

TOWN PLANNING BOARD

Minutes of 338th Meeting of the Metro Planning Committee held at 9:00 a.m. on 17.11.2006

Present

Director of Planning
Mrs. Ava S. Y. Ng

Chairperson

Dr. Greg C. Y. Wong

Vice-chairman

Mr. Nelson W. Y. Chan

Professor N. K. Leung

Mr. Daniel B. M. To

Mr. Stanley Y. F. Wong

Ms. Sylvia S. F. Yau

Mr. Walter K. L. Chan

Ms. Maggie M. K. Chan

Mr. Raymond Y. M. Chan

Professor Paul K. S. Lam

Ms. Starry W. K. Lee

Assistant Commissioner for Transport (Urban),
Transport Department
Mr. Anthony Loo

Principle Environmental Protection Officer (Metro Assessment)
Environmental Protection Department
Ms. Shirley Lee

Assistant Director (Kowloon), Lands Department
Mr. James Merritt

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

Secretary

Absent with Apologies

Professor Leslie H.C. Chen

Professor Bernard V.W.F. Lim

Mr. Felix W. Fong

Mr. K. Y. Leung

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. Jacinta K.C. Woo

Town Planner/Town Planning Board
Mr. Tony C.Y. Wu

Agenda Item 1

Confirmation of the Draft Minutes of the 337th MPC Meeting held on 3.11.2006

1. The draft minutes of the 337th MPC meeting held on 3.11.2006 were confirmed without amendments.

Agenda Item 2

Matters Arising

2. There were no matters arising from the last meeting.

[Mr. Nelson W.Y Chan, Mr. Anthony Loo and Dr. Daniel B.M. To arrived to join the meeting at this point.]

Tsuen Wan and West Kowloon District

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

Agenda Item 3

Section 16 Applications

[Open Meeting (Presentation and Question Session only)]

- (i) A/K3/488 Proposed Office and Shop and Services (Showroom)
in “Residential (Group E)” zone,
Workshop B, G/F, Yip Kwong Industrial Building,
39-41 Beech Street, Tai Kok Tsui (KIL 6531 and 6532)
(MPC Paper No. A/K3/488)
-

Presentation and Question Session

3. Mr. Edward P.L. Li, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

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

4. Members had no question on the application.

Deliberation Session

5. 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 17.11.2008, 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 condition that the showroom at the premises should only be used for the display of building materials.

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

- (a) consult the Chief Building Surveyor/Kowloon, Buildings Department on the building requirements for the proposed office and showroom uses at the

premises;

- (b) consult the Director of Fire Services on the fire safety aspect of the proposed office and showroom uses at the premises; and
- (c) apply to the District Lands Officer/Kowloon West, Lands Department for lease modification/waiver for the proposed office and showroom uses at the premises.

[Ms. Sylvia S.F Yau and Ms. Shirley Lee arrived to join the meeting at this point.]

[Open Meeting (Presentation and Question Session only)]

- (ii) A/K5/622 Shop and Services (Courier Service Counter)
in “Other Specified Uses” annotated “Business” zone,
Workshop C, G/F, V Ga Building, 532 Castle Peak Road,
Cheung Sha Wan
(MPC Paper No. A/K5/622)
-

Presentation and Question Session

7. Mr. Edward P.L. Li, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (courier service counter) use;
- (c) departmental comments – no adverse comment from concerned Government departments was received;
- (d) one public comment was received during the statutory publication period, raising objection to the application due to concerns on possible adverse impacts on fire safety, security and pedestrian circulation in the area.; and

- (e) the Planning Department (PlanD)'s views – the PlanD had no objection to the application for reasons as detailed in paragraph 11.1 of the Paper in that the proposed use complied with the Town Planning Board Guidelines No. 22C for Development within “Other Specified Uses” annotated “Business” zone. Regarding the public comment, relevant Government departments had no objection to the application. To address the concern on possible obstruction to pedestrian circulation and fire escape route, the applicant should be advised that temporary storage of goods on the pavement adjoining the premises or fire escape exit of adjoining buildings was not allowed.

8. Members had no question on the application.

Deliberation Session

9. 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 was subject to the following conditions :

- (a) the submission and implementation of fire service installations in the subject premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2007; 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.

10. The Committee also agreed to advise the applicant that temporary storage of goods on the pavement adjoining the premises or fire escape exit of adjoining buildings was not allowed.

[Open Meeting (Presentation and Question Session only)]

- (iii) A/KC/324 Shop and Services (Convenience Store)
 in “Industrial” zone,
 Unit D (Portion), G/F, Effort Industrial Building,
 2-8 Kung Yip Street, Kwai Chung
 (MPC Paper No. A/KC/324)
-

11. This application was submitted by the Dairy Farm Company Limited and Mr. Raymond Y.M. Chan declared an interest in this item for having current business dealings with the applicant.

[Mr. Raymond Y.M. Chan left the meeting temporarily at this point.]

Presentation and Question Session

12. Mr. Edward P.L. Li, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

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

13. Members had no question on the application.

Deliberation Session

14. 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 was subject to the following conditions :

- (a) the submission and implementation of fire service installations in the subject premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.5.2007; 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.

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

- (a) apply to the District Lands Officer/Tsuen Wan and Kwai Tsing for a temporary waiver for the applied use; and
- (b) consult the Chief Building Surveyor/New Territories West, Buildings Department on the building plan submission for any non-exempted building works.

[Mr. Raymond Y.M. Chan returned to the meeting at this point.]

[Open Meeting (Presentation and Question Session only)]

- (iv) A/TY/98 Religious Institution (Redevelopment),
Tsing Yi Town Lot 122, 32 Tsing King Road, Tsing Yi
(MPC Paper No. A/TY/98)
-

Presentation and Question Session

16. The Committee noted that the applicant requested on 10.11.2006 for a deferment of the consideration of the application to allow time for resolving matters relating to the parking provision of the proposed development.

Deliberation Session

17. 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 Chairperson thanked Ms. Heidi Y.M. Chan, DPO/TWK, and Mr. Edward P.L. Li, STP/TWK, for their attendance to answer Members' enquiries. Ms. Chan and Mr. Li left the meeting at this point.]

Kowloon District

[Mr. Kelvin K.W. Chan, District Planning Officer/Kowloon (DPO/K), and Mr. C.C. Lau, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

Agenda Item 4

Section 16 Applications

[Open Meeting (Presentation and Question Session only)]

- (i) A/K7/79 Proposed School (Tutorial Centre)
in “Residential (Group B)” zone,
G/F, 126 Waterloo Road, Ho Man Tin (KIL 2135A4A)
(MPC Paper No. A/K7/79)
-

Presentation and Question Session

18. Mr. C.C. Lau, 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 centre) use;
- (c) departmental comments – there was no adverse comment received from concerned Government departments;
- (d) one public comment was received during the statutory publication period, raising objection to the application on the grounds that the proposed tutorial centre would attract additional traffic and cause parking problem and traffic congestion in the area; and
- (e) the Planning Department (PlanD)’s views – the PlanD had no objection to the application for reasons as detailed in paragraph 10.1 of the Paper in that the proposed use was not incompatible with other uses in the subject building and surrounding areas and would not have significant adverse impacts on the traffic and environment in the area.

[Mr. James Merritt arrived to join the meeting at this point.]

19. Members had no question on the application.

Deliberation Session

20. 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 17.11.2010, 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 on the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) consult the Registration Section, Education and Manpower Bureau on school registration process under the Education Ordinance/Regulations;
- (b) submit building plan for approval to demonstrate compliance with the Buildings Ordinance, in particular the removal of unauthorized structures and the carrying out of necessary reinstatement works, and the provision of access and facilities for persons with a disability under Building (Planning) Regulation 72;
- (c) note that the approval of the application did not imply any compliance with the Buildings Ordinance and Regulation. The applicant should approach the Chief Building Surveyor/Kowloon, Buildings Department direct to obtain the necessary approval;
- (d) provide fire service installations in accordance with the Codes of Practice for Minimum Fire Service Installation and Equipment and to comply with the requirements as stipulated in Code of Practice for Fire Resisting Construction;
- (e) provide acoustic insulation in line with the Hong Kong Planning Standards and Guidelines;

- (f) apply to the District Lands Officer/Kowloon East, Lands Department for a temporary waiver for school (tutorial centre) use under application; and
- (g) resolve any land issues relating to the development with the concerned owners of the subject building.

[Open Meeting (Presentation and Question Session only)]

- (ii) A/K14/514 Proposed Wholesale Trade
in “Other Specified Uses” annotated “Business” zone,
Units B4 (Portion), C4 and D4, Basement, Block 4,
Kwun Tong Industrial Centre, 436-446 Kwun Tong Road,
Kwun Tong
(MPC Paper No. A/K14/514)
-

Presentation and Question Session

22. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed wholesale trade use;
- (c) departmental comments – the Director of Fire Services objected to the application as the proposed use would attract increased number of visitors to the basement and exposed them to fire risk. The Chief Building Surveyor/Kowloon, Buildings Department had no in-principle objection to the application but did not agree with the assumptions adopted in the fire safety analysis report submitted by the applicant. Other Government departments had no adverse comment on the application;
- (d) five public comments were received during the statutory publication period.

Two commenters indicated support to the application and the others indicated objection, reservation or having no comment on the application respectively. The commenters who raised objection or reservation on the application considered that the proposed use would aggravate the traffic congestion along Kwun Tong Road; and

- (e) the Planning Department (PlanD)'s views – the PlanD did not support the application for reason that the proposed use was not acceptable from fire safety point of view.

23. Noting that the basement where the application premises was located was mainly used as a car park, a Member asked whether the application premises had also been used for car parking. Mr. C.C. Lau replied that the premises was previously used as a godown and was currently vacant.

Deliberation Session

24. After deliberation, the Committee decided to reject the application and the reason was that the proposed use was not acceptable from fire safety point of view.

[Open Meeting (Presentation and Question Session only)]

- (iii) A/K18/239 Proposed School (Tutorial Centre)
in “Residential (Group C)1” zone,
16 Cumberland Road, Kowloon Tong (NKIL 760)
(MPC Paper No. A/K18/239)
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Presentation and Question Session

25. Mr. C.C. Lau, 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 centre) use;
- (c) departmental comments – the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) objected to the application as a substantial part of the application premises involved unauthorized structures which were not suitable for school use. The Antiquities and Monument Office (AMO) had no adverse comment on the application but advised that the historical features in the premises, such as the wooden staircase and chimney, should not be affected during the conversion works. Other Government departments had no adverse comment on the application;
- (d) three public comments were received during the statutory publication period, raising objections to the application for the reason that there were already too many schools in the area and the proposed use would aggravate the problems of traffic congestion, road safety and vehicular emission; and
- (e) the Planning Department (PlanD)'s views – the PlanD did not support the application as a substantial part of the application premises involved unauthorized structures which, according to the CBS/K, BD, were not suitable for school use.

26. A Member asked about the age of the application premises and why the AMO considered that there was historical value in it. Mr. C.C. Lau replied that the premises appeared to a pre-war building and AMO considered that the wooden staircase and the chimney of the premises were historical features which should be preserved. Mr. Kelvin Chan, DPO/K, said that AMO had raised similar requests for preserving historical features in some other buildings in the Kowloon Tong area.

Deliberation Session

27. After deliberation, the Committee decided to reject the application and the reason was that the application premises involved unauthorized structures which were not suitable for school use from building safety point of view.

there were no major changes proposed in the current scheme compared with the previously approved one, and the proposed quarters use was to facilitate the operation of the church. The church was not incompatible with other uses in the surrounding areas and would not cause any significant adverse impact on the traffic, environment, infrastructural provisions and visual quality in the area.

29. Members had the following questions on the application:

- (a) whether there were any guidelines regarding the acceptable scale of domestic use in a religious institution; and
- (b) whether the applicant had proposed any change to the height of the architectural feature at the top of the proposed church, which had been a concern of the Committee in the previous application.

30. In response to Members' questions, Mr. Kelvin K.W. Chan, DPO/K, made the following points:

- (a) there were no specific guidelines on domestic use in a religious institution. Each case would be assessed on individual merits; and
- (b) no change was proposed by the applicant to the height of the architectural feature at the top of the proposed church. As shown on Drawing A-8 of the Paper, the overall height of the proposed development remained as 20.7m.

Deliberation Session

31. 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 17.11.2010, 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 submission and implementation of tree preservation and landscaping proposals to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a preservation proposal and a detailed photographic and cartographic recording of the existing historic buildings in the application site to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (c) the design and provision of parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) the design and provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

32. The Committee also agreed to advise the applicant :

- (a) to consult the District Lands Officer/Kowloon East, Lands Department on lease modification for the proposed development;
- (b) to consult the Antiquities and Monuments Office of the Leisure and Cultural Services Department on the requirements of the preservation proposal and the detailed photographic and cartographic recording of the historic buildings in the application site; and
- (c) that the approval of the application did not imply any compliance with the Buildings Ordinance and Regulation. The applicant should approach the Chief Building Surveyor/Kowloon, Buildings Department direct to obtain the necessary approval. Particular attention should be drawn to the requirements on the provision of kitchen accommodation for the proposed quarters.

[The Chairperson thanked Mr. Kelvin K.W. Chan, DPO/K, and Mr. C.C. Lau, STP/K, for their attendance to answer Members' enquiries. Messrs. Chan and Lau left the meeting at this point.]

[Ms. Sylvia S.F. Yau left the meeting temporarily at this point.]

Hong Kong District

[Ms. Phyllis C.M. Li, Chief Town Planner/Special Duties (CTP/SD), Mr. Roy C.H. Li, Senior Town Planner/Special Duties (STP/SD) and Ms. Katy C.W. Fung, STP/SD, were invited to the meeting at this point.]

Agenda Item 5

[Open Meeting (whole agenda item)]

Revised Planning Brief for Ex-Government Supplies Depot Site, Oil Street, North Point
(MPC Paper No. 22/06)

33. The Committee noted that Dr. Greg C.Y. Wong and Dr. Daniel B.M. To had declared interests in this item. Dr. Wong said that his office was in close proximity to the application site, and Dr. To said that he was a member of the Eastern District Council (EDC), and the Works and Development Committee of the EDC had passed a motion supporting a previous s.12A application in respect of the application site (Application No. Y/H8/1). The Committee agreed that the interests of Dr. Wong and Dr. To in this item were indirect and they should be allowed to stay at the meeting and participate in the deliberation on and determination of the item.

34. With the aid of a powerpoint presentation, Ms. Katy C.W. Fung presented the item and covered the following aspects as detailed in the Paper:

Background

(a) the subject site comprised two portions, with the southern one zoned

“Comprehensive Development Area” (“CDA”) and the northern one zoned “CDA(1)” on the approved North Point Outline Zoning Plan (OZP) No. S/H8/19. The “CDA” portion was subject to a maximum gross floor area (GFA) of 123,470m² of which a maximum GFA of 18,180m² should be for office use. A planning brief (PB) was endorsed by the Town Planning Board in 1997, which had been updated in 2000. The “CDA(1)” portion was subject to a maximum building height of not exceeding the mean level of the Island Eastern Corridor (IEC). The “CDA” and “CDA(1)” portion of the site had been included in the List of Sites for Sale by Application since 1999 and 2000 respectively;

[Ms. Sylvia S.F. Yau returned to the meeting at this point.]

- (b) on 28.10.2005, the Committee considered a s.12A application (No. Y/H8/1) submitted by the Designing Hong Kong Harbour District to rezone the “CDA(1)” and the western portion of the “CDA” to “Open Space” (“O”), and to incorporate maximum building heights of 100mPD and 140mPD and the requirement of a public promenade of not less than 20m in width into the Notes. The Committee did not agree to the application but decided to request the Planning Department (PlanD) to carry out a detailed study to determine the appropriate development parameters of the site with a view to amending the PB;

Major issues

- (c) taking into consideration the public views on development at the site as detailed in paragraph 4 of the Paper, various planning opportunities and constraints and changes in planning circumstances, PlanD identified the following major issues in its detailed study:
 - (i) Use – the site had potential to form an activity node at the waterfront and its neighbourhood in the North Point area, and the current planning intention for commercial and residential uses on the site was

considered appropriate;

- (ii) Public open space (POS) – the width of the waterfront promenade as required under the existing sales conditions of the site should be increased, and additional waterfront POS with improved accessibility and visibility should be provided;
- (iii) Interface with Wan Chai Development Phase II (WDII) Review and Central-Wan Chai Bypass (CWB) – according to the draft Concept Plan for WDII Review, the portal of CWB, its connection with IEC and associated facilities would take up the “CDA(1)” portion of the site. The “CDA(1)” portion would no longer be available for development and should therefore be deleted from the site. To provide linkage to the future waterfront, a 15m wide landscaped area would be reserved along the western edge of the “CDA(1)” portion. For the “CDA” zone, there was a requirement under the existing PB to set back the residential building by 50m from IEC with screening by non-noise sensitive uses;
- (iv) Physical and visual access to the waterfront – open space linkage in the form of at-grade public landscaped walkways should be provided to connect the hinterland to the waterfront. Taking into account the heights of nearby buildings, maximum height restrictions of 100mPD and 120mPD were proposed in the seaward and landward portions of the site respectively, achieving a stepped height profile in the site to minimize blockage to the Harbour as viewed from the hinterland;
- (v) Incorporation of basement – there was no significant difference in the design of development with or without basement. Flexibility should be left to the future developer on whether basement should be incorporated;
- (vi) Integration with the “G/IC” site to the south – the “G/IC” site to the

south comprised the former Royal Hong Kong Yacht Club which was a Grade II historic building and had been allocated to the Leisure and Cultural Services Department for an archaeological resource centre (ARC). It provided an opportunity to reinforce the historical link to the old North Point. The remaining part of the “G/IC” site should be used for POS to address the shortfall of open space in the area and open up the area at the frontage of Electric Road;

- (vii) Refuse collection point – the eastern end of the “G/IC” site was reserved for a RCP under the existing land sale conditions. It should be retained since there was no suitable alternative site in the vicinity. The RCP would be separated from the site and POS by the footbridge extension with appropriate environmental mitigation measures to be incorporated; and

- (viii) City Garden Road Extension - the previously proposed Extension aimed to provide ingress/egress to the site and to relieve the traffic of Electric Road. However, it would adversely affect integration of the site with the “G/IC” site to the south. To address the concern, a cul-de-sac was proposed to replace the Extension for ingress/egress to the site. The area previously reserved for the Extension could be used as POS, with an emergency vehicular access (EVA) and loading/unloading space. The traffic impact of deleting the Extension would be further studied in the traffic impact assessment (TIA) to be submitted by the developer together with the master layout plan (MLP).

Determination of development intensity

- (d) to determine the optimal level of development intensity for the site, PlanD had evaluated three notional development options, namely, Options 1, 2 and 3, based on the considerations set out in paragraph 6 of the Paper. Details of the three options and the results of evaluation were set out in paragraph 7 of

the Paper. It was concluded that Option 3, with the lowest plot ratio (6 and 2.6 for domestic and non-domestic uses respectively), lowest building height (120mPD and 100mPD for residential and commercial developments respectively) and largest area of POS (totally 6,400m²), was the optimal scheme in addressing the major issues, adhering to the Harbour Planning Principles and Urban Design Guidelines, and meeting the public aspirations, whilst taking account of the limited land resources and optimising the infrastructure and community facilities in the area;

Revised PB

(e) based on Option 3, a draft revised PB including a development concept was prepared at Annex C of the Paper. The following changes were proposed:

(i) Major development parameters

- to revise the GFA restrictions to a maximum total of 70,200m² including a minimum of 20,960m² for non-domestic uses of which a maximum GFA of 18,180m² should be for office use and a maximum of 49,240m² for domestic use. The total plot ratio was 8.6;
- to incorporate building height restrictions of a maximum of 120mPD and 100mPD in the southeastern and northwestern parts of the site respectively;
- to incorporate the requirement to provide a minimum of 3,530m² of POS comprising at-grade public landscaped walkways with minimum widths of 20m and 15m respectively along the northwestern and western boundaries of the site leading to the waterfront; and
- to revise the open space provision for residents of the future

development in accordance with current standard of a minimum of 1m² per person. For a planned population of about 1,680, at least 1,680m² of local open space should be provided;

- (ii) Transport requirements - to incorporate the requirement of submitting a TIA with the MLP and to replace the proposed City Garden Road Extension with a cul-de-sac to be built by the future developer;
- (iii) Development constraints - to incorporate the considerations of the CWB and WDII;
- (iv) Environmental requirements - to delete the requirements relating to the noise impact generated by the proposed City Garden Road Extension;
- (v) Urban design and landscape requirements - to elaborate the urban design and landscape framework taking account of the Harbour Vision Statement, Harbour Planning Principles and Urban Design Guidelines, the need for integrated planning and design, and tree preservation;
- (vi) Public facilities and works to the south of the “CDA” – additional requirements for forming the RCP and POS sites and extending the existing footbridge to the site.

Next steps

- (f) subject to the comments and agreement of the Committee, PlanD would consult the EDC and the Sub-Committee on Harbour Plan Review of the Harbour-front Enhancement Committee on the draft revised PB. Comments received would be incorporated as appropriate in the revised draft PB for the Committee’s endorsement. PlanD would also undertake an Air Ventilation Assessment (AVA) on the recommended option, and the requirements on the layout design and other necessary measures identified would be incorporated in finalizing the PB. The development parameters in the

endorsed PB would be incorporated into the land sale conditions of the site.

35. A Member said that development at the site was the subject of public concern, and asked whether it would be more appropriate to submit the draft PB to the Town Planning Board (the Board) for discussion. In response, the Secretary said that the Board had delegated part of its powers under the Town Planning Ordinance (the Ordinance) to the Committee, which included the powers to consider applications under sections 12A, 16 and 16A of the Ordinance. Since the draft revised PB was prepared at the request of the Committee during deliberation on a s.12A application in respect of the site, it was appropriate that the PB be submitted to the Committee for consideration.

36. Members generally considered that Option 3, which involved the lowest development intensity and largest area of open space, was preferred to the other two options. The following specific questions were raised by Members:

- (a) whether the proposed 15m wide public landscaped walkway along the western boundary of the site leading to the waterfront would be open-air or covered under podium;
- (b) whether the recommendation of allowing a 20% building free zone below the ridgelines under the Urban Design Guidelines could be achieved;
- (c) with the same building height restrictions, how Option 3 could achieve a layout with fewer residential building blocks and more open space;
- (d) whether it was possible to widen the section of Oil Street near its junction with Electric Road to improve the traffic flow and pedestrian safety;
- (e) noting that the pedestrian and vehicular traffic in the surrounding areas would be increased upon development at the site, whether any traffic assessment in respect of the North Point area had been undertaken;
- (f) whether it was possible to retain the proposed City Garden Road Extension

in the form of a submerged road so that an alternative route for diverting the traffic in the vicinity was available without affecting the integration of the development at the site with the “G/IC” use to the south;

- (g) noting that the proposed high-rise residential building at the site were located in close proximity to the low-rise Grade II historic building to the south, what measures would be taken to enhance the integration and visual relationship between the new and old buildings;
- (h) whether any AVA had been undertaken by Government departments on the recommended option and whether the developer would be required to undertake any AVA after acquiring the land from the Government; and
- (i) noting that the “CDA(1)” portion of the site would be excised from future development, what use of that portion of the site would be designated for and whether that area would be rezoned.

37. In response to Members’ questions, Ms. Phyllis C.M. Li, CTP/SD, made the following points:

- (a) under the recommended option, the proposed 15m wide public landscaped walkway along the western boundary of the site would be at-grade. The walkway would not be built-over but could be covered for weather protection;
- (b) a portion of the ridgelines would be visible under both Options 2 and 3 as shown on Plan 9 of the Paper. Views to a majority of the ridgelines in the North Point area, however, had already been blocked by existing developments;
- (c) since a lower plot ratio was adopted under Option 3, a layout with fewer residential building blocks and more open space could be achieved when compared with the other two options;

- (d) with regard to the proposed widening of the pavement and road junction of Oil Street with Electric Road, the former RHKYC building to the immediate south of the site, which was an existing Grade II historic building, might pose a major constraint. Under the recommended option, the area between Oil Street and the historic building would be landscaped. Measures to enhance pedestrian circulation could be considered in detailed design of the landscaped area;
- (e) pedestrian circulation in the area would be enhanced by landscaped walkways linking Electric Road with the waterfront. To demonstrate that the development would be acceptable from the traffic point of view, the developer would be required to submit a TIA together with the MLP. The Transport Department (TD) would consider whether the TIA was acceptable in commenting on the planning application;
- (f) the retention of the proposed City Garden Road Extension would adversely affect the integration of the development at the site with the adjacent uses and the historic building to the south. Constructing the Extension in the form of a submerged road might not be feasible in view of the short length of the proposed Extension and the gradient requirement. The TD had been consulted on the proposal of deleting the Extension and agreed that the proposal should be assessed in the TIA to be submitted by the developer;
- (g) the layout prepared by PlanD was for indicative purposes. Members' concern on the integration and visual relationship between the development at the site and the adjacent historic building could be addressed in the urban design proposal by the developer at the MLP submission stage;
- (h) the recommended option was formulated having regard to the relevant air ventilation guidelines under the Urban Design Guidelines. PlanD would undertake an AVA on the option upon its agreement by the Committee, and the assessment result would be submitted together with the outcome of

public consultation to the Committee for consideration. The developer would be required to undertake AVA only if the proposed scheme deviated from the design requirements specified in the finally endorsed PB; and

- (i) part of the “CDA(1)” portion of the site would be reserved for an administration building and parking area of the CWB. Subject to its final alignment, the remaining part would be used for landscaped walkways and promenade. The area would be rezoned in future when the CWB proposal was finalized.

38. After deliberation, the Committee agreed that :

- (a) the development parameters adopted in Option 3 was acceptable for the development of the “Comprehensive Development Area”; and
- (b) the draft revised Planning Brief at Annex C of the Paper was suitable for public consultation.

Agenda Item 8

[Open Meeting (whole agenda item)]

Planning Brief for Former Police Married Quarters Site at Hollywood Road

(MPC Paper No. 23/06)

39. With the aid of a powerpoint presentation, Mr. Roy C.H. Li, STP/SD, presented the background to the item and covered the following aspects as detailed in the Paper:

Background

- (a) the subject site was zoned “Residential (Group A)” on the draft Sai Ying Pun and Sheung Wan Outline Zoning Plan (OZP) No. S/H3/21, with no development restrictions stipulated under the OZP. Previously occupied by the Central School, the site was part of the Dr. Sun Yat Sen Historical Trail.

Since 2005/06, the site was included in the List of Sites for Sale by Application for residential development;

- (b) on 25.11.2005, the Committee considered an s.12A application (No. Y/H3/1) made by some local residents for rezoning the site to “Government, Institution or Community” to preserve it for use as a historical/cultural compound with museums, galleries, library, etc. The Committee rejected the application but decided that a planning brief (PB) should be prepared to guide the future development of the site so as to address the local aspiration on preserving the cultural heritage and historic features of the site, avoiding encroachment upon the historic walls and trees, setting a maximum development intensity and increasing the provision of public open space (POS);

Major issues

- (c) taking into consideration the preservation requirements recommended by the Secretary for Home Affairs and the public aspirations as detailed in paragraphs 4 and 5 of the Paper respectively, PlanD identified the following major issues in the preparation of the draft PB:
 - (i) Use – pure residential development without commercial uses would be more conducive to maintaining the existing residential character and historical setting of the site and its neighbourhood;
 - (ii) POS – the lower platform fronting Hollywood Road should be preserved for use as POS;
 - (iii) Set back requirement – a minimum set back of 3m from the surrounding historic walls and a continuous soil zone with a minimum width of 6m from the retaining walls and old trees at Hollywood Road and Shing Wong Street should be imposed to avoid adverse impact on the concerned walls and trees;

- (iv) Platform preservation – the lower platform should be retained. The two upper platforms should be maintained at roughly the existing levels with modification allowed subject to no adverse impact on the historic structures to be preserved; and
- (v) Vehicular access and refuse collection point (RCP) – the vehicular access and frontage of a proposed RCP at the site should be modified to avoid disturbance to the pillars and plinths of the wall along Staunton Street.

Determination of development intensity

- (d) to determine the optimal level of development intensity for the site, PlanD had evaluated three notional schemes. It was concluded that Alternative Scheme 2, with the least number of building blocks (two), lowest plot ratio (PR) (PR8) and building height (130mPD) and largest area of POS (1,200m²), was the optimal scheme in preserving the historic features and landscape value of the site, alleviating the shortfall of POS and Government, institutional or community facilities and following the Urban Design Guidelines, while optimizinig the development potential of the site without overtaxing the infrastructures and community facilities in the area;

Draft Planning Brief

- (e) based on Alternative Scheme 2, a draft PB was prepared at Annex C of the Paper, setting out the following major development parameters and planning requirements:
 - (i) the site was restricted to pure residential use with POS, RCP and a residential care home for elderly;
 - (ii) the lower platform was preserved for a POS of about 1,200m²;

- (iii) a maximum gross floor area of 38,400m², equivalent to PR8 based on the development site area (excluding the POS of 1,200m²) was imposed;
- (iv) a maximum building height of 130mPD was imposed;
- (v) the requirements of set back and continuous soil zone as mentioned in paragraph 39(c)(iii) above and other heritage preservation measures was incorporated;
- (vi) design, disposition and height proposals with an urban design concept, conservation plan and landscape master plan for future development should be submitted under land sale conditions;

Next steps

- (f) subject to the comments and agreement of the Committee, PlanD would consult the Central and Western District Council on the draft PB. Views received from the C&WDC and the public would be incorporated as appropriate and the revised draft PB would be submitted to the Committee for endorsement in early 2007. The land sale conditions of the site would be revised to incorporate the requirements under the endorsed PB.

40. Members had the following questions:

- (a) whether there was a previous public toilet within the site, which might also have historical value worth preserving;
- (b) why the AMO considered that the fence walls at Aberdeen Street and Staunton Street needed not be preserved, and the requirement for in-situ preservation of the original granite plinths and pillars could be relaxed, as mentioned in paragraph 4(b) of the Paper;

- (c) whether there would be any landscaping treatment for the RCP under Alternative Scheme 2;
- (d) whether the existing road capacity in the area was adequate to cater for the proposed development, and whether the developer would be required to submit traffic impact assessment (TIA) for the development; and
- (e) whether the previous requirement of setting back the site boundary at Aberdeen Street and Staunton Street for footpath widening was retained, and whether the allowance of non in-situ preservation of the granite plinths and pillars was to facilitate footpath widening in future.

41. In response to Members' questions, Ms. Phyllis C.M. Li, CTP/SD, made the following points:

- (a) there was an existing underground public toilet within the site but the AMO had not advised that it should be preserved;
- (b) regarding the fence walls at Aberdeen Street and Staunton Street, AMO advised that only the granite plinths and pillars were the remnants of the previous Central School, and part of the walls were in fact structures subsequently re-built. Notwithstanding, PlanD recommended that the walls as a whole should be preserved to fully reflect its historical interest, with flexibility allowed for modification to the walls and non in-situ preservation of the plinths and pillars to cater for future development at the site, such as for providing openings for vehicular and pedestrian access;
- (c) landscaping treatment would be proposed for the RCP under the recommended development scheme;
- (d) Transport Department (TD) had advised that the existing road capacity in the area was generally adequate to cater for the development originally

proposed in the land sale conditions. On this basis, it was expected that the existing roads in the area should also be adequate to cater for the recommended scheme which involved a much lower development intensity. There was no requirement for the developer to submit TIA for the proposed development. However, the developer would be required to submit the design of the vehicular ingress/egress point to the relevant departments for consideration; and

- (e) the previously proposed footpath widening for Aberdeen Street and Staunton Street was no longer feasible under the recommended option. Given the requirement of preserving the fence walls, TD had confirmed that the footpath widening proposal could be deleted. The allowance of non in-situ preservation of the plinths and pillars was mainly to facilitate the provision of openings for vehicular and pedestrian access. Under the recommended scheme, the developer would still be required to set back the development by 3m in order to avoid impacts on the historic walls.

42. After deliberation, the Committee agreed that :

- (a) the development intensity adopted in Alternative Scheme 2 was acceptable for the development of the Site; and
- (b) the draft Planning Brief at Annex A of the Paper was suitable for public consultation.

[The Chairperson thanked Ms. Phyllis C.M. Li, CTP/SD, Mr. Roy C.H. Li, STP/SD and Ms. Katy C.W. Fung, STP/SD, for their attendance to answer Members' enquiries. Ms. Li, Mr. Li and Ms. Fung left the meeting at this point.]

[Ms. Starry W.K. Lee left the meeting at this point.]

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

Development Company Limited (HLDCL) and Mr. Raymond Y.M. Chan declared an interest for having current business dealings with HLDCL.

[Mr. Raymond Y.M. Chan left the meeting temporarily at this point.]

46. The Committee also noted that the following Members had declared interests in this item:

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| Mr. K.Y. Leung | - being the Chairman of the Sub-committee on Harbour Plan Review of the Harbour-front Enhancement Committee (HEC), which had indicated its support to a previous s.12A application (No. Y/H8/2) in respect of the application site; |
| Dr. Greg C.Y. Wong | - being a member of the HEC; |
| Ms. Starry W.K. Lee | - being a member of the HEC; |
| Professor Bernard V.W.F. Lim | - being a member of the Hong Kong Institute of Architects participated in organizing a conceptual design competition and relevant workshops for the eastern waterfront area; |
| Mr. Leslie H.C. Chen | - being a member of the HEC and a representative of the university participated in organizing the said conceptual design competition and relevant workshops for the eastern waterfront area; and |
| Dr. Daniel B.M. To | - being a member of the Eastern District Council (EDC). |

47. The Committee noted that Mr. K.Y. Leung, Prof. Bernard V.W.F. Lim and Mr. Leslie H.C. Chen had tendered their apologies for being unable to attend the meeting, and Ms. Starry W.K. Lee had left the meeting. The Committee agreed that the interests of Dr. Greg C.Y. Wong and Dr. Daniel B.M. To in this item were indirect and they should be allowed to stay at

the meeting and participate in the deliberation on and determination of the item.

Presentation and Question Session

48. Mrs. Alice K.F. Mak, STP/HK, said that a supplementary paper on further information (FI) submitted by the applicant to address the comments of Transport Department (TD) on the application and the response of TD on the FI was tabled at the meeting. She then went on to present the application and covered the following aspects as detailed in the Papers :

- (a) background to the application, highlighting that the development intensity and building height of the application site was the subject of an on-going review by the Planning Department at the request of the Committee in its deliberation on a section 12A Application submitted by the same applicant (No. Y/H8/2) for amending the Notes of the “Comprehensive Development Area(1)” zone to include ‘Flat’ use as a Column 2 use on 1.9.2006;
- (b) the proposed office, eating place, shop and services, and place of recreation, sports or culture uses;

[Mr. Nelson W.Y. Chan left the meeting temporarily at this point.]

- (c) departmental comments – the Assistant Commissioner for Transport/Urban had reservation on the application due to a concern on possible impact of the proposed development on the reserve capacity at the junctions of Electric Road/Oil Street and King’s Road/Oil Street. The Project Manager/Hong Kong Island and Islands, Civil Engineering and Development Department and the Secretary for Environment, Transport and Works had reservation on the application due to a concern on possible conflict of the proposed development, in particular the portion of the site underneath on the seaward side of Island Eastern Corridor (IEC), with the Central-Wan Chai Bypass (CWB) and the harbour-front enhancement proposed at the new North Point waterfront. The Chief Town Planner/Urban Design and Landscape, Planning Department considered that the proposed office at the southern

portion was excessive in terms of its building height and bulk given its prime waterfront location;

- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – the PlanD did not support the application for reasons as detailed in paragraph 11.1 of the Paper in that the proposed development with a plot ratio of 15 and building height of 165mPD would result in adverse visual impact at the waterfront and was not in line with the Urban Design Guidelines and Harbour Planning Principles; the development intensity and building height of the application site was under review; the applicant had not provided sufficient information to demonstrate that there were feasible improvement measures to alleviate the traffic impact; and the proposed development would be in conflict with the CWB and the harbour-front enhancement proposed at the new North Point waterfront.

[Mr. Nelson W.Y. Chan returned to the meeting at this point.]

49. Members had the following questions:

- (a) whether the applicant had submitted any visual impact assessment (VIA) for the proposed development; and
- (b) whether the EDC had discussed the application.

50. In response to Members' questions, Ms. Christine K.C. Tse, DPO/HK, made the following points:

- (a) the applicant had not submitted any VIA for the proposed development. To illustrate the views towards the proposed development, PlanD had prepared a photomontage at Plan A-5 of the Paper; and

- (b) it was understood that the District Officer (Eastern) had circulated the application to the Members of the EDC for comment but the application had not been formally discussed by the EDC;

Deliberation Session

51. A Member pointed out that the intensity of developments at waterfront area was a concern of the Committee. During the deliberation on the draft revised Planning Brief for the Oil Street site, which was near the subject application site, the Committee had agreed that a development option with the lowest intensity should be adopted for public consultation. Following this line, this Member considered that the subject application should not be approved since the proposed development would result in excessive development intensity, adverse traffic impact and possible conflicts with the CWB.

52. Another Member also did not support the application. However, this Member pointed out that planning permission (Application No. A/H8/373) had previously been granted for a hotel and cultural complex development at a PR of 15 and building height of 165mPD at the “CDA(1)” zone to the immediate east of the site, and asked whether that planning approval would have implication on the consideration of the subject application.

53. In response to the Chairperson’s request, Ms. Christine K.C. Tse, DPO/HK, briefed Members on the background of Application No. A/H8/373. She said that Application No. A/H8/373 was in fact for amendments to a similar scheme approved by the Committee in October 2000 (Application No. A/H8/340), and the approved scheme was already under construction. During deliberation on Application No. A/H8/340, the bulk of the proposed development was not raised as a matter of concern. Such concern was firstly raised during deliberation on Application No. A/H8/373. To address the concern, the Committee had advised the applicant to improve the design and permeability of the hotel podium to minimize blockage of sea breeze to the inner street behind the Island Eastern Corridor (IEC). In March 2006, the applicant submitted a s.16A application for minor amendments to the approved scheme (Application No. A/H8/373-2) including an increase of the height of the podium, which was rejected by the Committee in May 2006 due to insufficient information to

demonstrate that the design of the hotel podium would not result in blockage of sea breeze to the inner street behind IEC.

54. The Secretary pointed out that the current application site was not the subject of any valid planning permission and was thus different from that of Application No. A/H8/373. Although planning permission had previously been granted for office development at the site in August 1996 (Application No. A/H8/262), the approved development had never commenced and the permission had lapsed in August 2002. Furthermore, there was increasing public concern on development intensity along the waterfront and the traffic situation in the area was quite different since the approval of Application No. A/H8/373. The Urban Design Guidelines were promulgated in 2003 for use as a design framework for waterfront sites.

55. A Member also said that piling works for implementation of the approved scheme under Application No. A/H8/373 had commenced. Mr. James Merritt added that land exchange exercise for the approved development under A/H8/373 had also been completed.

56. Members generally agreed that planning permission for Application No. A/H8/373 should not be taken as a precedent for giving favourable consideration to the subject application because of changes in planning circumstances and community aspiration.

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

- (a) the proposed development with its development intensity and building height would result in adverse visual impact given the waterfront location of the application site; and
- (b) the proposed development would bring about adverse traffic impact on the junctions of the local road network. The submission had not provided sufficient information to demonstrate that there were feasible improvement measures to alleviate the traffic impact.

General issues on undue delay in implementation of approved development

58. A Member was concerned that developers often used the grant of previous planning permission as a justification to support their applications for similar developments, albeit that the approved development might no longer be desirable under the changed planning circumstances and community aspirations. This Member considered that the problem could be relieved if stricter control against undue delay in implementation of the approved developments could be imposed. Another Member said that the cost of keeping planning approval alive by obtaining building plan approval was not high.

59. The Secretary responded that it was the practice of the Board since 1990 to impose a time limit for commencement of the approved developments to ensure that the development would be implemented within a reasonable period. The time limit was originally set as two years, which was subsequently revised to three years and then to four years. In general, the approval of building plans or execution of land grant/lease modification would constitute a commencement of development. With good justifications, the Board might extend the time limit, and there was previously no restriction on the times of extensions that the Board might grant. Upon the commencement of the Town Planning (Amendment) Ordinance 2004, the Board had reviewed the relevant guidelines so that any extension of time for commencement of development should not result in an aggregate extension period longer than the original duration for commencement of the approved scheme. Since a period of four years was normally allowed for commencement of an approved development, it was expected that an approved development would commence within a period of not more than eight years. The possibility of undue delay in implementation of approved schemes could be addressed. The Secretary said that the current guidelines had been the subject of consultation with relevant stakeholders, including the Real Estates Developers' Association and the Legislative Council, and represented a reasonable balance in the interests of all parties. The Chairperson added that implementation of an approved development often involved complicated and lengthy procedures such as land assembly and land exchange, and the time allowed for commencement of development should be reasonable. A Member also said that it would not be desirable for the Board to have too much control on the implementation of development, which was largely market-driven.

[Open Meeting (Presentation and Question Session only)]

- (iii) A/H8/378 Proposed Hotel in “Residential (Group A)” zone,
21 Whitfield Road, North Point
(MPC Paper No. A/H8/378)
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60. This application was submitted by a subsidiary of the National Property Holdings Limited (NPHL). The Committee noted that Mr. Raymond Y.M. Chan had declared an interest in this item for having current business dealings with the NPHL, and had left the meeting temporarily.

Presentation and Question Session

61. Mrs. Alice K.F. Mak, STP/HK, 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 – there was no adverse comment received from concerned Government departments;
- (d) three public comments were received during the statutory publication period. Two commenters objected to the application due to concerns on the lack of parking facilities for the proposed hotel and measures to ensure pedestrian safety, and possible impacts on the environment and safety in the neighbourhood during the construction of the hotel. The other commenter advised that parking space for hotel coaches and cars should be provided; and
- (e) the Planning Department (PlanD)’s views – the PlanD had no objection to the application for reasons as detailed in paragraph 10.1 of the Paper in that the proposed hotel development was not incompatible with the surrounding

developments and would unlikely generate adverse traffic, environmental and drainage impacts in the area. Regarding the concerns raised in the public comments, relevant Government departments had no adverse comments on the proposed development.

62. A Member asked whether the maximum plot ratio (PR) permissible for hotel development in the subject “Residential (Group A)” (“R(A)”) zone was 15 or 9. The Secretary replied that since there was no PR restriction for development in the subject “R(A)” zone, the proposed hotel development could be built to a maximum PR of 15 as permitted under the Buildings Ordinance. However, if the Committee considered that a PR of 15 was excessive, it could reject the application or requested the applicant to reduce the development intensity.

Deliberation Session

63. A Member said that the Town Planning Board (the Board) had recently rejected on review a similar application for hotel development at a plot ratio (PR) of 12 in “R(A)” zone at Wuhu Street, Hung Hom (Application No. A/H9/206) on the ground that the proposed development intensity was excessive. This Member asked why the proposed hotel under current application, which was at PR 15, was acceptable. The Secretary said that one of the major differences between Application No. A/K9/206 and the current application was that the “R(A)” zone under former application was subject to a maximum non-domestic PR of 9 while there was no PR restriction for the latter site. Application No. A/K9/206 was in fact rejected for reason that there was no provision for the Board to grant planning permission for development with PR exceeding the stated restriction.

64. In response to the Chairperson’s enquiry, Ms. Christine K.C Tse, DPO/HK, said that the current building at the application site was used as a service apartment, which would be demolished according to the applicant’s proposal.

65. A Member said that internal loading/unloading facilities should normally be provided for a hotel with more than 50 guestrooms. This Member had reservation on the application since the number of guestrooms proposed marginally exceeded the threshold of 50 but no loading/unloading facilities would be provided. Another Member shared the concern

and was worried that no feasible action could be identified to rectify the traffic problem so caused when the development was completed. Another Member pointed out that one of the public commenters, who was a local resident and should be familiar with the local traffic situation, had put forth some suggestions to address the possible traffic problem. Such comment and suggestions should be given due consideration.

66. Mr. Anthony Loo said that the traffic flow on Whitfield Road was not too high and there was a 20-m long lay-by near the site for loading/unloading activities. Due to significant site constraints, it would be difficult to provide internal loading/unloading facilities within the proposed hotel. Given the small scale of the proposed hotel, loading/unloading activities were expected to be minimal, which could be adequately catered for by the existing lay-by. As such, the proposal of not providing internal loading/unloading activities within the hotel was considered acceptable.

67. The Secretary added that the Transport Department had in fact revised its internal guidelines so that the threshold number of guestrooms for provision of on-site loading/unloading facilities had been increased from 50 to 100. The new guidelines had been adopted in some similar applications recently considered by the Committee. Taking into account the new guidelines, Members agreed that the applicant's proposal of not providing on-site loading/unloading facilities was acceptable.

68. Mr. Anthony Loo added that the capacity of Whitfield Road should be adequate to accommodate the additional traffic flow. A Member who was familiar with the traffic situation in the area agreed with Mr. Loo's view.

69. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.11.2010, 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 water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and

- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

70. The Committee also agreed to advise the applicant :

- (a) that the approval of the application did not imply that the proposed non-domestic plot ratio of the proposed hotel development including gross floor area exemption for back-of-house-facilities, if claimed, would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession, in particular the non-domestic plot ratio of the development, was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the TPB might be required; and
- (b) to revise the layout of the development to address the comment of the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department, in paragraph 8.1.8 of the Paper in relation to the reduction of building height.

[Mr. Raymond Y.M. Chan returned to the meeting at this point.]

Agenda Item 8

[Open Meeting (whole agenda item)]

Proposed Residential/Commercial Development with Public Open Space and Government, Institution or Community Facility Area bounded by First Street, Second Street, Centre Street and Eastern Street, Sai Ying Pun –

Advisory Clause Relating to the Approval Condition on Public Open Space

(Application No. A/H3/341-1)

(MPC Paper No. 24/06)

71. As this item was related to an approved application submitted by the Urban Renewal Authority (URA) for its First Street/Second Street Development Scheme, the following Members declared interests:

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| Mrs. Ava Ng as the Director of Planning | - being a non-executive director of the URA; |
| Ms. Margaret Hsia as the Assistant Director (2) of the Home Affairs Department | - being a co-opt member of the Planning, Development and Conservation Committee of the URA; |
| Mr. James Merritt as the Assistant Director (Kowloon) of the Lands Department | - being an assistant to the Director of Lands who was an non-executive director of the URA; |
| Mr. Walter K.L. Chan | - being a non-executive director of the URA; |
| Dr. Greg C.Y. Wong | - having current business dealings with the URA; |
| Professor Bernard V.W.F. Lim | - having current business dealings with the URA. |

72. Members noted that Ms. Margaret Hsia and Prof. Bernard V.W.F. Lim had tendered their apologies for being unable to attend the meeting. Mr. Walter K.L. Chan, Dr. C.Y. Greg Wong and Mr. James Merritt should be invited to leave the meeting temporarily during the discussion of and determination on this item. Since Dr. Greg C.Y. Wong, as the Vice-chairman, would have to refrain from joining the discussion, the Chairperson could continue to chair the meeting by necessity but should refrain from discussion on this item.

[Dr. Greg C.Y. Wong, Mr. Walter K.L. Chan, Mr. James Merritt and Ms. Sylvia S.F. Yau left the meeting at this point.]

73. Mrs. Alice K.F. Mak, STP/HK, presented the item and covered the following aspects as detailed in the Paper:

- (a) Background - the subject site was zoned “Comprehensive Development Area” on the Approved Land Development Corporation First Street/Second Street Development Scheme Plan No. S/H3/LDC5/2. On 10.10.2003, the Committee approved the Master Layout Plan for a comprehensive residential and commercial development with a public open space (POS) of about 700m² and a residential care home for the elderly at the site (Application No. A/H3/341). On 7.3.2006, the Committee approved an application for Class B amendments to the approved scheme (Application No. A/H3/341-1) with conditions including the design and provision of a POS, and agreed to advise the applicant that the design and provision of the POS should have a minimum width at the western tower portion equal to a distance between the indented part of the main podium facade of the western tower as shown on the original approval and the lot boundary on Second Street. On 10.10.2006, the URA submitted a revised design of the POS to the Planning Department (PlanD) with a view to fulfilling the condition and the advice of the Committee;
- (b) The revised design of POS - according to the revised design, the western portion of the POS was widened to about 9m, which still fell short of the requirement specified under the Committee’s advice. URA explained that given the narrow width of the site and its elongated configuration, further widening of the POS would pose difficulty to the design of the scheme and would further constrain the podium layout which had to accommodate a number of ancillary and community facilities proposed. In any event, there was no reduction in the provision of POS of 700m² as required for the development and additional covered open space would be provided to enhance the design and usability of the POS;
- (c) Departmental comments - relevant Government departments including the

Director of Leisure and Cultural Services, Chief Town Planner/Urban Design and Landscape, PlanD and District Officer (Central and Western) had no adverse comment on the revised design of the POS and;

- (d) PlanD's view – PlanD considered that the revised design of the POS was acceptable for reasons as detailed in paragraphs 5.1 and 5.2 of the Paper.

74. Members had no question on this item.

75. After deliberation, the Committee agreed that the revised design of the POS was acceptable with regard to the Committee's advice on the width of the POS as given in its approval of the Application No. A/H3-341/1-1.

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

Agenda Item 9

Any Other Business

76. There being no other business, the meeting was closed at 12:00 p.m.