

TOWN PLANNING BOARD

Minutes of 629th Meeting of the Metro Planning Committee held at 9:00 a.m. on 21.6.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

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

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

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

Dr Frankie W.C. Yeung

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Professor Jonathan W.C. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kevin C.P. Ng

Town Planner/Town Planning Board
Mr Terence H.Y. Sit

Agenda Item 1

Confirmation of the Draft Minutes of the 628th MPC Meeting held on 31.5.2019

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 628th MPC meeting to Members, the following proposed amendments to the last sentence of paragraph 44(b) and the second last sentence of paragraph 47 were received:

“44(b) ... No other type of doors had been considered, *including vertical roller shutter;*” and

“47 ... A Member considered that the use of glass folding doors would ~~limit the treatment~~ *reduce the width* of the ground floor ~~space~~ *entrance* connecting to the pavement and the design of the doors near the entrances could be further enhanced to allow a more spacious pavement, *such as vertical roller shutter.* ...”

2. The Committee agreed that the draft minutes of the 628th MPC meeting held on 31.5.2019 were confirmed subject to the above amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/118 Renewal of Planning Approval for “Minor Relaxation of Maximum Non-domestic Gross Floor Area Restriction for Permitted Temporary School (Tutorial Service) Development” for a Period of 3 Years in “Residential (Group A) 3” Zone, Level 5 (Part), Bellagio Mall, Bellagio, 33 Castle Peak Road - Sham Tseng, Sham Tseng, Tsuen Wan, New Territories

(MPC Paper No. A/TWW/118)

4. The Secretary reported that the application was submitted by Salisbury Company Limited (SC), with Kenneth To & Associates Limited (KTA) as the consultant of the applicant. The following Members had declared interests on this item:

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| Mr Alex T.H. Lai | - | his firm having current business dealings with SC; and |
| Mr Daniel K.S. Lau | - | being an ex-employee of the Hong Kong Housing Society which had current business dealings with KTA. |

5. As Messrs Alex T.H. Lai and Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for minor relaxation of maximum

non-domestic gross floor area (GFA) restriction for permitted temporary school (tutorial service) for a period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper. The additional GFA for the temporary tutorial school would not result in any actual increase in the development bulk. The school was considered not incompatible with other uses of the subject free-standing commercial block. The application was in line with the Town Planning Board Guidelines for Application for Tutorial School under Section 16 of the Town Planning Ordinance (TPB PG-No. 40) in that concerned government bureaux and departments had no objection to or no adverse comment on the application. The premises was the subject of three previously approved applications for the same temporary use with the same amount of relaxation of GFA. The current application also complied with TPB PG-No. 34C in that there was no material change in planning circumstances since the previous temporary planning approval granted, no adverse planning implication arising from the renewal of the planning approval and the planning conditions under the previous approval had been complied with. There was adequate kindergarten classroom to meet the future demand in Tsuen Wan West according to the Hong Kong Planning Standards and Guidelines. Since the application was on a temporary basis for three years, it would unlikely jeopardize the long-term planned kindergarten at the premise serving the local community and the demand of kindergarten could be further reviewed upon expiry of the temporary approval.

7. In response to Members' enquiries, Mr K.S. Ng, STP/TWK, said that the site was

previously zoned “Comprehensive Development Area” (“CDA”) for comprehensive redevelopment of the ex-San Miguel Brewery and the requirement for a kindergarten was incorporated in the planning brief of the “CDA” zone based on the then population and demand forecast. The requirement of a kindergarten with a total GFA for not less than 670m² was subsequently incorporated into the lease of the “CDA” site. According to the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department, the subject premises was currently subject to a temporary waiver for the use as a school for tutorial service. Given that the population for children of kindergarten age was decreasing in the area, the demand for kindergarten had also decreased and the provision of kindergarten for the area covered by the subject Outline Zoning Plan was adequate to meet the future demand.

Deliberation Session

8. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 25.6.2019 to 24.6.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the existing fire services installations implemented on the site shall be maintained in efficient working order at all times during the approval period; and
- (b) if the above planning condition is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

9. The Committee also agreed to advise the applicant to note the comments of District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department that regardless the size of the kindergarten, only a maximum of 670m² could be excluded from GFA calculation under lease.

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

Hong Kong District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/H21/151 Proposed Office, Shop and Services and Eating Place in “Residential (Group A)” Zone and an area shown as ‘Road’, 16-94 Pan Hoi Street and 983-987A King’s Road, Quarry Bay, Hong Kong
(MPC Paper No. A/H21/151)

10. The Secretary reported that the application was submitted by Wealth First Limited, which was a joint-venture of Henderson Land Development Company Limited (HLD) and Swire Properties Limited (Swire), with Jones Lang LaSalle Limited (JLL), MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) as three of the consultants of the applicant. The application site was located in Quarry Bay. The following Members had declared interests on the item:

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| Mr Wilson Y.W. Fung | - co-owning with spouse a flat in Quarry Bay; |
| Mr Thomas O.S. Ho | - having current business dealings with Swire, MVA and RLP and owning a flat in Quarry Bay; |
| Mr Alex T.H. Lai | - his firm having current business dealings with HLD, Swire, JLL, MVA and RLP; |
| Mr Franklin Yu | - having past business dealings with HLD and MVA; |
| Mr Martin W.C. Kwan
(<i>Chief Engineer (Works),
Home Affairs
Department</i>) | - co-owning with spouse two flats in Quarry Bay;
and |
| Mr Simon S.W. Wang
(<i>Assistant Director
(Regional 1), Lands
Department</i>) | - co-owning with spouse a flat in Quarry Bay. |

11. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Wilson Y. W. Fung and Franklin Yu had tendered apologies for being unable to attend the meeting. As the interest of Mr Thomas O.S. Ho was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Mr Alex T.H. Lai had no involvement in the application, and the properties of Messrs Martin W.C. Kwan and Simon S.W. Wang had no direct view of the application site, the Committee agreed that they could stay in the meeting.

12. The Committee noted that the applicant's representative requested on 10.6.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/K15/121 Proposed Residential Development in “Comprehensive Development Area (4)” Zone and an area shown as ‘Road’, Yau Tong Marine Lots 58, 59, 60, 61 and 62, and Adjoining Government Land, 18 Tung Yuen Street, Yau Tong, Kowloon
(MPC Paper No. A/K15/121)

14. The Committee noted that the applicant’s representative submitted further information to supplement the application after the publication of the agenda of the current meeting. The further information had to be made available for public inspection according to the Town Planning Ordinance and therefore the consideration of the application had to be rescheduled.

Agenda Item 6

Any Other Business

15. There being no other business, the meeting closed at 9.20 a.m..