

**TOWN PLANNING BOARD**

**Minutes of 399th Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 10.7.2009**

**Present**

Director of Planning  
Mrs. Ava S.Y. Ng

Chairperson

Mr. Stanley Y.F. 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

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Mr. Mauice W.M. Lee

Dr. Winnie S.M. Tang

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

Assistant Director (Environmental Assessment) Atg.,  
Environmental Protection Department  
Mr. Sam W.H. Wong

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

Secretary

**Absent with Apologies**

Dr. Ellen Y.Y. Lau

Deputy Director (General), Lands Department  
Mr. Herbert Y.S. Leung

Assistant Director(2), Home Affairs Department  
Mr. Andrew Y.T. Tsang

**In Attendance**

Assistant Director of Planning/Board  
Mr. Lau Sing

Chief Town Planner/Town Planning Board  
Ms. Christine K.C. Tse

Town Planner/Town Planning Board  
Ms. Cindy K.F. Wong

[Open Meeting]

1. The Chairperson and Members congratulated Ir. Edmund K. H. Leung for being awarded Silver Bauhinia Star, Mr. Felix W. Fong and Dr. James C. W. Lau for being awarded Bronze Bauhinia Star as well as Dr. C. N. Ng and Dr. Winnie S. M. Tang for being appointed as the Justice of Peace on 1.7.2009 in recognition of their contribution to the community.

**Agenda Item 1**

Confirmation of the Draft Minutes of the 398th MPC Meeting held on 19.6.2009

[Open Meeting]

2. The draft minutes of the 398th MPC meeting held on 19.6.2009 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

(a) Town Planning Appeal Received

Town Planning Appeal No. 6 of 2009 (6/09)

Proposed Filling of Pond for Permitted Agricultural Use  
in “Village Type Development” zone,

Lots 952 to 956 in DD 113,

Ho Pui, Yuen Long

(No. A/YL-KTS/449)

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3. The Secretary reported that on 22.6.2009, an appeal was received by the Town Planning Appeal Board (the Appeal Board) against the decision of the Town Planning Board on 3.4.2009 to reject on review an application for proposed filling of pond for permitted agricultural use at a site zoned “Village Type Development” on the approved Kam Tin South Outline Zoning Plan (No. S/YL-KTS/11). The application was rejected by the Board for the reason that there was insufficient information in the submission to demonstrate that the

proposed filling of pond would not cause adverse drainage, ecological and landscape impacts on the site and the surrounding areas.

4. The Secretary said that the hearing date of the appeal was yet to be fixed. The Secretariat would act on behalf of the Board in dealing with the appeal in the usual manner.

[Mr. Anthony Loo and Mr. Nelson W.Y. Chan arrived to join the meeting at this point.]

(b) Town Planning Appeal Abandoned

Town Planning Appeal No. 10 of 2008 (10/08)  
Temporary Warehouse for Storage of Ceramic Tiles  
for a Period of 3 Years in “Agriculture” Zone,  
Lots 806, 808(Part), 809, 811, 812, 813(Part), 823 s.BRP, 824 s.BRP,  
825, 826(Part) in D.D. 46 and Adjoining Government Land,  
Loi Tung, Sha Tau Kok  
(Application No. A/NE-MUP/54)

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5. The Secretary reported that an appeal against the decision of the Town Planning Board on 23.8.2008 to reject on review an application for a temporary warehouse for storage of ceramic tiles in the “Agriculture” zone on the approved Man Uk Pin Outline Zoning Plan No. S/NE-MUP/11 was received by the Appeal Board on 11.11.2008. On 18.6.2009, the appeal was abandoned by the Appellant on his own accord. On 24.6.2009, the Appeal Board confirmed the abandonment in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

(c) Appeal Statistics

6. The Secretary said that as at 10.7.2009, a total of 22 cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows :

Allowed	:	24
Dismissed	:	109
Abandoned/Withdrawn/Invalid	:	133

Yet to be Heard	:	22
Decision Outstanding	:	1
Total	:	289

(d) Approval of Draft Plans

7. The Secretary reported that on 30.6.2009, the Chief Executive in Council approved the Urban Renewal Authority Anchor Street/Fuk Tsun Street Development Scheme Plan (to be renumbered as S/K3/URA1/2) under section 9(1)(a) of the Town Planning Ordinance. The approval of the plan will be notified in the Gazette on 10.7.2009.

(e) Reference Back of Approved Plans

8. The Secretary reported that on 30.6.2009, the Chief Executive in Council referred the following approved Outline Zoning Plans (OZPs) to the Town Planning Board for amendments under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of the Plans would be notified in the Gazette on 10.7.2009.

- (i) Mid-levels East OZP No. S/H12/10;
- (ii) Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP No. S/K15/17;
- (iii) Hung Hom OZP No. S/K9/22; and
- (iv) South Lantau Coast OZP No. S/SLC/14.

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

[Open Meeting]

Revised Draft Planning Brief for the Urban Renewal Authority Development Scheme  
at Hai Tan Street/Kweilin Street and Pei Ho Street, Sham Shui Po  
(MPC Paper No. 21/09)

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9. The Secretary reported that the following Members had declared interests in this item:

Mrs. Ava S.Y. Ng as the Director of Planning	]	
	]	being non-executive directors of
	]	Urban Renewal Authority (URA)
Mr. Walter K.L. Chan	]	
Mr. Maurice W.M. Lee	-	being a former non-executive director of URA (the term of office had ended on 30.11.2008)
Mr. Herbert Leung as the Deputy Director/General of Lands Department	-	being an assistant to the Director of Lands who was a non-executive director of URA
Mr. Andrew Tsang as the Assistant Director of Home Affairs	-	being an assistant to the Director of Home Affairs who was a non-executive director of URA
Mr. Nelson W.Y. Chan	-	being a member of Kwun Tong District Advisory Committee of URA (Kwun Tong area only)
Professor Bernard V.W.F. Lim	-	having current business dealings with URA
Mr. Raymond Y.M. Chan	-	being a Member of the Home Purchase Allowance (HPA) Appeals Committee

10. The Committee noted that Mr. Maurice W.M. Lee was no longer a non-executive director of the URA since 30.11.2008 and the function of the HPA Appeals Committee, in which Mr. Raymond Y.M. Chan served as a member, was to consider appeals against the decision of the Director of Lands regarding HPA cases and was not directly related to the works of the URA, Members agreed that Messrs. Maurice W.M. Lee and Raymond Y.M. Chan could stay in the meeting to join the discussion. Mr. Nelson Chan was a member of Kwun Tong District Advisory Committee of URA whose interest was indirect and the Committee agreed that he could stay in the meeting to join the discussion.

11. Members noted that Messrs. Andrew Y.T. Tsang and Herbert Leung had tendered an apology for being unable to attend the meeting. Professor Bernard V.W.F. Lim and Mr. Maurice W.M. Lee had not yet arrived to join the meeting. The Vice-chairman chaired the meeting at this point.

[Mrs. Ava S.Y. Ng and Mr. Walter Chan left the meeting temporarily at this point.]

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

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

### Presentation and Question Sessions

12. Mr. P. C. Mok, STP/TWK, presented the Paper and covered the following main points as detailed in the Paper :

#### Background

- (a) the Urban Renewal Authority (URA) Hai Tan Street/Kweilin Street and Pei Ho Street Development Scheme Area (the Site), comprising 3 parcels of land (i.e. Sites A, B and C) was zoned “Comprehensive Development Area” (“CDA”) on the Approved URA Hai Tan Street/Kweilin Street and Pei Ho Street Development Scheme Plan (DSP). On 20.4.2007, the Board deemed the draft DSP and its Notes as being suitable for publication under the provision of the Town Planning Ordinance and also agreed that the draft Planning Brief (PB) for the development scheme was suitable for submission to the Sham Shui Po District Council (SSP DC) for consultation;
- (b) on 1.6.2007, the draft URA DSP No. S/K5/URA2/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance. The SSP DC was consulted on the DSP and the draft PB on 5.6.2007. After giving consideration to the representations and comments on 9.11.2007, the Board decided to propose an amendment to the draft DSP by adding a Remarks to the Notes for the “CDA” zone specifying that the section of Pei Ho Street between Hai Tan Street and Tung Chau Street should be deducted in calculating the relevant site area for the purpose of plot ratio (PR) calculation to partially meet three of the total five representations;
- (c) between April 2008 to May 2009, URA had liaised with Planning Department and other relevant departments to resolve the specific requirements stipulated under the draft PB considered by the Board on 20.4.2007;

Consultation with the SSP DC on 5.6.2007

- (d) the SSP DC was consulted on the draft DSP, its Notes and explanatory statement as well as the draft PB on 5.6.2007. On 31.7.2007 and 30.7.2007, comments were received from the SSP DC and the Working Group on the Problems of Urban Renewal of SSP DC on behalf of Housing Committee of SSP DC respectively. Their main concerns were summarized as follows:

*Inclusion of Pei Ho Street in the Site Area for PR calculation*

- (i) the section of Pei Ho Street between Hai Tan Street and Tung Chau Street (about 820m<sup>2</sup>) within the Site should not be included in the net site area for PR calculation as this would unreasonably increase the development intensity and cause adverse impacts to the surrounding area;

*Lack of Building Height Restriction*

- (ii) there was no building height restriction and the height of the future development would be incompatible with other developments in the district. A maximum building height of not more than 120mPD was proposed for the Scheme Area;

*Public Open Space (POS)*

- (iii) while some DC Members raised concerns that the proposed POS at Site C, located next to the West Kowloon Corridor (WKC), would be subject to noise impact of WKC and one DC Member had queried if the POS could serve its purpose, one DC Member had expressed his support on providing a large POS at Site C;

*Transport Requirements*

- (iv) one DC Member suggested that footbridge linkage connecting the proposed residential towers and the POS should be provided;

*Noise Impact Mitigation*

- (v) the then DC Chairman had suggested URA to consider the feasibility of alternative layout and design and to lower the PR of the redevelopment in



order to have more room to address the noise problem;

- (e) the concerns from SSP DC submitted in the form of representations, together with other representations and public comments received were considered by the Town Planning Board (the Board) on 9.11.2007. The Board noted that the exclusion of the section of Pei Ho Street, which was a public road, from the site area for PR calculation was in line with the Hong Kong Planning Standards and Guidelines and would help lower the building height and building bulk in the subject site which was subject to site constraints, particularly arising from adverse traffic noise impact. The Board thus decided to partially meet three of the total five representations by amending the Notes of the “CDA” zone in the DSP specifying that the concerned section of Pei Ho Street should not be included in the site area for PR calculation. However, the Board decided not to uphold the remaining concerns from SSP DC;

Consultation with the SSP DC on Social Welfare Facilities on 4.11.2008

- (f) SSP DC Members raised concerns on the type of social welfare facilities to be provided within the scheme, which included a special child care centre, an early education/training centre, a halfway house and a supported hostel for ex-mentally ill persons. Instead of the proposed rehabilitation services, SSP DC Members had proposed that more elderly centres or child care centres for the new immigrants should be provided and requested URA to discuss the matter further with the Director of Social Welfare (DSW) with a view to examining any other alternative social welfare facilities to be incorporated in the scheme;

Responses to SSP DC’s Comments on the draft PB

*Exclusion of Pei Ho Street in the Site Area for PR calculation*

- (i) a remarks had been added to the draft revised PB stipulating that the concerned section of Pei Ho Street should be deducted from the relevant site area for PR calculation;

*Lack of Building Height Restriction*

- (ii) with reference to the building height of existing developments in the surrounding area, a maximum building height of 110-120mPD, subject to visual impact assessment and other technical assessments, could be considered to be included in the PB to guide the master layout plan (MLP) preparation;

*Public Open Space*

- (iii) the draft PB stipulated that the 1,500m<sup>2</sup> POS should be provided at Site C and amalgamated with a section of Pei Ho Street between Hai Tan Street and Tung Chau Street. A single large POS at Site C provided flexibility for open space design and could functionally connect to the existing Tung Chau Street Park and the Jade Market to the south. The public concern on the location and detailed design/layout of the POS could be addressed when the MLP was submitted to the Board for consideration. The public including the SSP DC would be further consulted and the public comments received would also be submitted to the Board for consideration;

*Transport Requirements*

- (iv) while the concerns on pedestrian linkage could be addressed at the MLP stage, the draft PB required that the footpath/pedestrian walkway should be examined in the Traffic Impact Assessment (TIA) to the satisfaction of the Commissioner for Transport (C for T) and Director of Highways. The C for T considered that the vehicular ingress/egress points as stated in the remarks section of the draft PB and their provision should be subject to the TIA to be submitted at the MLP stage;

*Noise Impact Mitigation*

- (v) the draft PB required that an environmental assessment report should be submitted at the MLP stage to examine any possible environmental problems and the required mitigation measures. The draft PB stipulated that future residential development should be designed to mitigate traffic noise and emissions impacts in particular that from the WKC through careful design and disposition of residential blocks or the provision of

other mitigation measures. A noise compliance level of all the domestic units of not less than 80% should be achieved;

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

*Social Welfare Facilities to be Provided in the Scheme Area*

(vi) to allow flexibility, the draft PB had only stipulated that 2,200m<sup>2</sup> GFA should be reserved for GIC uses, without specifying the type of social welfare facilities that would be provided in the Site. To address SSP DC's concern, DSW advised that the updated welfare facilities requirement for the Site include a 60-place Special Child Care Centre cum 60-place Early Education and Training Centre, a 60-place Day Care Centre for the Elderly, and a sub-base for a Neighbourhood Elderly Centre, with a total internal floor area (IFA) of 1,274.5m<sup>2</sup> (about 1,600m<sup>2</sup> GFA). URA had proposed that the residual GFA reserve could be considered for social enterprise or general non-domestic use and such clarifications should be included in the 'Remarks' column. Relevant bureaux/departments had no objection to URA's proposal. DSW advised that the use of the possible residual GFA for social enterprise was supported in view of the difficulties encountered by the Non-government Organizations in securing suitable venue for social enterprise for the creation of employment opportunities for persons with disabilities. A remarks was proposed to be included in the PB to reflect such an intention; and

(g) the revised PB was enclosed in Appendix Ia of the Paper. Members were invited to note the comments received from SSP DC and endorsed the revised PB.

Deliberation Session

13. Noting that the section of Pei Ho Street in this Site C would be excluded from PR calculation, a Member asked whether the PB had included any control on the design of this area. Mr P.C. Mok responded that the draft PB stipulated that a POS of not less than

1,500m<sup>2</sup> should be provided at grade in Site C and amalgamated with the Pei Ho Street section. He added that the POS at Site C could functionally connect to the existing Tung Chau Street Park and Jade Market to the south.

14. In response to the same Member's question on the provision of public open space in the district, Mr P. C. Mok said that the planned provision of public open space in the SSP district was sufficient according to the Hong Kong Planning Standard and Guidelines although a lesser amount would be available in the older district in SSP.

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

15. After further deliberation, the Committee :

- (a) noted the comments received from the Sham Shui Po District Council on the draft planning brief (PB) as summarized in paragraph 3 of the Paper and detailed in Appendices IIa to IIc;
- (b) agreed to the proposed amendments to the draft PB highlighted in paragraph 5.2 of the Paper; and
- (c) endorsed the revised draft PB attached at Appendix Ia.

[Mrs. Ava S.Y. Ng and Mr. Walter Chan returned to join the meeting at this point.]

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/678                      Shop and Services  
in "Other Specified Uses" annotated "Business" zone,  
Unit C2, G/F, Fung Wah Factory Building,  
646, 648 and 648A Castle Peak Road, Cheung Sha Wan  
(MPC Paper No. A/K5/678)

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Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD) advised that the lease conditions governing the lot restricted it to be used for general industrial purposes. A waiver was granted in respect of a portion of the application premises for office and retail uses. The shop and services uses under the current planning application would not comply with the lease conditions and waiver conditions. Other concerned Government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The shop and services use was considered generally in line with the planning intention of “Other Specified Uses” annotated “Business” (“OU(Business)”) zone which allowed greater flexibility in the use of the existing industrial or I-O buildings provided that the use would not induce adverse fire safety and environmental impacts. The use also complied with the Town Planning Board Guidelines for Development within “OU(Business)” zone (TPB PG-No. 22D) in that it would not generate significant adverse impacts on the developments within the subject building and the adjacent areas. Besides, the use under application was not incompatible with the uses of the subject industrial building which mainly comprised offices of industrial/trading firms and workshops on the upper

floors. There was no material change in the planning circumstances since the approval of the previous application for fast food shop use.

17. Members had no question on the application.

Deliberation Session

18. 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 and fire service installations in the subject premises, within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 10.1.2010; 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.

19. The Committee also agreed to advise the applicant :

- (a) to apply to the District Lands Officer/Kowloon West, Lands Department for the temporary waiver to permit the applied use; and
- (b) to consult the Chief Building Surveyor/Kowloon, Buildings Department to ensure that the change in use would comply with the Buildings Ordinance, in particular, the provision of 2-hour fire resisting separation walls between the premises and the remaining portion of the building in accordance with Building (Construction) Regulation 90 and Code of Practice for Fire Resisting Construction 1996.

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K16/34                      Proposed Centre for (Lai Chi Kok Hospital Revitalization Scheme)  
for Cultural and Educational Facilities including Hostel,  
Tea House and Cafeteria, and Shops  
in “Government, Institution or Community” zone,  
800 Castle Peak Road, Lai Chi Kok  
(The Former Lai Chi Kok Hospital Compound)  
(MPC Paper No. A/K16/34)

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20.            Mr. Leslie H.C. Chen said that he was invited by the Hong Kong Institute for Promotion of Chinese Culture, the applicant of the application, as an advisor on the design of the project. The Committee considered that his interest was direct and he was invited to leave the meeting temporarily.

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

### **Presentation and Question Sessions**

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

- (a) background to the application highlighting that the site was identified to be revitalised under the new initiative of the “Revitalizing Historic Buildings Through Partnership Scheme”;
- (b) the proposed centre for (Lai Chi Kok Hospital Revitalization Scheme) for cultural and educational facilities including hostel, tea house, cafeteria, and shops;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;

- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Sham Shui Po); and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 12 of the Paper. The Lai Chi Kok Hospital Revitalization Scheme (LCKRS) was in line with the “Heritage Conservation Policy” announced by the Chief Executive in his 2007-2008 Policy Address which was to maximize the economic and social benefits of historic buildings through revitalization. The exhibition hall and gallery, auditorium, resource centre, multi-functional facilities and ancillary facilities constituting about 48% of the total GFA of the development were permitted uses under the “G/IC” zoning. The proposed hostel, tea house, cafeteria and shops (about 52%) of the total GFA which would integrate with the cultural education facilities to enhance the viability of the project was considered compatible and acceptable. The proposed development would revitalize the existing buildings within the Lai Chi Kok Hospital compound with no change to its existing building structure, appearance, height and façade. The applicant had conducted the requisite technical assessments, including traffic, drainage engineering and environmental assessments, and concluded that the proposed development would unlikely generate adverse traffic and environmental impacts on the surrounding areas. The applicant had conducted landscape assessments including a tree survey and tree preservation specification. The Chief Town Planner/Urban Design and Landscape, Planning Department had no objection to the application subject to the inclusion of the landscape approval condition.

22. A Member enquired about the need to establish a set of assessment criteria for this type of project which was selected under the “Revitalizing Historic Buildings Through Partnership Scheme” (“Partnership Scheme”) as other selected projects were also being implemented. Mr. P.C. Mok advised that there were a total of seven projects identified to be revitalized under the initiative of the “Partnership Scheme”. However, different projects at different location had their own characteristics and considerations and not all the projects



were required to submit planning application. It would be more appropriate to assess each case based on its individual merits and a standard set of assessment criteria was considered not necessary.

23. In response to a Member's query on the land grant arrangement, Mr. P.C. Mok replied that Lands Department would grant the land to the Development Bureau who would then liaise with the applicant for a tenancy agreement. The same Member asked whether the buildings on site could be demolished or altered. Mr. P.C. Mok replied that as the buildings on site were classified as Grade III historic buildings by the Antiquities and Monument Office of Leisure, Cultural and Services Department, they had to be preserved in-situ but renovation works would be allowed.

24. Noting that there was an approval condition requiring the application to submit a sewerage impact assessment and implement the sewage improvement measures at the applicant's own cost, the same Member asked whether such requirement would be too costly for the applicant. Mr. P.C. Mok replied that the approval condition was imposed as proposed uses including hostel might increase the sewerage discharge and hence the applicant would have to carry out local sewerage upgrading works, if necessary, to ensure that there would not be adverse impact.

25. A Member asked if there would be restrictions on the construction works within the site for the provision of internal vehicular access. By referring to Drawing A-1, Mr. P. C. Mok explained that the lower platform would be served by an access at Castle Peak Road in form of a lay-by with a parking spaces and the upper platform would be served by another access road. The middle platform would be linked up with the upper and lower platform by staircases. Mr. P.C. Mok said that according to the applicant's submission, no new vehicular access would be constructed within the site. He added that an approval condition requiring the submission of tree preservation proposal prior to any site formation work was imposed to ensure sufficient control on the landscape impact

26. A Member asked whether the Lai Chi Kok Reception Centre to the immediate southeast of the application site would have any impact on the subject development. Mr. P. C. Mok advised that there was a great level difference between the application site and the Reception Centre and they were separated by a vegetated slope. Uses at the application site

and the Reception Centre would not overlook each other and their accesses were totally separated. The reception centre would not create impact on the proposed development.

27. In response to a Member's query on the opening of the site to the public, Mr P. C. Mok said that the premises would be open to public and according to the applicant, there would be about 400,000 visitors annually for the site in the first three years of operation.

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

### Deliberation Session

28. The Chairperson said that when Development Bureau accepted the subject proposal under the "Partnership Scheme", the applicant should have submitted financial assessment to demonstrate that the proposal was financially viable.

29. A Member asked whether the project would provide access for the disabled. The Chairperson said that the applicant had to comply with the relevant requirement under the Buildings Ordinance. To address Member's concern, the Chairperson suggested including an advisory clause to remind the applicant to comply with the requirement to provide facilities for the disabled. Another Member said that it might not be necessary to include such an advisory clause as the provision of facilities for the disabled was monitored by a separate Committee. The Chairperson explained that the advisory clause would only serve as a reminder.

30. In response to a Member's enquiry whether the subject site would allow access for coaches, Mr P.C. Mok explained that visitors arriving in coaches could be dropped off at the lay-by at the carpark off the Castle Peak Road. The Secretary advised that the applicant had not indicated the need for new vehicular access in his submission and hence construction works for the provision of new vehicular access were not envisaged. To address Member's concern, the Chairperson suggested to include an advisory clause to remind the applicant to minimize the impact on the site environment in the provision of internal access.

31. After further 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 10.7.2013, 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 fire services installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a sewerage impact assessment and implementation of the sewerage improvement measures identified therein, at the applicant's own cost, to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the submission of the Landscape Master Plan (LMP) including a revised tree survey and a tree preservation and compensatory planting proposal prior to commencement of any site formation or tree removal works and the implementation of the approved LMP and the tree preservation and compensatory planting proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) apply to the Chief Officer(Licensing Authority), Office of the Licensing Authority of the Home Affairs Department for the licensing of the hostel;
- (b) consult the Chief Engineer/(Development)2, Water Supplies Department on the ownership of the existing water mains within the development site;
- (c) submit the heritage impact assessment for capital works projects under Technical Circular (Works) No. 11/2007 to the Executive Secretary (Antiquities and Monuments), Leisure and Cultural Services Department for endorsement;
- (d) minimize the impact on the site environment in the provision of internal vehicular access; and

- (e) provide facilities for the disabled in the development according to the provision under the Buildings Ordinance.

[The Chairperson thanked Mr. P. C. Mok, STP/TWK, for his attendance to answer Members' enquiries. Mr. Mok left the meeting at this point.]

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

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

### **Agenda Item 6**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/336                      Proposed Hotel  
                                         in "Other Specified Uses" annotated "Business" zone,  
                                         Topyy Tower, 659 Castle Peak Road, Kwai Chung (KCTL 193)  
                                         (MPC Paper No. A/KC/336)

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#### **Presentation and Question Sessions**

33.            Mr. Y.S. Lee, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the application was for in-situ conversion of an existing 14-storey industrial building into a 19-storey hotel development;
- (b) the proposed hotel;
- (c) departmental comments – the Director of Environmental Protection (DEP)

had no comment on the Quantitative Hazard Assessment Report submitted by the applicant to the Coordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installations (CCPHI) which was subsequently endorsed by the CCPHI on 18.6.2009. Other concerned Government departments had no objection to or no adverse comments on the application;

- (d) three comments were received during the statutory public inspection period. The comments were sent by three Kwai Tsing District Council Members. One objected to the application as no traffic assessment had been submitted along with the application while another supported the application subject to the conditions that the applicant would consider the parking arrangement of the tourist buses in the local area and the applicant would construct footbridges linking up the Site with Kwok Shui Road Park and Tai Wo Hau MTR Station. The third commenter also requested for a new footbridge from the Site running across Castle Peak Road – Kwai Chung; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 12 of the Paper. The current scheme was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU (Business)”) zone which was intended primarily for general business uses. The current scheme was similar to the previously approved scheme with the site area and GFA remain unchanged with the PR of 9.5. As compared with the existing building, though the building bulk and height were increased, the proposed building bulk and building height at around 81mPD was not visually incompatible with the surrounding buildings. Regarding the public comments, traffic impact assessment was conducted and revealed that the proposed development would not generate adverse traffic impact on the surrounding road network. In response to the request for a new footbridge, Assistant Commissioner for Transport/New Territories advised that there was no planning relationship between the proposed development and the existing Kwok Shui Road Park on the other side of Castle Peak Road. There was no justification to require the applicant to provide a new

footbridge connection over Castle Peak Road, taking into consideration that the proposed development merely involved the conversion of an existing industrial building.

34. Members had no question on the application.

#### Deliberation Session

35. 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 10.7.2013, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the design and provision of vehicular access, car park and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of a revised landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department should be consulted on the lease modification for the applied use;
- (b) the approval of the application did not imply that the proposed non-domestic plot ratio of the proposed hotel development and the proposed gross floor area exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval; and

- (c) the provision of Emergency Vehicular Access should be in full compliance with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue.

[The Chairperson thanked Mr. Y. S. Lee, STP/TWK, for his attendance to answer Members' enquiries. Mr. Lee left the meeting at this point.]

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/94                      Utility Installation for Private Development (Utility Trough)  
                                         in "Green Belt" and "Road" zones,  
                                         Road R3, Ting Kau, Tsuen Wan  
                                         (MPC Paper No. A/TWW/94)

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#### **Presentation and Question Sessions**

37.            Mr. K.T. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the utility installation for private development (utility trough);
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) District Officer (Tsuen Wan), Home Affairs Department (DO (TW), HAD) advised that no comment was received from Tsuen Wan Rural Area Committee (TWRAC) members, village representatives of Ting Kau

village and concerned District Council member and one of the TWRAC members supported the proposed application; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed utility trough was essential to provide necessary utility services to serve the approved residential development. The proposed utility trough was relatively small in scale. No existing trees would be affected and significant adverse landscape impact arising from the proposed works was not anticipated.

38. Members had no question on the application.

#### Deliberation Session

39. 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 10.7.2013, 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 leakage protective measure to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the construction and future maintenance of the fresh and flushing water-mains in the trough to the satisfaction of the Director of Water Supplies or of the TPB; and
- (c) the clearance between the proposed utility trough and the existing bridge to the satisfaction of the Director of Highways or of the TPB.

40. The Committee also agreed to advise the applicant :

- (a) to apply to the Director of Lands for short term tenancy to cover the



proposed land requirement and future maintenance of the proposed trough including the utilities;

- (b) to submit building plans to the Building Authority to demonstrate compliance with the Buildings Ordinance and its regulations;
- (c) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department regarding the submission of site formation plans to the Building Authority;
- (d) to note the comments of the Director of Environmental Protection regarding the environmental control measures during the construction stage; and
- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation to follow guidelines in the ETWB TCW No. 3/2006 in tree preservation and ETWB TCW No. 5/2005 in protection of natural streams/rivers from adverse impacts arising from construction works.

[The Chairperson thanked Mr. K.T. Ng, STP/TWK, for his attendance to answer Members' enquires. Mr. Ng left the meeting at this point.]

### **Hong Kong District**

[Ms. Brenda K.Y. Au, District Planning Officer/Hong Kong (DPO/HK), Mr. Derek W.O. Cheung, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

## Agenda Item 8

[Open Meeting]

Proposed Amendments to the

Approved Mid-levels East Outline Zoning Plan No. S/H12/10

(MPC Paper No. 22/09)

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41. Mr. Derek W. O. Cheung drew Members' attention to a typo error in line 4 of paragraph 3.4 of the Paper in that low-rise developments with a height of not more than 13, instead of 8 storeys, will be subject to restrictions on the number of storeys. With the aid of a Powerpoint presentation, Mr. Derek W. O. Cheung, STP/HK, presented the Paper and covered the following main points as detailed in the Paper :

### Background

#### Building Height Control on "Government, Institution or Community" ("G/IC") Zone

- (a) all the development zones on the OZP, except the "G/IC" zone, were subject to building height restrictions. To provide better planning control and prevent out-of-context developments or redevelopments, appropriate building height (BH) restrictions should also be imposed on the sites under "G/IC" zoning on the OZP;
- (b) Bowen Road, having a very unique environment, generally followed the 120m contour line with a green backdrop and was a very popular jogging and walking trail. In view of its uniqueness and popularity, view from this road should be preserved for the enjoyment of the general public. The densely vegetated hill slopes which dominated the southern part of the area formed a green backdrop for the developed areas and provided a green setting to the vicinity. The "G/IC" sites, apart from providing facilities to serve the community or for specific purposes, would also function as breathing space and provide visual relief for the Area;

#### Revision of the Boundary of "Comprehensive Development Area" Zone

- (c) to reflect the existing school use of the Lingnan Primary School and Kindergarten (LPSK), the area occupied by LPSK would need to be excised from the boundary of the “Comprehensive Development Area” (“CDA”) zone;
- (d) under the Notes of the current OZP, the “CDA” site was subject to a maximum domestic GFA of 15,300m<sup>2</sup> and non-domestic GFA of 1,500m<sup>2</sup>. Upon excision of the LPSK site, the maximum total GFA of 16,800m<sup>2</sup>, which was equivalent to a plot ratio of about 1.1 and 2.3 respectively based on gross and net site area (excluding slopes, non-building area, a pedestrian link and a loading/unloading area) would be achievable within the remaining “CDA” zone;
- (e) to allow more flexibility for the future development in the “CDA” zone, the maximum GFA of the site was proposed to be revised from “maximum domestic GFA of 15,300m<sup>2</sup> and non-domestic GFA of 1,500m<sup>2</sup>” to “maximum GFA of 16,800m<sup>2</sup> (including not less than 15,300m<sup>2</sup> domestic GFA)”. A maximum BH restriction of not exceeding 120mPD (including roof structures) was also proposed to be imposed to ensure that future developments would not exceed the road level of Bowen Road;

#### Review of the “Open Space” (“O”) Zones

- (f) a review of the “O” zones in the Area had been undertaken. There were a total of 9 “O” sites. All the sites were under Government ownership and 8 out of these 9 sites had already been developed into public open space for the enjoyment of the general public. While there was no programme for the development of the remaining site (Site No. 9), the Director of Leisure, Cultural and Services considered that the “O” zoning of this site should be retained for open space provision in the longer term. As such, the “O” zoning of all the 9 sites should be retained;

#### Proposed Amendments to Matters Shown on the Plan

Item A – To rezone the Bowen Road Fresh Water Service Reservoir from “G/IC” to “G/IC(1)”(about 8,070m<sup>2</sup>)

- (g) the site covered Bowen Road Fresh Water Service Reservoir (with an existing tennis court on top) and the Bowen Drive Salt Water Service Reservoir. It was proposed to impose a BH restriction of 1-storey to reflect the as-built situation and the committed development;

Item B – To rezone the St. James’ Settlement, Primary School and Church site at Kennedy Road from “G/IC” to “G/IC(2)” (about 3,885m<sup>2</sup>)

- (h) the height of the existing buildings at the subject site was about 50mPD (St. James’ Primary School of 49.6mPD, St. James’ Church of 47.5mPD and St. James’ Settlement of 49.4mPD). Besides, On 2.1.2009, the Building Authority (BA) approved a set of building plans with the heights at main roof and at the highest point of the school and welfare building portion being 85.21mPD and 90mPD respectively while those for the church portion were 93.21mPD and 100.06mPD respectively. The site was located at Wan Chai Gap adjoining 2 existing residential developments to its south and west, which were zoned “R(B)2”, with a maximum BH of 90mPD (including roof structures) imposed in the OZP in 2002. The intention of the BH restriction was to preserve public view from Bowen Road along the visual corridor of Wan Chai Gap. Hence, it was proposed to impose the same maximum BH of 90mPD (including roof structures) for the site;

Item C – To rezone a site for school and community uses near Shiu Fai Terrace from “G/IC” to “G/IC(3)” (about 34,108m<sup>2</sup>)

- (i) the developments zoned “G/IC” included Wah Yan College, Raimondi College Primary Section, Pun U Association Wah Yan Primary School and Freni Care and Attention (C&A) Home. For the schools, except for Raimondi College Primary Section which was of 8 storeys, Pun U Association Wah Yan Primary School and the buildings within Wah Yan

College range from 4 to 6 storeys. To be in line with the general requirement for school development and to cater for possible future expansion, it was proposed to impose a maximum BH of 8 storeys (excluding basement(s)) for these schools. As for the C&A Home, which was of 8-storey high, it was proposed that the site would also be restricted to a maximum BH of 8 storeys (excluding basement(s)) to reflect its existing height;

Item D – To rezone the LPSK site from “CDA” to “G/IC(4)” (about 1,536m<sup>2</sup>)

- (j) on excision from the “CDA” zone, the LPSK site was proposed to be rezoned to “G/IC(4)” to reflect its existing school use. The site was located on two platforms at about 95 to 110mPD. The Lingnan Primary Section situated on a platform at about 95mPD was of 6 storeys with a maximum BH of 114mPD. The Lingnan Kindergarten on a higher platform at about 110mPD was of 4 storeys with a building height at 120mPD. The land where the existing Lingnan Kindergarten was located (i.e. 7 Tung Shan Terrace) fell within the Special Control Area where building development was restricted to a height of 10.67m, which was equivalent to about 120mPD. To ensure that future development would not exceed the existing level of Bowen Road, the site should be restricted to a maximum BH of 120mPD (including roof structures);

Item E – To rezone a strip of Government land at Stubbs Road to the north-east of the “CDA” zone to area shown as ‘Road’ (about 183m<sup>2</sup>)

- (k) the strip of land, which currently serves as the right of way for a residential development, i.e. Goodview Garden, was proposed to be excised from the “CDA” zone and rezoned to area shown as ‘Road’ to reflect its existing use;

Proposed Amendments to the Notes and ES of OZP

- (l) the proposed amendments to the Notes of the OZP were detailed in

paragraphs 5.1 and 5.2 and the revised Notes were enclosed at Attachment III of the Paper. The major amendments included mainly the incorporation of the building height restrictions and minor relaxation clause for such restrictions under the “G/IC” zones; the revision of the planning intention, the GFA restrictions (to “maximum GFA of 16,800m<sup>2</sup> (including not less than 15,300m<sup>2</sup> domestic GFA)”) and stipulation of a maximum building height of 120mPD (including roof structures) for the “CDA” zone and the incorporation of a minor relaxation clause for the GFA and BH restrictions for the zone. The proposed amendments to the ES were described in paragraphs 6.1 and 6.2 and the revised ES was enclosed at Attachment IV of the Paper; and

#### Consultation

- (m) The proposed amendments had been circulated to relevant Government bureaux/departments for comments and their comments had been incorporated where appropriate. The Wan Chai District Council would be consulted during the exhibition period of the draft OZP.

42. In response to the Chairperson’s question on the BH restrictions for the school site occupied by Wah Yan College, Ms. Brenda K. Y. Au expressed that a maximum BH of 8 storeys (excluding basement(s)) was proposed for the “G/IC” site. A Member asked whether it was common practice to impose BH restriction of 8-storey for “G/IC” zone for school use. Ms Brenda K. Y. Au replied that a maximum BH of 8 storeys would normally be imposed under the “G/IC” zone for school use except for sites at sensitive location subject to adverse visual or air ventilation impacts. She said that a “G/IC” site at Quarry Bay for school use was restricted to 6-storey in height in view of the impact on the visual quality of the area.

#### Deliberation

43. After further deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Mid-levels East Outline

Zoning Plan (OZP) No. S/H12/10 and that the draft Mid-levels East OZP No. S/H12/10A at Attachment II (to be renumbered to S/H12/11 upon gazetting) and its Notes at Attachment III were suitable for exhibition under section 5 of the Ordinance; and

- (b) adopt the revised Explanatory Statement (ES) at Attachment IV as an expression of the planning intentions and objectives of the Town Planning Board for various land use zonings of the Plan and the revised ES would be published together with the Plan.

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

### **Agenda Item 9**

[Open Meeting]

Draft Planning Brief for the Former Lingnan College Site at Stubbs Road in the “Comprehensive Development Area” zone on the Approved Mid-levels East Outline Zoning Plan (MPC Paper No. 23/09)

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44. With the aid of a Powerpoint presentation, Mr. Derek W.O. Cheung, STP/HK, presented the Paper and covered the following main points as detailed in the Paper :

#### **Background**

- (a) the site together with the adjacent Lingnan Primary School and Kindergarten (LPSK) were examined in a Consultancy Study entitled “Redevelopment of Under-developed ‘Government’ Sites – Scheme Proposal for Priority Sites” completed in June 1994. One of the recommendations of the Study was to rezone the site to “Comprehensive Development Area” (“CDA”) for low-density private housing development upon reprovisioning of the then Lingnan College, Lingnan Secondary School and the LPSK. This was endorsed by the Government in August 1994. The Lingnan College and Lingnan

Secondary School were subsequently relocated to new sites and the sites were surrendered to the Government in 1999. To facilitate the proposed comprehensive residential development, the site together with the area occupied by LPSK, was rezoned from “Government, Institution or Community” (“G/IC”) to “CDA” on the Mid-levels East OZP No. S/H12/3 gazetted on 29.10.1999;

- (b) efforts were made to assist the relocation of the LPSK in the past few years. However, Lingnan Education Organisation would not wish to proceed with a land exchange if it had to pay the land premium and the development cost and as such, the relocation proposal could not be further pursued. The proposed amendment to excise the LPSK site from “CDA” zone was agreed by the Committee under Agenda Item 8 and a draft Planning Brief (PB) covering the major part of the “CDA” zone was prepared for consideration by the Committee;

#### Draft PB

- (c) the draft PB for the site was prepared after taking into account the planning intention of the “CDA” zone, the development restrictions on the OZP, the surrounding topography and land uses as well as the need to preserve public view from Bowen Road across Happy Valley and the general amenity of the area. The main requirements were highlighted in the following paragraphs;

#### Development Parameters

- (d) the site (about 1.6ha) was intended for low-density residential development with supporting commercial uses, open space and other related facilities. To provide greater flexibility for the future development, the site would be restricted to a maximum GFA of 16,800m<sup>2</sup> (including not less than 15,300m<sup>2</sup> domestic GFA). These were equivalent to a maximum plot ratio of about 1.05 and 2.3 respectively based on gross and net site area (excluding slopes, a non-building area (NBA), a pedestrian link and a loading/unloading



area);

- (e) the site was currently subject to a maximum building height of 7 storeys including carports under the OZP. In line with the planning intention to preserve public view along Bowen Road and the general amenity of the area, a maximum building height restriction of not exceeding 120mPD (including roof structures) was also proposed to be imposed on the site, similar to the control on the “Residential (Group B)” (“R(B)”) sites on the OZP;

Urban Design and Landscape Requirements

- (f) in addition to the building height restrictions mentioned above, the topography of the site should in general be respected and the future development should be sited on at least two distinct platform levels so as to create a gradation in the building height profile. A Visual Assessment including photomontages should be submitted;
- (g) a 10m wide NBA (Plan 2 in Appendix I) was incorporated to keep development away from the northwest boundary abutting Stubbs Road. Existing trees and vegetation within the NBA should be preserved in-situ as far as practical to form a green buffer between the site and Stubbs Road. If slope stabilization work required cutting back of the concerned slope and felling of the existing trees was inevitable, tree planting within the NBA should be provided to re-establish a green screen to Stubbs Road;
- (h) sizable trees found within the site were recommended to be preserved in-situ as far as practical. On-site opportunities for greening should be maximized. In view of the presence of green slopes and the tree planting requirement within the NBA, minimum coverage of greenery of 30% of the site area to create a quality green setting was recommended for the site. The applicant was required to submit a landscape master plan and a tree preservation proposal as part of the MLP submission for consideration by the TPB;

Transport Requirements

- (i) the applicant was required to submit a traffic impact assessment (TIA) to demonstrate that the proposed development at the site would not have adverse impact on the traffic and pedestrian flow in the surrounding areas. Subject to the advice of Transport Department, parking and loading/unloading spaces should be provided in accordance with the requirements under the Hong Kong Planning Standards and Guidelines;
- (j) the existing stairway along the eastern boundary should be upgraded to highways standard of minimum 4m wide to serve as a pedestrian link between LPSK and Stubbs Road. To facilitate access to the upgraded pedestrian link, a loading/unloading area for public use should be reserved in the north-eastern corner of the "CDA" site near Stubbs Road;
- (k) the site was currently subject to a maximum building height of 7 storeys including carports under the OZP. In line with the planning intention to preserve public view along Bowen Road and the general amenity of the area, a maximum building height restriction of not exceeding 120mPD (including roof structures) was also proposed to be imposed on the site, similar to the restriction for the "Residential (Group B)" ("R(B)") sites on the OZP. Both the restrictions on the number of storeys and the building height in mPD were set out in the PB; and

Way Forward

- (l) the draft PB for the site was enclosed at Appendix I of the Paper. Subject to the Committee's agreement, PlanD would consult the Wan Chai District Council on the draft PB. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

45. A Member noted that the western portion of the site (Chung On Hall) was

separated from the eastern portion (buildings of the former Lingnan College) by an area of heavy vegetation and suggested consideration might be given to excise the western part from the “Comprehensive Development Area” (“CDA”) zone. Another Member noted that the sloping profile of the site had imposed serious constraints on the future layout, in particular the provision of vehicular access for firefighting which might render the felling of trees unavoidable. Ms Brenda K. Y. Au explained that the subject “CDA” zone had been designated since 1999 and was intended for comprehensive redevelopment of the area for residential development. Maintaining the site as a whole would allow a comprehensive and more flexible design for future development. The PB also included requirements to submit landscape master plan and tree preservation proposal as part of the Master Layout Plan submission. The Chairperson said that there was only one access point to the “CDA” site making it difficult to separate the western portion from the “CDA” zone.

#### Deliberation Session

46. After further deliberation, the Committee decided to agree that the draft planning brief was suitable for consultation with Wan Chai District Council.

[The Chairperson thanked Mr. Derek W. O. Cheung, STP/HK, for his attendance to answer Members’ enquires. Mr. Cheung left the meeting at this point.]

[Mr. Tom C. K. Yip, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

[Ms. Starry W. K. Lee arrived to join the meeting at this point whereas Dr. Winnie S. M. Tang left the meeting at this point.]

[Professor Bernard V. W. F. Lim left the meeting temporarily at this point.]

## **Agenda Item 10**

[Open Meeting]

Further Consideration of the Draft Planning Brief  
for the Proposed Developments at the Ex-North Point Estate Site  
(MPC Paper No. 24/09)

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47. Mr. K. Y. Leung and Mrs. Ava S. Y. Ng had declared an interest in this application as they owned a flat in North Point. The Committee considered that the interest was indirect and Mr. Leung and Mrs. Ng were allowed to stay.

48. Mr. Tom C. K. Yip, STP/HK, informed the meeting that a replacement page of P.6 of Attachment 1 on an amendment to the “Remark” of “Public Transport Facilities” was tabled. With the aid of a Powerpoint presentation, he then presented the Paper and covered the following main points as detailed in the Paper :

### **Background**

- (a) on 9.1.2009, the Committee considered the draft PB for the Site and agreed that the draft PB was suitable for consultation with the Harbour-front Enhancement Committee (HEC) and the Eastern District Council (EDC). The Sub-committee on Harbour Plan Review of the HEC (HEC Sub-committee) and the Planning, Works and Housing Committee (PWHC) of the EDC were consulted on the draft PB on 21.1.2009 and 27.2.2009 respectively;
- (b) in February 2009, the Working Group on Waterfront Development in the Eastern District under EDC launched the North Point Harbour (NPH) Conceptual Design Competition covering the Site and the adjoining area. The Working Group had passed the winning entries of the competition to Planning Department (PlanD) for consideration in the context of the PB;

### **Views on the Draft PB**

MPC

- (c) on consideration of the draft PB on 9.1.2009, the Committee while agreeing that the draft PB was suitable for consultation with HEC and EDC, requested PlanD and Transport Department (TD) to review the scope of reducing the size of the podium accommodating the public transport terminus (PTT) at the Site, and to improve its design to further enhance air ventilation along Java Road;

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

HEC Sub-committee

- (d) the HEC Sub-committee appreciated that lower building height and plot ratio were adopted for the Site and considered it important to promote a vibrant development through better urban design and integration with the surroundings. The HEC Sub-committee conveyed to the Committee in particular that, the scale of the proposed PTT should be suitably reduced; the North Point Ferry Piers should be upgraded and included as part of the development package at the Site; and the results of the NPH Conceptual Design Competition organized by EDC should be taken into account, where appropriate, in the finalization of the PB;

Planning, Works and Housing Committee (PWHC) of EDC

- (e) while some EDC members commended that the draft PB had responded to the views previously expressed by the EDC and locals on wall effect and air ventilation by stipulating a lower maximum building height of 80mPD and the provision of a waterfront promenade, EDC members generally demanded that a landmark theatre with 1,000 seats should be provided at the Site to serve the locals, boost the local economy and promote North Point as a tourist and cultural centre. Some EDC members commented that it was uncertain if there was demand for the hotel site; the results of the NPH Conceptual Design Competition should be taken into account; and the proposed PTT should adopt permeable design to facilitate dispersion of pollutants and dust, and avoid creating noise nuisances to the

surroundings;

- (f) the PWHC of EDC passed a motion to request the Administration to construct a landmark theatre with 1,000 seats at the Site, and another motion to request for preservation of the old trees at the Site to signify the history of the North Point Estate as Hong Kong's first low-cost rental housing estate;

#### The Winning Entries of NPH Conceptual Design Competition

- (g) the competition involved four groups, namely professional, open, senior student and junior student groups. While various ideas and concepts had been proposed, they in general shared some common themes and features. The themes and features included a large public open space integrated with a waterfront promenade, certain distinct features and some commercial uses compatible with the waterfront setting; a landmark theatre or civic/cultural centre for large-scale cultural performance particularly Cantonese Opera, art gallery/artist village and themed museum to foster a special cultural identity and unique image for the North Point area; mixed uses to create a focal point for the district with residential, commercial, hotel and cultural elements, and to nurture a modern lifestyle; varied building heights and massing with creative design and façade to provide interesting built form; an abundant provision of greenery particularly roof-top gardens and the promotion of sustainable development through the adoption of environmental friendly and energy-saving measures such as solar panels and water recycling facilities; and integration of the Site with the surroundings through various forms of public transport;

#### Responses of Government Bureaux/Departments

- (h) relevant Government bureaux and departments had been consulted on the views expressed by the Committee, HEC Sub-committee and PWHC of EDC and their responses and PlanD's views were set out below:

#### Theatre for Cultural Performance

- (i) in response to the request of the PWHC of EDC for a theatre with 1,000 seats at the Site, the Home Affairs Bureau (HAB) advised that the construction of new performance venues would involve high construction costs and long-term financial commitment. In order to ensure proper utilization of resources, the Government would consider various factors including the overall planning of existing performance venues, cultural policy and financial commitment. There were quite a number of existing large venues on Hong Kong Island including City Hall, Queen Elizabeth Stadium, Sheung Wan and Sai Wan Ho Civic Centre. In addition, the Government had planned to develop performance venues of different scale, including conversion of the Yau Ma Tei Theatre, new annex for Ko Shan Theatre and West Kowloon Cultural District;
- (j) to partly address the local demand for performance venue, the draft PB had already stipulated that the proposed community hall at the Site should have upgraded facilities for small-scale cultural performances. Based on HAB's advice, the provision of an additional performance venue at the Site would not be necessary;

#### Public Transport Terminus

- (k) in response to the concerns raised by the Committee and HEC Sub-committee, TD had revised the layout of the PTT and reduced the size of the covered PTT from a GFA of 8,000m<sup>2</sup> to 7,340m<sup>2</sup> to accommodate the franchised buses and mini-buses only. The previously proposed lay-bys for taxi/private cars and coaches would be located at the proposed hotel and residential developments within the Site, and the public coach park would be provided at basement level below the PTT but with direct connection with the waterfront promenade. Regarding the height of the PTT, according to the Transport Planning and Design Manual, a minimum headroom of 6m had to be provided for circulation of buses. Taking into account electrical and mechanical services and floor slab, a floor-to-floor height of 8.5m, instead of 10m as previously proposed, was considered sufficient, but this would be subject to the detailed design of the future development at Site B;

- (l) regarding the concern on blockage of air ventilation, the draft PB had stipulated that the PTT had to be open on at least two sides to facilitate the penetration of prevailing wind through the Site in accordance with the relevant recommendation of the AVA. Moreover, two visual/wind corridors were designated along Shu Kuk Street and Kam Hong Street from the inland area to the waterfront. On noise nuisances, as the proposed PTT was basically covered, the noise nuisances to be generated on the surrounding areas should not be significant. At the planning application stage, an Environment Assessment should be prepared by the developer to address any potential environmental impacts. In response to the general concern on building bulk on the Site, it was proposed to reduce the maximum site coverage for both Sites A and B from 65% to 60%;

#### North Point Ferry Piers

- (m) the proposed landscaped walkways within the Site would facilitate the access to the existing two piers and the proposed open piazza in front of the piers would provide a focal point for local residents, tourists and ferry passengers. Noting the proposed hotel and commercial developments at the Site, the opportunity for enhancement of the piers to include commercial and tourism-related uses would be explored in the ongoing Hong Kong Island East Harbour-front Study commissioned by PlanD;

#### Tree Preservation

- (n) regarding the motion of the PWHC of EDC on tree preservation, the draft PB had already stipulated that all existing trees on the Site should be preserved as far as possible. The submission and implementation of the tree preservation proposal can be ensured through the planning permission system. Appropriate tree preservation clause would also be included in the land sale conditions for the Site;

#### Demand for the Hotel Site

- (o) it was the Government's policy to ensure a steady supply of hotel rooms in Hong Kong for tourism development. There was a sustained demand for



provision of new hotels in the main urban areas. The proposed hotel development at Site A was compatible with the surrounding developments and would add vibrancy and diversity to the area;

#### NPH Conceptual Design Competition

- (p) the winning entries of the competition had proposed various options and proposals for the Site with very different layouts and schematic drawings. The draft PB was flexible enough to accommodate any useful ideas and proposals put forward in the winning entries. Some of the common themes or features of these entries were similar to the principles and requirements already included in the draft PB, including a mix of residential, commercial and GIC uses to promote vibrancy for the area, the provision of 15,000m<sup>2</sup> public open space for public enjoyment, and the landscaped walkways and underground connections to enhance accessibility to the waterfront. In the light of some themes and features mentioned above, it was proposed to include the following additional requirements into the draft PB;
- (i) noting the substantial provision of greenery proposed in some entries, it was proposed to stipulate a minimum site coverage of 30% for greenery for both Site A and B in the draft PB, including those at ground level, podium and rooftops so as to reduce the internal heat gain of building and provide a pleasant external environment; and
  - (ii) it was proposed to stipulate in the draft PB that creative building design should be encouraged and special regard should be paid to the treatment of building façade and mass.

#### Change in GIC Uses

- (q) under the original draft PB, a health centre with a total GFA of 4,455m<sup>2</sup> was proposed to re-provision the existing Anne Black Health Centre and the Tang Shiu Kin Dental Clinic. However, the Government Property Administrator had recently advised that the redevelopment was no longer justified as the development potential of the site was very limited due to the newly imposed building height and non-building area restrictions

under the North Point Outline Zoning Plan and the existing MTR reserved at the southern part of the site. The Secretary for Food and Health and the Director of Health also confirmed that there was no immediate need to relocate their existing facilities. It was therefore proposed to delete the proposed health centre from the Site;

- (r) in view of the GFA released from the deletion of the health centre and to meet the local demand for social welfare services, the Director of Social Services had proposed to include a 30-place special child care centre cum 90-place early education and training centre (1,100m<sup>2</sup>), a district support centre for persons with disabilities (1,100m<sup>2</sup>) and a day care centre for the elderly (480m<sup>2</sup>) at the Site. The total GFA of GIC facilities at the Site was reduced by 1,775m<sup>2</sup> from 6,930m<sup>2</sup> to 5,155 m<sup>2</sup>;

Proposed Amendment to the Draft PB

- (s) the revised PB was enclosed at Attachment I of the Paper. Subject to the endorsement of the draft PB by the Committee, the PB would provide guidance and serve as a reference for the submission of planning application for the hotel use at Site A and for the future development at Site B.

49. Dr Daniel To had declared an interest as he was a Councillor of Eastern District Council who had organized the North Point Harbour Conceptual Design Competition. The Committee considered the interest was indirect and Dr. To was allowed to stay.

50. A Member asked how the current PB had taken into account the results of NPH Conceptual Design Competition. Ms Brenda K. Y. Au said that the winning entries of the competition had proposed a range of ideas and concepts which would be difficult to reflect all in the design of the future development. However, the common features and principles, such as the provision of public open space, waterfront promenade and greenery were already included in the PB and the PB was revised to provide a greening ratio of 30% for both sites A and B. She said that the PB had provided sufficient control on the future development while at the same time allowed flexibility to encourage innovative design and layout.

51. A Member asked if the 30% greening ratio which included greening at ground

level, podium and rooftops could achieve the purpose of providing quality green setting. Ms Brenda K. Y. Au said that a substantial greening area was expected to be provided at ground level as a 20m wide promenade and two landscaped walkways were required to be provided under the PB. Two Members asked if a minimum percentage of greening ratio provided at ground level could be specified. Ms. Brenda K. Y. Au said that this could be done but the exact figure would have to be further worked out. The Committee agreed that Planning Department would provide a minimum coverage for greening at ground level for incorporation into the PB after the meeting.

52. A Member asked whether there was any scope to further setback the future development from Java Road to enhance air ventilation and create a more permeable environment for pedestrians. Ms. Brenda K. Y. Au explained that the 3m setback was a minimum requirement under the PB and further setback might reduce the flexibility in future design of the development. As Site B would be rezoned to “CDA”, the layout and design of the future development would be subject to the Board’s scrutiny during the master layout plan submission stage.

53. In view of the deletion of the health centre, a Member suggested using the surplus GFA to provide library services to serve the local people. Ms. Brenda K. Y. Au advised that there were already two existing libraries at Electric Road and Tsat Tsz Mui Road in the North Point. She had consulted Government departments on the need of other GIC facilities and Director of Social Welfare’s proposals had already been incorporated. Regarding the need for an additional library, she would consult Leisure, Cultural and Services Department (LCSD). The Committee agreed that Planning Department would consult LCSD on the need for a library in the site.

#### Deliberation Session

54. After further deliberation, the Committee decided to :

- (a) note the views of the Harbour-front Enhancement Committee Sub-committee and the PWHC of Eastern District Council on the draft planning brief (PB) as summarized in paragraphs 3.2 to 3.4 and detailed in Attachments IV and V of the Paper, and the results of the North Point

Harbour Conceptual Design Competition as summarized in paragraph 3.5 of the Paper; and

- (b) endorse the draft PB at Attachment I, which had incorporated the relevant proposed amendments and a minimum coverage for greening provided at ground level.

[The Chairperson thanked Ms. Brenda K.Y. Au, DPO/HK, and Mr. Tom C.K. Yip, STP/HK, for their attendance to answer Members' enquires. Ms. Au and Mr. Yip left the meeting at this point.]

[The meeting adjourned for a short break of 5 minutes at this point.]

### **Kowloon District**

[Miss Annie K.W. To, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/230                      Proposed Public Utility Installation (Gas Pigging Station)  
in "Other Specified Uses" annotated "Sewage Treatment Plant  
near Sung Ping Street, To Kwa Wan  
(MPC Paper No. A/K9/230)

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#### **Presentation and Question Sessions**

55.            The Secretary reported that the applicant was partly owned by a subsidiary of Henderson Land Development Co. Ltd (the Henderson). Mr. Raymond Y.M. Chan had declared an interest in this item as he had current business dealings with the Henderson. Ms. Starry W.K. Lee also declared an interest in this item as she was a District Councillor of

Kowloon City. As the Paper was on the applicant's request to defer consideration of the application, Members agreed that Mr. Chan and Ms. Lee were allowed to stay in the meeting.

56. The Secretary reported that "Siu Yuen Sheung, Elected Councillor of Kowloon City District Council" submitted a petition against the planning application in the morning. A copy of the letter to the Town Planning Board (the Board) was tabled at the meeting for Members' reference.

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

57. During the statutory publication period of the application, more than 7,000 public comments against the application mainly on the suitability of the location, potential hazard to life and potential adverse environmental, visual and landscape impacts. Planning Department considered that there might be further scope to improve the design of the proposed gas pigging station. As such, Planning Department requested to defer consideration of the application to allow time for a more thorough discussion with concerned departments and the applicant.

58. A Member supported the deferred consideration of the application and requested Planning Department to consider the views of the residents in the assessment of the planning application.

#### Deliberation Session

59. After deliberation, the Committee decided to defer a decision on the application as requested by Planning Department pending further discussion with concerned Government departments and the applicant to improve the design of the proposed gas pigging station. The Committee agreed that the application should be submitted to the Committee for consideration within 2 months to allow time to resolve the issue with the applicant and the concerned Government departments.

**Agenda Item 12**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/193                      Proposed Shop and Services  
                                         in “Other Specified Uses” annotated “Business” zone,  
                                         Workshop No. 4B, G/F, Laurels Industrial Centre,  
                                         32 Tai Yau Street, San Po Kong  
                                         (MPC Paper No. A/K11/193)

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Presentation and Question Sessions

60.                      With the aid of a Powerpoint presentation, Miss Annie K.W. To, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the front portion of the application premises was the subject of a previous approved planning application;
- (b) the proposed shop and services;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;

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

- (d) District Officer (Wong Tai Sin), Home Affairs Department (DO(WTS), HAD) advised that some locals expressed reservation over the subject application on grounds that the proposed ‘Shop and Services’ use might affect the business of other existing operators; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed use at the application premises was considered generally in line with the planning intention of “Other Specified Uses” annotated

“Business” (“OU(Business)”) zone for general business uses. The use at the application premises was not incompatible with the other uses within the same building. It complied with the Town Planning Board Guidelines for Development within “OU (Business)” zone (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area. Regarding the public comments conveyed by DO(WTS), HAD, the use under application was generally in line with the planning intention of the “OU(Business)” zone; no public comment on the current application was received and similar planning approvals for shop and services in the San Po Kong Business Area had been granted by the Committee.

61. Members had no question on the application.

#### Deliberation Session

62. 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 10.7.2011, 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 submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the subject premises, to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

63. The Committee also agreed to advise the applicant to apply to the District Lands





- (d) District Officer (Kwun Tong), Home Affairs Department (DO(KT), HAD) advised that the proposed hotel would be welcomed by the community as it would help revitalize the Kowloon Bay Business Area. The question of vehicular traffic impact would be considered by relevant Government departments. However, as tourists might access the hotel through Kowloon Bay MTR station, pedestrian traffic at Telford Plaza and at the footbridge linking Telford Plaza and Telford House might be adversely affected but pedestrian traffic impact had not been covered in the application. The effect would be more pronounced as tourists might carry large luggage. It was noteworthy that Kwun Tong District Council member for Kowloon Bay constituency had, from time to time, raised concerns about the heavy pedestrian traffic at the footbridge; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed hotel use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone which was for general employment uses. Previous approvals for hotel use at the application site had been granted by the Committee. Regarding DO(KT), HAD's concern, an approval condition as suggested by AC for T/U, TD requiring the applicant to submit a TIA and implement improvement measures identified therein, would be imposed to address the concern.

66. Members had no question on the application.

#### Deliberation Session

67. 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 10.7.2013, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a traffic impact assessment and implementation of the improvement measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the setting back building boundary along Lam Lok Street and Wang Kwong Road to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and 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
- (d) the submission and implementation of a landscaping proposal to the satisfaction of the Director of Planning or of the TPB.

68. The Committee also agreed to advise the applicant :

- (a) to liaise with the District Lands Officer/Kowloon East, Lands Department for lease modification;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that subject to compliance with the criteria under PNAP 111, the application for hotel concession under Building (Planning) Regulation 23A and Gross Floor Area exemption for back-of-house facilities would be considered upon formal submission of building plans; and
- (c) to comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by Buildings Department regarding the provision of emergency vehicular access.

[Mr. Raymond Y.M. Chan returned to the meeting and Mr. Maurice W.M. Lee arrived to join the meeting at this point.]

## **Agenda Item 14**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/242                      Proposed Shop and Services  
in “Other Specified Uses” annotated “Business” zone,  
Unit Part B of A, Ground Floor, Shui Hing Centre,  
13 Sheung Yuet Road, Kowloon Bay  
(MPC Paper No. A/K13/242)

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### **Presentation and Question Sessions**

69.            With the aid of a Powerpoint presentation, Miss Annie K.W. To, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(Business)”) zone. Similar applications had been approved for other ground floor workshop units in the Kowloon Bay Business Area. The proposed use at the application premises was not incompatible with the other uses within the same building. It complied with the Town Planning Board Guidelines for Development within “OU (Business)” zone (TPB PG-No. 22D) in that it

would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent area.

70. Members had no question on the application.

#### Deliberation Session

71. 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 10.7.2011, 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 submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises, to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) apply to the District Lands Officer/Kowloon East, Lands Department for a temporary waiver or lease modification;
- (b) appoint an Authorized Person to submit building plans for the proposed change in use to demonstrate compliance with the Buildings Ordinance, in particular, the provision of :
  - (i) 2 hours fire resisting separation wall between the application

premises and the remaining portion of the existing workshop on G/F in accordance with Building (Construction) Regulation 90 and paragraph 8.1 of the Code of Practice for Fire Resisting Construction 1996;

- (ii) access and facilities for the persons with a disability under Building (Planning) Regulation 72 and Design Manual : Barrier Free Access 2008;
- (c) strictly follow the regulatory restrictions for loading/unloading activities so as to avoid interfering with the mainstream traffic in particular under cumulative effect of nearby roadside activities; and
- (d) consult Food and Environmental Hygiene Department regarding food licence for operation of food business under Food Business Regulations.

[The Chairperson thanked Miss Annie To, STP/K, for her attendance to answer Members' enquiries. Miss To left the meeting at this point.]

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/590                      Proposed Government, Institution or Community Use  
(Methadone Clinic) in an area shown as "Road" zone,  
Part of Kwun Tong Road/Hoi Yuen Road Roundabout,  
near Kwun Tong MTR Station, Kwun Tong  

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(MPC Paper No. A/K14/590)

73.            The Secretary reported that the application was submitted by Urban Renewal Authority and the following Members had declared interests in this item:

- |                                                       |   |                                                                                                  |
|-------------------------------------------------------|---|--------------------------------------------------------------------------------------------------|
| Mrs. Ava S.Y. Ng                                      | ] |                                                                                                  |
| as the Director of Planning                           | ] | being non-executive directors of                                                                 |
|                                                       | ] | Urban Renewal Authority (URA)                                                                    |
| Mr. Walter K.L. Chan                                  | ] |                                                                                                  |
| Mr. Maurice W.M. Lee                                  | - | being a former non-executive director of<br>URA (the term of office was ended on<br>30.11.2008)  |
| Mr. Herbert Leung                                     | - | being an assistant to the Director of<br>Lands who was a non-executive director<br>of URA        |
| as the Deputy Director/General of<br>Lands Department |   |                                                                                                  |
| Mr. Andrew Tsang                                      | - | being an assistant to the Director of<br>Home Affairs who was a non-executive<br>director of URA |
| as the Assistant Director of Home<br>Affairs          |   |                                                                                                  |
| Mr. Nelson W.Y. Chan                                  | - | being a member of Kwun Tong District<br>Advisory Committee of URA (Kwun<br>Tong area only)       |
| Professor Bernard V.W.F. Lim                          | - | having current business dealings with<br>URA                                                     |
| Mr. Raymond Y.M. Chan                                 | - | being a Member of the Home Purchase<br>Allowance (HPA) Appeals Committee                         |

74. Members noted that Messrs. Andrew Y.T. Tsang and Herbert Leung had tendered an apology for being unable to attend the meeting. Professor Bernard V.W.F. Lim had left the meeting. As the Paper was on the applicant's request to defer consideration of the application, Members agreed that Mrs Ng, Mr. Walter Chan, Mr. Lee, Mr Nelson Chan and Mr Raymond Chan were allowed to stay in the meeting.

### Presentation and Question Sessions

75. The Committee noted that the applicant requested on 29.6.2009 for a deferment of the consideration of the application as the applicant would submit further technical clarifications to address the Government departments' comments and public comments received during the publication periods.

### Deliberation Session

76. 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.

[Miss Helen So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Agenda Item 16**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/594                      Temporary Eating Place for a Period of 3 Years  
in "Comprehensive Development Area (1)" zone,  
Ground Floor, Shop 1, Kwong Fai Building, 24-40 Mut Wah Street,  
Kwun Tong  
(MPC Paper No. A/K14/594)

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77. The Secretary reported that the subject site fell within the Urban Renewal Authority Kwun Tong Town Centre (KTTC) – Main Site Development Scheme Plan and the following Members had declared interests in this item:

- Mrs. Ava S.Y. Ng ]  
as the Director of Planning ] being non-executive directors of  
] Urban Renewal Authority (URA)
- Mr. Walter K.L. Chan ]
- Mr. Maurice W.M. Lee - being a former non-executive director of  
URA (the term of office was ended on  
30.11.2008)
- Mr. Herbert Leung - being an assistant to the Director of  
as the Deputy Director/General of Lands who was a non-executive director  
Lands Department of URA
- Mr. Andrew Tsang - being an assistant to the Director of  
as the Assistant Director of Home Home Affairs who was a non-executive  
Affairs director of URA
- Mr. Nelson W.Y. Chan - being a member of Kwun Tong District  
Advisory Committee of URA (Kwun  
Tong area only)
- Professor Bernard V.W.F. Lim - having current business dealings with  
URA
- Mr. Raymond Y.M. Chan - being a Member of the Home Purchase  
Allowance (HPA) Appeals Committee

78. The Committee noted that Mr. Maurice W.M. Lee was no longer a non-executive director of the URA since 30.11.2008 and the function of the HPA Appeals Committee, in which Mr. Raymond Y.M. Chan served as a member, was to consider appeals against the decision of the Director of Lands regarding HPA cases and was not directly related to the works of the URA. Members agreed that Messrs. Maurice W.M. Lee and Raymond Y.M. Chan could stay in the meeting to join the discussion. Mr. Nelson Chan was a member of Kwun Tong District Advisory Committee of URA whose interest was indirect and the



Committee agreed that he could stay in the meeting to join the discussion.

79. Members noted that Messrs. Andrew Y.T. Tsang and Herbert Leung had tendered an apology for being unable to attend the meeting. Mrs Ng left the meeting temporarily at this point whereas Mr. Walter Chan and Professor Lim had left the meeting. The Vice-chairman chaired the meeting at this point.

#### Presentation and Question Sessions

80. With the aid of a Powerpoint presentation, Miss Helen L. M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary eating place for a period of 3 years;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments given in paragraph 11 of the Paper. The proposed eating place use was compatible with the surrounding commercial uses. In order to maintain the vibrancy of the town centre prior to the implementation of the KTTC redevelopment project by phases, the proposed temporary eating place was considered appropriate. The proposed temporary use of the application premises as eating place for three years until July 2012 would unlikely affect the current implementation programme of the Urban Renewal Authority KTTC development which was scheduled for completion by 2017-2019.

81. Members had no question on the application.

Deliberation Session

82. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 10.7.2012, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the condition that submission and implementation of fire service installations in the subject premises to the satisfaction of the Director of Fire Services or of the TPB.

83. The Committee also agreed to advise the applicant :

- (a) to exercise extreme care when working in the vicinity of any existing drainage works in order not to disturb, interfere with or cause damage to them. Any blockage or damage to the said work due to the applicant's activities in the area should be made good to the satisfaction of the Drainage Services Department at the applicant's own cost;
- (b) to strictly follow regulatory restrictions when loading/unloading activities were carried out to avoid interfering the mainstream traffic in particular under cumulative effect of nearby road side activities as advised by Transport Department; and
- (c) to provide customer-waiting area within the application premises to avoid queuing on the public footpath as advised by Transport Department.

[The Chairperson thanked Miss Helen L.M. So, STP/K, for her attendance to answer Members' enquires. Miss So left the meeting at this point.]

[Mrs. Ava S.Y. Ng returned to join the meeting at this point.]

**Agenda Item 17**

Any Other Business

84.           There being no other business, the meeting was closed at 11.30 a.m..