

TOWN PLANNING BOARD

Minutes of 346th Meeting of the Metro Planning Committee held at 9:00 a.m. on 23.3.2007

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Dr. Greg C.Y. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Walter K.L. Chan

Mr. Raymond Y.M. 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. Anthony Loo

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

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

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

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

Secretary

Absent with Apologies

Ms. Maggie M.K. Chan

Ms. Sylvia S.F. Yau

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Mr. C.T. Ling

Town Planner/Town Planning Board
Ms. Karina W.M. Mok

Agenda Item 1

Confirmation of the Draft Minutes of the 345th MPC Meeting held on 9.3.2007

[Open Meeting]

1. The draft minutes of the 345th MPC meeting held on 9.3.2007 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

- (i) Abandonment of Town Planning Appeal

Town Planning Appeal No. 11 of 2006 (11/06)
Temporary Wholesale Trade Use for a Period of 3 Years
in “Other Specified Uses” annotated “Business” zone,
Units G and H, 6/F, Yip Fat Factory Building Phase 2,
75 Hoi Yuen Road, Kwun Tong
(Application No. A/K14/473)

2. The Secretary reported that the subject appeal was received by the Town Planning Appeal Board (TPAB) on 21.6.2006 against the decision of the Town Planning Board to reject on review an application (No. A/K14/473) for temporary wholesale trade use for a period of 3 years at a site zoned “Other Specified Uses” annotated “Business” on the Kwun Tong South Outline Zoning Plan. On 13.3.2007, the appeal was abandoned by the appellant of his own accord. On 20.3.2007, the TPAB formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

- (ii) Town Planning Appeal Statistics

3. The Secretary reported that as at 23.3.2007, 24 cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows :

Allowed	:	17
Dismissed	:	95
Abandoned/Withdrawn/Invalid	:	121
Yet to be Heard	:	24
Decision Outstanding	:	5
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Total	:	262

General

[Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), Ms. Heidi Y.M. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr. Eric C.K. Yue, District Planning Officer/Kowloon (DPO/K), Ms. Phyllis C.M. Li, Chief Town Planner/Special Duties (CTP/SD), and Mr. Tom C.K. Yip, Senior Town Planner/Metro and Urban Renewal (STP/M&UR), were invited to the meeting at this point.]

[Mr. Leslie H.C. Chen arrived to join the meeting at this point.]

Agenda Item 3

[Open Meeting (whole agenda item)]

Review of Sites Designated “Comprehensive Development Area”
on Statutory Plans in the Metro Area for the Year 2006/2007
(MPC Paper No. 3/07)

Presentation and Question Sessions

4. Mr. Tom C.K. Yip, STP/M&UR, stated that it had been the Committee’s practice to review, on an annual basis, the “Comprehensive Development Area” (“CDA”) zoning for sites that had been so zoned on the statutory plans in the Metro Area for more than 3 years, with or without an approved Master Layout Plan (MLP). The review would assist the Committee in considering whether the zoning of individual “CDA” sites should be retained or amended and in monitoring the progress of “CDA” developments. Mr. Tom C.K. Yip presented the results of the review as detailed in the Paper and covered the following main

points :

- (a) the subject review covered a total of 51 “CDA” sites, 30 of them had approved MLP and the remaining 21 had no approved MLP;

CDA Sites with No Approved MLP

- (b) for the 21 “CDA” sites with no approved MLP, 20 of them were proposed for retention mainly because they were either programmed for land disposal, under planning studies/reviews, recorded with some progress in implementation, or with outstanding concerns such as traffic, environmental and visual impacts that needed to be addressed. Detailed justifications for their retention were shown in Appendix I of the Paper;
- (c) the “CDA” site to the north of Harbour Road and west of Wan Chai Sports Ground, Wan Chai (No. H38) had potential for rezoning to reflect the proposed uses of the site, i.e. for reprovisioning of an indoor games hall/training pool and Wan Chai North Public Transport Interchange, currently under the review of the Wan Chai Development Phase II;

CDA Sites with Approved MLP

- (d) for the 30 “CDA” sites with approved MLP, 7 were ready to be rezoned and 3 had potential for rezoning. The remaining 20 sites were proposed for retention as they either had some progress in implementation or were at various stages of implementation. The “CDA” designation would ensure their proper implementation in accordance with the approved MLPs and approval conditions. Detailed justifications for their retention were shown in Appendix III of the Paper;
- (e) for the 7 “CDA” sites that were proposed for rezoning, 4 of them had previously been agreed by the Committee for rezoning and the outstanding issues affecting these sites had now been satisfactorily resolved. They included the “CDA” site bounded by Kennedy Town New Praya, Davis

Street, Catchick Street and Cadogan Street, Kennedy Town (No. H12), the “CDA” site at the junction of Princess Margaret Road/Wylie Road, Yau Ma Tei (No. K20) and two “CDA” sites at Tsuen Wan Town Lot Nos. 373 and 406, Tsuen Wan (Nos. TW24 and TW31 respectively). 3 “CDA” sites were newly proposed for rezoning. They included the “CDA” site at the Airport Railway Olympic Station, West Kowloon Reclamation (No. K10D) and two “CDA” sites at Tsuen Wan Town Lot Nos. 398 and 407, Tsuen Wan (Nos. TW10 and TW25 respectively) which had been/almost completed. The rezoning proposal for Site No. K20 to reflect its existing uses would be considered by the Committee in this meeting. Site Nos. H12, K10D and TW10 were proposed for rezoning to reflect their existing uses. The zoning of Site No. TW25 would be reviewed together with Site Nos. TW24 and TW31 in one go; and

- (f) 3 “CDA” sites were considered as having potential for rezoning. They included the “CDA” site at the Airport Railway Hong Kong Station, Central (No. H20), the “CDA” site at Po Lun Street, Lai Chi Kok (No. K17) and the “CDA” site at 25-51 Wo Yi Hop Road, Kwai Chung (No. TW22). The development of these sites had been completed/almost completed with only a small number of approval condition(s) yet to be complied with.

[Mr. Raymond Y.M. Chan and Ms. Margaret Hsia arrived to join the meeting at this point.]

Deliberation Session

5. The Committee noted the findings of the subject review, and that details with respect to the proposed rezoning of the “CDA” sites, if agreed, would be presented to the Committee for consideration.

6. After deliberation, the Committee decided to :

- (a) agree in-principle to the proposed rezoning of the “CDA” sites (Nos. K10D, TW10 and TW25) mentioned in paragraph 4.2.5 and detailed in Appendix V of the Paper; and

- (b) support the retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.2 and detailed in Appendices I and III of the Paper.

[The Chairman thanked Ms. Christine K.C. Tse, DPO/HK, Ms. Heidi Y.M. Chan, DPO/TWK, Mr. Eric C.K. Yue, DPO/K, Ms. Phyllis C.M. Li, CTP/SD, and Mr. Tom C.K. Yip, STP/M&UR, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Hong Kong District

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/H9/1 Application for Amendment to the
Approved Shau Kei Wan Outline Zoning Plan No. S/H9/14
from “Open Space” to “Government, Institution or Community (1)”
 (“G/IC(1)”) for a proposed electricity substation with public open
space, and to incorporate building height restriction of 63mPD for the
proposed “G/IC” zone, a piece of Government Land
at Tung Kin Road, A Kung Ngam, Shau Kei Wan
(MPC Paper No. Y/H9/1A)

7. The Secretary reported that the application was submitted by the Hong Kong Electric Company Limited (HEC). Dr. Greg C.Y. Wong, having current business dealings with the HEC, and Dr. Daniel B.M. To, being the Eastern District Council Member and had submitted public comments on this application, declared interests in this item. The Committee noted that Dr. Greg C.Y. Wong had not yet arrived at the meeting.

[Dr. Daniel B.M. To left the meeting temporarily at this point.]

[Professor Bernard V.W.F. Lim arrived to join the meeting at this point.]

Presentation and Question Sessions

8. Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), Mrs. Alice K.F. Mak, Senior Town Planner/Hong Kong (STP/HK) and the following applicant's representatives were invited to the meeting at this point :

Mr. Derek Sun
Mr. Herman Ng
Dr. Tso Che Wah
Mr. Lee Wai Hung, Daniel
Miss Kan Chee Man, Florence
Mr. Lo Yun Fu, Allan
Mr. Hong Kin Tung
Mr. S.L. Ng
Mr. Peter Austin

9. The Chairperson extended a welcome and explained the procedures of the hearing. Mrs. Alice K.F. Mak was then invited to brief Members on the background to the application. With the aid of a powerpoint presentation, Mrs. Alice K.F. Mak did so as detailed in the Paper and made the following main points :

The Site and the Proposal

(a) the applicant's proposal and the justifications were detailed in paragraphs 1 and 2 of the Paper. The application site, which was a disused quarry to the south of A Kung Ngam Industrial Area with an area of 4,800m², was proposed for rezoning from "Open Space" ("O") to "Government, Institution or Community (1)" ("G/IC(1)") on the approved Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/14 for an electricity substation (ESS) to meet the future electricity demand in the Eastern District by 2012. The applicant also proposed to amend the Notes of the OZP to specify that the proposed "G/IC(1)" zone would be subject to a maximum building height restriction of 63mPD;

- (b) to compensate for the loss of planned open space due to the proposed ESS, the applicant proposed to develop a public open space of not less than 500m² within the application site, a public open space of not less than 1,800m² at Miu Tung Street which was currently zoned “O” on the OZP, and another with an area of about 2,100m² at Hoi Ching Street, which was currently zoned “GB” and ‘Road’. For the latter site, a rezoning to “O” was required in order to facilitate the implementation of the proposed public open space;

Departmental Comments

- (c) the comments from concerned Government bureaux/departments were set out in paragraph 9 of the Paper. In particular, the Director of Leisure and Cultural Services (DLCS) had strong reservation on the application mainly on the following grounds:

- there would be a reduction in the total area zoned “O”;
- the proposed public open space at Miu Tung Street had limited access and attraction to the locals;
- DLCS would not take up the management and maintenance responsibilities of the three proposed public open spaces; and
- the rezoning of the site at Hoi Ching Street to “O” was not supported due to the small usable flat area, steep access road leading to the site, potential rockfall danger and potential foreign objects dropped from the adjacent Yiu Tung Estate;

- (d) the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) commented that a turning circle/area should be provided at the end of Tung Kin Road. The Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD) had concerns on the potential traffic impact during laying of electricity cables as the application site was far away from the large-scale new developments at Oil Street and ex-North Point Estate. The District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) opined that the future management and

maintenance responsibilities of the three proposed public open spaces should be clarified;

Local Views and Public Comments

- (e) the local views were summarised in paragraphs 9.1.20 to 9.1.25 of the Paper. The Works and Development Committee (WDC) of the Eastern District Council had been consulted three times on the application. At the meetings held on 7.7.2006 and 19.10.2006, WDC Members generally did not support the application mainly in that the open space provision in the area would be reduced. At the meeting held on 9.3.2007, most WDC Members supported the rezoning of the site at Hoi Ching Street to “O”. However, some Members considered that the DLCS should be asked to develop the open space and that the rezoning applications for the proposed ESS and the proposed public open space at Hoi Ching Street should be considered separately. Therefore, the WDC passed a motion to hold the rezoning proposal at Hoi Ching Street in abeyance until the relevant Government departments had committed to take up the financial responsibility for the implementation of the open space;
- (f) 278 public comments were received during the statutory publication periods for the application and the subsequent further information. 276 of them were against and 2 gave comments on the application. They mainly raised concerns on the reduction in open space provision; historical significance of the disused quarry; compatibility of the ESS with the planning intention of the “O” zone; visual, environmental, health hazard and traffic impacts; location of the ESS being close to residential areas; unreasonably large size of the ESS; and the far distance of the proposed open space at Hoi Ching Street from A Kung Ngam. The commenters’ views were summarised in paragraph 10 of the Paper;

PlanD’s Views

- (g) Planning Department (PlanD) had no objection to rezoning the application site from “O” to “G/IC(1)” for the reasons as detailed in paragraph 11.1 of the Paper, mainly in that both the Secretary for Economic Development and

Labour (SEDL) and the Director of Electrical and Mechanical Services (DEMS) recognised the need for a new ESS and considered the application acceptable; a site search involving 15 sites indicated that only the application site was considered suitable for the proposed ESS; the proposed ESS was considered not incompatible with the surrounding land uses; the open space provision in Shau Kei Wan area would meet the provision standards of the Hong Kong Planning Standards and Guidelines (HKPSG) even with the rezoning proposal; the early implementation of the three proposed public open spaces was considered as a planning gain; the AC for T/U, TD considered that the proposed ESS would only generate minimal traffic and hence would not worsen the local traffic; and the Director of Environmental Protection (DEP) had no objection to the application;

- (h) however, PlanD did not support the proposed maximum building height restriction of 63mPD for the “G/IC(1)” zone for the reasons as detailed in paragraph 11.2 of the Paper. The maximum building height of the proposed ESS as proposed by the applicant was 48.75mPD (at main roof) only. No information was provided to justify a higher building height restriction. Therefore, a maximum building height restriction of 50mPD with minor relaxation clause to allow flexibility in the detailed design stage was proposed for the “G/IC(1)” zone; and
- (i) should the Committee agree to the proposed rezoning, appropriate remarks should be added to the Notes to indicate clearly the building height restriction of 50mPD and the provision of public open space of not less than 500m² for the “G/IC(1)” zone.

10. The Chairperson then invited the applicant’s representatives to elaborate on the application. With the aid of a powerpoint presentation, Dr. Tso Che Wah and Mr. Derek Sun made the following main points :

- (a) the total capacity of the existing ESSs in the Eastern District was 820.8MVA with the latest ESS built at Hang Fa Chuen some 8 years ago. Between 1995 and 2006, the electricity demand in the Eastern District had

increased from 450MVA to 628MVA. Electricity demand in the Eastern District would be further increased to 735MVA by 2009, and to 805MVA by 2012. The capacity left by 2012 would only be 15MVA and was considered inadequate. The feasibility of upgrading the capacity of the existing ESSs had been examined and found not to be feasible. Hence, a new ESS was required;

- (b) in collaboration with PlanD, a site search exercise had been carried out. Except the application site, all the sites identified were not suitable due to various reasons;
- (c) the proposed ESS would accommodate different facilities, including 132kV switching station, 275kV to 132kV supergrid transformer, 132kV to 11/22kV zone substation and other ancillary facilities. In accordance with the HKPSG's standards, the proposed ESS required a site area of about 5,030m². Due to site constraints, the usable area of the application site was 2,670m² only. With innovative building design, the proposed ESS, an emergency vehicular access (EVA) serving the ESS and a public open space of not less than 500m² could be accommodated within the application site;
- (d) different land use options had been examined to determine the best configuration for the proposed ESS, EVA and public open space within the application site. The current proposal was to locate the proposed public open space in the eastern portion of the application site so as to provide more direct and open access from Tung Kin Road. The EVA would be designed to integrate with the proposed public open space;
- (e) the proposed building height restriction of 63mPD for the "G/IC(1)" zone was the same as that for the adjacent "Other Specified Uses" annotated "Business" ("OU(Business)") zone. The basic principle in determining the appropriate maximum building height for the application site was that all the necessary facilities for the proposed ESS could be accommodated;

- (f) impact assessments demonstrated that the proposed ESS would have no adverse noise, geotechnical, traffic, landscape and visual impacts. The proposed ESS even at 63mPD would be below the hilltop to its south. The AC for T/U, TD's concern on the provision of a turning circle/area at the end of Tung Kin Road was mainly a design issue which could be addressed at design stage;
- (g) to address the local concerns, a site visit to the existing ESS had been organised for the WDC Members in September 2006 to enable them to better understand the operation of an ESS; and
- (h) the application would enable early implementation of three proposed public open spaces. The historical remains e.g. platforms of squatter huts for previous quarry workers and a grindstone within the site at Miu Tung Street would be integrated with the design of the proposed public open space. For the proposed public open space at Hoi Ching Street, a half-sized basketball court and taichi area would be provided to serve the local residents nearby.

11. Members had the following questions/concerns on the application :

- (a) the number and the size of ESSs in the district;
- (b) the justifications for the large size of the proposed ESS noting that the site area of an existing ESS at Yiu Hing Road, Shau Kei Wan was only about 1,711m² and another one at Cheung Lee Street, Chai Wan was about 465m²;
- (c) the justifications for the capacity of the proposed ESS which was intended to serve as back-up facility;
- (d) whether there was spare capacity in the ESSs in other districts which could serve the Eastern District as well;

- (e) other than the drawings showing the general description of uses such as ‘associated electrical equipment rooms and corridors’ on each floor of the proposed ESS, the applicant should provide equipment layout plans in the submission;
- (f) noting the proposed ESS was 7 storeys with a storey height of 10m at the ground floor and about 4.3m for the upper floors, whether the footprint and building height of the proposed ESS had been minimized. The vertical and blank wall design of the proposed ESS was also considered undesirable;
- (g) whether the Antiquities Advisory Board (AAB) had been consulted on the heritage value of the application site;
- (h) whether the open space provision would fall short of the HKPSG’s standards if the site at Hoi Ching Street would not be rezoned to “O”; and
- (i) when was the application site zoned “O” on the OZP and whether DLCS had any programme for the implementation of public open space at the application site.

12. In response to the Members’ questions/concerns, Dr. Tso Che Wah, Miss Kan Chee Man, Florence, Messrs. Hong Kin Tung and Derek Sun made the following points :

- (a) the applicant operated a total of 26 ESSs and the one at Heng Fa Chuen had a capacity of 212MVA. While the information on the size of these sites could be submitted to the Committee after the meeting, the site area of an ESS was generally about 0.2ha;
- (b) the information on the spare capacity of ESSs in the Eastern and other districts could be submitted to the Committee after the meeting. Transmission of electricity from other districts to the Eastern District might require laying of substantial length of electricity cables;

- (c) the capacity of 2 x 365MVA was in respect of supergrid transformers that were required to step down the voltage of electricity from 275kV to 132kV. Electricity had to be further stepped down to 11/22kV before transmission to consumers by four transformers each rated at 60MVA. Hence, the installed capacity of the proposed ESS should be 4 x 60MVA i.e. 240MVA, which had struck a balance among various considerations such as the economy of scale in the provision of new power supply infrastructure and land take requirement;
- (d) the proposed ESS was to cater for the projected electricity demand in the Eastern District. The electricity demand in the Eastern District had increased by about 20MVA per year in the last decade. Assuming this growth rate to continue, the proposed ESS would be able to meet the electricity demand in the Eastern District for about 10 years after its implementation in 2012. The latest ESS at Heng Fa Chuen had been built some 8 years ago and it was necessary to plan ahead now given that a lead time of about 4 years was required for the development of a new ESS;
- (e) the layout and elevation drawings for the proposed ESS were provided in Annex 2 of the planning statement. Detailed information on the facilities to be installed at the proposed ESS had not been submitted at the planning stage. However, the applicant was required to submit details of the proposed ESS to the relevant bureau/department for approval during the implementation stage to ensure that no excessive capacity or facilities would be provided/installed; and
- (f) as compared with other existing ESSs, a larger site area was required for the proposed ESS as it had to accommodate different facilities as mentioned in paragraph 10(c) above. In designing the proposed ESS, efforts had been made to minimise the site area, footprint and building height of the proposed ESS as far as possible. In fact, the actual building height of the proposed ESS was 36.5m. In addition, an EVA had to be provided within the application site due to the lack of turning area at the end of Tung Kin Road. The applicant had also proposed a number of

mitigation measures such as the provision of a green rooftop to reduce the landscape and visual impacts. The applicant agreed to examine if the design of the proposed ESS could be further improved e.g. by providing setback during the implementation stage.

[Ms. Margaret Hsia left the meeting temporarily at this point.]

13. Ms. Christine K.C. Tse, DPO/HK, supplemented and made the following points :
- (a) DEMS had no in-principle objection to the application as stated in paragraph 9.1.2 of the Paper. The Antiquities and Monuments Office (AMO) was consulted in end 2006 and advised that the application site at A Kung Ngam was neither a declared monument nor a graded historical site as stated in paragraph 9.1.15 of the Paper. The AAB had not been consulted;
 - (b) referring to Appendix VII of the Paper, there would be a surplus of 0.34ha in local open space provision in the Shau Kei Wan area according to the HKPSG's standard even if the site at Hoi Ching Street would not be rezoned to "O". Given the site constraints, special design would be required for the proposed public open space at Hoi Ching Street. As regards DLCS's concern on potential rockfall danger at Hoi Ching Street, slope stabilisation works would be carried out by the relevant Government department. The management and maintenance responsibilities of the proposed public open spaces could be sorted out during the processing of the land grant application; and
 - (c) majority of the application site had been zoned "O" on the OZP since 1978 with a small part of it rezoned to "O" in 2002. DLCS had no programme for the implementation of the proposed public open spaces at the application site and the site at Miu Tung Street.
14. Mr. Anthony Loo, AC for T/U, TD, enquired about the assessment on the provision of a turning circle/area at the end of Tung Kin Road. In reply, Mr. S.L. Ng said

that the area concerned involved steep slopes and required felling/transplanting of about 20 trees. Besides, traffic survey had been undertaken and indicated that only 35 and 13 vehicles needed to U-turn at the end of Tung Kin Road on two separate days. Nonetheless, the provision of a turning circle/area at the end of Tung Kin Road could be further considered.

15. In response to the Chairperson's enquiries, Dr. Tso Che Wah confirmed that the capacities of all the existing ESSs in the Eastern District could not be upgraded to meet the projected electricity demand. There was also no plan to convert/redevelop any existing ESSs or HEC buildings to other uses.

16. As the applicant's representatives had no further points to add and Members had no further questions to raise, the Chairperson 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 Chairperson thanked the applicant's representatives and PlanD's representatives for attending the meeting. They all left the meeting at this point.

[Ms. Margaret Hsia returned to join the meeting at this point.]

Deliberation Session

17. Members had a lengthy discussion and their views were summarised as follows :
- (a) DLCS had no resources to implement the proposed public open spaces at the application site and Miu Tung Street as planned on the OZP. Although the areas zoned "O" on the OZP would be slightly reduced due to the proposed ESS, the open spaces that could be made available for the local residents' enjoyment would actually be advanced with the implementation of the three proposed public open spaces by the applicant;
 - (b) the relevant authorities i.e. SEDL and DEMS were in the best position to examine and confirm the need for a new ESS. However, the applicant should provide further information to justify that no excessive capacity and

facilities had been proposed for the ESS as this would have bearing on its site area and building height. In particular, the applicant should also provide information to support its claim that the projected electricity demand in the Eastern District could not be met by the spare capacity of ESSs in other districts and why several smaller ESSs in different sites could not be provided instead of relying on one large ESS such as the one proposed at the application site;

- (c) the site area, footprint and building height of the proposed ESS should be minimised as far as possible. Noting from the information submitted, it appeared that there might be scope to reduce the footprint and floor to floor ceiling height of the proposed ESS. Further information should be provided to justify the site area requirement and building height. In the absence of such information, the Committee would not be in a position to determine if the proposed maximum building restriction of 63mPD was appropriate at the application site. References should also be provided on the site area requirement and equipment layout plans for those existing ESSs with similar facility provisions;
- (d) the applicant should further examine measures such as vertical greening and stepped height design to minimize the visual impact and improve the vertical/blank wall design of the proposed ESS; and
- (e) although the application site at A Kung Ngam was neither a declared monument nor a graded historical site, its heritage value might be different now given that the community value of heritage preservation had been broadened to include such elements as collective memory of the place. As such, the AAB should be consulted on the latest heritage value of the application site.

18. In addition, Mr. Anthony Loo, AC for T/U, TD, suggested that the applicant should further examine the feasibility of providing a turning circle/area at the end of Tung Kin Road to address TD's concerns.

19. The Chairperson concluded that in view of the Members' concerns on the application, it was prudent for the Committee not to make a decision on the application pending further information from the applicant and other parties. The Chairperson suggested and Members agreed that the application should be deferred.

20. After further deliberation, the Committee decided to defer a decision on the application pending submission of the following further information from the applicant :

- (a) information on the size and land requirements of the existing ESSs operated by the applicant as mentioned in paragraph 12(a);
- (b) information on the spare capacity of ESSs in the Eastern District and other districts and whether it was possible to make use of the spare capacity to meet the electricity demand in the Eastern District as mentioned in paragraph 12(b);
- (c) information to demonstrate that no excessive capacity and facilities had been proposed for the ESS in consultation with the relevant Government bureaux/departments as stated in paragraph 17(b) above;
- (d) information to demonstrate that the site area, footprint and building height of the proposed ESS had been minimised as far as possible as stated in paragraph 17(c) above;
- (e) information on the site area requirement and equipment layout plans for those existing ESSs with similar facility provisions as stated in paragraph 17(c) above;
- (f) further examination on measures to minimize the visual impact and improve the vertical/blank wall design of the proposed ESS as stated in paragraph 17(d) above; and
- (g) further examination on the feasibility of providing a turning circle/area at the end of Tung Kin Road to address TD's concerns as stated in paragraph

18 above.

21. The Committee also agreed that DPO/HK should consult the AAB on the latest heritage value of the application site as stated in paragraph 17(e) above.

[Dr. Daniel B.M. To returned to join the meeting at this point.]

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

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H14/52 Minor Relaxation of Plot Ratio Restriction from 0.5 to 0.6
for House Development in “Residential (Group C)2” zone,
77 Peak Road
(MPC Paper No. A/H14/52A)

22. The Secretary reported that the application was submitted by a subsidiary of the Wharf (Holdings) Limited. Dr. Greg C.Y. Wong, having current business dealings with this company, declared interest in this item. The Committee noted that Dr. Greg C.Y. Wong had not yet arrived at the meeting.

23. Before presentation of the application, Ms. Donna Y.P. Tam, STP/HK, highlighted the request from the representative of the Owners Committee of Stewart Terrace located to the immediate north of the application site that the further information (FI) submitted by the applicant on 30.1.2007, 16.2.2007, 21.2.2007 and 26.2.2007 be published for public comments with reference to Appendix II of the Paper. She explained that the FI submitted by the applicant had been exempted from the publication and recounting requirements in accordance with the Town Planning Board Guidelines No. 32 on

“Submission of Further Information in Relation to Applications for Amendment of Plan, Planning Permission and Review made under the Town Planning Ordinance”. However, the FI were made available for public inspection at the Planning Department (PlanD)’s public enquiry counters. Members noted the request and raised no comments.

Presentation and Question Sessions

24. Ms. Donna Y.P. Tam, STP/HK, then presented the application and covered the following aspects as detailed in the Paper :

- (a) the proposed minor relaxation of plot ratio restriction from 0.5 to 0.6 for house development to enable the incorporation of bonus plot ratio to be granted under the Building (Planning) Regulations (B(P)R) arising from the surrender of a portion of the lot for road widening upon redevelopment of the application site;
- (b) departmental comments – the Chief Building Surveyor/Hong Kong West, Buildings Department advised that any bonus plot ratio claimed under B(P)R 22(2) would only be considered upon formal submission of building plans. The Assistant Commissioner for Transport/Urban, Transport Department supported the Peak Road widening proposal from traffic engineering viewpoint. The Director of Agriculture, Fisheries and Conservation considered the proposal undesirable from flora conservation viewpoint as a considerable number of existing trees, which were of native species in mature sizes, would need to be felled/transplanted. The Chief Town Planner/Urban Design and Landscape, Planning Department did not support the proposed road widening works as many existing roadside planting would be adversely affected. The new additional run-in along Peak Road was also not supported if it would require felling of a mature tree along the road;

[Mr. Felix W. Fong returned to join the meeting at this point.]

- (c) five public comments were received during the statutory publication period.

Four objected and one supported the application. The grounds of objection and support were highlighted as per paragraph 10 of the Paper. While the District Officer (Central & Western) had not received any local comments, he pointed out that residents in Mid-Levels and the Peak were concerned about relaxation of plot ratio and building height on visual and traffic grounds. Some Central and Western District Council Members might share similar concerns and object to such relaxation; and

- (d) the PlanD's views – PlanD did not support the application for the reasons as detailed in paragraph 11.1 of the Paper, mainly in that the proposed relaxation, which would result in 20% increase in total gross floor area, was considered not minor; approval of the application would set an undesirable precedent which would undermine the planning intention for the area (i.e. to maintain the existing character and amenity of the area); and there were insufficient planning and design merits as well as adverse landscape impact.

25. Members had no question on the application.

[Professor Paul K.S. Lam left the meeting at this point.]

Deliberation Session

26. After deliberation, the Committee considered that there was no planning merits to justify the proposed relaxation and decided to reject the application and the reasons were :

- (a) there were insufficient planning and design merits for the proposed relaxation;
- (b) the proposed relaxation of plot ratio from 0.5 to 0.6 was not minor in nature;
- (c) there was insufficient information to demonstrate that the merits brought about by the road widening proposal would outweigh the adverse landscape

impact; and

- (d) the approval of the application would set an undesirable precedent for similar applications from other developments/redevelopments in the area. The cumulative effect of approving similar applications would have adverse impacts on the character and landscape amenity of the area.

[The Chairperson thanked Ms. Christine K.C. Tse, DPO/HK, and Ms. Donna Y.P. Tam, STP/HK, for their attendance to answer Members' enquires. Ms. Tse and Ms. Tam left the meeting at this point.]

[Dr. Grey C.Y. Wong arrived to join the meeting at this point.]

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

[Messrs. Stanley Y.F. Wong, Anthony Loo and Elvis W.K. Au left the meeting temporarily at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 6

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TWW/1 Application for Amendment to the
Draft Tsuen Wan West Outline Zoning Plan No. S/TWW/16
from "Green Belt" to "Green Belt (Group 1)",
Tsing Lung Tau Lots 1RP and 3RP, Tsuen Wan West
(MPC Paper No. Y/TWW/1A)

27. The Secretary reported that the Dragon Garden within the application site had been agreed by the Antiquities Advisory Board (AAB) as a Grade II historical building and Dr. Greg C.Y. Wong, Professor Bernard V.W.F. Lim and Mr. Leslie H.C. Chen were

Members of the AAB. As their interests were considered indirect, the Committee agreed that they were allowed to stay and participate in the discussion of and determination on the application.

28. Noting that the landowner of the Dragon Garden was Mr. Lee Shiu who had recently made donation to the University of Hong Kong School of Professional and Continuing Education (HKU SPACE), Mr. K.Y. Leung reported that he was a Consultant to the Director of HKU SPACE. Members noted his declaration and considered that his interest was indirect. He was allowed to stay and participate in the discussion of and determination on the application.

29. Ms. Heidi Y.M. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Miss Erica S.M. Wong, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), and the following applicant's representatives were invited to the meeting at this point :

Ms. S.F. Ho

Mr. S.M. Lee

Presentation and Question Sessions

30. The Chairperson extended a welcome and explained the procedures of the hearing. Miss Erica S.M. Wong, STP/TWK, was then invited to brief Members on the background to the application. With the aid of a powerpoint presentation, Miss Erica S.M. Wong did so as detailed in the Paper and made the following main points :

[Mr. Stanley Y.F. Wong returned to join the meeting at this point.]

The Site and the Proposal

- (a) the applicant's proposal and the justifications were detailed in paragraphs 1 and 2 of the Paper. The application site comprised the Dragon Garden and the adjoining vegetated area. The applicant proposed to rezone the whole application site from "Green Belt" ("GB") to "GB(1)" or other appropriate zoning(s) as the Committee considered appropriate on the draft Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/16. The

applicant also proposed a set of Notes for the “GB(1)” zone with stipulation of a clear planning intention of preserving all the natural setting, the cultural, historical and architectural attributes as well as the collective memory within the application site. The applicant subsequently submitted further information (FI) proposing to include ‘Eating Place’ and ‘Shop and Services’ uses under Column 2 of the proposed “GB(1)” zone;

[Messrs. Anthony Loo and Elvis W.K. Au returned to join the meeting at this point.]

Departmental Comments

- (b) the comments from concerned Government bureaux/departments were set out in paragraph 9 of the Paper. In particular, the Antiquities and Monuments Office (AMO) advised that the owner was considering not to surrender the whole piece of Tsing Lung Tau Lot 1RP at which the Dragon Garden was situated to the Government and negotiation on the agreed boundary was underway. While AMO had yet to determine the specific future uses of the Dragon Garden, it would in principle be converted into a public leisure ground for public enjoyment. The Director of Leisure and Cultural Services (DLCS) had temporarily taken over the Dragon Garden on 1.9.2006 and provided basic services to upkeep the site condition pending completion of the legal procedures for the surrender;
- (c) the Director of Agriculture, Fisheries and Conservation (DAFC) considered that there was insufficient information in the submission to demonstrate that the ‘Eating Place’ and ‘Shop and Services’ uses under the “GB(1)” zoning would not have potential impact on the natural environment whereas ‘Field Study/Education/Visitor Centre’ use was more appropriate to be put under Column 2 of the zone;
- (d) the Chief Engineer/Development(2), Water Supplies Department would have no objection to the application if ‘Service Reservoir’ use would not be deleted under Column 2 of the proposed “GB(1)” zone;

Public Comments and Local Views

- (e) 40 public comments were received during the statutory publication period. 37 supported, two objected and one commented on the application. The commenters' views were highlighted as per paragraph 10 of the Paper. During the statutory publication period of the FI, two public comments were received. One supported the application whilst the other was from a solicitor representing the landowner of the Dragon Garden raising objection for pre-maturity and excessive area involved. The landowner requested the Committee to defer consideration of the case for nine months pending the completion of the voluntary surrender of the Dragon Garden;
- (f) the District Officer (Tsuen Wan), Home Affairs Department had no comment on the application as long as access to the existing graveyard through the Dragon Garden would still be allowed after the rezoning; and

PlanD's Views

- (g) Planning Department (PlanD) supported in-principle the planning intention to preserve all the natural setting and the cultural, historical and architectural attributes as proposed by the applicant. However, PlanD did not support the applicant's proposed "GB(1)" zoning for the entire application site and the proposed Schedule of Uses for the reasons as detailed in paragraph 11.2 of the Paper, mainly in that it would be premature to approve the application prior to finalisation of the preservation boundary and proposed uses for the Dragon Garden; DAFC considered that there was insufficient information to demonstrate the proposed 'Eating Place' and 'Shop and Services' uses under the "GB(1)" zone would have no potential impact on the natural environment; and the current "GB" zoning with a general presumption against development had already provided adequate statutory control for the application site. As such, there was no imminent need to change the zoning of the application site at this juncture. Once an agreement on the uses and the boundary of the Dragon Garden to be open for public enjoyment was firmed up between AMO and the landowner, PlanD would reassess the need to initiate amendment to the OZP to strengthen control in consultation with the

concerned departments.

31. The Chairperson then invited the applicant's representatives to elaborate on the application. With the aid of a powerpoint presentation, Mr. S.M. Lee and Ms. S.F. Ho made the following main points:

- (a) the application site was surrounded by high-rise buildings which were not compatible with the Grade II historical building of the Dragon Garden. This showed the importance of the need to not only preserving the historical building itself, but also the character of the surrounding areas;
- (b) during a site visit to the application site in October last year, dense vegetation was found in the vicinity of the Dragon Garden and hence the area should be conserved together with the Dragon Garden as an integrated whole;
- (c) although there was a general presumption against development under the current "GB" zoning, the stipulation of a clear planning intention for the proposed "GB(1)" zone as suggested in the rezoning proposal could better protect and preserve the natural setting and the cultural, historical and architectural attributes as well as the collective memory associated with the application site;
- (d) as regards DAFC's concerns on potential impact on the natural environment, the proposed 'Eating Place' and 'Shop and Services' uses were put under Column 2 of the proposed "GB(1)" zone and would require planning permission from the Board;
- (e) as regards PlanD's concerns that it would be premature to approve the application at this juncture, the intention of preserving the Dragon Garden together with the surrounding vegetated area should not be affected by the extent of land that the landowner would surrender to the Government and the specific future uses of the Dragon Garden after the surrender; and

- (f) given that PlanD supported in-principle the planning intention to preserve all the natural setting and the cultural, historical and architectural attributes at the application site and should the Committee consider it premature to consider the application at this juncture, the Committee could consider deferring a decision on the application pending finalisation of the voluntary surrender of the Dragon Garden to the Government. Rejecting the application might give a wrong impression to the community that the preservation of the Dragon Garden and the surrounding vegetated area was not agreeable to the Committee.

32. Referring to Appendix IV of the Paper on a public comment raising objection against the application by a solicitor representing the landowner of the Dragon Garden, a Member sought clarification on the intention of the landowner. Ms. Heidi Y.M. Chan, DPO/TWK, replied that at a meeting held among the landowner, DPO/TWK and the applicant's representatives, the landowner of the Dragon Garden confirmed his intention of preserving the Dragon Garden, which was consistent with that of the applicant's proposal. However, he had yet to decide on details in respect of the voluntary surrender of the land concerned to the Government. The rezoning application was therefore considered by the landowner to be too early and the area involved was unduly excessive. Ms. S.F. Ho remarked that if the planning intention to preserve the Dragon Garden and the surrounding vegetated area was agreed, there was no need to wait for the finalisation of the surrender of land concerned.

33. As the applicant's representatives had no further points to add and Members had no further questions to raise, the Chairperson 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 Chairperson thanked the applicant's representatives and PlanD's representatives for attending the meeting. They all left the meeting at this point.

Deliberation Session

34. Some Members considered that there was no need to change the land use zoning of the application site at this juncture in view of the landowner's clear intention to preserve

the place and that there was a presumption against development under the current “GB” zoning. The Chairperson remarked that the application was made in July 2006. Since then, there were changes in the circumstances in that the Government had agreed in principle that the Dragon Garden should be preserved. However, given the boundary and specific future uses of the voluntary surrendered portion of the site to the Government were yet to be finalised, it was difficult to determine at this juncture whether the proposed “GB(1)” zoning, its extent and the proposed Schedule of Uses were the most appropriate control for the application site. She suggested and Members agreed that a decision on the application should be deferred. In response to a Member’s question, the Secretary suggested and Members agreed that the application could be deferred for nine months as proposed by the landowner of the Dragon Garden.

35. After further deliberation, the Committee decided to defer a decision on the application for nine months pending the finalisation of the voluntary surrender of the Dragon Garden by the landowner to the Government.

[Professor N.K. Leung, Ms. Starry Lee and Mr. Leslie H.C. Chen left the meeting at this point.]

[Dr. Daniel B.M. To, Ms. Margaret Hsia, Messrs. Raymond Y.M. Chan and Nelson W.Y. Chan left the meeting temporarily at this point.]

Agenda Item 7

[Open Meeting (Presentation and Question Sessions)]

Proposed Amendments to the

Approved Yau Ma Tei Outline Zoning Plan No. S/K2/17

(MPC Paper No. 4/07)

Presentation and Question Sessions

36. Miss Erica S.M. Wong, STP/TWK, presented the proposed amendments to the approved Yau Ma Tei Outline Zoning Plan (OZP) No. S/K2/17 as detailed in the Paper and covered the following main points:

- (a) rezoning a site at the junction of Princess Margaret Road/Wylie Road from “Comprehensive Development Area” (“CDA”) to “Residential (Group B)2” (“R(B)2”) and ‘Road’ to reflect the existing medium-density residential development and its lot boundaries under the lease;
- (b) rezoning a site at 855-865 Canton Road from “Government, Institution or Community” (“G/IC”) to “R(A)” to reflect the existing composite commercial/GIC/residential development;
- (c) rezoning an area at Canton Road from “Open Space” (“O”) to “G/IC” to reflect the existing 400kV electricity substation;
- (d) deleting the Notes for the “CDA” zone and revising the Notes of the “R(B)” zone to incorporate a maximum gross floor area of 84,000m², a maximum building height of 130mPD and the requirement for a mini-bus lay-by for the proposed “R(B)2” site as stated in paragraph 36(a) above;
- (e) updating the planning intention of the “O” zone in accordance with the revised Master Schedule of Notes to Statutory Plans endorsed by the Board on 28.2.2003;
- (f) revising the definition of ‘existing use’ and ‘existing building’ in the covering Notes as agreed by the Board on 21.5.2004 and 4.2.2005; and
- (g) updating the Explanatory Statement (ES) to take into account the above proposed amendments and to reflect the latest planning circumstances.

37. Miss Erica S.M. Wong, STP/TWK, said that relevant Government departments had no objection to the proposed amendments to the OZP. The amendments, if agreed by the Committee, would be exhibited under section 5 of the Town Planning Ordinance (the Ordinance) for public representation and the Yau Tsim Mong District Council would be consulted during the exhibition period.

38. Members had no question on the proposed amendments.

Deliberation Session

39. After deliberation, the Committee decided to agree:
- (a) to the proposed amendments to the approved Yau Ma Tei OZP No. S/K2/17 and its Notes as detailed in paragraphs 3 and 4 of the Paper;
 - (b) that the draft Yau Ma Tei OZP No. S/K3/17A (to be renumbered as S/K2/18 upon exhibition) and its Notes at Annexes A and C of the Paper respectively were suitable for exhibition under section 5 of the Ordinance;
 - (c) to adopt the revised ES at Annex D of the Paper as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP; and
 - (d) that the revised ES was suitable for exhibition together with the draft Yau Ma Tei OZP No. S/K3/17A (to be re-numbered as S/K2/18 upon exhibition) under section 5 of the Ordinance.

[Mr. Nelson W.Y. Chan and Ms. Margaret Hsia returned to joint the meeting at this point.]

Agenda Item 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- (i) A/K3/495 Wholesale Trade
in “Residential (Group E)” zone,
Workshop B, G/F, Yip Kwong Industrial Building,
39-41 Beech Street, Tai Kok Tsui (KILs 6351 and 6352)
(MPC Paper No. A/K3/495)
-

Presentation and Question Sessions

40. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the wholesale trade use;
- (c) departmental comments – no objection from concerned Government departments, including the Director of Fire Services, was received;
- (d) two public comments were received during the statutory publication period. One of them raised concerns that the loading/unloading activities of the applied use would cause obstruction on pavement and create safety problem to pedestrians. The other commenter objected against the application mainly on adverse traffic and environmental grounds. The District Officer (Yau Tsim Mong), Home Affairs Department advised that the concerned District Council Member and the Chairman of Yau Tsim Mong West Area Committee had no in-principle objection to the application, but they raised concerns on the obstruction to the pavements caused by the placing of the construction materials of the application premises along the pavements; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that the applied use was considered not incompatible with the existing uses within the subject industrial building and the existing ground floor uses of the surrounding developments; and no adverse impacts would be generated by the applied use on the nearby developments. Regarding the public and local concerns on possible pavement obstruction, traffic and environmental impacts, both the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) and Director of Environmental Protection had no objection to the application. TD might alter/cancel any parking

and/or loading/unloading facilities outside the application premises on Beech Street to cope with the changing traffic conditions and needs.

41. Members had no question on the application.

Deliberation Session

42. 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 service installations and means of escape, within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.9.2007; 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.

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

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for lease modification/waiver for the wholesale trade use at the application premises;
- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department on the provision of facilities for persons with a disability and the fire resistance construction of the application premises according to the Code of Practice for Fire Resisting Construction; and
- (c) reinstate all existing means of escape arrangement at the application premises in accordance with the latest approved building plans.

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

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/K4/49 Proposed Relaxation of Building Height Restriction from 112mPD to 130mPD for the Development of the Multi-media Building of City University of Hong Kong in “Government, Institution or Community(5)” zone, Junction of Cornwall Street and Tat Hong Avenue, Shek Kip Mei
(MPC Paper No. A/K4/49A)
-

44. The Secretary reported that the application was submitted by the City University of Hong Kong (CityUHK) and Professor Paul K.S. Lam and Ms. Maggie M.K. Chan declared interest in this item as they were Chair Professor and Council Member of CityUHK respectively. The Committee noted that Professor Paul K.S. Lam had left the meeting and Ms. Maggie M.K. Chan had tendered apology for not attending the meeting.

45. Messrs. Raymond Y.M. Chan and K.Y. Leung reported that they were Member of the Divisional Advisory Committee, Division of Building Science and Technology and Departmental Advisory Committee, Department of Public and Social Administration of CityUHK respectively, but their division/department was not related to the proposed Multi-media Building under application. As their interests were considered indirect, the Committee agreed that they were allowed to stay and participate in the discussion of and determination on the application.

Presentation and Question Sessions

46. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed relaxation of building height restriction from 112mPD to 130mPD for the development of the proposed Multi-media Building of the CityUHK;

[Dr. Daniel B.M. To returned to join the meeting at this point.]

- (c) departmental comments – no adverse comments from concerned Government departments, including the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD) and Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD), were received;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 12.1 of the Paper, mainly in that the proposed development was in line with the planning intention which was primarily for the provision of Government, institution or community facilities serving the needs of the public; the applicant had submitted a landscape and visual impact assessment to support the application and concerned Government departments, including CA/ASC, ArchSD and CTP/UD&L, PlanD, had no adverse comments on the application; no local objection to the application was received; and the proposed relaxation of building height restriction was not incompatible with the existing built environment of the area.

47. Members had no question on the application.

Deliberation Session

48. 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 23.3.2011, 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 supplies for fire-fighting and fire service installations

to the satisfaction of the Director of Fire Services or of the TPB; and

- (b) the implementation of landscape, tree preservation and compensatory planting proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for modification of the land grant to permit the proposed gross floor area and building height; and
- (b) comply with Part VI of Code of Practice for Means of Access for fire fighting and rescue regarding the arrangement on emergency vehicular access.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/K5/631 Shop and Services (Showroom for Garments)
in “Other Specified Uses” annotated “Business” zone,
Workshop B7, G/F, Block B, Hong Kong Industrial Centre,
489-491 Castle Peak Road, Cheung Sha Wan
(MPC Paper No. A/K5/631)
-

Presentation and Question Sessions

50. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services (showroom for garments) use;
- (c) departmental comments – no objection from concerned Government departments, including the Director of Fire Services, was received;

- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that the applied use was in line with the planning intention of the “Other Specified Uses” annotated “Business” zone; complied with the Town Planning Board Guidelines No. 22C; was not incompatible with the uses of the subject industrial building; and would unlikely generate adverse traffic or environmental impacts on the surrounding areas. Since 1994, three previous applications for the same use were approved by the Committee. There was no material change in planning circumstances since the latest application (No. A/K5/552) for temporary showroom use for a period of 3 years was approved by the Committee on 9.1.2004.

51. Members had no question on the application.

Deliberation Session

52. 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 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 23.9.2007; 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.

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

application for the reasons as detailed in paragraph 11.1 of the Paper, in that the applied use was in line with the planning intention of the “Other Specified Uses” annotated “Business” zone; complied with the Town Planning Board Guidelines No. 22C; was not incompatible with the uses of the subject industrial building; and would unlikely generate adverse traffic or environmental impacts on the surrounding areas. Similar applications for fast food shops (Nos. A/K5/483 and A/K5/522) were approved by the Committee in other workshops on the ground floor of the subject building. There was no material change in planning circumstances since the approval of similar application (No. A/K5/522) on 21.3.2003.

55. Members had no question on the application.

Deliberation Session

56. 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 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 23.9.2007; 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.

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

- (a) apply to the District Lands Officer/Kowloon West, Lands Department for the temporary wavier to permit the applied use;
- (b) consult the Chief Building Surveyor/Kowloon, Buildings Department on

the submission of building plans in respect of separation of the application premises from the remaining portion of accommodation on the ground floor by proper fire resisting construction and design, provision of means of escape as well as provision of access and facilities for persons with a disability and sanitary fitments; and

- (c) consult the Director of Food and Environmental Hygiene regarding the application for food licence.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/TWK/3 Renewal of Planning Approval for Temporary 'Public Vehicle Park (excluding Container Vehicle)' Use under Application No. A/TWK/1 for a Period of 3 Years from 16.4.2007 up to 16.4.2010 (Letting of Surplus Parking Spaces to Non-residents), Car Parks at Chak On Estate, Nam Shan Estate, Pak Tin Estate, Shek Kip Mei Estate and So Uk Estate
(MPC Paper No. A/TWK/3)
-

Presentation and Question Sessions

58. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the following Members had declared interest in this item :

- | | |
|---|---|
| Mrs. Ava S.Y. Ng
as the Director of Planning | - being a member of the Strategic Planning Committee of the HKHA; |
| Mr. James Merritt
as the Assistant Director (Kowloon)
of the Lands Department | - being an alternate member for the Director of Lands who was a member of the HKHA; |
| Ms. Margaret Hsia
as the Assistant Director(2) of the | - being an alternate member for the Director of Home Affairs who was a |

- | | |
|------------------------------|---|
| Home Affairs Department | member of the Strategic Planning Committee of the HKHA; |
| Mr. Stanley Y.F. Wong | - being a member of the Strategic Planning Committee of the HKHA; |
| Mr. Walter K.L. Chan | - being an ex-member of the HKHA; |
| Dr. Greg C. Y. Wong | - having current business dealings with the HKHA; and |
| Professor Bernard V.W.F. Lim | - having current business dealings with the HKHA. |

59. As both the Chairperson and Vice-chairman had declared interest in this item, Members agreed that the Chairperson could continue to chair the meeting out of necessity.

[Dr. Greg C.Y. Wong, Messrs. James Merritt, Stanley Y.F. Wong and Walter K.L. Chan left the meeting temporarily at this point.]

[Ms. Margaret Hsia and Professor Bernard V.W.F. Lim left the meeting at this point.]

60. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed renewal of planning approval for temporary public vehicle park (excluding container vehicle) use under Application No. A/TWK/1 for a period of 3 years from 16.4.2007 up to 16.4.2010 for letting the surplus parking spaces in the ancillary car parks of Chak On Estate, Nam Shan Estate, Pak Tin Estate, Shek Kip Mei Estate and So Uk Estate to non-residents;

- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had no objection to the application, but required the applicant to seek TD’s agreement on the number of parking spaces to be let to non-residents;
- (d) one public comment was received during the statutory publication period requesting clarification on the location of the car parks under application and raising concern that the subject car parks might not be suitable for public car park as there were ample vacant parking spaces within Chak On Estate. After subsequent clarification with the commenter, the commenter indicated that he had no comment on the application; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that there was no material change in planning circumstances since the previous temporary approval was granted; no adverse traffic impact was expected; the proposed renewal of planning approval for three years was considered reasonable so that the vacant parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed; and the application was in line with the Town Planning Board Guidelines No. 34A on “Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development”. The AC for T/U, TD’s comments could be addressed by imposing an approval condition requiring the applicant to seek his agreement on the number of parking spaces to be let to non-residents.

61. Members had no question on the application.

Deliberation Session

62. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 16.4.2007 to 16.4.2010, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that

the proposed number of car parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

63. The Committee also agreed to advise the applicant that :

- (a) a temporary approval period of 3 years was granted so that the vacant car parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed; and
- (b) adequate security measures should be taken to effectively monitor the entry and egress of vehicles at the vehicle parks.

[Dr. Greg C.Y. Wong, Messrs. James Merritt, Stanley Y.F. Wong and Walter K.L. Chan returned to join the meeting at this point.]

Agenda Item 9

Section 16A Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/383-1 Proposed Flat, Eating Place, and Shop and Services
(Amendments to an Approved Scheme)
in “Residential (Group E)” zone,
152-160 Kwok Shui Road, Tsuen Wan (TWTL 410) (Previously
known as Lot 736 in DD 450 and Adjoining Government Land)
(MPC Paper No. A/TW/383-1)

Presentation and Question Sessions

64. The Committee noted that the applicant had requested on 12.3.2007 for deferment of the consideration of the application for one week to allow time to prepare further information to address comments from concerned Government departments.

Deliberation Session

65. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee also agreed that subject to no adverse comment/objection from concerned Government departments, the application should be submitted to the Director of Planning for consideration within six weeks from the date of receipt of additional information from the applicant. The Committee also agreed to advise the applicant that one week was 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 Miss Erica S.M. Wong, STP/TWK, for their attendance to answer Members' enquires. Ms. Chan and Miss Wong left the meeting at this point.]

Kowloon District

[Mr. Eric C.K. Yue, 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 10

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

- | | | |
|-----|----------|---|
| (i) | A/K9/216 | Proposed Cargo Handling and Forwarding Facility
(Distribution Centre)
in "Other Specified Uses" annotated "Business" zone,
Workshop Unit 1 and the Seafront Loading Area on G/F,
Harbour Centre Tower 2, 8 Hok Cheung Street, Hung Hom
(KML 113RP)
<hr style="width: 100%; margin-top: 10px;"/>
(MPC Paper No. A/K9/216) |
|-----|----------|---|

Presentation and Question Sessions

66. 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 cargo handling and forwarding facility (distribution centre);
- (c) departmental comments – no adverse comments from concerned Government departments were received;
- (d) seven public comments were received during the statutory publication period. Four objected against the application mainly on traffic and environmental grounds. The remaining three commenters supported the application in that the applied use would improve employment opportunities, enhance the economic activities, demand of existing industrial floor space and land value in the area; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons as detailed in paragraph 12.1 of the Paper, in that the applied use was considered not incompatible with the industrial operation of the subject building and the industrial and commercial developments in the surrounding areas; was in line with the planning intention of the “Other Specified Uses” annotated “Business” zone; and complied with the Town Planning Board Guidelines No. 22C. As regards the public concerns, both the Director of Environmental Protection and Assistant Commissioner for Transport/Urban, Transport Department had no objection to the application from environmental and traffic points of view.

67. Members had no question on the application.

Deliberation Session

68. In reply to a Member's question, Mr. Eric C.K. Yue, DPO/K, said that the proposed development involved only the existing loading area facing the waterfront, which would largely be covered and all operations would be carried out inside the enclosed space. In this regard, the Harbour-front Enhancement Committee had not been consulted on the application.

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 23.3.2011, 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 submission and implementation of fire safety measures, including fire service installations, to the satisfaction of the Director of Fire Services or of the TPB.

70. The Committee also agreed to advise the applicant :

- (a) 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;
- (b) to resolve any issues relating to the development with the concerned owners of the subject lot; and
- (c) that the District Lands Officer/Kowloon West, Lands Department should be consulted about the lease matter of the proposed development.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/K10/217 Shop and Services (Retail Shop)
in “Residential (Group E)” zone,
Portion of Ground Floor, Oriental Daily News Building,
6 Kwei Chow Street, To Kwa Wan
(MPC Paper No. A/K10/217)
-

Presentation and Question Sessions

71. 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 shop and services (retail shop) use;
- (c) departmental comments – no adverse comments from concerned Government departments, including the Director of Fire Services, were received;
- (d) no public comment was received during the statutory publication period. The District Officer (Kowloon City), Home Affairs Department advised that the Kowloon City District Council Members, the Chairman of To Kwa Wan Area Committee and the Owners Committees/Mutual Aid Committees/management committees of buildings near the application site should be consulted on the application and the comments received should be taken into account; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that the applied use was not incompatible with the surrounding uses in the area and there had been no change in planning circumstances since the approval of the previous application (No. A/K10/214) on 2.6.2006 for ‘Shop and Services’ use. Relevant Government departments, including the Director of Fire Services, had no objection or adverse comments on the

application.

72. Members had no question on the application.

Deliberation Session

73. 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, including the provision of a means of escape separated from the industrial portion and 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 23.9.2007; 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.

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

- (a) apply to District Lands Officer/Kowloon West, Lands Department for a waiver application for the shop and services use under application; and
- (b) appoint an Authorized Person to submit building plans to demonstrate compliance with the Buildings Ordinance, in particular fire resistance construction and design in accordance with the Code of Practice for Fire Resisting Construction 1996 and the provision of access and facilities for persons with a disability under Building (Planning) Regulation 72.

[Open Meeting (Presentation and Question Sessions Only)]

- (iii) A/K14/531 Shop and Services Use
in “Other Specified Uses” annotated “Business” zone,
Unit 1B, G/F (Formerly known as Unit 2, G/F),
Century Centre, 44-46 Hung To Road, Kwun Tong
(MPC Paper No. A/K14/531)
-

Presentation and Question Sessions

75. 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 shop and services use;
- (c) departmental comments – no adverse comments from concerned Government departments, including the Director of Fire Services, were received;
- (d) two public comments in support of the application were received during the statutory publication period. One of the commenters, however, raised concern on the requirement for waiver fee which would render the proposed use economically non-viable. In addition, the District Officer (Kwun Tong), Homes Affairs Department (DO(KT), HAD) stated that the public was concerned about the traffic problems in the Kwun Tong Industrial Area. If loading and unloading activities were required for the business use at the application premises, pedestrian safety and traffic aspects should be taken into account. The local leaders had also requested the Government to facilitate the transformation of industrial buildings into commercial/business/shops uses in the area; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that the applied use was in line with the planning intention of the “Other

Specified Uses” annotated “Business” zone and complied with the Town Planning Board Guidelines No. 22C. Regarding the traffic concerns raised by the DO(KT), HAD, the Assistant Commissioner for Transport/Urban, Transport Department had no objection to the application from traffic point of view.

76. Members had no question on the application.

Deliberation Session

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

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape separated from the industrial portion and 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 23.9.2007; 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.

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

- (a) apply to District Lands Officer/Kowloon East, Lands Department for a temporary waiver for the shop and services use under application;
- (b) appoint an Authorised Person to submit building plans to demonstrate compliance with the Buildings Ordinance, in particular fire resistance construction and design in accordance with the Code of Practice for Fire Resisting Construction 1996 and the provision of access and facilities for persons with a disability under Building (Planning) Regulation 72;

- (c) note that sewage generated from the subject premises should be properly discharged to the nearby public sewerage system; and
- (d) note that the operation of fast food shop required a food licence issued by the Food and Environmental Hygiene Department (FEHD). Besides, the operation of supermarket depending on the type of products to be sold might also require permit/licence issued by the FEHD.

[Open Meeting (Presentation and Question Sessions Only)]

- (iv) A/K15/77 Proposed Public Car Park
(Surplus Car Parking Spaces Only)
in “Residential (Group A)” zone,
Car Parks at Ko Cheung Court and Yau Mei Court,
Yau Tong
(MPC Paper No. A/K15/77)
-

Presentation and Question Sessions

79. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the following Members had declared interest in this item :

- Mrs. Ava S.Y. Ng
as the Director of Planning - being a member of the Strategic Planning Committee of the HKHA;
- Mr. James Merritt
as the Assistant Director (Kowloon)
of the Lands Department - being an alternate member for the Director of Lands who was a member of the HKHA;
- Ms. Margaret Hsia
as the Assistant Director(2) of the
Home Affairs Department - being an alternate member for the Director of Home Affairs who was a member of the Strategic Planning Committee of the HKHA;

- Mr. Stanley Y.F. Wong - being a member of the Strategic Planning Committee of the HKHA;
- Mr. Walter K.L. Chan - being an ex-member of the HKHA;
- Dr. Greg C. Y. Wong - having current business dealings with the HKHA; and
- Professor Bernard V.W.F. Lim - having current business dealings with the HKHA.

80. The Committee noted that Ms. Margaret Hsia and Professor Bernard V.M.F. Lim had left the meeting. As both the Chairperson and Vice-chairman had declared interest in this item, Members agreed that the Chairperson could continue to chair the meeting out of necessity.

[Dr. Greg C.Y. Wong, Messrs. James Merritt, Stanley Y.F. Wong and Walter K.L. Chan left the meeting temporarily at this point.]

81. The Secretary reported that the further information submitted by the applicant on 16.3.2007 clarifying that the proposed non-domestic plot ratio would be 0.59 after incorporating the floor area of all the monthly car parking spaces under the HKHA's ownership in this application had been tabled at the meeting for Members' consideration.

82. 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 public car park for letting the surplus car parking spaces to non-residents;
- (c) departmental comments – no adverse comments from concerned Government departments were received;

- (d) eleven public comments were received during the statutory publication period. Nine objected against the application mainly on the grounds that the right of the existing residents in using the car parks would be affected and the existing car parks might not be able to cope with the future demand of the residents, in particular that four residential blocks of Yau Mei Court Phase 3 would be completed for occupation soon. Two commenters had no objection to the application, and one of them was on condition that the change of use would be on a temporary basis; and
- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application for the reasons as detailed in paragraph 11.1 of the Paper, in that the proposal would not generate additional traffic flow or worsen the environmental condition in the area; the concerned Government departments had no adverse comments on the application; and priority would be given to residents for renting the car parking spaces. Regarding the commenters' concern on the future demand of car parking spaces, there would be provision of car parking spaces within Yau Mei Court Phase 3. In view of the local concerns and that there was no specification on the maximum number of parking spaces for letting to non-residents, the application should be approved on a temporary basis for a period of three years so that the HKHA could let the car parking spaces flexibly while the parking demand of the residents could be reviewed regularly and agreed by the Transport Department. This arrangement was similar to some public housing estates in Yau Tong area under Application No. A/K/2 which was approved by the Committee on a temporary basis for a period of three years up to 28.5.2007.

83. Members had no question on the application.

Deliberation Session

84. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 23.3.2010, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that the proposed

number of car parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

85. The Committee also agreed to advise the applicant that :

- (a) a temporary approval period of three years was granted so that the car parking spaces could be let to non-residents with flexibility, while the parking demand of the residents could be reviewed regularly;
- (b) in letting the surplus parking spaces, priority should be given to the residents of the public housing estate; and
- (c) to explain the proposal to the residents of Ko Cheung Court and Yau Mei Court and the Estate Management Advisory Committees.

[Dr. Greg C.Y. Wong, Messrs. James Merritt, Stanley Y.F. Wong and Walter K.L. Chan returned to join the meeting at this point.]

Remarks

86. The Chairperson said that the remaining item in the Agenda would not be open for public viewing since it was in respect of an application submitted before the commencement of the Town Planning (Amendment) Ordinance 2004.