with a PR of 6. The sensitivity test concluded that Scenario 2 would have less trip generation/attraction as well as traffic impact on junction capacities as compared with Scenario 1. Under Scenario 2, there was still reserved capacity for the critical junction at Ap Lei Chau Bridge Road/Lee Chi Road and junction improvement works was not necessary. If there was a need, minor improvements at that junction could be carried out subject to further detailed feasibility study; and

- (k) the future Area Assessment should not be a factor in the Committee’s decision for rezoning of individual sites. Given the high vacancy rate, it should not wait for 20 years to see if the area was viable for office use. Should the Committee agree that the whole ALCBA was suitable to be rezoned to residential use, PlanD should be requested to undertake a review for the whole ALCBA, including the subject site.

12. With the aid of a PowerPoint presentation, Mr Michael Choi, the applicant’s representative, made the following main points:

- (a) it was difficult to rent out the floor spaces in the subject building due to its remote location even after the opening of MTR South Island Line. A high vacancy rate was recorded for the subject building in recent years and it was expected that the vacancy rate would remain high if the building was retained for industrial use; and
- (b) ALCBA was not as competitive as WCHBA due to the lack of synergy effect.

[Mr Franklin Yu arrived to join the meeting during the presentation.]

13. As the presentations of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

Location and Planning Context

14. Some Member raised the following questions:

- (a) background and rationale for the rezoning of ALCWIA from "I" to "OU(B)";
- (b) the Government's policy on business area and whether there were functional differences between WCHBA and of ALCBA;
- (c) any forecast on the demand for "OU(B)" uses in the coming 10 years in Hong Kong;
- (d) whether the distance between the site and the Mainland border was a major concern of the business sector; and
- (e) noting that two sites were rezoned from "OU(B)" to residential use in Tung Tau Industrial Area and Tai Kok Tsui as quoted by the applicant's representative, what the similarities between the site and the two rezoned sites were.

15. Mr Louis K.H. Kau, DPO/HK, made the following responses:

- (a) PlanD had regularly undertaken Area Assessments since 2000's to review the uses of industrial land in the territory including the occupancy and vacancy rates of IBs. According to the findings of the 2009 Area Assessments, the vacancy rate of IBs in ALCWIA was relatively high. A planning application for wholesale conversion of an existing IB (Horizon Plaza) to the north-west of the site for commercial uses was also approved

by the Committee back in 2003. As such, ALCWIA was considered suitable to be rezoned from “I” to “OU(B)” in order to provide more flexibility in the use of the industrial land to allow for a mix of non-polluting industrial uses, information technology and telecommunications industries, office and other commercial uses. The 2014 Area Assessments concurred with the recommendations of the 2009 Area Assessments that as ALCWIA was gradually transforming into warehouse/storage, office and manufacturing/workshop uses, it was suitable to be rezoned from “I” to “OU(B)”. Subsequently, the entire area of ALCWIA was rezoned from “I” to “OU(B)3” and “OU(B)4” in 2015;

- (b) business areas were planned to provide more diversified business and job opportunities in particular the creative industries. In Aberdeen, WCHBA was the major business area which was rezoned to “OU(B)” in 2001 and various new developments in the area were completed between 2015 and 2018. Given WCHBA had a larger area and was close to Wong Chuk Hang MTR station, it was more well-established with larger patronage. While ALCBA was different from WCHBA in terms of development scale and supporting facilities, it served as a secondary employment centre for a more balanced distribution of employment opportunities in the Southern District as well as the whole territory; and
- (c) the 2017 Review concluded that while there was a surplus of floor space in general business uses, there would be a deficit of floor space in special industries in the short, medium and long term. ALCBA had the potential for development of special industries such as data centres.

16. Mr Ian Brownlee, the applicant’s representative, made the following responses:

- (a) a site located far away from the Mainland border was a major disadvantage in the business sector. Besides, ALCBA was located in an isolated small area without supporting facilities and expansion opportunities. Comparatively speaking, ALCBA was less accessible and competitive than WCHBA;

- (b) there was no government initiative for promoting business use in ALCBA. Given the locational disadvantage and the lack of expansion opportunities, ALCBA could not compete with WCHBA even after more flexibility in the land uses was provided; and

- (c) the “R(E)1” sites in Tung Tau Industrial Area were adjoining a nullah, which was similar to the site which was adjoining the waterfront area. There were a number of residential developments in the vicinity of both the Tung Tau Industrial Area and Tai Kok Tsui sites, and the site was also located to the immediate south-east of a recently rezoned residential site (i.e. “R(A)4” zone). While the site was only served by Lee Nam Road, the proposed residential development would not induce traffic problem.

PR Restrictions

17. In response to a Member’s enquiry, Mr Louis K.H. Kau said that there was no PR restriction for “OU(B)” zone on the Aberdeen & Ap Lei Chau Outline Zoning Plan (OZP). According to B(P)R, the maximum PR for business use was 15 whereas the maximum PR for residential use ranged from 8 to 10 depending on site classification.

18. Mr Ian Brownlee supplemented that the rezoning of a site to the north-west of the site to “R(A)4” with a PR of 6 by the Government demonstrated that the area was suitable for residential use. The proposed PR of 6 for residential development at the site, which had made reference to the PR of the “R(A)4” zone, was lower than the permitted PR of 15 for business use within the “OU(B)3” zone as well as the PR of the existing building (i.e. about 9).

The Proposed Scheme

19. In response to a Member’s questions, Messrs Ian Brownlee and Benson Poon, the applicant’s representatives, with the aid of some PowerPoint slides, said that according to the indicative design, portions of the proposed private open space would be accessible by the public via the adjoining retail facilities. The proposed private open space would be

managed by the applicant. There was no plan for the provision of government, institution or community facilities within the site.

20. A Member asked as the site was located in the centre of the subject “OU(B)3” zone and there were IBs in the vicinity of the proposed residential development, whether there would be concerns on visual/air ventilation impacts and industrial/residential interface problem. In response, Mr Louis K.H. Kau said that the BH of the proposed residential development was in line with the BH restriction on the OZP (i.e. 100mPD). As the width of the streets in ALCBA was relatively wide, visual and air ventilation impacts were not the major concerns. As for industrial/residential interface problem, there was concern on whether the proposed residential development would be affected by noise and exhaust fumes generated by IBs in the vicinity.

Traffic Aspects

21. In response to a Member’s question, Mr Louis K.H. Kau said that according to the TIA submitted by the applicant, the total traffic generation and attraction at morning peak hours for the proposed residential development would be 126, which was significantly higher than that for the existing industrial use at the site, i.e. 26. On the other hand, with reference to the junction capacity assessment result for year 2030 in the TIA, the reserved capacity of the junction at Ap Lei Chau Bridge Road/Lee Chi Road would be 20% at morning peak hours with the proposed residential development. As the figure was close to the saturated capacity, C for T had concern on whether the junction capacity could cater for the cumulative traffic impact arising from the conversion of the whole ALCBA for residential uses.

22. In response to a Member’s question on the comparison of traffic impacts between the proposed residential development and the permitted business uses within the “OU(B)” zone, Mr Louis K.H. Kau said that the trip generation/attraction patterns of residential development and business uses would be different for both the morning and afternoon peak hours. In response, Ms Carmen Chu, the applicant’s representative, with the illustration of a comparison table, said that the trip rate for office and retail uses would be nearly three times of that for residential use. If the site was proposed for residential use, the trip generation at morning peak hours would be 75 whereas the trip attraction at afternoon peak hours would be 51. Should the site be developed into office and retail uses with the allowable PR of 15, the

trip generation at morning peak hours would be increased from 75 to 275. As such, the total traffic volume would be significantly reduced if the site was used for residential development and this would be a planning merit of the application.

23. A Member asked if the remaining IBs within the same “OU(B)3” zone were redeveloped for residential use, whether the existing infrastructure in the area could cater for the additional traffic generated. In response, Ms Carmen Chu said that a scenario with all IBs within the subject “OU(B)” zone being redeveloped into residential use with a PR of 6 had been derived. It was found that the traffic impact was less significant than the scenario with all IBs being redeveloped for office/retail uses with the allowable PR of 15. The reserved capacities at the morning and afternoon peak hours for the junction at Ap Lei Chau Bridge Road/Lee Chi Road in 2030 would be 11% and 23% respectively, which were considered acceptable in developed areas. Besides, the junction could be expanded or improved subject to further studies.

24. Some Members raised the following questions regarding the assessment of traffic impact:

- (a) whether the TIA had taken into account the committed developments in the surrounding areas such as the hotel development near South Horizons MTR station and the residential use at the “R(A)4” site; and
- (b) whether the traffic impact should be assessed by comparing the proposed residential use with the existing industrial use, or the permitted use under the “OU(B)” zoning.

25. Mr Louis K.H. Kau said that the TIA had taken into account the proposed residential use at the site, the committed hotel development near South Horizon as well as the planned residential use at the “R(A)4” site in Lee Nam Road. The cumulative traffic impact as mentioned by C for T was referring to the possible conversion of the remaining IBs in ALCBA into residential use. He further remarked that in general, the traffic impact was assessed by a comparison of the traffic generation/attraction between the proposed residential development and the existing IBs in the area, rather than a comparison between the proposed residential development and an assumed development with office/retail uses together with a

maximum PR of 15 under the “OU(B)” zone. In response, Ms Carmen Chu said that if the site was redeveloped, it would be redeveloped for office/retail uses with a PR of 15 in accordance with the “OU(B)” zone and B(P)R rather than industrial use. As such, it was sensible to compare the trip generation/attraction between the proposed residential use and the permitted office/retail uses.

26. In response to a Member’s enquiry on whether the employment opportunities in ALCBA could help reduce the daily commuting trips to/from the CBD, Ms Carmen Chu said that the reduction of daily commuting trips by job matching would be more effective in new town development where there would be new population and job opportunities. As Ap Lei Chau was an established residential area where most of the residents were already working outside the district, it was considered more difficult to attract the local residents to work in ALCBA.

27. In response to a Member’s enquiry on why there was no traffic concern regarding the previous rezoning of the area from “T” to “OU(B)”, Mr Louis K.H. Kau explained that as there was no PR restriction for both “T” and “OU(B)” zones on the OZP, the development intensities were subject to the provisions under B(P)R, which were the same for both the “T” and “OU(B)” zones. In the subject application, however, the site was proposed to be rezoned from “OU(B)3” to “R(E)”. C for T raised concerns on the cumulative traffic impact arising from the rezoning of the ALCBA from “OU(B)” to “R(E)” zones.

28. Some Members had the following questions:

- (a) whether there was any plan to widen Lee Nam Road; and
- (b) connectivity between the site and the South Horizons MTR station.

29. Mr Louis K.H. Kau made the following responses:

- (a) there was no plan to widen Lee Nam Road at the moment as advised by C for T; and

- (b) South Horizons MTR station was about 800m away from the site, involving a 15-20 minutes walk or less than five minutes green minibuses ride.

The “R(A)4” Zone

30. Some Member raised the following questions:

- (a) at the time of rezoning the ex-Hong Kong School of Motoring site to “R(A)4”, what assumption on the distribution of population and employment in Ap Lei Chau had been adopted; and
- (b) whether the Government had violated its promise of not proposing any other residential development in Ap Lei Chau after the rezoning of the “R(A)4” site as raised in the public comment.

31. Mr Louis K.H. Kau made the following responses:

- (a) the ex-Hong Kong School of Motoring site was rezoned to “R(A)4” together with the rezoning of ALCWIA from “I” to “OU(B)3” and “OU(B)4” in 2015. The OZP amendments had made reference to the recommendations of the 2014 Area Assessments that ALCBA could serve as an employment centre for a more balanced distribution of population and employment opportunities. Taking into account the traffic conditions in the area, a PR restriction of 6 was stipulated for the “R(A)4” zone, which was lower than the allowable PRs ranging from 8 to 10 under B(P)R; and
- (b) the “R(A)4” site was a piece of government land in Ap Lei Chau which had been identified as suitable for residential use by the Government in the last round of land use review to meet the acute demand for housing. The subject application was not initiated by the Government, but by the applicant and the site was located on private land.

Others

32. In response to the Chairman's enquiry on the timetable for the new Area Assessments, Mr Louis K.H. Kau said that tenders were being invited for the new Area Assessments. It was expected that the Area Assessments would be commenced later this year for completion in 2020.

33. In response to a Member's enquiry, Mr Benson Poon said that no vacancy survey on IBs in ALCBA had been conducted by the applicant for the previous rezoning application No. Y/H15/10.

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

Deliberation Session

35. A Member said that the "OU(B)" zoning was appropriate to reflect the planning intention of ALCBA to promote general business uses and generate employment opportunities to facilitate the transition of the industrial area. Some Members concurred with the Member and had the following views:

- (a) by providing more job opportunities in ALCBA, a better balance in the distribution of population and employment opportunities could be achieved and the daily commuting traffic to the CBD could be reduced;
- (b) ALCBA, which was rezoned to "OU(B)" in 2015, was still undergoing transformation from an industrial area into a business area and the full effect was yet to be fully materialized; and

- (c) another round of Area Assessments would be conducted by PlanD in 2019. There would be a more updated overview of the utilization of existing IBs including the subject site to facilitate a holistic review of the ALCBA. Approval of the application for piecemeal rezoning of the site for residential use at the moment would pre-empt the findings of the new Area Assessments.

36. Regarding the proposed residential development at the site, some Members had concern on the traffic impact and doubted whether the existing infrastructure in the area could cater for additional traffic growth. The meeting noted that C for T had concern on the Ap Lei Chau Bridge Road/Lee Chi Road junction which could not cater for the cumulative traffic impact arising from the rezoning of the ALCBA from “OU(B)3” and “OU(B)4” to “R(E)” unless major traffic improvements to the junction was available.

37. A Member said that as there were IBs in the vicinity of the site, there would be potential interface problem between the proposed residential development and the surrounding industrial establishments. Besides, the high vacancy rate for the IBs in the subject “OU(B)” zone as claimed by the applicant might not be a strong planning justification for the proposed rezoning as vacancy rate was market-driven and dependant on factors such as rental prices, demand and supply of industrial floor spaces.

38. Members generally considered that the “OU(B)” zoning was appropriate for ALCBA, which was undergoing transformation from industrial to business uses. The applicant had not provided strong justifications for rezoning the site to residential use. Approval of the application would set an undesirable precedent for other similar applications in ALCBA, the cumulative impact of which would diminish the function of ALCBA as an employment centre and would result in adverse traffic impact on the surrounding area.

39. After deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) the “Other Specified Uses” annotated “Business (3)” zone is appropriate to reflect the planning intention of the area to promote general business uses and to generate employment. There is no strong justification for rezoning

the application site to residential use; and

- (b) the approval of the application for piecemeal rezoning of the application site for residential use would set an undesirable precedent for other similar applications in Ap Lei Chau Business Area (ALCBA) and the cumulative impact of such approvals would diminish the function of ALCBA as an employment centre in the area and would result in adverse traffic impact on the surrounding area.”

Kowloon District

Agenda Item 5

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/K22/3 Application for Amendment to the Approved Kai Tak Outline Zoning Plan No. S/K22/6, to Rezone the Application Site from “Other Specified Uses” annotated “Tunnel Ventilation Shaft” and “Government, Institution or Community” to “Commercial (9)”, Lucky Building, 3-5 San Ma Tau Street, Ma Tau Kok, Kowloon
(MPC Paper No. Y/K22/3B)

[The item was conducted in Cantonese.]

40. The Secretary reported that Kenneth To & Associates Limited (KTA), Ronald Lu & Partners (HK) Limited (RLP), MVA Hong Kong Limited (MVA), Ove Arup & Partners Hong Kong Limited (Arup) and WSP Hong Kong Limited (WSP) were five 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 Arup and past business dealings with RLP; and his firm having current business dealings with MVA;

Mr Alex T.H. Lai - his firm having current business dealings with RLP, MVA, Arup and WSP;

- Mr Franklin Yu - having past business dealings with MVA, Arup and WSP;
- Mr Daniel K.S. Lau - being a member of the Kowloon City District Urban Renewal Forum (DURF) and an ex-employee of the Hong Kong Housing Society which was currently having business dealings with KTA; and
- Dr Lawrence W.C. Poon - being a member of DURF.

41. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As Messrs Thomas O.S. Ho, Franklin Yu and Daniel K.S. Lau and Dr Lawrence W.C. Poon had no involvement in the application, the Committee agreed that they could stay in the meeting.

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

PlanD's Representatives

- Ms Johanna W.Y. Cheng - District Planning Officer/Kowloon (DPO/K)
- Mr K.K. Lee - Senior Town Planner/Kowloon (STP/K)

Applicant and its Representatives

Worldy Limited

- Ms Ng Mei Yee
- Mr Chau Wing Kin

KTA

- Ms Pauline Lam
- Ms Kitty Wong

RLP

- Mr K.H. Cheng

Ramboll Environ

Hong Kong Limited

- Mr Tony Cheng

} Applicant's representatives

<u>Arup</u> Mr Lo Kin Wang	}	Applicant's representatives
<u>MVA</u> Mr George Lee		

Presentation and Question Sessions

43. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr K.K. Lee, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site (the site) from "Other Specified Uses" annotated "Tunnel Ventilation Shaft" ("OU(TVS)") and "Government, Institution or Community" ("G/IC") to "Commercial (9)" ("C(9)"), subject to a maximum plot ratio (PR) of 12, building height (BH) of 100mPD and site coverages (SCs) of 62.5% (15m or above) and 94% (below 15m);
- (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, a total of 26 public comments were received from two Kowloon City District Council members, the Owners' Committee of Grand Waterfront, the Kowloon City District Service Centre of the Hong Kong Federation of Trade Unions and individuals. Amongst which, 24 were objecting comments. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – based on the assessments set out in paragraph 11 of the Paper, PlanD had no in-principle objection to the application and partially

agreed to the application. It was no longer necessary to retain the current “OU(TVS)” zoning for the site as the Highways Department confirmed that the other proposed tunnel ventilation shaft in Kai Tak was sufficient to serve the purpose. The “G/IC” portion of the site might be treated as rectification of discrepancies between the lot boundary and the zoning boundary. The proposed rezoning of the site for commercial use was generally in line with the proposal of “Urban Renewal Plan for Kowloon City (URPKC)” prepared by DURF and would not be in conflict with the Central Kowloon Route (CKR) project under construction. The proposed commercial development was considered not incompatible with the adjacent residential uses and the proposed retail and dining facilities could serve the needs of the neighbourhood. Technical assessments submitted by the applicant had demonstrated that the proposal would not have adverse impacts on environmental, sewerage, traffic, visual, air ventilation and safety aspects. While the proposed BH of 100mPD was not incompatible with that of the existing developments in the surrounding areas and the planned BH profile in the area, the proposed PR of 12 for the site was on the high side. A lower PR of 9.5 was recommended, after making reference to the maximum PR of the “C” zone under the Kai Tak Outline Zoning Plan (OZP) and the maximum non-domestic PR of 9 for areas near the site zoned “Residential (Group A)” (“R(A)”) and “Residential (Group E)” (“R(E)”) under the Ma Tau Kok OZP. The SC control for development sites in Kai Tak was to enhance air ventilation and discouraging podium development, the same SC control of 65% for “C(2)” zone under the Kai Tak OZP was recommended to be stipulated on the site. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

44. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Pauline Lam, the applicant’s representative, made the following main points:

- (a) background information of the site;

- (b) the context of the surrounding areas including the Kai Tak Development, the waterfront enhancement proposal in URPKC and the landscape deck and beautification proposal for Ma Tau Kok waterfront under the CKR project;
- (c) details of the rezoning proposal and the proposed commercial/office development, including the proposed pedestrian connection between the ground floor (G/F) and the podium deck on the second floor (2/F) of the proposed development, and the proposed footbridge connecting 2/F of the proposed development and the future landscape deck above the adjoining reprovisioned Kowloon City Ferry Pier (KCFP) Public Transport Interchange (PTI) site;
- (d) design merits of the proposed development, including widening of the existing informal pedestrian footpaths; provision of setbacks along the site boundaries; enhancing visual and air permeability; connecting to future landscape deck above PTI; and providing a better pedestrian walking environment accessible to waterfront and quality activity space for public enjoyment; and
- (e) the proposed maximum PR of 12 for the proposed “C(9)” zone was the same as that for the “C” and “Other Specified Uses” annotated “Business” zones in the old districts in Kowloon. Although the site fell within the Kai Tak OZP, it was physically located in the old district of To Kwa Wan and adjoining the Ma Tau Kok OZP area. The planning context of those existing industrial buildings zoned “C(2)” with a maximum PR of 9.5 in the Kai Tak OZP area was different from the subject site as they were adjoining the old Kai Tak Airport and physically separated from the Kowloon Bay hinterland by Kwun Tong Bypass. All technical assessments had demonstrated that the proposed PR of 12 was technically feasible and could enable efficient use of scarce land resources.

45. As the presentations of PlanD’s representative and the applicant’s representative were completed, the Chairman invited questions from Members.

The “G/IC” Portion of the Site

46. In response to some Members’ enquiries, Ms Johanna W.Y. Cheng, DPO/K, explained that a portion of the private lot fell within the “G/IC” zone (i.e. about 11% of the total site area). It might be treated as rectification of discrepancies between the lot boundary and the zoning boundary, which could be regarded as minor adjustment of boundaries between zones permitted under the covering Notes of the OZP. There was in general no deficit in the provision of G/IC facilities in the area.

PR Restriction

47. In response to a Member’s question on the proposed PR restriction for the site, Ms Johanna W.Y. Cheng explained that the proposed PR for the site had made reference to the “C(2)” zones, which were located in the eastern portion of the Kai Tak OZP at the Kowloon Bay hinterland. The concerned “C(2)” sites were originally zoned “Industrial” (subject to PR of 12) on the Ngau Tau Kok & Kowloon Bay OZP. Subsequently, the waterfront area of Kowloon Bay (including the concerned sites) was excised from the said OZP for inclusion in the Kai Tak (South) planning scheme area in 1998. The sites had been rezoned to “C(2)” on the Kai Tak OZP (subject to a maximum PR of 9.5 or the PR of the existing building, whichever was the greater) since 2006. As for the Ma Tau Kok OZP, there were only two “C” zones (subject to a PR of 12), i.e. the Regal Oriental Hotel and the BMW House, which were far away from the site. Besides, the “R(A)” and “R(E)” zones in the vicinity of the site were subject to a maximum non-domestic PR of 9. As such, it was considered that a maximum PR of 9.5 for the proposed “C” zone was appropriate for the site.

Visual and Air Ventilation Aspects

48. In response to a Member’s enquiry on the difference in the BH between the PR of 12 proposed by the applicant and the PR of 9.5 as recommended by PlanD, Mr K.H. Cheng, the applicant’s representative, explained that under the current indicative scheme with a site area of about 2,000m² and SC of 62.5%, the floor area would be about 1,700m² for each storey. If the proposed PR was reduced from 12 to 9.5, there would be a reduction of the total floor area of about 5,000m², which was equivalent to about four storeys. Assuming an

average floor-to-floor height of 4m, the BH of the proposed development would be reduced from 100mPD (under PR of 12) to 84mPD (under PR of 9.5). In response to the same Member's follow-up question on air ventilation, Ms Johanna W.Y. Cheng said that the site did not fall within any identified air path.

Basement Carpark

49. A Member asked if the proposed development was subject to a PR of 9.5 instead of 12, whether the provision of two storeys of basement was sufficient to accommodate the required car parking spaces. In response, Ms Johanna W.Y. Cheng said that under the scenario of PR 12, there was a deficit of about 30 car parking spaces if the high end standard for car parking provision in Hong Kong Planning Standards and Guidelines (HKPSG) was to be adopted. Based on the submitted floor plan with about 50 car parking spaces per floor, two basement carparks might be able to meet the HKPSG requirement under the scenario of PR 9.5. She supplemented that a PR of 9.5 or the PR of the existing building, whichever is the greater, was proposed for the site, which was in line with the general planning control for other sites under the OZPs. According to the applicant, the PR of the existing building at the site was about 9.88.

Connectivity between the Site and KCFP PTI

50. In response to a Member's question, Ms Johanna W.Y. Cheng said that the level difference between the proposed landscape deck above the reprovisioned PTI and the ground level would be about 10m, i.e. the landscape deck would be provided at a level of about 14.5mPD.

51. Noting that a footbridge would be provided for the connection between the 2/F of the proposed development and the landscape deck above the reprovisioned PTI, a Member asked whether the escalator inside the proposed development for connection to the footbridge would be closed after the office hours of the proposed development. In response, Ms Pauline Lam, the applicant's representative, said that the design of the proposed development was indicative at the moment. Public access to the escalator and footbridge after the office hours of the proposed development would be considered during the detailed design stage.

Planning in the Adjacent Area

52. The Chairman and some Members raised the following questions:

- (a) whether there was any implementation plan for the reprovisioning of PTI adjoining the proposed development;
- (b) whether there would be any development above the PTI; and
- (c) the future use of the area zoned “Other Specified Uses” annotated “Pier” (“OU(Pier)”) to the south-east of the site.

53. Ms Johanna W.Y. Cheng made the following responses:

- (a) the existing open-air PTI would be reprovisioned in-situ. The reprovisioned PTI would be covered by a landscape deck as a noise mitigation measure under the Environmental Permit of the CKR project upon completion of the underground section of the CKR;
- (b) the possibility of topside development above the reprovisioned PTI was under review by the Government; and
- (c) the area zoned “OU(Pier)” was currently occupied by the KCFP which was in operation. A waterfront promenade would be provided in the adjoining areas upon completion of the CKR project.

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

Deliberation Session

55. Members in general had no in-principle objection to the proposed rezoning of the site for commercial development as the subject “OU(TVS)” zone was no longer required for the reserved use, the proposed commercial development was in line with URPKC’s proposal and technically feasible. Given that the site was located adjacent to the “R(A)” and “R(E)” zones on Ma Tau Kok OZP which were subject to a maximum non-domestic PR of 9, and the context of the site was more akin to the “C(2)” zone (with a maximum PR of 9.5) on the Kai Tak OZP, Members supported PlanD’s recommendation to partially agree to the application by rezoning the site to an appropriate sub-zone of “C” with a maximum PR of 9.5, a maximum SC of 65% and a maximum BH of 100mPD, or the PR/SC/BH of the existing building, whichever was the greater.

56. Some Members also made the following suggestions:

- (a) the connectivity between the proposed development and the future landscape deck and/or possible topside development above the reprovisioned PTI could be further improved; and
- (b) the planning intention for the provision of open space at the future landscape deck and/or possible topside development above the reprovisioned PTI should be reflected in the next round of OZP amendment.

57. After deliberation, the Committee decided to partially agree to the application for rezoning of the application site from “Other Specified Uses” annotated “Tunnel Ventilation Shaft” (“OU(TVS)”) and “Government, Institution or Community” to an appropriate sub-zone of “Commercial” with a maximum plot ratio (PR) of 9.5, a maximum site coverage (SC) of 65% and a maximum building height (BH) of 100mPD, or the PR/SC/BH of the existing building, whichever is the greater. The zoning boundaries and the development restrictions to be set out in the Notes should be submitted for the Committee’s agreement prior to gazetting under section 5 of the Town Planning Ordinance upon reference back of the approved Kai Tak Outline Zoning Plan for amendment by the Chief Executive in Council. The Committee also noted that PlanD would review the zoning of the remaining part of the

“OU(TVS)” zone.

[Ms Katy C.W. Fung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

[Mr Thomas O.S. Ho left the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K20/131 Proposed Comprehensive Hotel Development in “Comprehensive Development Area (2)” Zone, Lai Ying Street, Cheung Sha Wan
(MPC Paper No. A/K20/131A)

58. The Secretary reported that the application was submitted by Fedder Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Kenneth To & Associates Limited (KTA), Sun Hung Kai Architects and Engineers Limited (SHKAEL) (which was a subsidiary of SHK) and AECOM Asia Company Limited (AECOM) 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 SHK and AECOM; |
| Mr Franklin Yu | - having past business dealings with SHK and AECOM; and his spouse being an employee of SHKAEL; |
| Mr Alex T.H. Lai | - his firm having current business dealings with SHK and AECOM; and |

Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which was currently having business dealings with KTA.

59. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Mr Thomas O.S. Ho had already left the meeting. As the interest of Mr Franklin Yu was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. The Committee also agreed that Mr Daniel K.S. Lau could stay in the meeting as he had no involvement in the application.

[Mr Franklin Yu left the meeting temporarily at this point.]

60. The Committee noted that a replacement page (page 14) of the Paper, for rectifying editorial errors in paragraph 11.1.6, was tabled at the meeting for Members' reference.

Presentation and Question Sessions

61. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed comprehensive hotel development;
- (c) departmental comments – departmental comments were set out in paragraph 11 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, a total of 10 public comments were received. Amongst which, one was supporting comment, three were objecting comments, and the remaining six were from the Hong Kong and China Gas Company Limited and individuals offering comments/concerns on the application. Major views were set out in paragraph 12 of the Paper. The applicant had also consulted the Task

Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing (the Task Force) of the Harbourfront Commission and its comments were set out in paragraph 13 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 14 of the Paper. The proposed hotel development was in line with the planning intention of the “Comprehensive Development Area (2)” (“CDA(2)”) zone and the gross floor area and building height (BH) restrictions under the Outline Zoning Plan. The proposed development was considered not incompatible with the surrounding land uses, and generally complied with the development parameters and relevant planning and urban design requirements as set out in the Planning Brief (PB). The proposed BH was considered not incompatible with the development context and height profile of the area, and various design features would help reduce the visual mass and enhance air penetration. No adverse landscape and air ventilation impacts were anticipated. The developer of the site was required to design, construct, manage and maintain the south-eastern portion of the public waterfront promenade (PWP) including the disused pier of not less than 20m in width directly fronting the subject “CDA(2)” site. The applicant was carrying out a study on the refurbishment works for the disused pier, which had identified two possible locations of landing steps. As the study had yet to be completed, an approval condition was incorporated to require the applicant to submit the study on the refurbishment works for the disused pier to explore the provision of public landing facilities within 12 months. On the technical aspects, the proposed development would not cause adverse traffic, environmental, sewerage and fire safety impacts on the surrounding areas and approval conditions had been recommended to address the requirements of relevant government departments. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

Proposed PWP and Public Landing Steps in the Disused Pier

62. The Chairman and some Members raised the following questions:

- (a) the land status and management responsibility of the proposed PWP;
- (b) comments of the Task Force of the Harbourfront Commission on the design of the proposed PWP; and
- (c) if the study conducted by the applicant concluded that the provision of public landing steps was not technically feasible, whether there was other mechanism to request the applicant to provide such facilities.

63. Ms Katy C.W. Fung, STP/TWK, made the following responses:

- (a) the proposed PWP, which was on government land, would be open 24 hours for public use. It would be designed, constructed, managed and maintained by the applicant;
- (b) when the Task Force was consulted by the applicant in October 2018, the proposed landscape master plan (LMP) for the PWP was different from the latest revised version submitted to the Board by the applicant in December 2018. The latest revised LMP had been published for public inspection and no comment had been received from the Task Force; and
- (c) if the feasibility study conducted by the applicant found that the provision of public landing facilities was not technically feasible, the concerned government departments would be consulted on whether the findings were agreeable. In general, the public landing facilities would need to be provided unless there were very strong justifications accepted by relevant government departments for not doing so.

Pedestrian Walkway

64. In response to a Member's enquiry, Ms Katy C.W. Fung said that the 25m-wide pedestrian walkway connecting the MTR Nam Cheong Station and the PWP was constructed by the Government and open for public use. The applicant had proposed to modify its landscape design. As that part was outside the application site, the applicant would liaise with relevant government departments for such possibility separately.

Implementation of the LMP

65. A Member asked how the design and implementation of the PWP and public passageways in the revised LMP and master layout plan (MLP) could be monitored. In response, Ms Katy C.W. Fung said that approval conditions on the submission and implementation of a revised MLP as well as LMP including the south-eastern portion of the PWP fronting the site and the disused pier to the satisfaction of Director of Planning had been recommended. Besides, the requirement for the provision of public passageways, among others, had been incorporated into the lease. They would also be scrutinized by PlanD at the general building plan submission stage.

Deliberation Session

66. Members in general had no objection to the proposed hotel development at the site as it was in line with the planning intention of the "CDA(2)" zone, generally complied with the PB and technically feasible.

67. The meeting noted that the PWP including the disused pier fronting the site was on government land and it would be designed, constructed, managed and maintained by the lot owner at its own cost. A feasibility study on the refurbishment works for the disused pier to explore the provision of public landing facilities was being carried out by the applicant and an approval condition on the submission of the feasibility study within 12 months had been recommended. Some Members, however, had concerns on the provision of the PWP and public landing facilities in the disused pier. Their views were:

- (a) the proposed design of the PWP was not satisfactory as a substantial part of the PWP had been occupied by planters which might obstruct public access to the waterfront and compromise the provision of a pleasant and spacious environment for public enjoyment;
- (b) the PWP could be enhanced by adopting more user friendly design concepts such as provision of clear signages, reserving more open areas with sitting facilities for public enjoyment, and improving connectivity with the inland area; and
- (c) the refurbished pier with the provision of public landing facilities were important elements to add vibrancy to the waterfront area. Opportunities for providing water-land interface activities for public enjoyment should be explored.

68. Members generally agreed to urge the applicant to provide a more inviting and user friendly PWP and actively explore the possibility for the revitalization of the disused piers with the provision of public landing facilities in the fulfilment of approval conditions.

69. 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 1.2.2023, 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 to take into account of approval conditions (b) to (g) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan including the south-eastern portion of the waterfront promenade fronting the application site and the disused pier to the satisfaction of the Director of Planning or of the TPB;

- (c) the design and provision of vehicular access, car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) in relation to (d) above, the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (f) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (g) the submission of a feasibility study on the refurbishment works of the disused pier to explore the provision of public landing facilities within 12 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 1.2.2020; and
- (h) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Ms Katy C.W. Fung, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/K5/803 Proposed Hotel in “Residential (Group A) 6” Zone, 56G-56H and
56J-56K Yen Chow Street, Sham Shui Po, Kowloon
(MPC Paper No. A/K5/803)

71. The Committee noted that the applicant’s representative requested on 14.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

72. 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 further information and no further deferment would be granted unless under very special circumstances.

[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 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/454 Proposed Minor Relaxation of Plot Ratio Restriction for the Permitted Information Technology and Telecommunications Industries (Data Centre) Use in “Industrial” Zone, Cargo Consolidation Complex, 43 Container Port Road, Kwai Chung
(MPC Paper No. A/KC/454A)

73. The Secretary reported that the application was submitted by PCCW Solutions Limited, which was a subsidiary of PCCW Limited (PCCW). Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with PCCW. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

74. The Committee also noted that a replacement page (page 1) of the Paper, revising information on the lease, was dispatched to Members before the meeting.

Presentation and Question Sessions

75. 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 plot ratio (PR) restriction for the permitted information technology and telecommunications industries (data centre) use;
- (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, a total of three public comments were received. One was from a Kwai Tsing District Council (KTDC) member supporting the application; one was from another KTDC member indicating no comment on the application; and the remaining was not related to the subject application. Major 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. The proposed data centre was in line with the planning intention of the “Industrial” zone and not incompatible with the existing dominant uses within the same building and surrounding areas. The proposed relaxation of PR restriction (from 9.5 to 10.269, or an increase of about 8.1%) arising from conversion of the existing parking and loading/unloading facilities on G/F and 1/F was considered minor in nature with no increase in the overall development bulk and building height of the existing development. The application, which would not cause any significant adverse environmental, sewage, drainage, visual, infrastructural and fire safety impacts on the subject building and surrounding areas, generally complied with the Town Planning Board Guidelines No. 25D.

76. In response to a Member's enquiry, Mr Stephen C.Y. Chan, STP/TWK, said that nine out of the 16 floors of the subject building were being used for data centre purpose, with the remaining five floors for godown uses and two floors for carparking and loading/unloading purposes.

Deliberation Session

77. 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 1.2.2023, 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 minor relaxation of plot ratio is granted for the proposed development for the life time of the building; and
- (b) the provision of fire service installations and water supplies for fire-fighting before commencement of the proposed development to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/456 Proposed Shop and Services (Fast Food Shop) in “Industrial” Zone, Shop B7, G/F, Mai Wah Industrial Building, 1-7 Wah Sing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/456)

Presentation and Question Sessions

79. 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 shop and services (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director-General of Trade and Industry had no comment on the application if a temporary approval of five years would be imposed such that the applied use would not jeopardise the long-term use of the subject premises for industrial related uses. The Commissioner for Transport also had no comment on the application on a temporary basis

for a period of five years provided that all future loading/unloading activities arising from the applied use would be confined within the application site. The Director of Fire Services (D of FS) had no in-principle objection to the application as the use (i.e. fast food shop) would not be counted in the aggregated commercial floor area on the ground floor (G/F) of an existing industrial building according to the Town Planning Board Guidelines No. 25D (TPB PG-No. 25D). 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, two public comments were received with one from the Incorporated Owners of Mai Wah Industrial Building raising concerns on the hygiene issue and the other from an individual raising concern on the impact on the surrounding shop owners. Major 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 on a temporary basis for a period of five years based on the assessments set out in paragraph 11 of the Paper. Although the application was not entirely in line with the planning intention of the “Industrial” zone, the applied fast food shop use could meet such demand in the area. It was also considered not incompatible with other uses within the subject building and the surrounding developments. The applied use generally complied with TPB PG-No. 25D in that it would not have adverse traffic or environmental impact on the developments within the subject building and the adjacent areas; and relevant government departments had no objection to or no adverse comment on the application. An approval condition had been recommended to address D of FS's concern of fire safety. Previous applications for shop and services use at the subject premises and similar applications had been approved on G/F of the subject building. There had been no change in planning circumstances since the approval of the application. In order not to jeopardise the long-term planning intention of industrial use for the premises, a temporary approval of five years was recommended, which was consistent with the

Committee's previous decisions on similar applications. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

80. Members had no question on the application.

Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of five years until 1.2.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the application premises and a means of escape separated from the industrial portion 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.”

82. 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 Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting]

A/KC/457 Proposed Offensive Trades (Lard Boiling Factory) in “Industrial” Zone,
Kwai Chung Town Lot 145, 7-11 Wing Kin Road (odd numbers), Kwai
Chung, New Territories

(MPC Paper No. A/KC/457)

83. The Committee noted that the applicant’s representative requested on 17.1.2019 deferment of the consideration of the application for one month in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

84. 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.

Hong Kong District

Agenda Item 11

Section 16 Application

[Open Meeting]

A/H10/93 Proposed Residential Institution (Student Hostel) with Minor Relaxation of Site Coverage Restriction in “Residential (Group C)” and “Green Belt” Zones, High West, Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/93)

85. The Secretary reported that the application was submitted by the University of Hong Kong (HKU), with AGC Design Limited (AGC) as one of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|------------------------|---|
| Professor John C.Y. Ng | - being the Adjunct Professor of the Department of Urban Planning and Design, HKU; |
| Mr Wilson Y.W. Fung | - being the Chairman of the Accounting Advisory Board of the School of Business, HKU; and |
| Mr Alex T.H. Lai | - his firm having current business dealings with HKU and AGC. |

86. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the interest of Professor John C.Y. Ng was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that Mr Wilson Y.W. Fung could stay in the meeting as his interest was remote.

87. The Committee noted that the applicant’s representative requested on 2.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address concerns of the local communities and comments of the Geotechnical Engineering Office of the Civil Engineering and Development Department. It was the first time that the applicant requested deferment of the application.

88. 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 further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Section 16 Application

[Open Meeting]

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

(MPC Paper No. A/H19/78)

89. The Committee noted that the applicant's representative requested on 17.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

90. 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 further information and no further deferment would be granted unless under very special circumstances.

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

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/191 Temporary Shop and Services (Chinese Medical Clinic and Laundry) for a Period of 2 Years in "Other Specified Uses" annotated "Business" Zone, Part of Workshop 5, G/F, Cheung Tat Centre, 18 Cheung Lee Street, Chai Wan, Hong Kong

(MPC Paper No. A/H20/191)

91. The Secretary reported that the application was submitted by Jetweal Development Limited. Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with the applicant. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the temporary shop and services (chinese medical clinic and laundry) for a period of two 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, one public comment indicating no comment on the application was received from the management office of Cheung Tat Centre (i.e. the subject building); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of two years based on the assessments set out in paragraph 11 of the Paper. The applied use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was not incompatible with other uses on the ground floor (G/F) of the subject building and other non-polluting industrial uses and industrial-related offices on the upper floors. As advised by the Director of Fire Services (D of FS), the subject industrial building with a sprinkler system was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on G/F. If the subject application was approved, the aggregate commercial floor area would be 255.56m² and would still be within the limit. An approval condition had been recommended to address the technical requirement of D of FS. The applied use also complied with the Town Planning Board Guidelines No. 22D in that it would unlikely induce adverse traffic, environmental or infrastructural impacts on the uses within the same building and the existing developments in the adjacent area. Similar applications on G/F of the subject building had been approved by the Committee and the applied use was the same as the previously approved application. There had been no change in planning circumstances or in the characteristics of the surrounding areas since the last approval.

93. Members had no question on the application.

Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years until 1.2.2021, 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 safety measures including the provision of fire service installations and equipment, and means of escape separated from the industrial portion within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 1.8.2019; and
- (b) if the above approval condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked immediately without further notice.”

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

[Mr C.H. Mak, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/327 Proposed Place of Recreation, Sports or Culture (Swimming Pool Complex Redevelopment) in “Open Space” Zone, Kowloon Tsai Park (Portion), 13 Inverness Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/327B)

96. The Secretary reported that the application site (the site) was located in Kowloon Tong, and the application was submitted by the Leisure and Cultural Services Department (LCSD), with Llewelyn-Davies Hong Kong Limited (LD), ACLA Limited (ACLA), ESA Consulting Engineers Limited (ESA), MVA Hong Kong Limited (MVA) and Gammon Construction Limited (Gammon) as five of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|-----------------------|---|
| Professor T.S. Liu | - being a Museum Expert Advisor of LCSD; |
| Mr Thomas O.S. Ho | - being the Chief Executive of Gammon; having past business dealings with LD; and his firm having current business dealings with MVA; |
| Mr Franklin Yu | - having past business dealings with MVA; |
| Mr Alex T.H. Lai | - his firm having current business dealings with LCSD, ACLA, ESA, MVA and Gammon; |
| Dr Lawrence W.C. Poon | working in the City University of Hong Kong and living in its quarters in Kowloon Tong; and |
| Mr Stanley T.S. Choi | - his spouse being a director of a company owning properties in Kowloon Tong. |

97. The Committee noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Mr Thomas O.S. Ho had already left the meeting. As the interest of Professor T.S. Liu was remote, the quarters resided by Dr Lawrence W.C. Poon

and the properties owned by the company of Mr Stanley T.S. Tsoi's spouse did not have a direct view on the site, and Mr Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

98. With the aid of a PowerPoint presentation, Mr C.H. Mak, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed place of recreation, sports or culture (swimming pool complex 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 periods, a total of six public comments were received. Amongst which, three were supporting comments from a Kowloon City District Council member and an individual; one was an objecting comment from an individual; and the remaining two from individuals offering comments on the application. 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 Kowloon Tsai Swimming Pool (KTSP) had been identified as one of the four swimming pool complexes (SPCs) for upgrading according to a commitment of the Government for promoting sports in Hong Kong. The proposed redevelopment was in line with the planning intention of the "Open Space" zone. The proposed new KTSP was considered not incompatible with the sports and recreational facilities within Kowloon Tsai Park and residential developments in the surrounding areas. A

Visual Appraisal had been submitted to demonstrate that the overall visual impact induced by the proposed new KTSP was insignificant. In addition, the proposed plot ratio and building height were largely comparable with other existing SPCs in Hong Kong. Concerned government departments had no adverse comment on the application and the proposed redevelopment was not expected to have adverse impacts on air quality, drainage and sewerage of the surrounding areas. To cater for the anticipated car parking demand upon redevelopment, an addition of about 29 car parking spaces and one coach pick-up/drop-off bay for shared use by all park users would be provided. The Commissioner for Transport had no adverse comment on the application and an approval condition on the design and provision of vehicular access and reprovisioning of existing car parking and loading/unloading facilities had been recommended. Regarding the adverse public comment, the redevelopment of KTSP was necessary and it was more cost-effective to redevelop KTSP with provision of new and additional facilities in the long run. Under the redevelopment scheme, an easily accessible landscape deck would be provided for the public to enjoy the direct view of Kowloon Tsai Park.

99. A Member asked whether there was any information on the extent of cut and fill for the proposed redevelopment of KTSP and whether the extent had been minimised. In response, Mr C.H. Mak, STP/K, said that no information on the extent of cut and fill had been provided by the applicant. Notwithstanding that, the proposed redevelopment had minimised the extent of cut and fill, taking into account the existing bedrock and the 7m level difference between the southern and northern portions of the site. With reference to the Slope Stability Assessment in the Geotechnical Planning Review Report submitted by the applicant, the same Member had concern on the need for a large volume of filling and soil nails for the proposed redevelopment, which might result in an increase in building height. In response, Mr C.H. Mak said that the building height of the proposed redevelopment had been minimized taking into account the existing terrain of the site. The maximum building height of the proposed new KTSP would be 18.5m, but it would only be about 11.5m (to the main roof) in the northern portion of the site as it was located on a sloping site.

100. In response to the Chairman's question, Mr C.H. Mak said that the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department, had no objection to the application.

101. In response to a Member's enquiries on the duration of the redevelopment programme and impact on users of KTSP during the redevelopment, Mr C.H. Mak said that the redevelopment was targeted for completion by 2024 and users of KTSP could visit the nearest swimming pool at Morse Park. Although Morse Park Swimming Pool had been closed since the end of the swimming season in 2018 for refurbishment works, it would be reopened before the swimming season in 2020. According to LCSD, the closure time of KTSP would not be overlapped with that for Morse Park.

Deliberation Session

102. A Member supported the application but raised concerns on the extent of cut and fill and the lack of green features in the redevelopment scheme. The Member suggested the applicant to reduce the extent of cut and fill and incorporate more sustainable and low carbon building design features, e.g. green roof and natural lighting, such that the redeveloped KTSP would be more compatible with the overall landscape setting of Kowloon Tsai Park.

103. Another Member was of view that the redevelopment programme of KTSP should be better coordinated with that of Morse Park Swimming Pool in order to minimise impacts on users of KTSP.

104. 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 1.2.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of vehicular access and reprovisioning of existing car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;

- (b) the submission of an Air Quality Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

105. 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 C.H. Mak, STP/K, for his attendance to answer Members' enquiries. He 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.]

[Mr Franklin Yu left the meeting at this point.]

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/232 Temporary Place of Recreation, Sports or Culture (Sports Training Ground) for a Period of 3 Years in “Other Specified Uses” annotated “Business” Zone, Units D and E, G/F, Prince Industrial Building, 706 Prince Edward Road East, San Po Kong, Kowloon
(MPC Paper No. A/K11/232)

Presentation and Question Sessions

106. 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 temporary place of recreation, sports or culture (sports training ground) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Kowloon East, Lands Department advised that the application premises (the premises) had been used for indoor climbing gym, which was in breach of the lease conditions, and a warning letter requiring the landlord to purge the said breach was registered in the Land Registry. The Director of Fire Services (D of FS) considered that the application was unacceptable. The co-existence of industrial and non-industrial uses was considered incompatible unless there was a physical separation between the industrial and non-industrial portions along with a number of additional requirements to be complied with in order to mitigate the risk posed to the non-industrial related visitors. 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, one supporting public comment was received from an individual. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The applied use was not compatible with the uses in the subject industrial building (IB) with workshops/warehouse on the same floor. Despite the temporary nature of the applied use and fire safety/administrative measures had been proposed by the applicant, D of FS did not support the application. In this regard, the applied use did not comply with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that it would induce adverse fire safety impact. Two similar applications for sports training ground at an IB within “Other Specified Uses” annotated “Business” (“OU(B)”) zone in Kwun Tong Business Area were rejected by the Committee or the Board respectively on similar ground. There was no strong ground in the subject application to warrant a departure from the decisions on similar applications.

107. Some Members raised the following questions:

- (a) whether any sprinkler system would be provided within the premises;
- (b) whether concerns of D of FS on the co-existence of industrial and non-industrial uses on the same floor could be addressed with the provision of separation facilities for the two types of uses;
- (c) whether D of FS was aware of the fire safety/administrative measures proposed by the applicant;
- (d) the nature of industrial use(s) on the same floor and whether there was storage of dangerous goods;

- (e) whether the subject application could be approved if the applied use complied with the requirement of the aggregate commercial floor areas on the ground floor (G/F) of an existing industrial/industrial-office (I-O) building under TPB PG-No. 22D;
- (f) whether the subject application might warrant special consideration in view that the users of the indoor climbing gym were usually physically fit; and
- (g) the differences between the subject application and the two rejected similar applications for sports training ground within “OU(B)” zone in Kwun Tung Business Area.

108. Ms Sandy S.K. Ng, STP/K, made the following responses:

- (a) sprinkler system was provided in the premises;
- (b) although the applied use was separated from other industrial uses on the same floor by common passage, D of FS was of view that such separation was not sufficient;
- (c) comments of D of FS had taken into account the fire safety/administrative measures proposed by the applicant;
- (d) water pump workshops were found on the same floor during the recent site visit;
- (e) the applied use would attract visitors to stay for a long period of time in the premises which co-existed with the other industrial uses on the same floor. Although the applied use was separated from other industrial uses on the upper floors by a carpark, industrial uses were found on the same floor of the premises where dangerous goods and/or chemicals might be stored, resulting in higher potential risks in terms of fire and hazards associated with fumes and explosives. As such, D of FS did not support the application;

- (f) it was noted that the target customers of the indoor climbing gym also included children with age ranging from four to eleven; and
- (g) the subject application was located on G/F of an IB in San Po Kong whereas the application premises of the two rejected similar applications were located on 1/F and 2/F in the same IB in Kwun Tong Business Areas.

[Mr Paul Y.K. Au left the meeting at this point.]

Deliberation Session

109. On invitation by the Chairman, the Secretary explained that according to TPB PG-No. 22D, the aggregate commercial floor areas on G/F of an existing industrial/I-O building with and without sprinkler systems should, as a general principle, not exceed 460m² and 230m² respectively due to fire safety concern. The above limits on commercial floor area was not applicable to uses which were ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building, e.g. bank and fast food counter.

110. A Member cast doubt on the higher potential risk of fire and accident likely to arise from the applied use in view that the subject premises was located on G/F of the IB with a direct entrance abutting Prince Edward Road East. Besides, it was separated from other industrial uses on the upper floors by a buffer floor of carpark on 2/F.

111. Members noted that in general, applications for non-industrial uses within IBs would not be acceptable to D of FS unless the non-industrial uses were separated from other industrial uses by a buffer floor and the floor where the non-industrial uses located had already been wholly converted for non-industrial uses. For the subject application, although the applied use was separated from other industrial uses by a carpark on 2/F, there was co-existence of industrial uses and non-industrial uses on G/F of the subject IB, which was considered unacceptable to D of FS.

112. Members also noted that similar applications for place of recreation, sports or culture within IBs had previously been rejected mainly also on fire safety concern.

113. After further deliberation, the Committee decided to reject the application. The reason was:

“ The sports training ground use at the application premises is considered not acceptable from the fire safety point of view.”

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

Agenda Item 16

Section 16 Application

[Open Meeting]

A/K11/233 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of dangerous goods) in “Other Specified Uses” annotated “Business” Zone, 1 Tsat Po Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/233)

114. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) and WSP Hong Kong Limited (WSP) were two 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 Arup; |
| Mr Alex T.H. Lai | - his firm having current business dealings with Arup and WSP; and |
| Mr Franklin Yu | - having past business dealings with Arup and WSP. |

115. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting and Messrs Thomas O.S. Ho and Franklin Yu had already left the meeting.

116. The Committee noted that the applicant's representative requested on 24.1.2019 deferment of the consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

117. 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 further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 17

Any Other Business

118. There being no other business, the meeting closed at 1:10 p.m..