

TOWN PLANNING BOARD

Minutes of 324th Meeting of the Metro Planning Committee held at 9:00 a.m. on 7.4.2006

Present

Director of Planning
Mr. Bosco C.K. Fung

Chairman

Dr. Greg C.Y. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Professor Leslie H.C. Chen

Professor N.K. Leung

Mr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Walter K.L. Chan

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Assistant Commissioner for Transport (Urban),
Transport Department
Mr. Lawrence Kwan

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr. Elvis W.K. Au

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Mr. Erwin A. Hardy

Professor Bernard V.W.F. Lim

Ms. Sylvia S.F. Yau

Mr. Raymond Y.M. Chan

Deputy Director (General), Lands Department
Mr. J.S. Corrigall

Assistant Director(2), Home Affairs Department
Ms. Margaret Hsia

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Ms. Brenda K.Y. Au

Town Planner/Town Planning Board
Miss Rowena M.F. Lee

Welcome New Members

1. As this was the first meeting for the new term of the Committee, the Chairman welcomed the new members to the meeting. The Secretary reminded all Members to register their pecuniary interests and return the registration form by 21.4.2006.

Agenda Item 1

Confirmation of the Draft Minutes of the 323rd MPC Meeting held on 17.3.2006

2. The draft minutes of the 323rd MPC meeting held on 17.3.2006 were confirmed without amendments.

Agenda Item 2

Matters Arising

(i) **Town Planning Appeals Received**

Town Planning Appeal No. 3 of 2006 (3/06)

Temporary Open Storage of Vehicles and Vehicle Parts

for a Period of 3 Years in “Village Type Development” Zone

Lots 465BRP (Part) and 466RP (Part) in DD 109, Kam Tin Road,

Kam Tin, Yuen Long

(Application No. A/YL-KTN/236)

Town Planning Appeal No. 4 of 2006 (4/06)

Temporary Open Storage of Vehicles and Vehicle Parts

for a Period of 3 Years in “Village Type Development” Zone

Lot 466RP (Part) in DD 109, Kam Tin Road, Kam Tin, Yuen Long

(Application No. A/YL-KTN/237)

3. The Secretary reported that two appeals against the decisions of the Town Planning Board (TPB), in relation to two applications (No. A/YL-KTN/236 and 237) for temporary open storage of vehicles and vehicle parts for a period of 3 years at two sites zoned

“Village Type Development” (“V”) on the Kam Tin North Outline Zoning Plan (OZP), were received by the Town Planning Appeal Board (TPAB) on 18.3.2006. The s.17 review applications were rejected by the TPB on 6.1.2006 on the grounds that the residential dwellings located in close proximity to the application site would be susceptible to environmental nuisances generated by the development, and continual occupation of the site for temporary open storage use was not in line with the planning intention of the “V” zone.

Town Planning Appeal No. 5 of 2006 (5/06)

Proposed Residential Development in “Open Space” Zone

2-8 (even numbers) Ui On Lane, Sai Ying Pun, Hong Kong

(Application No. A/H3/364)

4. The Secretary reported that another appeal against the decisions of the TPB in relation to an application for residential development at the captioned site zoned “Open Space” (“O”) on the Draft Sai Ying Pun and Sheung Wan OZP No. S/H3/21, was received by the TPAB on 20.3.2006. The s.17 review application was rejected by the TPB on 20.1.2006 on the grounds that the proposed development was not in line with the planning intention of the application site and would result in a more congested residential environment.

5. The hearing dates of the three appeals were yet to be fixed. The Secretary said that the Secretariat would represent the TPB in these appeals in the usual manner.

(ii) Abandonment of Town Planning Appeal

Town Planning Appeal No. 11 of 2005 (11/05)

Warehouse for Storage of Houseware, Building Supplies and Plastic Materials
in “Undetermined” Zone

Lot 543RP in DD 106, Kam Sheung Road, Kam Tin, Yuen Long

(Application No. A/YL-KTS/328)

6. The Secretary reported that the subject appeal was received by the TPAB on 22.6.2005 against the decision of TPB on 22.4.2005 to reject on review an application (No. A/YL-KTS/328) for warehouse for storage of houseware, building supplies and plastic

materials at a site zoned “Undetermined” on the Kam Tin South OZP. On 23.3.2006, the appeal was abandoned by the appellant of his own accord. On 31.3.2006, TPAB formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

(iii) Appeal Statistics

7. The Secretary also reported that as at 7.4.2006, 27 cases are yet to be heard by the TPAB. The appeal statistics were as follows :

Allowed	:	16
Dismissed	:	83
Abandoned/Withdrawn/Invalid	:	113
Yet to be Heard	:	27
Decision Outstanding	:	1
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Total	:	240

Hong Kong District

Agenda Item 3

Section 12A Applications

[Open Meeting (Presentation and Question Session only)]

- (i) Y/H7/1 Request for Amendment to the Approved
Wong Nai Chung Outline Zoning Plan No. S/H/7/11,
Propose incorporation of ‘Hotel’ and
‘Residential Institution’ into Column 1 or Column 2 of the
Notes of the “Other Specified Uses” annotated “Sports
and Recreation Club” zone,
88 Caroline Hill Road, Happy Valley
(MPC Paper No. Y/H7/1)
-

[The hearing was conducted in Cantonese and English.]

8. The rezoning request was submitted by the South China Athletic Association (SCAA). The Chairman, Mr. Felix W. Fong and Mr. Elvis W.K. Au were ordinary members of the SCAA and they declared interests in this item. The Committee considered their interests were indirect and agreed that the Chariman should continue to chair the meeting and the two concerned Members were allowed to stay in the meeting and participate in the deliberation of the item.

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

Ms. Christine Tse	-	District Planning Officer/Hong Kong (DPO/HK)
Mrs. Alice Mak	-	Senior Town Planner/Hong Kong (STP/HK)

10. The following applicant's representatives were invited to the meeting at this point :

Mr. Victor Hui Chun-fui)	South China Athletic Association
Mr. Richard Wong Ah-ngok)	
Ms. Keren Seddon]	Townland Consultants Ltd.
Ms. Cindy Tsang]	
Mr. Coway Chan]	
Mr. Lawrence Kuk]	
Mr. Adam Lee	-	Chesterton Petty Ltd.
Mr. Kim Chin	-	CKM Asia Ltd.
Miss Tseng Huei	-	Design 2

Presentation and Question Session

11. The Chairman extended a welcome and explained the procedures of the hearing. The Chairman then invited Mrs. Alice Mak to brief Members on the background to the application.

12. Mrs. Alice Mak presented the application as detailed in the Paper and made the following main points :

The Application

- (a) the use under application was for the incorporation of 'Hotel' and 'Residential Institution' uses in Column 1 or Column 2 of the Notes of the "Other Specified Uses (Sports and Recreation Club)" ("OU(SRC)") zone in the approved Wong Nai Chung Outline Zoning Plan No. S/H7/11. The applicant intended to develop a new complex with training camp, staff quarters and hostel/hotel in the northern part of the SCAA Ground;
- (b) the proposed new complex was to provide training facilities for athletes and accommodation for visiting athletes and supporters for international tournaments;
- (c) an indicative scheme was submitted for the proposed development which would occupy an area of about 5,205m², consisting of a 15-storey new complex, with a total gross floor area (GFA) of 29,706m² and a maximum building height of 68mPD. The new complex would comprise a 7-storey hostel/hotel providing not exceeding 250 rooms and 2 storeys of staff quarters above a 6-storey podium which would contain a sports complex accommodating sports clinic, health club/gymnasium, multi-purpose halls, function rooms, canteen and café;
- (d) the proposed residential institution, hotel uses as well as staff quarters required permission from the Town Planning Board (TPB) whilst the proposed sports facilities were always permitted under the "OU(SRC)" zoning;
- (e) the application site was located in a tranquil environment with a total seven sports clubs in the vicinity, including the SCAA, the Indian Recreation Club, the Disciplinary Services Sports and Recreation Club, the

Hong Kong Football Club, the Craigengower Cricket Club, the Post Office Recreation Club and the PCCW Recreation Club.

Public Comments

- (f) six public comments were received with three objecting, two expressing comments (including one which was adverse) and one having no objection subject to a number of conditions. A further public comment was received after the publication period, which should be treated as not having been made. The public concerns were mainly that the application was not in line with the planning intention of the “OU(SRC)” zone; noise would be generated by the increased traffic and night time activities; local roads were inadequate to cope with the increased traffic; there were sufficient hotels in the area; the SCAA should not become a profit-making organization; and adverse impacts would be imposed on the St. Paul’s Convent School and other schools nearby;

Departmental Comments

- (g) most concerned Government bureau/departments had no objection or no adverse comments on the application. However, the Director of Environment Protection (DEP) did not support the inclusion of ‘Residential Institution’ use on grounds of adverse air quality impact due to the chimney emissions from boilers in the nearby St. Paul’s Hospital, and the noise nuisance from the nearby Hong Kong Stadium if there were special/celebration events using loud speakers;

PlanD’s Views

- (h) PlanD did not support the application. There was insufficient information to demonstrate that the proposed amendments to include ‘Hotel’ and ‘Residential Institution’ as Column 1 or Column 2 uses were in line with the planning intention of the “OU(SRC)” zone which was intended for sports and recreation club purposes;

- (i) on the Wong Nai Chung OZP, there were 5 recreation clubs, including the SCAA, the Hong Kong Football Club, the Craigengower Cricket Club, the Post Office Recreation Club and the PCCW Recreation Club, which were all zoned “OU(SRC)”. The inclusion of ‘Hotel’ and ‘Residential Institution’ uses as Column 1 or Column 2 uses for the application site would set an undesirable precedent for similar uses at other recreation clubs in the area, the cumulative effects of which would defeat the original intention of providing land for sports and recreation club use; and
- (j) both ‘Hotel’ and ‘Residential Institution’ uses at the application site might be subject to environmental impacts including air pollution and noise, and mitigation measures would be required. However, no environmental assessment had been submitted to demonstrate that the two uses at the application site were acceptable.

13. The Chairman then invited the applicant’s representatives to elaborate on their justifications for the application.

14. With the aid of powerpoint presentation, Ms. Karen Seddon made the following main points :

- (a) the SCAA was the largest non-profit making organization in Hong Kong providing sports facilities and programmes to the public. It was established in the 1920s and it was in urgent need to upgrade existing facilities to sustain and improve services to the community. The SCAA needed sports related accommodation to cater for training camps and the hosting of international competitions in Hong Kong;
- (b) the Secretary for Home Affairs’s (SHA) sports policy underlined a new vision for sports development in Hong Kong to foster, amongst others, an attractive venue in Hong Kong for hosting international sports events. The Hong Kong Tourism Board’s research in 1999 concluded that there

was a lack of world-class sporting venue in Hong Kong. The Metroplan Review also recommended provision of new hotels close to world-class sporting venues and promotion of sports tourism. However, there was a lack of such venue in Hong Kong for hosting sports activities and fostering sports tourism. The only on-site sports related accommodation was the Hong Kong Sports Institute in Sha Tin.

- (c) the SCAA was located in the Caroline Hill/So Kon Po area, which was an enclave of sports, recreational and other institutional facilities. The application site, occupying about 16% of SCAA site, was currently unoccupied, underutilized, and immediately available for construction;

Development Objectives

- (d) the SCAA intention was to provide a sports-focused and intensive training environment with a range of supporting facilities to facilitate the hosting of local and international sporting events and tournaments through provision of affordable accommodation close to a world-class sporting venue; and to provide and improve facilities for elite sports training. The provision of accommodation within a sports-focused environment would ensure security and foster team building;
- (e) the proposed hotel and residential institution could support the Government's intention and meet the shortage of sports-related accommodation close to world-class sporting venues. The development of residential institution (i.e. hostel) alone would mean that vacant rooms could not be rented out to the public to cross-subsidize the hostel and generate funds to assist the SCAA in meeting its sports objectives;

The Proposal

- (f) there was no intention to change the "OU(SRC)" zoning of the site and the current use of the site for sports and recreational use would be maintained. According to the Notes of the zone, 'Place of Recreation, Sports or

Culture', 'Playground/Playing Field' and 'Private Club' were Column 1 uses and 'Restaurant', 'Retail Shop' and 'Staff Quarters' were Column 2 uses. The inclusion of 'Hotel' and 'Residential Institution' uses in the Notes would facilitate provision of accommodation for athletes and local sports persons;

- (g) the proposal included sports facilities which were permitted as of right, and two floors of staff quarters previously approved by the TPB would be retained in the proposal. The current proposal was to include 7 floors of residential institution/hotel to accommodate 250 rooms. The development intensity would be compatible with the character of the site and its surrounding area;
- (h) only 11.8% of the GFA of the SCAA would be allocated to this hotel cum sports complex which would serve the wide range of sporting facilities;
- (i) the proposed development would bring about economic, social and financial benefits. On economic benefits, it could meet a niche demand for overnight sports training camps of athletes, students and other interested parties for skills training. It could help develop sports tourism in Hong Kong by attracting sports fans and athletes to Hong Kong during international competitions and contributing to the economy through increased visitors' spending, potentially supporting the Beijing 2008 Olympics and the 2009 East Asia Games in Hong Kong, and providing a catalyst for other sports infrastructure development in Hong Kong. The proposed development would also result in financial contribution towards SCAA's programmes and activities as well as the upkeep and improvement of other facilities within the SCAA grounds. Revenue would be ploughed back to the SCAA for non-profit making purposes. Regarding social benefits, it would increase participation in sports and recreation and help build up social cohesion.

Strong Justifications

- (j) the proposed uses would complement the planning intention for sports and recreational use on the application site and improve efficiency of the current usage of the site. It would also improve the visual amenity of the area through comprehensive landscaping and greening inside the site. Over 150 trees were proposed along Caroline Hill Road on the ground floor, third floor and fifth floor to compensate for the 68 trees felled;
- (k) the indicative scheme was not a reflection of the final development parameters. It was for facilitating the deliberation on the land use zoning of the application. There were no restrictions on GFA and site coverage in the “OU(SRC)” zone. The proposed height of 15 storeys was compatible with the building height of SCAA’s existing 17-storey multi-purpose Sports Complex and the Electrical and Mechanical Services Department’s (EMSD) site immediately to the west which was planned for comprehensive commercial and residential redevelopment. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L) had no objection to the application;
- (l) no adverse traffic impact would be generated on the surrounding road network. The Transport Department (TD) had no comment on the application;

Response to Public and Departmental Comments

- (m) six public comments were received but there was no objection from the Wan Chai District Council. The local concerns on traffic congestion were addressed as TD had no objection to the proposal. The allegation that the SCAA would become a profit-making organization was unfounded. The SHA had given its policy support for the application and funds generated would be ploughed back to achieve sports objectives. There would be no noise problem as noise mitigation measures would be incorporated in the hotel/hostel development. The hotel provided by the SCAA was of a

different type and purpose from the other hotels provided in Causeway Bay. Moreover, these hotels were not conveniently located in relation to the SCAA's sports facilities. The proposed sports complex cum accommodation providing for the athletes' needs was complementary to the planning intention for the "OU(SRC)" zone;

- (n) the application received policy support from SHA and positive feedback from the Commissioner for Tourism and the Director of Leisure and Cultural Services. Concerned Government departments had no objection to the proposal, except the PlanD and the Environmental Protection Department;
- (o) there was no deviation from the planning intention. The proposed uses were directly related to and were needed to support the recreational and sports uses at the SCAA Grounds. PlanD should have regard to the new sports climate in Hong Kong as put forth by SHA in his new vision for the provision of attractive venue for hosting international sports events;
- (p) no undesirable precedent would be set as the proposal was unique in nature in that the site was readily available for construction; there would be no disruption to existing facilities; the development was wholly owned and operated by the same non-profit making organization; the site was very large compared to the other four "OU(SRC)" sites in the same OZP; and the SCAA provided a wide variety of sports-related programmes to cater for its 50,000 current members.
- (q) the TPB could maintain control by incorporating the 'Hotel' and 'Residential Institution' uses in the Column 2 of the Notes for the "OU(SRC)" zone.
- (r) regarding the concern on environmental impacts, feasibility of the site for development had been established in the previously approved applications for staff quarters. To alleviate the concern, central air-conditioning would

be installed in the proposed building and environmental assessment would be conducted to the satisfaction of concerned Government departments.

15. Members had the following comments and questions :

- (a) what would be the average demand for hotel rooms for this niche market on international sports tournaments, training and exchanges. While some popular tournaments might attract a large number of visitors at certain times, the average demand over the year might not be so substantial;
- (b) the proposed development was 15 storeys high with glass facade and would be incompatible with the tranquil surrounding environment in So Kon Po. It was difficult to ascertain the visual impact of the proposed development as visual impact assessment, photomontages and model were not submitted by the applicant;
- (c) the reasons for not building the approved staff quarters proposal for five years;
- (d) if the proposed development was approved and constructed, whether other sports associations in the area would be allowed to use the facilities;
- (e) whether the proposed development would crowd out future facilities in the SCAA site;
- (f) what was the difference between 'Hotel' and 'Residential Institution', and whether the athletes would be accommodated in the hotel or residential portion; and
- (g) whether athletes would have priority to use the rooms in the proposed hotel and residential institution at a reasonable rate and what percentage of the rooms in the proposed hotel and residential

institution would be used for local training.

16. In response, Ms. Seddon said that according to the definition of terms used in statutory plans, 'Hotel' included guesthouse whilst 'Residential Institution' included hostel and dormitory. The applicant's intention was to incorporate both uses in the Notes of the OZP. Upon completion of the development, athletes for competitions would be accommodated in the guesthouse portion whilst those for training would be accommodated in the hostel portion. The proposed hotel and residential institution was not excessive as it would only account for about 11 % of the total gross floor area of SCAA. Development details including the visual impact could be determined in the section 16 application stage. All concerned Government departments supported the application and CTP/UD&L, PlanD commented that the indicative scheme of 15 storeys would not result in visual intrusion.

17. On the delay in commencing the development of the approved staff quarters, Mr. Hui explained that the delay had been due to the poor economic climate which rendered a lack of funds for the construction, and the long negotiation process with the Lands Department (LandsD) regarding the requirement for preserving a tree on site. Ms. Keren Seddon added that preparatory work had been done for the staff quarters, including the submission of building plans and site formation.

18. Mr. Hui said that there would be substantial demand for rooms throughout the year. Apart from the Rugby Seven, there was the Lunar New Year International Soccer matches, and in the next few months, there would be tennis and volleyball tournaments. Besides, there were other regular sports training and exchanges for the 72 types of sports SCAA was providing for athletes of all ages. There were in particular a lot of sports competition and training exchanges with various Chinese provinces and cities. In Hong Kong, the only such sports residence was the Hong Kong Sports Institute in Sha Tin which alone could not meet the demand. The proposed hotel and residential institution were mainly to cater for local and international competitions so that athletes could accustom to the local climate before the competitions. In general, priority would be given to athletes and members of SCAA. If vacant rooms were still available, the public would be allowed to use them. Ms. Keren Seddon added that the development would be run mainly for athletes. SCAA had been a responsible non-profit making sports organisation for the past 100 years.

Its mandate required it not to be operated on a profit-making basis. The hotels in Causeway Bay were not suitable for athletes as the area was very congested and could not provide a quiet and not so polluted environment needed by athletes.

19. In response to a Member's question on whether the proposed hotel could be opened to the public under the lease, Ms. Christine Tse replied that SHA had advised that full market premium should be charged as the proposed development involved commercial elements and LandsD had commented that the hotel use was in breach of the user restrictions of the lease and a lease modification would be required. Mr. Adam Lee said that the SCAA was a non-profit making organisation and ran a variety of services. The applicant would further discuss with the LandsD regarding the lease modification and premium assessment should the application be approved by the Committee.

20. The Chairman added that the subject section 12A application was for amendment to the OZP to incorporate 'Hotel' and 'Residential Institution' uses in the Notes for the "OU(SRC)" zone. Specific details such as visual impact assessment might not be required at this stage and the proposal in the submission was only an indicative scheme. Detailed assessments could be provided in the section 16 application to be submitted in future if this application for amendment to OZP was approved and the uses were added under Column 2 of the Notes for the zone.

21. In reply to Members' questions, Ms. Christine Tse said that the nearest hotels in Causeway Bay were the Rosedale Hotel and Regal Hotel, slightly further away were the Excelsior and Park Lane Hotel. They were all within walking distance from SCAA. There was a plan to redevelop the EMSD's workshop site at Caroline Hill Road for residential and commercial uses. The Chairman added that the TPB was consulted on 17.2.2006 on the redevelopment for Caroline Hill Road site and would be consulted again after public consultation.

22. As the applicant's representatives had no further comment to make and Members had no further question to raise, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee's decision in due

course. The Chairman thanked the applicants' representatives and PlanD's representatives for attending the meeting. They all left the meeting at this point.

Deliberation Session

23. A Member remarked that So Kon Po was an oasis in the concrete jungle of the wider Causeway Bay area. The proposed hotel use was not compatible with the tranquil environment though residential institution use might be considered. This Member asked whether it was possible to set a ceiling of not more than 20% of the accommodation for non-sports related purpose. A Member concurred as the mandate of SCAA as a non-profit making organisation was to provide sports facilities and programmes. Another Member considered that residential institution alone should be sufficient to cater for the need for trainees' accommodation to be in proximity to sports grounds.

24. The Chairman responded that it would be difficult to enforce a non-sports accommodation ceiling even if imposed. He added that the provision of some ancillary overnight accommodation in recreation clubs could be allowed under the existing zoning. There was concern on the extent and scale of the proposed hotel development.

25. A Member opined that the approved development of staff quarters providing about 40 rooms might be used for accommodating the athletes. Another Member considered the proposal for the provision of 250 rooms excessive, considering that some sports clubs in the New Territories such as the Country and Golf Club in Fanling only provided about 10 rooms which were considered adequate for their operation.

26. A Member remarked that the proposal deviated from the planning intention for reservation of land for sports and recreation club uses. Such development would also adversely affect the future planning of the area. Members were concerned that approval of this application for hotel and residential institution uses in the area might set an undesirable precedent for similar applications from the other sports clubs in the vicinity.

27. Mr. Elvis Au concurred with Members' views that hotel and residential institution uses in the area would be incompatible and might lead to adverse impacts on the surrounding tranquil environment.

28. The Chairman noted Members' concerns on the proposed hotel use in terms of its departure from the planning intention of the "OU(SRC)" zone, its incompatibility with the local area character, its excessive development intensity in this low-density sports clubs area; and the possibility of setting of an undesirable precedent. He said that redevelopment of the EMSD site at Caroline Hill Road would allow hotel use and the site was within short walking distance from the SCAA site.

29. After deliberation, the Committee decided not to agree to the application for amendments to the approved Wong Nai Chung Outline Zoning Plan (OZP) No. S/H7/11 for the following reasons :

- (a) the applicant had not provided sufficient information to demonstrate that the proposed amendments to include 'Hotel' and 'Residential Institution' as Column 1 or Column 2 uses were in line with the planning intention of the "Other Specified Uses" annotated "Sports and Recreation Club" ("OU(SRC)") zone which was intended for sports and recreation club purposes; and
- (b) the approval of the application would set an undesirable precedent for similar uses at other recreation clubs in the area, the cumulative effects of which would defeat the intention of providing land for sports and recreation club use.

[There was a break of 10 minutes.]

[Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), and Mrs. Alice Mak, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

[Open Meeting (Presentation and Question Session only)]

- (ii) Y/H8/2 Request for Amendment to the
Approved North Point Outline Zoning Plan No. S/H8/19,
Propose to include 'Flat' use under Column 2 of the Notes
for the "Comprehensive Development Area (1)" zone,
14-30 King Wah Road, North Point
(MPC Paper No. Y/H8/2)
-

Presentation and Question Session

30. The Committee noted that the applicant requested on 28.3.2006 for a deferment of the consideration of the application to allow time for addressing comments raised by various Government departments on the application.

Deliberation Session

31. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within three months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Session only)]

- A/H20/151 Shop and Services (Retail Shop)
in "Industrial" zone,
Workshop 11 (Part), Ground Floor, MP Industrial Centre,
18 Ka Yip Street, Chai Wan
(MPC Paper No. A/H20/151)
-

Presentation and Question Session

32. Mrs. Alice Mak, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services use (retail shop);
- (c) departmental comments – no objection from concerned Government departments;
- (d) one public comment was received during the publication period indicating no comment; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper.

33. Members had no question on the application.

Deliberation Session

34. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the provision of fire resistance construction and design, means of escape and fire services installations within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2006; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

Agenda Item 5

Section 16A Application

[Open Meeting (Presentation and Question Session only)]

A/H15/214-1 Application for Amendment to Permission –
Approved Residential Development
in “Residential (Group E)1” zone,
Ap Lei Chau Inland Lot No. 129
Ap Lei Chau Praya Road, Ap Lei Chau
(MPC Paper No. A/H15/214-1)

35. The application was submitted by Cheerjoy Development Ltd. which was a subsidiary company of Sun Hung Kai Properties Ltd. (SHKP). Dr. Greg C.Y. Wong, having current business dealings with SHKP, declared an interest in this item.

[Dr. Greg C.Y. Wong left the meeting temporarily at this point.]

Presentation and Question Session

36. Mrs. Alice Mak, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed amendments to the previously approved scheme as follows :
 - reduction in number of units from 816 to 776 (-4.9%);
 - increase in unit size from 102.8m² to 108.1m².(+5.2%);
 - increase in number of blocks from 8 to 9 (+12.5%);
 - increase in maximum building height from 135.65mPD to 136.00mPD (+0.3%);
 - increase in number of storeys from 34-36 to 34-37;
 - changes in the form of the buildings and the disposition of building blocks, in particular the four sky gardens in Towers T3 to T8 under the previous scheme would be consolidated into two enlarged sky garden;

- changes in internal layout;
 - reduction in car parking spaces from 499 to 481 (-3.6%) and motorcycle parking spaces from 50 to 43 (-14%); and
 - increase in loading/unloading spaces from 9 to 10 (+11.1%);
- (c) departmental comments – the Director of Environmental Protection (DEP) maintained his previous position of not supporting the application in view of the potential industrial/residential interface problems, in particular the noise impact arising from the repairing activities of steel boats at the Ap Lei Chau boatyards;
- (d) a SDC member commented that the building height and density of the proposed development were too high and might cause adverse impacts on the surrounding environment and traffic. The residents of the Sham Wan Towers indicated that upon the completion of the proposed residential development, the existing transport facilities should be improved;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 9.1 of the Paper. Although DEP did not support the application due to potential interface problem, in particular the noise impact arising from the repairing activities of steel boats at Ap Lei Chau boatyards, the noise problem raised by DEP had been thoroughly discussed at the TPB meeting on 16.1.2004 when the development was approved upon review. To minimize the noise problem, the planning condition for implementation of the proposed noise mitigation measures was retained. As regards the local concerns on the traffic impact and the proposed building height and density, the proposed amendments would not induce additional traffic and TD had no objection to the application. The current scheme involved only some minor amendments to the previously approved scheme with no change in total gross floor area.

37. Members had no question on the application.

Deliberation Session

38. The Chairman clarified that the application was for minor amendments to the previously approved scheme which could normally be considered by Director of Planning under delegated authority. However, the case was submitted to the Committee for consideration due to DEP's objection. The proposed development was located in the "Residential (Group E)" ("R(E)") zone and the planning intention was primarily to phase out the existing industrial uses through redevelopment for residential use. The TPB previously decided to approve the application on review as there was a restriction clause on steel boat repairing in the Short Term Tenancies (STTs) for the boatyards, and it would be unreasonable to reject the development just because it was difficult in practice to enforce against the noise that might be generated by steel boat repairing activities.

39. Mr. Elvis Au remarked that the area suffered severe noise problem due to steel boat repairing activities and no mitigation measures would be acceptable to EPD. He therefore requested the Committee not to assign DEP to consider the condition on revised noise impact assessment and proposed mitigation measures. The Committee could require the applicant to implement the proposed development on the terms as submitted to the Committee including the mitigation measures proposed by the applicant.

40. The Chairman responded that the condition was attached to the previously approved scheme after thorough deliberation of the TPB and DEP was the only Government department with expertise to consider the revised noise impact assessment and proposed mitigation measures. Besides, the main environmental concern was the noise generated by illegal repairing of steel boats. If such illegal activities were obliterated, there should be no problem.

41. Some other Members considered that the said approval condition should be retained as the application only involved minor amendments to the previously approved scheme. The restriction clause against steel boat repairing in the STTs should be strictly enforced.

42. A Member pointed out that the approval condition was worded as "to the satisfaction of the Director of Environmental Protection or Town Planning Board". If DEP

was not satisfied with the submission relating to the compliance of the approval condition, the matter could be submitted to the TPB for consideration. Hence, DEP's concern was not really material.

43. A Member said that the applicant should be made aware of DEP's concern on the possible adverse environmental impacts of the steel boat repairing activities in the area.

44. 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 25.11.2009, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a revised noise impact assessment study and implementation of the proposed mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the design and provision of the internal transport facilities of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.

45. The Committee also agreed to advise the applicant to :

- (a) consult the District Lands Officer/Hong Kong West and South, Lands Department regarding the details of lease modification;
- (b) note the comments from the Director of Environmental Protection regarding the noise perspective;
- (c) consult the Director of Fire Services regarding fire services requirements during the building plan submission stage;

- (d) note the comments from the Chief Building Surveyor/Hong Kong West, Buildings Department regarding the provision of refuge floor, internal streets and the areas that have to be excluded from gross floor area/site coverage calculations; and
- (e) note the comments from the Head of Geotechnical Engineering Office, Civil Engineering and Development Department regarding the need to carry out natural terrain landslide hazard mitigation works.

[The Chairman thanked Ms. Christine K.C. Tse, DPO/HK, and Mrs. Alice Mak, STP/HK, for their attendance to answer Members' enquiries. Ms. Tse and Mrs. Mak left the meeting at this point.]

Kowloon District

[Mr. Raymond K.W. Lee, District Planning Officer/Kowloon (DPO/K), and Miss Helen L.M. So, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

[Dr. Greg C.Y. Wong returned to join the meeting at this point.]

Agenda Item 6

Section 16 Applications

[Open Meeting (Presentation and Question Session only)]

- (i) A/K9/208 Proposed School (Tutorial School)
in "Residential (Group A)" zone,
Suite A, 6/F, Yun Tat Commercial Building,
70-74 Wu Hu Street (HHILs 342, 355 and 404),
Hung Hom
(MPC Paper No. A/K9/208)
-

Presentation and Question Session

46. Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper.

- (a) background to the application;
- (b) the proposed school (tutorial school use);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the publication period and no local objection/views were received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 10.1 of the Paper.

47. Members had no question on the application.

Deliberation Session

48. Members noted that four similar applications in the same commercial building had been approved before and there were no adverse comments from concerned Government departments on the application.

49. 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 7.4.2010, 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 condition that the provision of fire service installations should be to the satisfaction of the Director of Fire Services or of the TPB.

50. The Committee also agreed to advise the applicant :

- (a) to consult the Registration Section of the Education and Manpower Bureau on school registration process under the Education Ordinance/Regulations; and
- (b) to resolve any land issues relating to the development with the owner of the application premises.

[Open Meeting (Presentation and Question Session only)]

- (ii) A/K13/213 Temporary Shop and Services (Estate Agent Office)
for a Period of 3 Years
in “Other Specified Uses” annotated “Business” zone,
Unit 5A, G/F, Kowloon Bay Industrial Centre,
15 Wang Hoi Road,
Kowloon Bay
(MPC Paper No. A/K13/213)
-

Presentation and Question Session

51. Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper.

- (a) background to the application;
- (b) the proposed temporary shop and services (estate agent office use);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) one public comment expressing agreement to the proposal was received during the publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper.

52. The Chairman asked if the aggregate gross floor area for 'Shops and Services' use had exceeded the limit set by the Director of Fire Services (D of FS). Miss Helen L.M. So replied in the negative and advised that D of FS had no objection to the application.

Deliberation Session

53. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 7.4.2009, 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 complete separation of the 'Shop and Services' (Estate Agent Office) use under application from the industrial portion of the subject building by proper fire resistance construction and design, and provision of means of escape and fire service installations in the subject premises, within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2006; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

54. The Committee also agreed to advise the applicant to :

- (a) consult the District Lands Officer/Kowloon East, Lands Department on the need of lease modification or temporary waiver for the estate agent office use; and
- (b) all loading/unloading activities should observe road restriction requirements in force.

[Open Meeting (Presentation and Question Session only)]

- (iii) A/K13/214 Proposed Shop and Services
in “Other Specified Uses” annotated “Business” zone,
Unit 1A, G/F, Fook Hong Industrial Building,
19 Sheung Yuet Road,
Kowloon Bay
(MPC Paper No. A/K13/214)
-

Presentation and Question Session

55. Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper.

- (a) background to the application;
- (b) the proposed shop and services use;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) one public comment expressing agreement to the proposal was received during the publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper.

56. Members had no question on the application.

Deliberation Session

57. 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 7.4.2008, and after the said date, the permission should cease to have

effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission and implementation of fire safety measures, including complete separation of the proposed 'Shop and Services' use from the industrial portion of the subject building by proper fire resistance construction and design, and provision of means of escape and fire service installations in the subject premises, to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

58. The Committee also agreed to advise the applicant to :

- (a) consult the District Lands Officer/Kowloon East, Lands Department on the need of a lease modification or temporary waiver for the proposed 'Shop and Services' use;
- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) regarding the provision of a fire resistance separating wall between the application premises and the remaining area of the building;
- (c) consult CBS/K, BD regarding the provision of access for persons with a disability in accordance with Building (Planning) Regulation 72; and
- (d) all loading/unloading activities should observe road restriction requirements in force.

[Open Meeting (Presentation and Question Session only)]

- (iv) A/K14/500 Shops for a Temporary Period of 5 Years
in “Other Specified Uses” annotated “Business” zone,
G/F (Portion),
No. 28A Hung To Road,
Kwun Tong
(MPC Paper No. A/K14/500)
-

Presentation and Question Session

59. Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper.

- (a) background to the application;
- (b) the proposed shops for a temporary period of 5 years;
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) two public comments received during the publication period with one supporting the application whilst the other had no comment on the application. The District Officer (Kwun Tong), Home Affairs Department (DO(KT), HAD) commented that from her past experience, the public was concerned about the traffic issues and pedestrian safety in the Kwun Tong Industrial Area, and the local leaders were requesting the Government to facilitate the transformation of industrial building into commercial/business/shops uses; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper. Regarding the traffic concerns raised by DO(KT), HAD, the Transport Department had no objection to the application from traffic point of view.

60. In response to a Member's question, the Secretary clarified that while temporary uses expected to be 5 years or less were always permitted under the urban Outline Zoning Plans, it had been agreed by the Town Planning Board back in 1991 that such provision would not be applicable to uses in a permanent building. For this application, it was the applicant's own intention to apply for temporary permission for period of five years.

Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years up to 7.4.2011, 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 complete separation of the existing shop use from the industrial portion of the subject building by proper fire resistance construction and design, and provision of means of escape and fire service installations in the subject premises, within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2006; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

62. The Committee also agreed to advise the applicant to :

- (a) consult the District Lands Officer/Kowloon East, Lands Department on the need of the temporary waiver for the shop use under application including the size of the application premises;
- (b) appoint an Authorised Person to submit building plans to demonstrate compliance with the Buildings Ordinance; and
- (c) strictly observe regulatory restrictions and instant traffic situation when

loading/unloading activities were taking place to avoid interfering the main stream traffic.

[Open Meeting (Presentation and Question Session only)]

- (v) A/K14/501 Minor Relaxation of Building Height Restriction,
 No. 223-231 Wai Yip Street and 39 King Yip Street,
 Kwun Tong (KTIL 744)
 (MPC Paper No. A/K14/501)
-

Presentation and Question Session

63. The Committee noted that the applicant requested on 28.3.2006 for a deferment of the consideration of the application to allow time for addressing comments raised by various Government departments on the application.

Deliberation Session

64. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Mr. Raymond K.W. Lee, DPO/K, and Miss Helen L.M. So, STP/K, for their attendance to answer Members' enquiries. Mr. Lee and Miss So left the meeting at this point.]

[Mr. Elvis Au left the meeting temporarily at this point.]

Tsuen Wan and West Kowloon District

[Ms. Heidi Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Mr. P.C. Mok, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

Agenda Item 7

Section 12A Applications

[Open Meeting (Presentation and Question Session only)]

- (i) Z/TW/11 Application for Amendment to the
Draft Tsuen Wan Outline Zoning Plan No. S/TW/21
from “Industrial” to “Other Specified Uses”,
150-164 Texaco Road,
Tsuen Wan
(MPC Paper No. Z/TW/11)
-

Presentation and Question Session

65. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point :

- Ms. Heidi Chan - District Planning Officer/Tsuen Wan and West
Kowloon (DPO/TWK)
Mr. P.C. Mok - Senior Town Planner/Tsuen Wan and West Kowloon
(STP/HK)

66. The following applicant and applicant’s representatives were invited to the meeting at this point :

- Mr. Adrian Yeo - San Pack Properties Ltd.
Ms. Keren Seddon) Townland Consultants Ltd.

Ms. Kenneth Yeung)
Mr. Simon Leung] MLA Architects (HK) Ltd.
Mr. Jun Garces]

67. The Chairman extended a welcome, and explained the procedures of the hearing. The Chairman then invited Ms. Heidi Chan to brief Members on the background to the application.

68. With the aid of a powerpoint presentation, Ms. Heidi Chan covered the following aspects as detailed in the Paper :

- (a) the applicant proposed to amend the zoning of the site from “Industrial” (“I”) to “Other Specified Uses” (“OU”) on the draft Tsuen Wan Outline Zoning Plan (OZP) to facilitate redevelopment of the site to ‘Hotel’ and related facilities including ‘Shop and Services’, ‘Eating Place’ and ‘Private Club’, etc. on application to the Town Planning Board (TPB);
- (b) the indicative scheme for the hotel development comprises a 41-storey building providing a maximum of 768 rooms with a gross floor area of 43,261m², which was equivalent to a plot ratio (PR) of 16.36 with the back-of-house (BOH) facilities included in PR calculations;
- (c) the Committee considered the application on 13.1.2006 and agreed to defer a decision on the application pending the updated Area Assessments of Industrial Land in the Territory (the updated Area Assessments) and clarification on whether the application was for change of land use only or for change of land use with a specific plot ratio proposed;
- (d) the applicant subsequently clarified that the application was essentially for change of land use and the applicant was not seeking the bonus plot ratio previously granted for the existing industrial building. The applicant expected the TPB to adopt its normal practice and included in the Notes of the OZP the standard wording which allowed “maximum PR of 9.5 or the

PR of the existing building, whichever was greater”;

- (e) the applicant requested for the equivalent of the PR (excluding bonus) of the existing industrial building for the proposed hotel development. According to the approved building plans, the PR of the existing industrial building was 15.3179. The proposed hotel with a plot ratio of 15, after discounting the previous bonus PR of 0.31799 and the BOH facilities, still exceeded the maximum PR of 9.5 within the “Commercial” (“C”) and “OU(Business)” (“OU(B)”) zones in the OZP. The development intensity of the proposed hotel development was considered excessive and there was no strong justification for a higher PR.
- (f) on 20.1.2006, the Board considered the Report on the updated Area Assessments and agreed, among others, that the industrial sites in the Tsuen Wan East Industrial Area (including the application site) should be retained as “I” zone;
- (g) According to the updated Area Assessments, about 84.5% of the industrial premises in Tsuen Wan East was actively used for industrial purposes with positive take-up recorded in the third quarter of 2005 and in 2002 to 2004. It recommended reservation of adequate land for economic activities and that existing land zoned “I” on the OZPs should continue to be reserved for industrial purposes unless there were good local planning reasons for rezoning. The Director-General of Trade and Industry (DG of IT) objected to the application;
- (h) the existing industrial building at the site was being used as a cargo centre and the occupancy rate was about 95.8%. It was therefore considered inappropriate to rezone the site for hotel development;
- (i) the proposed rezoning of the site from “I” to “OU” to facilitate hotel development was not in line with the TPB’s recent decision. The approval of the application would set an undesirable precedent for similar

applications and would encourage piecemeal conversion of industrial land to commercial uses. The cumulative effect would result in loss of industrial floor space in the area; and

- (j) one public comment was received during the publication period indicating support to the application without providing details.

[Mr. Elvis Au returned to join the meeting at this point.]

69. With the aid of a powerpoint presentation, Ms. Keren Seddon made the following main points :

- (a) the application site was located at the southern fringe of the Tsuen Wan East Industrial Area, surrounded by dilapidated and poorly maintained flatted factories and lacking supporting facilities such as eating place and hotel accommodation. However, a number of commercial and office buildings had been approved in the wider area over the past decade;
- (b) according to the Notes for the “I” zone in the OZP, ‘Canteen’ and ‘Cooked Food Centre’ uses were permitted as of right, and ‘Private Club’ and ‘Shop and Services’ uses might be permitted upon application to the TPB. However, there was no provision for decent eating place and hotel in this zone;
- (c) the applicant proposed a 38-storey building on top of three levels of podium and two levels of basement. It would provide 537m² landscaped public open space, 2,234m² communal podium garden also open to the public, club house and retail floorspace and restaurants. The proposed parking provision would meet the requirement of the Hong Kong Planning Standards and Guidelines (HKPSG);
- (d) the proposal would not result in negative impacts on the provision of industrial floor space. There was a reduction in demand for flatted

factories as reflected in the fact that no industrial land had been sold by the Government over the last 4 years. Besides, most of the industrial buildings in the Tsuen Wan East area were over 25 years old and not built to their maximum development potential. Upon redevelopment to the maximum permissible intensity, they would contribute to increase the overall supply and would generate greater demand for supporting uses such as decent eating places and hotel accommodation;

- (e) there had been gradual phasing out of industrial uses at the fringe of the industrial area, as reflected in the approvals and rezoning for commercial, office and service apartment uses at the northern extremity of the area. In these approvals, the TPB considered hotel uses suitable and could avoid the interface problem. There was no hotel in the southern part of the area to support the existing industrial uses;
- (f) the site was in close proximity to the airport and numerous existing and potential tourist attractions, well supported by transport and pedestrian network. The hotel would replace the existing industrial building on the site and remove a source of pollution;
- (g) the proposed hotel would meet the demand from an improving economy and for budget accommodation of visitors from mainland China. It would include a Singaporean-style food court, which was not permitted under the current zoning, and a podium landscaped communal open space to serve the public;
- (h) it would not result in any adverse impacts but would bring improvement to the traffic and environmental conditions of the area. Concerned Government departments had no adverse comments. The Transport Department's request for setting back of the site for road improvement as a planning gain was accepted by the applicant;
- (i) no undesirable precedent would be set due to the unique characteristics of

the site, including the opportunity to improve traffic condition, its prominent location at Texaco Road and at the fringe of the industrial area, negligible industry-supporting and community facilities in the area, the use being compatible with the surrounding area, and provision of other planning gains such as set back from roads and communal open space to the public. Other reasons supporting the application included meeting market needs, improving the existing degraded site conditions and the townscape;

- (j) only Planning Department and DG of IT raised objection on grounds of excessive development intensity and reduction of industrial floor space;
- (k) the proposal would not result in increase in development intensity but only a change in land use. The applicant sought the development intensity up to the existing bulk which was a normal practice of the TPB. No bonus plot ratio would be sought, which would result in the reduction of one floor of the building. If the TPB did not allow the applicant to rebuild up to the intensity of the existing bulk, there would be adverse impacts on urban redevelopment, development certainty, and incentives to provide planning gains in future by land owners;
- (l) existing cargo centre was mainly for logistics and storage companies, and no manufacturing use was found in the building. The round-the-clock loading and unloading activities with traffic running in and out of the site created adverse traffic and environmental impacts. The updated Area Assessments allowed alternative uses in this industrial area if there were good reasons for rezoning. The proposed hotel and eating place uses would provide industry-supporting facilities and would significantly improve the traffic and environmental conditions of the site. It should therefore be approved;
- (m) in a wider perspective, the area should be improved from a lower order industrial space to a higher order manufacturing base and service centre.

The applicant had conducted a questionnaire survey of 111 workers in the area, with 82% of respondents welcomed provision of restaurants and eating places in this area.

70. A Member asked the applicant if the hotel development would be incompatible with the surrounding area which was occupied by logistics, cargo handling and industrial buildings, most of which were running 24-hour a day creating adverse environmental and traffic impacts.

71. Ms. Keren Seddon replied that the application site was at the fringe of the industrial area with open view to Texaco Road and the industries at its back. No other sites in the area enjoyed the unique location and attributes and could provide the planning gains as the application site.

72. As the applicant's representatives had no further comment to make and Members had no further question to raise, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representatives for attending the meeting. They all left the meeting at this point.

Deliberation Session

73. The Chairman suggested Members to consider the case taking account of the following points :

- (a) the updated Area Assessments endorsed by the TPB on 20.1.2006 recommended that existing land zoned "I" in OZPs should generally continue to be reserved to cater for future industry-related development needs in Hong Kong, especially after the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA). It also recommended that the industrial sites in the Tsuen Wan East Industrial Area should be retained as "I" zone;

- (b) whether the site would be more suitable for hotel development than its existing logistics use, considering that it was close to the container terminals in Kwai Chung; and
- (c) hotels in the “OU(B)” zone in Tsuen Wan were allowed to be built up to a PR of 9.5. Hence, whether the development intensity of the proposed hotel based basically on the existing bulk i.e. a PR of 15 would be acceptable. Members should note that if a development required permission from the TPB, development intensity up to the existing bulk would not be automatically granted but would be considered on individual merits.

74. Noting that the existing industrial building was relatively new and of good condition, and the occupancy rate was up to 95.8%, a Member did not support the application.

75. A Member pointed out that certain areas had been rezoned to “OU(B)” in the past few years due to the need to make efficient use of the land resource and the high vacancy rate found in the industrial buildings in those areas. The Tsuen Wan East Industrial Area was however quite fully occupied. Rezoning the site to non-industrial use would not be appropriate.

76. Another Member added that there was insufficient space to cater for the need of the logistics sector in Hong Kong and there was currently no logistics park in Hong Kong. The Government had been urged to help identify suitable sites, including temporary sites in the New Territories, for the sector. The rezoning of the site to allow redevelopment of the existing cargo centre to hotel use went against such effort.

77. Members agreed that the proposed rezoning of the site from “I” to “OU” to allow for hotel and other commercial uses was not suitable. Approving this application for amendment to the OZP would set an undesirable precedent for similar applications within this “I” zone.

78. After deliberation, the Committee decided not to agree to the application for amendment to the draft Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/21 for the following reasons :

- (a) the application site was located in the well-established industrial area in Tsuen Wan East where industrial activities were active. The proposed rezoning of the application site from “Industrial” (“I”) to “Other Specified Uses” to facilitate hotel development was not in line with the Town Planning Board’s agreement to retain the “I” sites in the area as recommended under the Updated Area Assessments of Industrial Land in the Territory, and the planning intention for the “I” zone on the Tsuen Wan OZP which was to ensure an adequate supply of industrial floor space to meet demand from industrial and related activities;
- (b) the proposed development intensity was considered excessive; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “I” zone. The cumulative effect would result in loss of industrial floor space in the area.

[There was a break of 10 minutes.]

[Open Meeting (Presentation and Question Session only)]

- (ii) Y/K2/1 Application for Amendment to the Approved Yau Ma Tei Outline Zoning Plan No. S/K2/17, To rezone a site from “Open Space” to “Government, Institution or Community”, Junction of Chatham Road South and Princess Margaret Road, Yau Ma Tei (MPC Paper No. Y/K2/1)
-

Presentation and Question Session

79. The Committee noted that the applicant requested on 17.3.2006 for a deferment of the consideration of the application to allow time for addressing comments raised by various Government departments on the application.

Deliberation Session

80. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within three months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 8

Section 16 Applications

[Open Meeting (Presentation and Question Session for only)]

- (i) A/TW/379 Proposed Columbarium, Shop and Services
(Retail Shop only),
Access Road and Taxi Rank for Religious Institution ,
Various Lots in DD 447 and Adjoining Government Land,
Tsuen Wan
(MPC Paper No. A/TW/379)
-

Presentation and Question Session

81. The Committee noted that the applicant requested on 22.3.2006 for a further deferment of the consideration of the application for another one month to allow time to

complete the additional traffic impact assessment on the traditional Ching Ming Festival.

Deliberation Session

82. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Open Meeting (Presentation and Question Session only)]

- (ii) A/TW/380 Proposed Underground Utility Installation
for Private Project
in “Open Space” zone,
Areas to the West of KCRC Site TW5,
West Rail Tsuen Wan West Station,
Tsuen Wan

(MPC Paper No. A/TW/380)

83. The application was submitted by Kowloon-Canton Railway Corporation (KCRC). Dr. Greg C.Y. Wong, having current business dealings with KCRC, declared an interest in this item.

[Dr. Greg C.Y. Wong left the meeting temporarily at this point.]

Presentation and Question Session

84. Ms. Heidi Chan, DPO/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed underground utility installation for private project;
- (c) departmental comments – no objection from concerned Government departments;
- (d) no public comment was received during the publication period and no local objection/views were received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper.

85. Members had no question on the application.

Deliberation Session

86. The Chairman pointed out that the construction of the proposed underground pipelines would result in some disruption to the public use of the promenade temporarily. An advisory note had been suggested to remind the applicant to ensure that pedestrian access to the waterfront would not be affected during construction of the proposed development.

87. 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 7.4.2010, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of measures to ensure that the quality of seawater abstracted for flushing supplies by the Water Supplies Department (WSD) would not be degraded to the satisfaction of the Director of Water Supplies or of the TPB; and
- (b) the protection of the affected existing WSD intake facilities during the

implementation of the proposed development to the satisfaction of the Director of Water Supplies or of the TPB.

88. The Committee also agreed to advise the applicant :

- (a) that the approval of the application did not imply that necessary approvals would be given by any Government department. The applicant should approach the relevant Government departments direct for any necessary approvals;
- (b) to liaise with the Director of Lands regarding any gazetting requirements and apply to him for necessary approvals of the works areas for the proposed development and to verify with him the land status of the application site;
- (c) to liaise with the Director of Drainage Services on protection of the existing drainage facilities;
- (d) to liaise with the Director of Marine on application to him for necessary approvals in relation to possible interference with navigation of vessels or port facilities;
- (e) to liaise with the Director of Environmental Protection on compliance with the Water Pollution Control Ordinance when discharging cooling water into the sea;
- (f) to ensure that pedestrian access to the waterfront would not be affected during construction of the proposed development; and
- (g) to consult the Tsuen Wan District Council on the pedestrian access arrangements during the construction of the proposed development.

[Open Meeting (Presentation and Question Session only)]

- (iii) A/TWW/82 Proposed Residential Development
in “Residential (Group C)3” and “Green Belt” zones,
Lots 387RP and 417 in DD 399,
Ting Kau, Tsuen Wan West
(MPC Paper No. A/TWW/82)
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89. The application was submitted by Citijoy Ltd. which was a subsidiary company of Sun Hung Kai Properties Ltd. (SHKP). Dr. Greg C.Y. Wong, having current business dealings with SHKP, had declared an interest in this item. Members noted that Dr. Wong had left the meeting temporarily.

Presentation and Question Session

90. The Committee noted that the applicant requested on 4.4.2006 for a deferment of the consideration of the application to allow time to properly review the scheme to address the design concerns.

Deliberation Session

91. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of additional information from the applicant. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Dr. Greg C.Y. Wong returned to join the meeting at this point.]

[Open Meeting (Presentation and Question Session only)]

- (iv) A/KC/316 Proposed Hotel Development
in “Other Specified Uses” annotated “Business” zone,
585-609 Castle Peak Road,
Kwai Chung
(MPC Paper No. A/KC/316)
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Presentation and Question Session

92. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel development;
- (c) departmental comments – the Assistant Commissioner for Transport/New Territories (AC for T/NT) pointed out that developments in the area would rely on the interchange at Wo Tong Tsui Street which would become a bottleneck with any additional traffic. Widening of the street was subject to constraints and would not be ready to meet the traffic growth. Also, Yiu Wing Street was a substandard road, which was not possible for coaches to pass through with opposite traffic, particularly at the road bend near its junction with Wo Tong Tsui Street. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) had reservation on the overall building mass from an urban design perspective. There was no strong justification to partially build over and to apply plot ratio (PR) to the entire non-building area (NBA);
- (d) no public comment was received during the publication period and no local objection/views were received from the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the

application for reasons as detailed in paragraph 11.2 of the Paper. The NBA was not to be accountable for PR calculation under the lease when the subject lot was granted for industrial development. The current proposal to include the NBA in the site area for PR calculation would almost double the existing development intensity of the application site and was considered excessive. According to the established practice, land use zonings on statutory plans were broadbrush and could include areas of land not suitable for building development purpose. In the absence of any strong justification, building over and including the NBA for PR/site coverage calculation should not be accepted. The proposed hotel development was massive and would create wall effect at Castle Peak Road. There was insufficient information to demonstrate that the development would not have adverse visual impact on the area. The approval of the application would set an undesirable precedent for similar applications within the “OU (Business)” zone.

93. Members had no question on the application.

Deliberation Session

94. The Chairman remarked that hotel development was generally in line with the planning intention of the “OU(Business)” zone where development of new buildings for both commercial and clean industries were encouraged. However, the proposed development under application would have traffic problem and involved excessive intensity.

95. After deliberation, the Committee decided to reject the application and the reasons were :

- (a) the proposed hotel was excessive as compared with the existing building on the application site as the non-building area was included in the site area for plot ratio calculation;
- (b) the proposed development was considered massive and would create wall

effect at Castle Peak Road. There was insufficient information in the submission to demonstrate that the proposed development would not have adverse visual impact on the area; and

- (c) the approval of the application would set an undesirable precedent for similar applications within the “OU (Business)” zone.

[Open Meeting (Presentation and Question Session only)]

- (v) A/K5/604 Proposed Hotel (Guesthouse)
 in “Residential (Group A)” zone,
 170-172 Kiu Kiang Street,
 Sham Shui Po
 (MPC Paper No. A/K5/604)
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Presentation and Question Session

96. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (guesthouse);
- (c) departmental comments – no objection from concerned Government departments;
- (d) four public comments received during the publication period and one received out of time. The major concerns of the commenters were about the incompatibility with the planning intention for “Residential (Group A)” zone; adverse impacts on security, environmental, traffic and circulation of the area; excessive site coverage; and inconvenience to the elderly; and

- (e) the Planning Department (PlanD)'s views –PlanD did not support the application for reasons as detailed in paragraph 11.1 of the Paper. The proposed guesthouse was not compatible with the character of the quiet residential neighbourhood at this junction of Kiu Kiang Street and Kowloon Road. Compared to the previous scheme rejected under application No. A/K5/583, the current scheme proposed one additional layby but the proposed car parking and loading/unloading provisions still fell short of 1 layby for taxi/private car and 1 layby for tour bus under Hong Kong Planning Standards and Guidelines. Although the Transport Department had no objection to the application, the current scheme still could not address Members' previous concerns that hotel development without proper on-site loading/unloading facilities should not be encouraged and off-site loading/unloading activities would cause disturbance to the quiet residential neighbourhood.

97. Members had no question on the application.

Deliberation Session

98. The Chairman pointed out that the previous application was rejected by the Committee on 27.5.2005. Although there was shortfall in the provision of laybys compared with the HKPSG requirement, the Transport Department had no objection to the application. He asked Members for their views.

99. In response to Members' questions, Mr. Lawrence Kwan said that Kowloon Road was a one-way road. Although there was a shortfall in the provision laybys, roadside loading/unloading activities would be acceptable as the traffic was not heavy.

100. A Member that the inadequate provision of laybys might lead to parking on the kerb and was undesirable from pedestrian safety point of view. Another Member considered that the inadequate provision of laybys unacceptable as the on-street loading/unloading activities would disturb the tranquillity of the area.

101. Members considered that their concerns previously raised had not been satisfactorily addressed by the applicant. Tourists getting on or off a coach on street at early and late hours might create noise nuisance to the residents in the area.

102. After deliberation, the Committee decided to reject the application and the reason was that the proposed guesthouse development was not compatible with the character of the quiet residential neighbourhood and there was also inadequate provision of layby facilities within the site which would result in on-street loading and unloading activities and cause disturbance to the neighbourhood.

[Mr. Felix W. Fong left the meeting at this point.]

[Open Meeting (Presentation and Question Session for only)]

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| (vi) | A/K5/611 | Temporary Shop and Services
(Ancillary Showroom for Garments)
for a Period of 3 Years
in “Other Specified Uses” annotated “Business” zone,
Workshop C1 (Portion) and Workshop C2,
Basement, Block C, Hong Kong Industrial Centre,
489-491 Castle Peak Road
(MPC Paper No. A/K5/611) |
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Presentation and Question Session

103. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary shop and services (ancillary showroom for garments) for a period of 3 years;

- (c) departmental comments – no objection from concerned Government departments;
- (d) no public comment was received during the publication period and no local objection/views were received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed on paragraph 11.1 of the Paper.

104. In response to a Member's enquiry on whether there was any restriction on the maximum floor area allowed for shops in the basement level. The Chairman responded that the Director of Fire Services (D of FS) did not consider this application a retail use but a showroom for the garment factories in the area. It was expected that there would be limited number of visitors who should be familiar with the fire escape route in the building. In this regard, D of FS had no objection to the application.

Deliberation Session

105. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 7.4.2009, 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 the fire safety measures within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2006; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

106. The Committee also agreed to advise the applicant to consult the Chief Building Surveyor/Kowloon, Buildings Department regarding the submission of building plans to demonstrate compliance with the Buildings Ordinance in particular, the provision of exit

the limit of aggregate floor area for commercial uses in industrial buildings.

109. Members had no question on the application.

Deliberation Session

110. After deliberation, the Committee decided to approve the application, 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 within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2006; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

111. The Committee also agreed to advise the applicant :

- (a) to consult the District Lands Officer/Kowloon West, Lands Department regarding the application for temporary wavier; and
- (b) to consult the Chief Building Surveyor/Kowloon, Buildings Department regarding the provision of access and facilities for persons with a disability.

[Open Meeting (Presentation and Question Session only)]

- (viii) A/K20/94 Temporary Golf Driving Range
and Proposed Temporary Golf Academy
for a Period up to 30 June 2007
in “Comprehensive Development Area” and ‘Road’ zones,
8 Wui Cheung Road,
West Kowloon Reclamation
(MPC Paper No. A/K20/94)
-

Presentation and Question Session

112. Ms. Heidi Chan, DPO/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary golf driving range and proposed temporary golf academy for a period up to 30.6.2007;
- (c) departmental comments – the Chief Engineer/Railway Planning(1), Highways Department (CES/RP(1), HyD) commented that he would have no objection if the proposed development would not create additional difficulty for the Lands Department (LandsD) to terminate the tenancy agreement for Kowloon-Canton Railway Corporation to conduct site investigation within the site when necessary. The Director of Leisure and Cultural Services (DLCS) did not agree that the approval condition on the provision and maintenance of a protective net of the golf driving range should be to the satisfaction of his Department. Other Government departments had no objection to the application;
- (d) one public comment was received during the publication period expressing no objection to the application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 10.1 of the Paper. As regards the concern raised by CE/RP(1), HyD, the existing tenancy agreement stated that LandsD could terminate the tenancy for such a purpose if necessary. Regarding DLCS's concerns on the approval condition, the imposition of such an approval condition was to ensure public safety. According to the current practice which was agreed by the Administration in 2000, DLCS would advise on safe management practice in managing golf driving ranges. It was therefore considered appropriate that such an approval condition should be to the satisfaction of DLCS.

Deliberation Session

113. In response to the Chairman's enquiry regarding DLCS's disagreement to take up the responsibility as set out in the approval condition, Ms. Heidi Chan said that DLCS had refused to consider and inspect the applicant's previous submission and works for the protective net of the golf driving range. Similar requirement for safety measures and provision and maintenance of a safety net was set out in the Short Term Tenancy (STT) granted by the Lands Department.

114. The Chairman noted that there was administrative control under the STT, but considered that some kind of statutory control should be set out in the form of approval condition. The provision of safety measures for the golf driving range should be overseen by a Government department with relevant experience and knowledge in dealing with safety of recreational facilities. The Chairman requested PlanD to follow up with the concerned Bureau regarding the responsibility of ensuring safety in the golf driving range.

115. A Member said that if LCSD was the Government department responsible for similar safety measures for other kinds of recreational facilities, there was no reason why they did not take up the responsibility for golf driving range.

116. A Member remarked that the erection of the safety net was a kind of building works and would also be under control of the Buildings Ordinance. Noting that DLCS's

concern as set out in Appendix II of the Paper was on the liability issue, this Member considered that the operator should bear the liability.

117. Members noted that this application was for reviewing the previous planning approval. As such, the previous condition on provision and maintenance of a protective net of the golf driving range to the satisfaction of DLCS or of the Town Planning Board should be retained.

118. After deliberation, the Committee decided to approve the application on a temporary basis for a period up to 30.6.2007, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the provision and maintenance of a protective net of the golf driving range to the satisfaction of the Director of Leisure and Cultural Services or of the TPB.

119. The Committee also agreed to advise the applicant that the operator should seek advice from the relevant authorities such as Hong Kong Professional Golfers' Association and the Hong Kong Golf Association in designing, building, managing and developing the academy in particular appropriate ancillary facilities for children, disabled persons and students.

[Open Meeting (Presentation and Question Session only)]

(ix)	A/SC/3	Proposed Warehouse (Excluding Dangerous Goods Godown) in "Other Specified Uses" annotated "Boatyards and Marine-Oriented Industrial Uses" zone, G/F (Part) and 1/F (Part), 85 Hing Wah Street West (MPC Paper No. A/SC/3)
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Presentation and Question Session

120. Mr. P.C. Mok, STP/TWK, presented the application and covered the following

aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed warehouse (excluding dangerous goods godown);
- (c) departmental comments – no objection from concerned Government departments;
- (d) no public comment was received during the publication period and no local objection/views were received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for reasons as detailed in paragraph 9.1 of the Paper.

121. Members had no question on the application.

Deliberation Session

122. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 7.4.2010, 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.

123. The Committee also agreed to advise the applicant :

- (a) to consult the Chief Building Surveyor/Kowloon, Buildings Department regarding the submission of building plans to demonstrate compliance with Buildings Ordinance, in particular the structural adequacy of the existing structure, the height of storage and the provision of access and facilities for persons with disabilities; and

- (b) to exercise due care to the public drains and sewers when working in the vicinity of these services.

[Professor Leslie H.C. Chen left the meeting at this point.]

[Open Meeting (Presentation and Question Session only)]

- (x) A/KC/309 Proposed Hotel Development
 in “Other Specified Uses” annotated “Business” zone,
 119 Wo Yi Hop Road,
 Kwai Chung (KCTL 167)
 (MPC Paper No. A/KC/309)
-

Presentation and Question Session

124. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) the application was for a 19-storey hotel with 405 rooms, at a plot ratio (PR) of the existing bulk of PR 11.123, including the back-of-house (BOH) facilities. Omitting the BOH facilities, the PR would be about 10.456;
- (b) there were three similar applications within the “Other Specified Uses” annotated “Business” (“OU (B)”) zone in the area, with two (Applications No. A/KC/290 and 310) approved and one (Application No. KC/308) rejected mainly for traffic reason;
- (c) the District Officer/Kwai Tsing advised that some members of the Kwai Tsing District Council (K&TDC) members were worried that the hotel might subsequently be converted to other uses. A total of four K&TDC members and local representatives objected to the application as they considered that the proposed hotel would cause traffic congestion in the surrounding road network. Another K&TDC member requested that the

application be formally discussed at K&TDC meeting;

- (d) PlanD did not support the application for reasons as detailed in paragraph 8.2 of the Paper. Although the proposed hotel development was generally in line with the planning intention of the “OU(B)” zone where development of new buildings for both commercial and clean industries were encouraged and the site was located at the fringe of an industrial area. The development intensity of the proposed hotel was considered excessive. The hotel developments approved by the Town Planning Board (TPB) in the Tsuen Wan and Kwai Chung areas did not exceed a PR of 9.5 stipulated in the relevant OZP, which was similar to the PR allowed for hotel development in the “Commercial” zone. Approving this application would set an undesirable precedent for similar applications within the “OU(B)” zone.

125. A Member asked the following questions :

- (a) for the two approved similar applications, whether their existing bulk exceeded PR 9.5;
- (b) whether the 3m setback from the road would attract bonus PR and the proposed PR of 11.123 would be further increased as provided under Building (Planning) Regulations 22(1) and (2);
- (c) whether the applicant could apply to Buildings Department for exemption of the BOH facilities; and
- (d) whether the request for redevelopment up to the existing bulk was an acceptable practice.

126. Ms. Heidi Chan, DPO/TWK, replied that the proposed PR would be 10.456 if BOH facilities of up to 5% were exempted by the Building Authority. This PR figure still exceeded the maximum PR of 9.5 for hotels in “OU(B)” zone in this area. Besides, the

bonus PR resulted from the 3m setback had not been included into the proposed PR.

127. The Secretary clarified that the approved similar application No. A/KC/310 was for conversion of an existing building of PR 9.762. A void area in one of the floors was introduced to reduce the PR to 9.5 to comply with the PR restriction under the OZP. In general, no hotel developments approved by TPB in the Tsuen Wan and Kwai Chung areas exceeded a PR of 9.5.

128. The Secretary further explained that the development intensity could be up to the existing bulk if the development was for a use falling within Column 1 of the Notes for the “OU(B)” zone. However, for those uses requiring planning permission, the development intensity would be determined by the TPB. However, the PR restriction of 9.5 could be exceeded if bonus PR was granted by the Building Authority under Buildings (Planning) Regulations 22(1) and (2) as provided for in the Notes of the OZP.

129. A Member asked if the proposed hotel development would be approved if the maximum PR was reduced to 9.5. The Chairman said that subject to no adverse impacts, it might be approved as hotel use was generally in line with the planning intention of the “OU(B)” zone.

130. After deliberation, the Committee decided to reject the application and the reasons were :

- (a) the scale of the proposed development was excessive; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the “Other Specified Uses” annotated “Business” zone.

[The Chairman thanked Ms. Heidi Chan, DPO/TWK, and Mr. P.C. Mok, STP/TWK, for their attendance to answer Members’ enquiries. Ms. Chan and Mr. Mok left the meeting at this point.]

Agenda Item 9

Any Other Business

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