

## **TOWN PLANNING BOARD**

### **Minutes of 415th Meeting of the Metro Planning Committee held at 9:00 a.m. on 19.3.2010**

#### **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

Hon. Starry W.K. Lee

Mr. K.Y. Leung

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

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

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

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Mrs. Shirley Lee

Assistant Director/Kowloon, Lands Department  
Ms. Olga Lam

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

Secretary

**Absent with Apologies**

Mr. Felix Fong

**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  
Mr. Terence Leung

**Agenda Item 1**

Confirmation of the Draft Minutes of the 414th MPC Meeting held on 5.3.2010

[Open Meeting]

1. The draft minutes of the 414th MPC meeting held on 5.3.2010 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

(i) New Town Planning Appeals Received

Town Planning Appeal No. 3 of 2010

Proposed Flat, Public Transport Terminus and Shop and Services

(Proposed Amendments to an Approved Scheme) in

“Comprehensive Development Area (1)” and “Open Space” zones,

Former Bus Depot at 391 Chai Wan Road,

a section of Sheung On Street and the Adjoining Bus Terminus, Chai Wan

(Application No. A/H20/159)

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Town Planning Appeal No. 4 of 2010

Temporary Vehicle Repair Workshop for a Period of 3 Years

in "Green Belt" zone,

Lot 2440RP (Part), 2429(Part), 2431RP (Part) and

Adjoining Government Land in DD 130,

Lam Tei, Tuen Mun

(Application No. A/TM-LTYT/189)

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2. The Secretary reported that two appeals had been received by the Town Planning Appeal Board (TPAB). The first appeal was received by the TPAB on 5.3.2010 against the decision of the Board to reject on review an application (No. A/H20/159) for proposed flat, public transport terminus and shop and services (proposed amendments to an approved

scheme) in “Comprehensive Development Area (1)” and “Open Space” zones on the draft Chai Wan Outline Zoning Plan (OZP) No. S/H20/17. The application was rejected by the TPB on 11.12.2009 on the following grounds:

- (a) the building heights of the proposed development were considered excessive in the local context and incompatible with the surrounding developments. The applicant had failed to demonstrate that the proposed building height would not bring about adverse visual impact on the area. There was scope to further reduce the building height to a more acceptable level;
- (b) the podium structure of the proposed development was considered excessive in scale and undesirable to the pedestrian level environment of the area. There was scope to reduce the scale of the podium structure to reduce the adverse impact; and
- (c) the proposed development schemes were subject to adverse traffic noise impact and the applicant had failed to demonstrate that all practical measures including layout and design of the buildings had been applied to mitigate the impact.

3. The second appeal was received by the TPAB on 15.3.2010 against the decision of the Board to reject on review an application (No. A/TM-LTYT/189) for temporary vehicle repair workshop in “Green Belt” zone on the approved Lam Tei and Yick Yuen OZP No. S/TM-LTYT/6. The application was rejected by the Board on 8.1.2010 for the following reasons:

- (a) the proposed development was not in line with the planning intention of “GB” zone. There was a general presumption against development within this zone. No strong planning justification had been given in the submission for a departure from such planning intention of the “GB” zone, even on temporary basis;
- (b) the development was not compatible with the surrounding green landscape

and the residential dwellings in the close vicinity;

- (c) there was no information in the submission to demonstrate that the development would not generate adverse environmental, landscape and drainage impacts on the surrounding areas; and
- (d) the approval of the application would set an undesirable precedent for similar applications within these zones. The cumulative impact of approving such applications would result in general degradation of the environment.

4. The hearing dates of the two appeals were yet to be fixed, and the Secretariat would represent the Board in the TPAB proceedings in the usual manner.

[Dr. Winnie Tang arrived to join the meeting at this point.]

(ii) Abandonment of Town Planning Appeal

Town Planning Appeal No. 12 of 2007 (12/07)  
Proposed Hotel in “Residential (Group A)” zone,  
380 Prince Edward Road West, Kowloon City  
(Application No. A/K10/222)

5. The Secretary reported that Town Planning Appeal No. 12 of 2007 was received by the TPAB on 20.11.2007 against the decision of the TPB on 5.10.2007 to reject on review an application (No. A/K10/222) for proposed hotel development at a site zoned “Residential (Group A)” on the approved Ma Tau Kok OZP No. S/K10/18. On 9.2.2010, the appeal was abandoned by the Appellant of his own accord. On 16.3.2010, the abandonment was confirmed by the TPAB in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

(iii) Appeal Statistics

6. The Secretary reported that, as at 19.3.2010, a total of 23 cases were yet to be

heard by the TPAB. Details of the appeal statistics are as below :

Allowed	:	24
Dismissed	:	111
Abandoned/Withdrawn/Invalid	:	137
Yet to be Heard	:	23
Decision Outstanding	:	2
Total	:	297

(iv) Approval of Draft Outline Zoning Plan

7. The Secretary reported that, on 2.3.2010, the Chief Executive in Council approved the draft Mid-Levels West Outline Zoning (OZP) (to be renumbered as S/H11/15) under section 9(1)(a) of the Town Planning Ordinance. The approval of the OZP would be notified in the Gazette on 19.3.2010.

**Kowloon District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/K9/6                      Application for Amendment to the  
Draft Hung Hom Outline Zoning Plan No. S/K9/23  
from “Comprehensive Development Area (1)”,  
“Comprehensive Development Area (2)”,  
“Residential (Group A) 2” to “Open Space”,  
At the Junction of Hung Luen Road and Wa Shun Street,  
Hung Hom (KIL 11205); At the Junction of Hung Luen Road  
and Kin Wan Street, Hung Hom (KIL 11111); At the Junction  
of Hung Luen Road and Oi King Street, Hung Hom (KIL 11120)  
(MPC Paper No. Y/K9/6)

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Presentation and Question Sessions

8. The Secretary said that as the application sites were located in Hung Hom, the following Members had declared interests in this item:

Mr. Maurice W.M. Lee - owned a shop at Bulkeley Street

Ms. Starry W.K. Lee - owned a flat at Whampoa Garden

Mr. Raymond Y.M. Chan - owned a flat at Laguna Verde

9. The Committee noted that Mr. Maurice Lee and Ms. Starry Lee had not arrived at the meeting yet.

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

10. The Secretary said that a request to defer consideration of the application was received after the agenda of the meeting and the Paper of the subject application were issued. According to the “Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance” (TPB PG-No. 33), the Committee’s agreement to the deferment had to be sought at the scheduled meeting, and the applicant’s representative had been invited to explain to the Committee the reasons for asking for deferring the consideration of the application. If the Committee agreed to defer the application, then the application would be re-activated in a month’s time as requested by the applicant. However, if the Committee did not agree to the deferment, the application would be considered at this meeting as originally scheduled.

[Mr. Eric Yue, District Planning Officer/Kowloon, Mr. Vincent Lai, Senior Town Planner/Kowloon (STP/K), and Mr. Chan Ka Wai, the applicant’s representative, were invited to the meeting at this point.]

11. The Chairperson extended a welcome and invited Mr. Chan Ka Wai to explain the reasons for the proposed deferment.

12. Mr. Chan Ka Wai said that the applicant was only aware of a document prepared by the Real Estate Development Association of Hong Kong (REDA) a week before the

meeting and the document contained useful information to support the application. Though he had already obtained consent from REDA to use the document, the document contained 125 pages and there was not enough time for them examine the document and to consult the local residents. In addition, he had just obtained a report from the Town Planning Board website concerning a similar application and more time was required to study the report. In view of the above, a deferment of a month was considered necessary so that the local residents could be consulted more thoroughly and a submission of professional quality could be submitted to the Committee for consideration.

13. In response to a question from a Member, Mr. Chan clarified that the “report” downloaded from the Town Planning Board website was actually the minutes of the meeting of the Committee at which a similar application was considered.

14. As the applicant had no further comment to make and Members had no further question to raise, the Chairperson informed the applicant that the Committee would further deliberate on the request for deferment in their absence and inform the applicant of the Committee’s decision in due course. The Chairperson thanked Mr. Chan and PlanD’s representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

15. The Secretary reminded Members that in considering a request for deferment, the Committee would decide if the justifications for deferment met the criteria for deferment as set out in TPB PG-No. 33, including the reasonableness of the justifications, whether the deferment period was indefinite, and whether the right or interest of other concerned parties would be affected.

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

16. In response to the Chairperson’s question on the impact of the deferment on LandsD, Ms. Olga Lam said that the sites under application were included in the Application List. The Chairperson said that the proposed deferment might affect the land sale. However, as the deferment period proposed by the applicant was only one month, and the justifications presented by the applicant were reasonable, the request for deferment could be acceded to. Members agreed.



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

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

[Ms. Starry Lee arrived to join the meeting at this point.]

### **General**

[Ms. Brenda K.Y. Au, District Planning Officer/Hong Kong (DPO/HK), Mr. Eric C.K. Yue, District Planning Officer/Kowloon (DPO/K), Mr. Wilson W.S. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Mr. Charles C.F. Yum, Senior Town Planner/New Territories District Planning Divisions Headquarters (STP/NTHQ), were invited to the meeting at this point.]

### **Agenda Item 4**

[Open Meeting]

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans  
in the Metro Area for the Year 2009/2010  
(MPC Paper No. 4/10)

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### **Presentation and Question Sessions**

18. Mr. Charles C.F. Yum, STP/NTHQ, said that it had been the Committee’s practice to review, on an annual basis, the “Comprehensive Development Area” (“CDA”) zoning for sites that had been so zoned on statutory plans in the Metro Area for more than 3

years, with or without an approved Master Layout Plan (MLP). The review would assist the Committee in considering whether the zoning of individual “CDA” sites should be retained/amended and in monitoring the progress of the “CDA” developments. With the aid of a Powerpoint presentation, Mr. Yum then presented the results of the latest review as detailed in the Paper and made the following main points :

- (a) the subject review covered a total of 42 “CDA” sites. 22 of them had no approved MLP and the remaining 20 had approved MLP;

22 “CDA” Sites with No Approved MLP

- (b) as detailed in Appendix I of the Paper, it was proposed to retain the “CDA” zoning of 19 sites with no approved MLP for a variety of reasons including the fact that the MLPs were being prepared; the sites concerned were land sale sites; planning briefs had recently been approved, under preparation or to be prepared; and some sites were subject to outstanding concerns such as traffic, environmental and/or visual impacts that needed to be properly addressed. The “CDA” designation was essential for providing guidance on the proper development of these sites;
- (c) as detailed in Appendix II of the Paper, 2 “CDA” sites were proposed to be rezoned to appropriate zonings. One of them was to the immediate west of the MTR Chai Wan Station which was once considered for public housing development but the Housing Department had indicated not to pursue the proposal because of environmental concerns. Having regard to its good accessibility and location within the Chai Wan Business Area, consideration could be given to rezoning the site to “Commercial” (“C”). Another site was the eastern portion of the area bounded by Sung Wong Toi Road, To Kwa Wan Road, Mok Cheong Street and Kowloon City Road. Given its large size and the large number of private lots and Government land involved, land assembly was an issue that impeded redevelopment. To enhance the prospect of implementation, consideration would be given to sub-dividing the site into smaller “CDA” sites. The proposal was now under consideration by concerned bureaux/departments. Proposed

amendments to the respective OZPs would be submitted to the Committee for consideration in due course;

- (d) as detailed in Appendix III of the Paper, the site at the southern part of the Yau Tong Industrial Area (YTIA) (K38) was considered to have potential for rezoning. It consisted of government land and private land under the hand of a few owners. In considering a rezoning request submitted by some of the lot owners of “CDA” site (i.e. YTILs 4B, 9 and YTML 57) to rezone part of the YTIA “CDA” zone to “Residential (Group E)” (“R(E)”) in February 2008, some Members opined that Planning Department (PlanD) might consider subdividing the “CDA” site into two or more smaller sites by taking into account the land ownership pattern to facilitate an early implementation of the redevelopment scheme. The “CDA” zoning was being reviewed and the proposal would soon be circulated for departmental comments;

20 “CDA” Sites with Approved MLP

- (e) as detailed in Appendix IV of the Paper, it was proposed to retain the “CDA” zoning of 14 “CDA” sites with approved MLP as they had been partially completed or were at various stages of implementation. The “CDA” designation would ensure their proper implementation in accordance with the approved MLPs and approval conditions;
- (f) as detailed in Appendix V of the Paper, 3 “CDA” sites with approved MLP were proposed for rezoning as the approved development schemes had all been completed. The three sites included the hotel development at 23 Oil Street, North Point, the Airport Railway Hong Kong Station, and the comprehensive residential and commercial development at 500 Tung Chau Street, Cheung Sha Wan. They would be rezoned to an appropriate zoning to reflect the completed development and the proposed amendments would be submitted to the Committee for consideration in due course;
- (g) as detailed in Appendix VI of the Paper, 3 “CDA” sites with approved

MLP were considered to have potential for rezoning as the developments had been completed and most of the approval conditions had been complied with. The three sites were the comprehensive residential, office, hotel, service apartment and retail development at Kowloon Station, the Former Marine Police Headquarters site at Tsim Sha Tsui, and the hotel development at TWIL 5 and Lot 429 in D.D. 399, Ting Kau, Tsuen Wan; and

- (h) to sum up, out of the 42 “CDA” sites reviewed, 33 were proposed for retention, 5 were proposed for rezoning, and 4 were sites considered with potential for rezoning. PlanD would progressively submit the zoning amendments of the respective “CDA” site to the Committee for consideration.

19. A Member asked whether there were any new “CDA” sites included in the review. Mr. Charles Yum replied that the review covered only those sites that had been zoned as “CDA” for more than 3 years, and therefore new “CDA” sites were not included in the current review.

20. After further deliberation, the Committee decided to :

- a) note the findings of the review of the sites designated “CDA” on statutory plans in the Metro Area;
- b) agree to the retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.2 and detailed at Appendices I and IV of the Paper;
- c) agree in-principle to the proposed rezoning of the “CDA” sites in paragraphs 4.1.3 and 4.2.4 and detailed at Appendices II and V of the Paper; and
- d) note the sites with potential for rezoning in paragraphs 4.1.4 and 4.2.5 and detailed at Appendices III and VI of the Paper.

21. The Committee also noted that papers on the detailed rezoning proposals with

development restrictions, if any, would be submitted to the Committee for consideration in due course.

[The Chairperson thanked Ms. Brenda K.Y. Au, DPO/HK, Mr. Eric C.K. Yue, DPO/K, Mr. Wilson W.S. Chan, DPO/TWK, and Mr. Charles C.F. Yum, STP/NTHQ, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Tsuen Wan and West Kowloon District**

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

#### **Agenda Item 5**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/689                      Shop and Services (Showroom for Garments)  
in "Other Specified Uses" annotated "Business" zone,  
Workshops B1 and B2, G/F, Block B,  
Hong Kong Industrial Centre,  
489-491 Castle Peak Road, Cheung Sha Wan  
(MPC Paper No. A/K5/689)

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

22.            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 shop and services (showroom for garments);

- (c) departmental comments – the Director of Fire Services had no objection to the application for showroom for garments provided that such use was in connection with the main industrial use and fire services installations were provided to his satisfaction;
- (d) no public comment was received during the statutory publication period and no local objection 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 assessment made in paragraph 11 of the Paper. The shop and services (showroom for garments) use under the application was considered generally in line with the planning intention of the “OU(Business)” zone. It 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. It was not incompatible with the uses of the subject industrial building which mainly comprised garment showrooms on the ground floor and garment manufacturing/trading firms on the upper floors. Previous applications for temporary showroom use for a period of 3 years (Applications Nos. A/K5/555 and 630) were approved by the Committee. There had been no material change in planning circumstances since approval of the previous application on 9.3.2007.

23. Members had no question on the application.

#### Deliberation Session

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

- (a) the submission and implementation of fire service installations in the

subject premises within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.9.2010; 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.

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

- (a) note the District Lands Officer/Kowloon West, Lands Department's comments that the applicant should apply for the temporary waiver to permit the applied use should the extent of the applied use exceed that permitted under the current waivers covering the premises; and
- (b) note the Chief Building Surveyor/Kowloon, Buildings Department's comments that the applicant should ensure the change in use of the application premises would comply with the Buildings Ordinance, in particular, the provision of means of escape, 2-hour fire resisting separation walls between the Premises and the remaining portion of the building, access and facilities for persons with a disability and sanitary fittings.

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SC/4

Proposed Public Utility Installation

(Drainage Chamber, Culverts and Associated Facilities)

in "Other Specified Uses" annotated "Military Use" zone,

Container Port Road South, Stonecutters Island

(MPC Paper No. A/SC/4)

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Presentation and Question Sessions

26. 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 public utility installation (drainage chamber, culverts and associated facilities);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) no public comment was received during the statutory publication period and no local objection 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 assessment made in paragraph 11 of the Paper. The proposed public utility installation, including drainage chamber, culverts and associated facilities, was an essential part of the Harbour Area Treatment Scheme (HATS) Stage 2A to cater for the future increased sewage flow from the Stonecutters Island Sewage Treatment Works (SCISTW). The implementation of HATS Stage 2A would allow further improvement of the water quality of the Victoria Harbour and ensure the long-term sustainable development of the harbour. The applicant stated that the Site was the optimum location of the proposed public utility facilities as it would allow the utilization of the existing drop shaft at the Site and Stonecutters Island Outfall, and it was in close proximity to the SCISTW. The proposed development was considered compatible with the surrounding developments characterized by container related uses and government uses, and it was not expected to generate significant visual, traffic and environmental impacts on the surrounding areas.

27. In response, to a Member's question, Mr. Mok replied that there were two stages



for HATS. HATS Stage 1 was already commissioned, while Stage 2A was scheduled for construction from 2010 to 2014. The implementation timing of HATS Stage 2B, which comprised the upgrading of the sewage treatment level to biological treatment, would be subject to review by the Environmental Protection Department.

28. In response to a question from another Member, Mr. Mok replied that there was currently no proposal for more buildings for HATS at the area near the application site.

#### Deliberation Session

29. 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 19.3.2014, 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 detailed landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (b) the implementation of a detailed landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the provision of firefighting access, water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) note the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department's comment that the applicant should submit an application to his office for a permanent allocation of the area concerned;
- (b) note the Assistant Commissioner for Transport/New Territories, Transport Department's comment that the applicant should manage and maintain the

vehicular access between the proposed development and Container Port Road South;

- (c) note the Director of Environmental Protection's comment that the applicant should implement the mitigation measures and findings in the approved Environmental Impact Assessment (EIA) report of the 'Harbour Area Treatment Scheme Stage 2A EIA Study';
- (d) note the Chief Highway Engineer/Bridges and Structures Division, Highways Department's comment that the applicant should maintain a 4m clearance from the exterior edge of the Ngong Shuen Chau Viaduct at all time for its inspection and maintenance purposes;
- (e) note the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department's comment that the applicant should forward designs of ancillary buildings to his department's Design Advisory Panel for advice on aesthetics in accordance with the requirements under Environment, Transport and Works Bureau Technical Circular (Works) No. 8/2005; and
- (f) note the Chief Engineer/Development(2), Water Supplies Department's comment regarding the fresh water mains and the associated fittings which fell within the Site.

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting]

A/KC/350

Proposed Hotel  
in "Other Specified Uses" annotated "Business" zone,  
Nos.57-59 Kwok Shui Road,  
Kwai Chung (Kwai Chung Town Lot No. 46)  
(MPC Paper No. A/KC/350)

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31. The Committee noted that the applicant's representative had requested on 5.3.2010 for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to address further comments from the Transport Department regarding the revised traffic impact assessment.

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/K3/520                      Proposed Residential-cum-Hotel Development  
in "Residential (Group A)" and areas shown as 'Road',  
Nos. 1 - 21 Dundas Street, Kowloon  
(MPC Paper No. A/K3/520)

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33. The Committee noted that the applicant's representative had requested on 11.3.2010 for deferment of the consideration of the application for one month in order to allow additional time to review the building height of the proposed development.

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

[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. C.K. Soh, STP/TWK, was invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/523                      Proposed Hotel and Minor Relaxation of Plot Ratio Restriction  
in "Residential (Group A)" zone,  
No. 179 Prince Edward Road West, Mong Kok  
(MPC Paper No. A/K3/523)

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

35.            Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application - the Site was currently occupied by a vacant 4-storey tenement building completed in 1937 which had been accorded as a Grade 3 historic building by the Antiquities Advisory Board on 2.3.2010. The site was the subject of a previous application No. A/K3/509 for hotel development which required the demolition of the tenement building. The application was deferred by the Committee on 23.1.2009, and was withdrawn by the applicant on 3.3.2010;
- (b) the proposed hotel (17 storeys) and minor relaxation of the plot ratio restriction from 9.0 to 10.23;
- (c) departmental comments – the Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO, LCSD) supported the proposal and welcomed the applicant's proposal to keep the front portion of the

building. It also advised the applicant to adopt measures including the undertaking of photographic and cartographic recording on the subject building before demolition works, and the completion of conservation management plan for the preserved portion of No. 179 Prince Edward Road West before the commencement of any works to the preserved portion;

- (d) during the statutory publication period, two public comments were received. One commenter objected to the application as he was concerned about the adverse impacts on traffic network, pedestrian flow, air ventilation and compatibility in building style between the old and new buildings. He also objected to the proposed relaxation of plot ratio. The other commenter supported the application; and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed hotel development was an initiative to preserve the more prominent part of the historic building which was privately owned and to put the premises into active uses again. The initiative was in line with the heritage conservation policy of the Government. The proposed hotel was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential in nature. It was noted that the additional GFA of 312.5m<sup>2</sup> came from the historic building structure to be preserved. Given that the increase in GFA was not substantial, its impact on the infrastructure and neighbourhood was not expected to be significant. The proposed building height of 70.75mPD was considered not incompatible with the general building height in the vicinity which was ranging from 23.5mPD to 103mPD. The scale of the development was not significant and would unlikely cause adverse traffic, environmental and drainage impacts on the surrounding areas. Regarding the public comment received, the air ventilation impact would not be significant given that the building design was not excessive and the scale of development was small. Transport Department had no adverse comment on the traffic impact of the proposed development.

36. Members had no question on the application.

### Deliberation Session

37. A Member asked whether AMO would be responsible for monitoring the preservation of the historical building. Mr. Soh replied that the AMO had conducted a site visit and considered that the style of the façade, the flagpole and parts of the interior including the fireplaces, floors and doors of the existing building were of heritage value. To ensure that these historical and architectural features would be protected, the applicant would need to submit a conservation management plan as required under approval condition (b) to the satisfaction of AMO.

38. The Chairperson said that in the current application, the applicant had responded positively to Members' previous concerns on the preservation of the historical building.

39. 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 19.3.2014, 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 proposed hotel development was subject to a maximum gross floor area (GFA) of 2,601.74m<sup>2</sup> as proposed by the applicant;
- (b) the submission of a conservation management plan for the preservation of the portion of the existing building (not less than GFA of 312.5m<sup>2</sup>) prior to commencement of any works to the satisfaction of Antiquities and Monuments Office of Leisure and Cultural Services Department or of the TPB;
- (c) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of the Fire Services or of the TPB;
- (d) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction

of the Director of Environmental Protection or of the TPB; and

- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (d) above to the satisfaction of the Director of Drainage Services or of the TPB.

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

- (a) note the Chief Officer/Licensing Authority, Home Affairs Department's comment that the applicant should consult him on the licensing requirements for the proposed hotel;
- (b) note the Director of Fire Services' comment that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Fire Fighting and Rescue which was administered by the Buildings Department;
- (c) note the District Lands Officer/Kowloon West (DLO/KW)'s comments that the applicant should apply to him for a licence to permit five categories of offensive trades, namely Oilman, Tavern-keeper, Victualler, Butcher and Sugar Baker to be carried out at the subject lot.;
- (d) note the DLO/KW's comment that the proposed redevelopment should not affect or diminish the pink hatched green areas (the existing right-of-ways) shown on the lease plan;
- (e) note the Chief Building Surveyor/Kowloon, Buildings Department (BD)'s comment that the part of the service lane within the site should be excluded from site area for the purpose of plot ratio and site coverage calculations under the Building (Planning) Regulations 20 and 21 and 23(3)(a);
- (f) note the Chief Building Surveyor/Kowloon, BD's comment that the applicant should approach the BD direct to obtain the necessary approval and consult him on the building requirements for the proposed hotel;

- (g) note the Commissioner of Police, Hong Kong Police Force's comment that although the scale of the proposed hotel would be relatively small, the future hotel operator should pay attention to avoid any traffic impact to the district, especially in avoiding any illegal parking by the hotel guest/supply companies/nearby users; and
- (h) note the Antiquities and Monuments Office (AMO), Leisure and Cultural Services Department's comments that the following measures should be conducted before and during the course of works :
  - (i) photographic and cartographic recording on the subject building before demolition works should be undertaken by the applicant. The completed photographic and cartographic recording should be submitted to the AMO for record purpose;
  - (ii) the style and appearance of the façade of the preserved portion including its architectural features should be maintained and would not be damaged during the course of works;
  - (iii) adequate precautionary and monitoring measures to safeguard the preserved portion of No. 179 Prince Edward Road West and the building at No. 177 Prince Edward Road West should be implemented during the course of works; and
  - (iv) samples of historical and architectural items salvaged from the demolished portion of No. 179 Prince Edward Road West were suggested to be displayed in the proposed public display area.

[Mr. Wilson W.S. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr. C.H. Mak, TP/TWK, Mr. Lam Sai Hung, Chief Engineer, Railway Development Office, Highways Department (CE/RDO, HyD) and Mr. Li Kin Tung, Senior Engineer/RDO, HyD, were invited to the meeting at this point.]



**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K20/112            Proposed Integrated Development Comprising Public Open Space,  
Public Transport Interchange and its Supporting Facilities,  
Mass Transit Railway Vent Shaft and Other Structures  
above Ground Level in “Open Space (1)” and areas shown as ‘Road’,  
Site B of the Guangzhou - Shenzhen - Hong Kong Express Rail Link  
West Kowloon Terminus Bounded by Jordan Road to the South and  
Lin Cheung Road to the West  
(MPC Paper No. A/K20/112)

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41.            The Secretary reported that the application was submitted by MTR Corporation Ltd. Mr. Anthony Loo, being an alternate member for the Deputy Secretary for Transport and Housing (Transport)<sup>1</sup> who was a member of the Board of MTRC, declared interests in this item.

[Mr. Anthony Loo left the meeting temporarily at this point.]

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

**Presentation and Question Sessions**

42.            Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed integrated development comprising public open space, public transport interchange (PTI) and its supporting facilities, Mass Transit Railway vent shaft and other structures above ground level. It would be divided into two phases:

- (i) the first phase comprised the PTI, public vehicle park for coaches and motorcycle, public toilet, vent shaft and other railway facilities above ground level (5.5 mPD), as well as the public open space (POS) (12,550 m<sup>2</sup>) at deck level (14.2 to 14.7 mPD). There would be direct linkage in the form of landscaped footbridge over Jordan Road, and pedestrian walkway between POS at deck level and the West Kowloon Terminus (WKT); and
  - (ii) the second phase, i.e. the POS at ground level of 14,500 m<sup>2</sup> was required as the works area of the Central Kowloon Route (CKR) project tentatively from 2012 to 2016, and would be developed by the Government upon completion of the CKR project;
- (c) departmental comments –
- the Secretary for Home Affairs commented that given the proximity of the subject site to the West Kowloon Cultural District (WKCD), the proposed development should integrate arts and cultural elements into its landscaping proposals and the pedestrian links;
  - the Director of Environmental Protection (DEP) had no objection to the application, but commented that efforts should be made to minimize any noise impact as the ingress/egress of the proposed open-air public vehicle park would be located directly opposite the residential developments at Man Cheong Street and the “Residential (Group A)1” site at Yan Cheung Road;
  - the Chief Architect, Advisory & Statutory Compliance Division, Architectural Services Department commented that the ventilation and Emergency Assembly Area (EAA) buildings appeared to have extensive blank walls. Measures, such as articulation and setbacks to breakdown the monotonous façade might be considered; and

- the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) commented that consideration should be given to provide a pedestrian linkage to the open space across Lin Cheung Road to enhance connectivity. More passive recreational facilities were necessary to make the area function as an open space;
- (d) during the statutory publication period, four public comments were received. Two commenters supported the application in principle, and suggested that sports and recreational facilities should be built at the Site. Another commenter considered that the proposed pedestrian network was not comprehensive enough to cater for its surrounding neighbourhoods. The pedestrian connection from the Site should be provided along Yan Cheung Road and extended to the Yung Shu Tau area of Yau Ma Tei to link the Site to major tourist attractions. Another commenter objected to the proposal and considered that the PTI of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) should be provided at WKT instead of the Site. The PTI would cause undue traffic at the already congested Jordan Road junctions. The proposed location was a long walk from WKT and Austin Station, and would cause undue hardships to rail travellers with luggage, elderly and people with chronic illnesses and disabilities; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The planning assessment was summarized below:

The layout plan and design

- (i) The proposed integrated development and the layout plan were in line with the planning intention and requirements in the Notes of the OZP. The design of the proposed POS had taken into account the need to integrate various facilities, and POS at the deck and ground level. The proposed development was not expected to bring about adverse visual impact as examined by the Visual Impact Assessment (VIA). Effort had been made to keep the size, scale and height of the proposed vent shaft (24.5mPD) and EAA (22.6mPD) to the absolute

minimum. However, part of the deck adjacent to the open-air coach parking area was of limited depth. The applicant should consider extending the deck coverage as far as possible;

Noise and pedestrian connections

- (ii) Regarding DEP's concerns on the possible noise impacts of the coach parking area, the applicant should explore noise mitigation measures in the detailed design stage. In this regard, an approval condition had been recommended on the widening of the landscaped deck so that the noise impact from coach/bus operation underneath might be reduced. As regards CTP/UD&L, PlanD's comments on the provision of a new pedestrian link to the open space across Lin Cheung Road, the applicant had indicated that new connections could be accommodated in future. To address the concerns of various departments including EPD, PlanD, ArchSD and TD, appropriate approval conditions had been recommended; and

Response to public comments

- (iii) Regarding the public comment proposing more recreational facilities, it should be noted that recreational facilities had already been provided in Tai Kok Tsui and Kowloon Park. On pedestrian connection, further pedestrian connection to the Yung Shu Tau area had been proposed in the CKR project. As regards the location of PTI and other traffic concerns, it should be noted that the PTI could not be located in the WKT site owing to the operation and structural requirements of the WKT. The West Kowloon Reclamation Development Traffic Study completed in 2009 had proposed improvement schemes and confirmed that traffic conditions in the West Kowloon Reclamation area up to year 2031 would be acceptable.

43. A Member expressed appreciation for the innovative design of the integrated development but commented that there should be improvement in pedestrian connections to

the old urban area, especially the areas to the northeast of the Site. Mr. Soh explained that the areas to the north and northeast of the Site were currently works areas and vacant sites. TD would study the possibility of providing pedestrian linkage when there was a plan to develop these areas.

44. Another Member commented that the pedestrian connections proposed were not sufficient, both in terms of the connection points and the width of the footbridges. The Member said that the two new footbridges and one at-grade crossing to be provided on the eastern and southern sides of the site respectively would not be enough for such a big development comprising PTI and coach park, which was also linked to the WKT Station. The lack of any pedestrian connection on the western side of the site was not satisfactory. Mr. Wilson Chan explained that six footbridges and two subways had been proposed to connect the WKT to the surrounding areas, and according to the relevant studies, they would provide enough capacity to meet the estimated pedestrian flow. There would be bus stops along Road D1 at WKT so that travellers would not have to alight at the PTI at the application site and walk to WKT through the footbridges.

45. The same Member asked whether there would be pedestrian connections from the application site to the “O” site at Lin Cheung Road in the west and the “O” site to the northeast of the subject site. Mr. Lam Sai Hung replied that enough pedestrian connections would be provided to facilitate the residents in the old urban areas to walk to the POS conveniently. In this regard, TD was studying the possibility of an at-grade pedestrian connection linking the POS at the subject site to the POS at Man Cheung Street.

46. In response to the same Member’s question on the width of the footbridges, Mr. Lam replied that the proposed eastern footbridge connecting the application site to Man Cheung Street would be 4-5m in width and the peak-hour pedestrian flow was estimated to be about 500 person-trips per hour. The footbridge connecting the application site to the WKT would be 6m wide to cater for a peak-hour pedestrian flow of about 1,500 person-trips per hour. The same Member queried whether the above estimates had taken into account the POS users and travellers with luggage trolleys, and suggested widening the footbridges to, say, 10m, to serve the public. Given the poor pedestrian connectivity to the surrounding areas, the facilities provided in the new development area could hardly benefit the residents in the older urban area.

47. A Member asked whether the pedestrian flow rates provided by the HyD were based on one-way or two-way pedestrian flow. Mr. Lam replied that the data were based on two-way pedestrian flow. The Member said that a pedestrian flow rate of 500 person-trips per hour was equivalent to 4 busloads of passengers per hour, and a pedestrian flow rate of 1,500 person-trips per hour was equivalent to 12 busloads of passengers per hour.

48. A Member also shared the concern on the connectivity with the older urban area. The Member asked whether it would be convenient for an XRL passenger alighting at WKT to visit different areas in Hong Kong. Mr. C.K. Soh replied that many options were available for an XRL passenger. The passenger could walk to Austin Station through the subway and take the MTR West Rail Line to Nam Cheong or through subway to Kowloon Station and take the MTR Tung Chung Line to Tung Chung and Central. The passenger could also take a bus at bus bays at WKT or walk to the PTI at the application site. The passenger could also walk to the West Kowloon Cultural District (WKCD) through the pedestrian deck across Austin Road West and the harbourfront or to the older urban area at Jordan and Yau Ma Tei through a network of proposed footbridges, subways, pedestrian decks and walkways.

49. The same Member asked whether there were any plans to improve the pedestrian connectivity between the new development area and the old urban area, which was currently not satisfactory. Mr. Soh replied that the Government and MTRCL had explored ways to improve the connectivity. One of the proposals was to link up Austin Station and Jordan Station through a subway along Bowring Street. However, such a scheme might affect the business of the street vendors along Bowring Street and therefore the proposal had to be carefully examined. Another Member said that any proposals should take into account both the interests of the local residents/businesses and the needs of the passengers. Mr. Lam replied that the Yau Tsim Mong District Council had provided a lot of feedback on the ways to improve pedestrian connectivity and Transport Department would continue to explore possible solutions.

50. A Member asked how many passengers would an XRL train carry and whether there would be enough bus routes to carry XRL passengers to different parts of Hong Kong. Mr. Lam Sai Hung replied that a short distance XRL train could carry about 600 passengers,

and a long distance XRL train could carry up to 1,200 passengers. It was expected that 99,000 persons per day would pass through the WKT in 2016. Mr. Wilson Chan said that the PTI could accommodate ten bus bays. He believed that TD would determine the routing of bus carefully taking into account the bus services already available at the bus terminus at Kowloon Station.

51. A Member asked why the coach parking area was not covered as the noise impact might affect nearby residents. Mr. Wilson Chan replied that EPD was also concerned that the open-air coach parking area might generate noise impacts on the residents nearby and hence an approval condition was recommended requiring the design and implementation of noise mitigation measures be included in the proposed development to the satisfaction of DEP to minimize noise impact to the surrounding areas. Mr. Li Kin Tung said that the open-air design of the coach parking area was to allow natural cross ventilation so as to minimize the use of mechanical installations for ventilation purposes. Mr. Li said that HyD was aware of the noise concerns and they would propose mitigation measures as appropriate. Another Member did not agree that the provision of cross ventilation should be a constraint in designing a covered coach park. The Member suggested using louvers and greening in the “covered” design which could help reduce the noise impact and at the same time improve the screening and provide shading to the coach parking area. Mrs. Shirley Lee considered that the landscaped deck could be extended to cover the coach parking area as much as possible to reduce any possible noise impacts on the nearby residents.

52. The Secretary reported that a public comment in the form of an email just received by the Secretariat and it had been tabled at the meeting for Members’ information. The Secretary explained that the commenter requested to present his proposal on pedestrian connections to the Committee in person, but under the Town Planning Ordinance there was no provision for a commenter to attend MPC meeting. It should also be noted that the comment was submitted after the first three weeks of the publication period and therefore was considered an out-of-time submission.

#### Deliberation Session

53. A Member said that it would be quite a long and arduous journey for a passenger carrying luggage to walk 1.3km from WKT to Jordan Station, especially through the narrow

and congested Bowring Street. The Member considered that the provision of convenient connections should be further studied. Another Member agreed to the need to improve connections as it would also facilitate passengers to take MTR at Jordan Station to get to places on Hong Kong Island. The Member also suggested that travelators could be used to facilitate pedestrians in view of the long distance between the major connecting points. Members agreed that the applicant should be advised to consider the provision of travelators where appropriate.

54. A Member considered that pedestrian connectivity to the “O” and “G/IC” zones on the western side of the application site was as important as that to the old urban areas in the east, and further studies should be conducted to improve the said pedestrian connections.

55. Another Member said that the residents at Man Cheong Street should be able to visit the POS at the subject site conveniently and asked how the subject site would be connected to the “O” site at Man Cheong Street. Mr. Chan replied that there would be one proposed footbridge and one proposed at-grade pedestrian crossing linking the two sites. The design of the “O” site was still under planning by the Leisure and Cultural Services Department (LCSD). Mr. Chan said that Members’ views on the need for a convenient connection between the two sites would be relayed to relevant departments to facilitate their planning and design of the “O” site and the pedestrian links.

[Mr. Andrew Tsang left the meeting at this point.]

56. A Member opined that further consideration should be given to improve pedestrian connectivity with the surrounding areas, in terms of the number of connection points and the width of the footbridges. The Chairperson said that the proposed footbridges should be wide enough to serve passengers using WKT and at the same time allow room for the provision of landscape features with a view to enhancing the overall appearance of the footbridges. Members agreed to include appropriate advisory clauses to remind the applicant of the above concerns.

57. A Member said that the landscaped deck should be extended to cover the coach parking area to reduce the noise impacts and this requirement should be imposed as an approval condition. The Chairperson suggested including such requirement into condition



(e) on noise mitigation measures in paragraph 12 of the Paper. Members agreed.

58. A Member said that the choice of bus routes and the provision of private vehicle pick-up/drop-off points should be carefully considered to facilitate XRL passengers and other users.

59. The Secretary said that as Members had great concern on the issue of pedestrian connectivity between the application site, WKT and the surrounding areas, HyD could be invited to give a presentation on the subject matter to Members at a separate meeting. Members agreed.

60. 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 19.3.2014, 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 a revised Layout Plan, taking into account approval conditions (b) to (g) below, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the design, extent and widening of the landscaped deck for public open space purpose to the satisfaction of the Director of Planning or of the TPB;
- (d) the layout of the public transport interchange, the design and implementation of a revised walkway layout on the landscaped deck and provision of parking facilities, loading/unloading spaces and lay-bys in the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and implementation of noise mitigation measures in the

proposed development to minimise noise impact to the surrounding areas, including the extension of the landscaped deck to cover the proposed coach parking area, to the satisfaction of the Director of Environmental Protection or of the TPB;

- (f) the design and the use of materials and finishes of the façade of the ventilation building and emergency assembly area structures to the satisfaction of the Director of Planning or of the TPB; and
- (g) the provision of emergency vehicular access and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.

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

- (a) provide travelators/people-movers along footbridges, subways and pedestrian walkways where appropriate;
- (b) provide additional pedestrian connection points to the surrounding areas and to widen the proposed footbridges to cater for the needs of travellers and incorporation of landscape features;
- (c) note the comments of the Secretary for Home Affairs and consult him on the design of the pedestrian links in relation to the West Kowloon Cultural District;
- (d) note the comments of the Chief Estate Surveyor/Railway Development, Lands Department on land administration matters;
- (e) note the comments of the Director of Water Supplies on the arrangement and costs associated with the necessary diversion, connection, protection, extension and capping off of the affected watermains;
- (f) note the comments of the Chief Engineer/Major Works 1-2, Highways Department and liaise with him for the latest development of the Central

Kowloon Route project and its interface with the proposed development;  
and

- (g) note the public comments received.

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K20/113                      Proposed Office/Commercial/Retail Development  
in “Comprehensive Development Area (1)” and areas shown as ‘Road’,  
The Site of the Guangzhou - Shenzhen - Hong Kong Express Rail Link  
West Kowloon Terminus Bounded by Lin Cheung Road, Jordan Road,  
Road D1 and Austin Road West  
(MPC Paper No. A/K20/113)

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62.            The Secretary reported that the application was submitted by MTR Corporation Ltd. Mr. Anthony Loo, being an alternate member for the Deputy Secretary for Transport and Housing (Transport)<sup>1</sup> who was a member of the Board of MTRC, declared an interest in this item. Mr. Raymond Chan had declared an interest as he was the Convenor of the Railway Objections Hearing Panel and had conducted hearings to listen to the views of objectors regarding the West Kowloon Terminus (WKT). Mr. K. Y. Leung had also declared an interest regarding this site as he had previously represented his professional institute to make a submission to LegCo on the choice of location of the WKT. As Mr. Chan’s and Mr. Leung’s involvements concerned only the choice of the location of the railway terminus, the Committee agreed that their interests were indirect and they could stay in the meeting. The meeting noted that Mr. Loo had left the meeting temporarily.

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

63.            Mr. C.K. Soh, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – a planning brief (PB) setting out the planning objectives, development parameters, planning requirements and design guidelines was endorsed by the Committee on 4.12.2009;
- (b) the proposed comprehensive office/commercial/retail development at a total plot ratio of 5 comprising three high-grade office towers (17-19 storeys; 86.15mPD to 97.70mPD), commercial/retail facilities and not less than 8,900m<sup>2</sup> of public open space (mainly as a Civic Plaza) above the largely underground WKT;
- (c) departmental comments –
  - (i) the Secretary for Home Affairs commented that given the proximity of the subject site to the West Kowloon Cultural District (WKCD), the proposed development should integrate arts and cultural elements into its landscaping proposals and the pedestrian links. It should also create an ambience compatible with WKCD. The relationship of the pedestrian deck at Austin Road West and Lin Cheung Road and the proposed Civic Plaza had not been clearly spelt out. The design and management of the pedestrian desk had also not been addressed. Given the size of this pedestrian deck, uses other than a pedestrian link could be accommodated. An integrated urban design approach should be adopted;
  - (ii) the Chief Architect, Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD) commented that the proposed development would not seem to be incompatible with the other existing and planned buildings in the vicinity. However, the stepped building height profile of the office blocks was not very pronounced;
  - (iii) the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) did not support the application considering that there was still scope for further improvement of the

scheme. The current proposal was visually bulky and uniform and appeared as a massive structure fronting the harbour. On air ventilation, the gaps in-between the buildings appeared not very effective as relatively low spatial averaged velocity ratio was found in four localised areas. As regards the POS and landscaping, the elongated terraced gardens in between the office blocks might not be able to function effectively as an open space. The landscape master plan did not contain sufficient information to illustrate the requirement stipulated in the PB. No information had been provided to confirm the requirement that a minimum coverage of greenery of 30% be visible to pedestrians had been met;

- (d) during the statutory publication period, ten public comments were received. Some commenters considered that commercial/retail space should not be permitted on the topside development as it would create sound and lighting pollution. Some commenters considered the building height acceptable but some other commenters considered that the buildings were too tall. Some residents of Waterfront and Sorrento considered that the distance between the Waterfront/Sorrento and the proposed office towers was inadequate. There were also concerns on the adverse traffic impact generated by the proposed development. A commenter considered that the development programme should be deferred or the development should be reduced in scale unless all junctions identified in the West Kowloon Reclamation Development Traffic Study could be operated with a reserve capacity of 10% above their design capacity. There was a comment objecting to all footbridges or elevated walkways in the proposal. Another commenter suggested that the proposed underground connection between the Site and WKCD should be extended to connect with the China Hong Kong City and Hong Kong China Ferry Terminal in Tsim Sha Tsui. A member of the District Council considered that the proposed footbridges and subways should be provided with more greenery; and
- (e) the Planning Department (PlanD)'s views – PlanD's assessment had been detailed in paragraph 11 of the Paper and summarized below:

### Design and Layout

- (i) The proposed development was in line with the planning intention for the Site and met the requirements in the OZP and PB. It was noted that the deck layers had been recessed and the floor area at upper levels had been reduced to create openness and visual permeability. However, the stepped building height profile of the building blocks was not very pronounced. The proposed scheme had unnecessarily compressed the building heights to a rather uniform height band ranging from 86.15 to 97.70mPD (a difference of 11.55m). The design of the office towers had much to be desired;

### Air ventilation and landscaping

- (ii) Regarding the comments of CTP/UD&L, PlanD, additional air ventilation improvement measures should be devised to mitigate the negative ventilation impacts. The landscape master plan should be refined with regard to the greening and landscape treatment of the Civic Plaza, the pedestrian deck and footbridge, and the 30% green coverage visible to pedestrians;

### Response to public comments

- (iii) As for the public comments on the noise and light pollution and the adverse visual impacts, it should be noted that there was a distance of 70m separating the development with the adjacent uses. Effort had also been made by the applicant to improve the massing of the podium. Although there was a comment opposing all footbridges, footbridges were considered necessary as it might not be feasible to build subways in some areas due to engineering constraints. Regarding the traffic concerns, the TD had indicated that they had no in principle objection to the proposed development. The West Kowloon Reclamation Development Traffic Study had indicated that there should be sufficient capacity to meet the traffic requirements of the Site as well as other developments including WKCD in the

vicinity; and

PlanD's recommendation

- (iv) In view of the above concerns in particular the design of the building blocks, the applicant should be required to explore means to improve the design of the current scheme and devise alternative design option(s) (e.g. the 2-tower option as suggested by the Applicant) for comparison and assessment so that the public and the Committee would have an opportunity to comment on and consider the alternative design option(s). PlanD recommended that consideration of the application be deferred pending further information on improvements to the current scheme and alternative design option to be submitted by the applicant.

64. A Member said that the design of the proposed development was innovative but was concerned if the requirement of 30% greening ratio visible to pedestrians had been met. Mr. Soh replied that though the applicant claimed that the proposal had achieved a greening ratio of 30%, the submitted Master Landscape Plan had not demonstrated that the greening area would be visible to the pedestrians. Further information would need to be submitted in that respect. Another Member welcomed the initiative to require the provision of greening be visible to the pedestrian as that would set a good example for the other future developments in Hong Kong.

65. A Member said that while the unconventional design of the development was appreciated, the terraced gardens with a curve-striped design did not appear to be user-friendly as users had to follow designated paths and walk from one terrace level to the next. Mr. Soh explained that the applicant indicated that the curved stripes at the rooftop of the station were intended to create a vibrant and dynamic landmark feature for the site. There would be shortcuts between the curved stripes while ramps and lifts would be provided at various parts of the rooftop garden to facilitate movement of visitors.

66. The same Member commented that there was room to improve the building height profile of the three office blocks to create more variations. The Member asked whether the relatively uniform building heights and the large building footprints would have

any impacts on air ventilation. Mr. Soh replied that the applicant had conducted an air ventilation assessment and no major air ventilation problem had been identified. The proposal had included a 40m-wide north-south breezeway and two 20m-wide east-west breezeways which was considered acceptable from an air ventilation point of view.

67. A Member said that the height of the office towers at the application site should be determined in a more comprehensive manner, taking into account the property development at Kowloon Station and Austin Station. The Member expressed reservation at the “two-tower” option as suggested by the applicant and considered that a minor increase in building height of the “three tower” design to enhance the building height variation would be sufficient. The same Member opined that an iconic building would not necessarily be a high-rise building. Another Member shared the same view.

68. A Member said that the curvilinear design of the building towers design might affect visual permeability and air ventilation. The same Member commented that the sloping nature of the terrace garden might not be user-friendly while another Member considered the sloping design acceptable.

#### Deliberation Session

69. A Member said that an iconic building did not have to be a high-rise building. A group of 3 office towers could create an iconic feature but the current design of the tower blocks was not good enough to become iconic. Another Member said that while the overall design was considered innovative, the shape and form of the tower blocks would need to be further improved, such as a better stepped-height contrast.

70. The Chairperson said that the “No Topside Development Zone” at the eastern part of the application site had imposed a significant constraint on the disposition of building blocks. A Member considered the “two-tower” option, by allowing more space between buildings, would allow greater flexibility for the applicant to come up with a better design.

71. A Member said that the overall design of the proposed development was already an innovative design and therefore a fundamental change to the overall concept was not necessary. The Member said that the revised proposal should have regard to three main



aspects, namely views towards the ridgelines; air ventilation; and compatibility with the surrounding developments. Another Member said that sympathetic consideration might be given to relaxing the requirement to protect the ridgelines if the applicant could come up with an excellent design.

72. A Member said that as there were some outstanding concerns on the design of the office towers and the applicant had not submitted sufficient information in relation to the greening ratio, the application should be deferred pending further information to be submitted by the applicant. Members agreed.

73. After further deliberation, the Committee decided to defer a decision on the application pending the submission of further information on improvements to the current scheme and alternative design option from the applicant, and the Landscape Master Plan including demonstration of the visible greening area and usable green space. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information.

[The Chairperson thanked Mr. Wilson W.S. Chan, DPO/TWK, Mr. C.K. Soh, STP/TWK, Mr. C.H. Mak, TP/TWK, Mr. Lam Sai Hung, CE/RDO, HyD, and Mr. Li Kin Tung, SE/RDO, HyD for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

[Mr. Anthony Loo returned to join the meeting at this point.]

### **Hong Kong District**

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

**Agenda Item 12**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/387                      Proposed Comprehensive Residential and Commercial Development with the Provision of Government, Institution or Community Facilities and Public Open Space in “Comprehensive Development Area” zone, the Site of the Urban Renewal Authority Development Scheme at Staunton Street/Wing Lee Street (Master Layout Plan Submission) (MPC Paper No. A/H3/387)

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74.                      The Secretary reported that the application was submitted by the Urban Renewal Authority (URA). The following Members had declared interests in this item:

- |                              |   |
|------------------------------|---|
| Mrs Ava Ng                   | ]   |
| As the Director of Planning  | ] being non-executive directors of the URA  |
|                              | ]   |
| Mr. Walter K.L. Chan         | ]   |
| <br>                         |   |
| Mr. Maurice W.M. Lee         | - being a former non-executive director of the URA with the term of office ended on 30.11.2008                      |
| <br>                         |   |
| Professor Bernard V.W.F. Lim | - (1) having current business dealings with the URA;<br>- (2) having current business dealings with AGC Design Ltd. |
| <br>                         |   |
| Mr. Raymond Y.M. Chan        | - being a Member of the Home Purchase Allowance (HPA) Appeals Committee   |
| <br>                         |   |
| Mr. Nelson W.Y. Chan         | - being a Member of Kwun Tong District Advisory Committee of URA  |

Ms. Olga Lam - being an assistant to the Director of Lands  
as the Assistant Director of the who was a non-executive director of the URA  
Lands Department

Mr. Andrew Tsang - being an assistant to the Director of Home  
as the Assistant Director of the Affairs who was a non-executive director of  
Home Affairs Department the URA

75. The Committee noted that Mr. Andrew Tsang had already left the meeting. The Committee agreed that Mr. Nelson Chan should be allowed to stay at the meeting as the Kwun Tong DAC was an advisory body to the URA and the area of work did not relate to the subject application. As the Home Purchase Allowance Appeals Committee was not appointed by or under the URA, the Committee had agreed in previous cases that Mr. Raymond Y.M. Chan's interest was indirect and he could stay at the meeting. As Mr. Maurice Lee was no longer a non-executive director of URA from 30.11.2008 onwards, the Committee had agreed in previous cases that he should be allowed to stay in the meeting. As the Chairperson had to withdraw from the meeting, the Committee agreed that the Vice-chairman should take over and chair the meeting in her stead. The Vice-chairman chaired the meeting at this point.

[Mrs. Ava Ng and Ms. Olga Lam left the meeting temporarily at this point.]

[Prof. Bernard Lim and Mr. Walter Chan left the meeting at this point.]

#### Presentation and Question Sessions

76. The Secretary informed Members that three letters had been received by the Secretariat. They were submitted by URA, the Professional Commons and Staunton Street and Wing Lee Street Redevelopment Tenant Group respectively. The first two letters were dispatched to Members on 17.3.2010 while the third one, which was only received on 18.3.2010, was tabled at the meeting for Members' reference.

77. The Secretary briefed Members on the main points contained in URA's letter as follows:

- (a) the Master Layout Plan (MLP) submitted by URA to the Board was a proposal which had achieved a sensible balance between conservation and redevelopment. URA requested the Board to consider the MLP under the approved Development Scheme Plan (DSP);
- (b) URA was putting forward an alternative concept for the Board to consider noting that there had been requests in the community to preserve all the tenement buildings at Wing Lee Street;
- (c) If the Board decided that the planning intention for Site A (Wing Lee Street) should no longer be for comprehensive development, Site A could be excised from the DSP and be rezoned to an appropriate conservation/preservation zoning, while Sites B and C would remain within the “CDA” site;
- (d) URA would continue to acquire properties in Site A till the new zoning for Site A had been gazetted. URA would also rehabilitate the acquired buildings/properties in Site A; and
- (e) upon exclusion of Site A from the DSP, URA would assist individual owners to rehabilitate their properties through the government’s and URA’s established rehabilitation schemes.

78. The Secretary said that the second letter was submitted by the Professional Commons containing an alternative proposal to regenerate the old buildings under the Staunton Street/Wing Lee Street (H19) Project to the Committee. The group made reference to four factors, including building safety, building value, social value and residents’ will and suggested a “Wing Lee Street Renewal and Conservation Programme” which would be based on three principles: (a) a comprehensive rehabilitation of the whole street; (b) handing over the decision-making power to the concerned property owners and tenants; and (c) compatibility with the surrounding built environments.

79. The Secretary summarized briefly the main points of the third letter from the

Staunton Street & Wing Lee Street Redevelopment Tenant Group (the Tenant Group) as follows: (a) noting that URA had announced the alternative concept to excise Wing Lee Street from the DSP, the Tenant Group asked the Committee to consider the implication of URA's alternative concept on the local residents and to safeguard the rights of the residents there; (b) the local residents had legitimate expectation that they would be rehoused and compensated; (c) under the alternative concept, the tenants would be forced to move out. The Tenant Group asked URA to follow the "Blue House" approach by retaining both the buildings and the residents so that the existing social network could be kept; and (d) the Committee should ask URA to clearly explain the implication of the alternative concept on the affected residents.

80. The Secretary explained to Members that the three letters were not comments received under the statutory planning procedure for the current s.16 application. The Vice-Chairman said that DPO/HK would go on to present the planning application and Members should focus the discussion on the planning application first. The alternative concept on Wing Lee Street raised by URA would be handled separately.

81. Ms. Brenda K.Y. Au, DPO/HK, presented the application and covered the following aspects as detailed in the Paper :

(a) background to the application –

- the revised Staunton Street/Wing Lee Street Development Scheme Plan (DSP) was approved by the Chief Executive in Council on 2.10.2007;
- on 23.11.2007, the Board endorsed the revised planning brief (PB) based on the revised DSP boundary. At the Board's meeting, Members raised concerns relating to the preservation of the existing buildings at Wing Lee Street and the 'terrace' nature of the area. URA was requested to submit 2 sets of MLP covering two scenarios of either with or without the preservation of the buildings at Wing Lee Street;
- on 27.2.2009, URA submitted the current application (No. A/H3/387) which had reduced the total plot ratio from 8 to 4.5 when compared with

the previous application No. A/H3/381;

- on 24.7.2009, in considering a s.12A application (No. Y/H3/5) relating to the DSP area, the Committee decided to defer the s.12A application pending the written evidence by the applicants to support their claim on support from other owners; the submission of a proposal by PlanD for a separate "CDA" zoning for Site C; and the legal advice on the proposed approach;
  - on 29.1.2010, the Committee rejected the s.12A application, noting the legal advice that the consideration of the s.12A application and PlanD's alternative development proposal should be separate, the Committee agreed that PlanD's proposal would not be pursued at that stage. Taking into account PlanD's alternative proposal, URA submitted further information on 29.1.2010, 8.2.2010 and 11.3.2010 respectively;
- (b) the proposed comprehensive residential and commercial development with the provision of Government, institution or community (GIC) facilities and public open space (Master Layout Plan Submission):
- the proposal involved the development of 3 residential blocks with podiums/lower floors accommodating commercial (retail) uses at the 3 sites (Sites A, B and C) at a total plot ratio of 3.9;
  - the proposed development at Site A comprised the preservation of the Bridges Street Market for adaptive commercial and community uses (e.g. a museum or photo display centre) to commemorate Dr. Sun Yat-sen. Three tenement buildings at 10-12 Wing Lee Street would be preserved and the rest (i.e. 1-9 Wing Lee Street and 17-19 Shing Wong Street) would be redeveloped into a 6-storey building (74.63mPD) for commercial and residential uses. These buildings would be rebuilt to its original typology to maintain the terrace ambience. The total domestic and non-domestic GFA for Site A were 1,817m<sup>2</sup> and 2,245m<sup>2</sup> respectively;

- a new cascaded building of 13-storey (90.77mPD) (domestic GFA 2,522m<sup>2</sup> and non-domestic GFA 820m<sup>2</sup>) was proposed at Site B. 88-90 Staunton Street would be preserved for adaptive re-use for commercial (retail) uses. The stone steps of Shing Wong Street would also be reinstated;
- a 20-storey building (119.55mPD) was proposed at Site C. URA proposed to set back the development on G/F from Staunton Street to provide a 2m wide footpath and a 35m long lay-by for the combined loading/unloading bay. It was proposed to set back the building from Chung Wo Lane to provide a maximum 7.5m building separation from CentrePoint; and
- Public Open Space (POS) with a total area of 930m<sup>2</sup> would be provided at various locations within the application site, of which 740m<sup>2</sup> was uncovered and 190m<sup>2</sup> was covered. A total of 552m<sup>2</sup> of private open space would be provided at grade or on podium including 196m<sup>2</sup> covered open space;

[Dr. Winnie Tang left the meeting at this point.]

- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department had no objection to the proposed scheme and commented that the scheme sought to preserve the existing street pattern within the site, the Bridges Street Market and some of the tenement buildings on Wing Lee Street and Staunton Street, which could bring character and visual richness to the area and lend it a human scale. The Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/A&SC, ArchSD) commented that the proposed amendments were considerable improvements over the previous scheme. The Antiquities and Monuments Office, Leisure & Cultural Services Department (AMO, LCSD) commented that the tenements, old retaining walls and step features in the vicinity of Shing Wong Street and Wing Lee

Street together with Bridges Street Market and the Former Married Police Quarters at Hollywood Road had group value, and welcomed the proposed preservation of tenements and street features. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) commented that a Geotechnical Assessment should be submitted together with the general building plans. The District Officer (Central and Western), Home Affairs Department (DO(C&W), HAD) reported that at the informal meeting of the Central and Western District Council held on 11.2.2010 to discuss the progress of URA's projects, some DC members touched upon certain aspects covered by the application, including the possible consequence of relocating the Refuse Collection Point (RCP) nearby; possible collaboration between URA and existing property owners at Site C over the preservation of the aged buildings; and management responsibility of the proposed public open space at the redevelopment area;

- (d) during the first 3 weeks of the first statutory public inspection period, 449 comments were received. Among them, 411 comments objected to the application, 9 comments were in support of the application, and 29 other comments expressed various views. In gist, those supporting the application considered that the revised MLP had preserved the character of the area. Early implementation of the scheme would improve the living condition of the residents. Those objecting to the application considered that the development was excessive and the proposed buildings were incompatible with the existing ones. Some buildings had already been renovated and there was no need to include those buildings for comprehensive development;
- (e) during the first 3 weeks of the second statutory public inspection period on the further information submitted by URA, 511 comments were received. Of these, 492 comments objected to the application. The remaining 19 comments expressed their views that the site should be retained and not be redeveloped. The main public comments received were summarised below:



Objecting views from applicants of Y/H3/5 and A/H3/388

- (i) the further information represented a significant change of development parameters for the site. The approval of the current application without a revised PB and a fresh application introduced a procedural irregularity which placed the whole process liable for legal challenge;
- (ii) the proposed 20-storey building was out of character with the 7-storey heritage building;
- (iii) the technical assessments compared the proposed scheme with the baseline scheme but not the existing situation had led to misleading results;
- (iv) the Board should carefully consider whether the proposal was for a public purpose;

Objecting views from 4 owners of properties at Site C and an owner at Site A

- (v) the approval of the application would lead to infringement of the right of a property owner;
- (vi) no more high-rise buildings should be built in the area;
- (vii) some of the owners had already renovated their properties, which should be encouraged as a mode of long-term urban redevelopment;

Objecting views from 3 C&WDC members

- (viii) the proposed 20-storey building at Site C would adversely affect air ventilation and aggravate the traffic congestion. The entire block of tenement buildings at Wing Lee Street should be preserved as a whole;

Objecting views from Central & Western Concern Group

- (ix) organic regeneration of this area would occur if URA stepped away from its involvement in this site;
- (x) the building at 17-19 Shing Wong Street/1-2 Wing Lee Street in Site A was an example of a well maintained building. URA had omitted this information in the report;

- (xi) the Board should consider conserving the entire 'tong-lau' cluster in Wing Lee Street and involving owners in maintenance and renovation;

Other objecting views

- (xii) instead of building high-rise, only the buildings that could not be restored should be redeveloped, subject to the same building footprint and elevation to preserve the general appearance of the neighbourhood; and
  - (xiii) URA had not provided adequate geotechnical assessment to ensure the safety of the building at the back (Kam Kin Mansion). Demolishing the existing 'tong-lau' on Wing Lee Street would have adverse impact on the stability of the slope and the retaining wall where Kam Kin Mansion was sitting;
- (f) the URA had provided responses to the public comments which were summarized as follows:
- (i) the submitted MLP was in line with the planning intention and was within the development parameters of the endorsed PB;
  - (ii) the heritage significance of the area in the vicinity of Shing Wong Street, Staunton Street, Bridges Street and Wing Lee Street had been duly taken into account. The MLP had also preserved the streetscape and ambience of Staunton Street, Shing Wong Street and Wing Lee Street;
  - (iii) the AVA was prepared in accordance with the Technical Circular promulgated by the Government;
  - (iv) it was not justified to spend a substantial amount of public money to acquire private properties with no significant heritage value and rehabilitate the whole row of buildings on Wing Lee Street for

private residential use; and

- (v) should the Board consider that this row of buildings should be preserved, rehabilitated and retained for private residential use, appropriate zoning and guidelines for such preservation should be promulgated;
  
- (g) the Planning Department (PlanD)'s views –PlanD's assessment had been detailed in paragraph 6 of the Paper and summarized below:

Planning assessment

- (i) The proposed comprehensive development with the provision of GIC facilities and POS was generally in line with the planning intention. The proposed development was compatible with the surrounding predominantly residential developments and the overall plot ratio had been reduced to 3.9. The proposed development parameters were well within the stipulated maximum plot ratio/GFA and building height, and generally met the various requirements set out in the PB. In terms of building height, design and layout, the proposed scheme was considered acceptable if the Committee considered URA's redevelopment cum preservation approach for Wing Lee Street appropriate. However, in the current application, URA only proposed one option to preserve 3 buildings at Wing Lee Street and rebuild the rest to the original typology and did not provide an alternative preservation scheme for Wing Lee Street as previously requested by the Board;

Responses to URA's justifications

- (ii) URA claimed that it was unjustifiable and unsustainable to embark on long-term rehabilitation of buildings which did not have significant heritage value, especially when the buildings were generally in poor conditions and major structural strengthening and alteration would be required. Substantial cost would be incurred;

- (iii) It was noted that URA's conclusion regarding the building conditions was based mainly the visual inspection without detailed structural survey. It could not be ascertained whether there were insurmountable structural constraints in preserving all the tenement buildings at Wing Lee Street based on the submitted information . URA had not provided any information on cost, hence it could not be established that the cost difference between the two approaches was so prohibitive that most of the tenement buildings had to be demolished. The Committee should also consider the point on historical value as the long row of tenement buildings at Wing Lee Street might be one of the last few remaining 'tong-lau' on a terrace in Hong Kong and there was rising public aspiration for preserving the buildings;
- (iv) The public open space provision at different levels of the site and the pedestrian connections provided between streets and open space were considered acceptable. The AVA submitted by URA concluded that the proposed development would result in a better wind performance in the immediate vicinity of the site and the adjacent neighbourhood;
- (v) On the provision of RCP, the Gage Street RCP would be expanded to absorb the refuse handling capacity of the existing on-street RCP and a temporary RCP would no longer be required;

#### Responses to public comments

- (vi) On the aspect of comprehensive development, the URA Staunton Street/Wing Lee Street DSP for the area, first gazetted in 2003, had gone through a due statutory planning process and was approved by CE in C in October 2007. There was no objection raised in respect of the inclusion of Site C in the DSP boundary;
- (vii) Regarding the need for the preparation of a new PB and the submission of a fresh s.16 application, it should be noted that the

proposed development in the current submission was well within the maximum plot ratio and building height stipulated in the PB. A fresh planning application was not necessary as the changes were mainly related to the reduction in plot ratio and building height. The supplementary planning statement submitted by URA had been published for public inspection and the public comments received would be duly considered by the Committee;

- (viii) As regards the development parameters used in the revised Planning Brief for AVA, it should be noted that it was unrealistic to assume that there would be no redevelopment of the site as it was in conflict with the planning intention for comprehensive redevelopment of the site;
- (ix) With regard to the comments on resumption and compensation, it should be pointed out that the power to resume and the amount of compensation fall outside the jurisdictions of the Board; and

#### Conclusion

- (x) PlanD had reservation on the application as URA did not provide an alternative scheme for Wing Lee Street to address the previous concerns of the Board. However, the proposed use, development parameters, design and layout of Sites B and C were considered acceptable.

82. Noting that URA had submitted a letter to the Board on 17.3.2010 with an alternative concept, a Member asked whether URA would withdraw the current application and submit a new one. Ms. Brenda Au replied that as long as the applicant did not withdraw his application, the Committee had a statutory duty to consider the application based on the information submitted to the Board in relation to that application. The alternative concept submitted by the applicant should be handled separately. The Vice-Chairman said that the alternative concept mentioned in URA's letter did not form part of the current application and should be dealt with separately.

83. A Member asked whether the preservation of Wing Lee Street was the main concern in the current application. Ms. Au explained that the application site involved development on Sites A, B and C. PlanD considered that the applicant's proposals for Sites B and C were acceptable, but for Site A, URA had not provided an alternative preservation scheme for Wing Lee Street to address the Board's previous concerns. The Secretary added that the Committee should not just focus its attention on the Wing Lee Street site but should consider the proposals for all the three sites comprehensively.

84. A Member asked how the current application and the letter submitted by URA on 17.3.2010 should be handled under the statutory planning procedures and whether the Committee should consider the alternative concept suggested by URA at this meeting. The Secretary said that the MLP included in the current application was submitted based on the requirements of the DSP approved by the CE in C. As stated in URA's letter of 17.3.2010, URA considered that the MLP was a proposal which had achieved a sensible balance between conservation and redevelopment and requested the Committee to consider the MLP under the existing DSP. The alternative concept was also submitted for the Board's consideration if the Board decided to change the planning intention of the DSP. If the Committee decided to approve the MLP, then the alternative concept suggested by URA would no longer be relevant. However, if the Committee considered the MLP not acceptable and the planning intention of the approved DSP needed to be amended, the matter should be referred to the full Board for a thorough discussion as only the full Board had the power to request CE in C to refer the DSP back for amendment. Upon reference of the DSP by the CE in C, proposed amendments to the DSP could be submitted to the Board for agreement after which the amended DSP would be published for public inspection. The public would have the opportunity to make representations on the amendments and, under the provision of the Town Planning Ordinance, all representations and comments related to the representations would be heard by the Board. Finally, the amended DSP would need to be approved by CE in C. In this regard, the Committee would only need to indicate its view on the future direction regarding the preservation of buildings at Wing Lee Street.

85. In response to a Member's question on how long the entire statutory process would take, the Secretary replied that the whole process starting from the request to CE in C to refer the DSP to the Board for amendment until the approval of the amended DSP by the CE in C would take about 1.5 to 2 years.

Deliberation Session

86. A Member said that the public announcement made by URA on the alternative concept shortly before the consideration of its MLP by the Committee led to a lot of confusion in the community. The Secretary said that the Board had expressed its intention to preserve buildings at Wing Lee Street back in 2007 and the MLP submitted by URA had adopted a preservation approach by preserving three buildings at Wing Lee Street and rebuilding the others, but to a much lower intensity. Taking note of the recent public aspiration for preserving all tenement buildings at Wing Lee Street, URA just put forward an alternative preservation approach for the Board's consideration. The new concept should in no way pre-empt the decision of the Committee. The Committee would consider the current application independently based on its own merits under the planning intention of the approved DSP. The Vice-Chairman said that even if the URA did not suggest the alternative concept to the Board, it would be a difficult decision for the Committee given the latest public sentiments on Wing Lee Street.

87. Two Members were of the view that URA should submit both the with/without preservation options for Wing Lee Street and provided information on the technical difficulties and costs involved in preserving the tenement buildings at Wing Lee Street. One of them said that URA had the responsibility to revitalize Wing Lee Street and improve the living environment of the local residents. The other Member said that the application should be rejected as URA had not provided sufficient information for the Committee's consideration.

88. A Member noted that the consideration on whether the buildings at Wing Lee Street needed to be preserved had changed with time and it was necessary to consider the kind of value Wing Lee Street contributed to the preservation of the local heritage. The Member said that there were three scenarios with regard to the future of Wing Lee Street: (i) to preserve the buildings and allow the residents to stay; (ii) to preserve the buildings for adaptive reuse; and (iii) to demolish the buildings. If it was established that the tenement buildings were worth preserving, then the application should be rejected at this meeting so as to allow more time to consider how best to preserve the buildings.

89. A Member said that the implications of URA's alternative concept on the residents, especially the tenants, living at Wing Lee Street should be carefully considered as it had created uncertainties for the residents. The Member said that any preservation plan should take into account the needs of the residents there. Another Member asked whether there was any plan to assist the residents. The Secretary said that URA had indicated in its letter to the Board that if Site A was excised, URA would continue to acquire properties in Site A till the new zoning for Site A had been gazetted and URA would also rehabilitate the acquired buildings/properties in Site A. If Site A was excised from the DSP, URA would assist individual owners to rehabilitate their properties through the government's and URA's established rehabilitation schemes. The Vice-Chairman noted that the Tenant Group had submitted a letter to the Board to express their concerns and it was important for URA to convey its intention clearly to the affected residents. Another Member also said that there should be opportunity for the public to express their views especially when there was a total change of the preservation approach at Site A.

90. A Member asked whether it was procedurally proper to defer the application and ask URA to submit a preservation proposal for Site A. The Secretary said that as the planning intention of the approved DSP did not involve the preservation of all the tenement buildings at Wing Lee Street, such a preservation proposal would not be in line with the planning intention of the DSP. If the Board agreed to the preservation of Wing Lee Street, the DSP had to be revised and the amended DSP had to go through the statutory plan-making procedures under the Town Planning Ordinance whereby any person could submit representations and comments to the Board for consideration. As the planning intention of the DSP was drawn up a number of years ago and the community aspiration had changed substantially during this period, Members might wish to consider whether the planning intention would need to be revisited.

91. Some Members were concerned if the affected owners and residents at Wing Lee Street were aware of the implication of the preservation approach on them and if their views would be heard. The Vice-Chairman said that the statutory process to amend the DSP should offer an opportunity to collect views from different stakeholders on how Wing Lee Street should be preserved. A Member expressed support to the Vice-Chairman's view. Another Member said that the change in public view on the preservation value of Wing Lee Street was understandable.



92. The Vice-Chairman asked about the difference between Site A and Site C. Ms. Au replied that though there were often terraces in the Mid-Levels area, the terrace at Wing Lee Street was considered rather unique given the entire row of 10 tenement buildings were built in the same style, creating a group value with the ambience of a terrace. For the buildings at Site C, 60-62 Staunton Street were relatively new and 64 and 66 Staunton Street were of different style.

93. Regarding the proposed development under application for Sites B and C, a Member considered that the proposed use, development parameters and layout were acceptable. Other Members agreed.

94. For Site A, as URA had not provided any alternative preservation scheme for Wing Lee Street to address the Board's previous concern and the information submitted was not sufficient to establish that the preservation approach was feasible or not, Members agreed that the application should be rejected.

95. After further deliberation, the Committee decided to reject the application and the reason was that the TPB's previous concerns relating to the preservation of the existing tenement buildings at Wing Lee Street and the "terrace" nature of the area had not been adequately addressed. There was insufficient information for the Committee to determine whether the current proposal which involved only one option for preserving just three of the buildings there was acceptable.

96. As regards the alternative concept put forward by URA, the Committee agreed that preservation of all the tenement buildings at Wing Lee Street was the right direction, and the planning intention of the Staunton Street / Wing Lee Street DSP would need to be reviewed. However, the Committee considered that the matter should be discussed more comprehensively by the full Board. To assist the Board's consideration of the matter, URA should be requested to provide information on the structural conditions of the existing buildings at Wing Lee Street and the cost involved in rehabilitation. The Committee also agreed to request URA to explain clearly to the affected owners and tenants the implication of the alternative concept on them.

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

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

[Mr. Maurice Lee and Ms. Starry Lee left the meeting at this point.]

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

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting]

A/H3/392                      Proposed Hotel in "Residential (Group A)" zone,  
Nos. 17-19 Third Street, Sai Ying Pun  
(Inland Lot Nos. 8162 and 8163)  
(MPC Paper No. A/H3/392)

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97.            The Committee noted that the applicant's representative had requested on 24.2.2010 and 4.3.2010 for deferment of the consideration of the application for two months in order to allow time for preparation of supplementary information to support the application.

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/H15/238                      Proposed Petrol Filling Station and Permitted Industrial Building  
in “Other Specified Uses” annotated “Business(2)” zone,  
19 and 21 Wong Chuk Hang Road, Aberdeen  
(Aberdeen Inland Lots 278 and 280)  
(MPC Paper No. A/H15/238)

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99.                      The Committee noted that the applicant’s representative had requested on 12.3.2010 for deferment of the consideration of the application for two months in order to address the further comments raised by the Director of Fire Services.

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

[Mr. David C.M. Lam, STP/HK, was invited to the meeting at this point.]

**Agenda Item 15**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H17/121                      Proposed Minor Relaxation of Building Height Restriction  
(Exceed the Level of Island Road) for a Staircase Cover on Roof  
in “Residential (Group C) 2” zone,  
House 3, Double Bay, 46 Island Road  
(MPC Paper No. A/H17/121)

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Presentation and Question Sessions

101. Mr. David C.M. Lam, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of building height restriction (exceed the level of Island Road) for a staircase cover on the roof of a house;
- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) had no objection to the application and considered that the proposed staircase cover by virtue of its scale and form was not expected to have significant adverse visual impact. The Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD) commented that the proposed 1.8m high staircase cover was not normally expected to be a substantial concern from the visual impact point of view;
- (d) during the statutory publication period, two public comments were received. One commenter supported the application on the consideration that the proposed staircase cover was necessary. The other commenter objected to the application and considered that the proposed staircase cover would cause adverse visual impact to the surrounding area; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The building height restriction for the site was intended to, among others, preserve significant public view from Island Road. The proposal under application involved the provision of a 1.8m high staircase cover on the roof-level for weather protection purpose. It would increase the overall building height to 37.06mPD and exceed the level of the concerned section of Island Road at 36.4mPD by 0.66m. The proposed cover was small in

scale and glass material was used. Furthermore, the subject house was at some distance (about 47m) away from Island Road. Therefore, the proposed staircase cover was not expected to have significant adverse visual impact. There were also two similar applications within the “R(C)2” zone approved by the Board within the same development. As regards the objecting public comment on adverse visual impact, it was considered that the proposed staircase cover was not expected to have significant adverse visual impact on the surroundings.

102. Members had no question on the application.

### Deliberation Session

103. 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 19.3.2014, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the condition that the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

### **Agenda Item 16**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H19/62                      Proposed Hotel in “Residential (Group A) 1” zone,  
88 Stanley Main Street,  
Stanley  
(MPC Paper No. A/H19/62)

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#### Presentation and Question Sessions

104. Mr. David C.M. Lam, STP/HK, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (10 storeys with no more than 6 guestrooms);
- (c) departmental comments – no objection from concerned Government departments was received;
- (d) during the statutory publication period, two public comments were received. Both commenters objected to the application on the grounds that the construction activities would generate noise nuisance; the proposed development would block the light and/or view of the commenters' units; and the existing building on the application site was a local monument which formed an important part of local character; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed hotel use with a building height of 10 storeys was considered not incompatible with the surrounding uses and developments. Two hotels adjacent to the application site had previously been approved by the Committee. The proposed hotel development with only 6 guestrooms would unlikely generate adverse traffic and other infrastructural impacts on the surrounding areas. As regards the public concern on the possible noise nuisance during the construction, DEP had no adverse comment on the application and advised that the developer had to comply with relevant environmental pollution control legislation during the construction stage. For the concern that the view and light of the adjacent building (No. 90 Stanley Main Street) would be blocked, it should be noted that the units in that building could also enjoy the view from windows facing Stanley Main Street and Stanley Bay. Regarding the public comment which pointed out that the building was a local monument, AMO of LCSD advised that the existing building on the application site was neither a graded historic building nor a proposed graded historic building.

105. Members had no question on the application.

Deliberation Session

106. 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 19.3.2014, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission of a sewerage impact assessment and implementation of the local sewerage upgrading/sewerage connection works identified therein to the satisfaction of Director of Environmental Protection or of the TPB.

107. The Committee also agreed to advise the applicant:

- (a) to apply to the District Lands Officer/Hong Kong West and South of Lands Department for lease modification to permit the development and the need to liaise with the adjoining lot owner on the demolition of the existing building;
- (b) that the approval of the application did not imply that the gross floor area (GFA) concessions, including the non-domestic plot ratio of the proposed hotel and the proposed GFA exemption for the back-of-house facilities, would be granted by the Building Authority (BA). The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concessions, in particular the non-domestic plot ratio of the development, was not granted by the BA and major changes to the current scheme were required, a fresh planning application to the Board might be required;

- (c) to note the comments of the Chief Engineer/Hong Kong & Islands of Drainage Services Department regarding the requirements to maintain the drainage system within the application site and submit the drainage plans to the BA for approval;
- (d) to note the comments of the Director of Environmental Protection on the need for early submission of the sewerage impact assessment;
- (e) to note the comments of the Director of Fire Services regarding the compliance of the Code of Practice for Means of Access for Firefighting and Rescue; and
- (f) to note the comments of Chief Town Planner/Urban Design and Landscape of Planning Department regarding the design of the proposed hotel.

[The Chairperson thanked Mr. David C.M. Lam, STP/HK, for his attendance to answer Members' enquiries. Mr. Lam left the meeting at this point.]

[Mr. Derek W.O. Cheung, STP/HK, was invited to the meeting at this point.]



**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HK/5                      Renewal of Planning Approval for Temporary Public Vehicle Park  
(Excluding Container Vehicle)  
(Letting of Surplus Monthly Vehicle Parking Spaces to Non-residents)  
for 3 Years in “Residential (Group A)” zone,  
(a) Car Park in Model Housing Estate, North Point;  
(b) Car Park in Hong Tung Estate, Lei King Wan;  
(c) Car Park in Hing Wah (II) Estate, Chai Wan;  
(d) Car Park in Tsui Lok Estate, Chai Wan;  
(e) Car Park in Yue Wan Estate, Chai Wan;  
(f) Car Park in Shan Tsui Court, Chai Wan  
  
(MPC Paper No. A/HK/5)

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108.            The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members should declare interests on this application:

Mrs. Ava Ng                      - Being a member of the Strategic Planning Committee  
as Director of Planning                      (SPC) of the HKHA

Mr. Stanley Wong                      - Being a member of the HKHA

Mr. Andrew Y.T. Tsang                      - Being an alternate member for the Director of Home  
as Assistant Director(2),                      Affairs who was a member of the SPC of the HKHA  
Home Affairs Department

Ms. Olga W.H. Lam                      - Being an alternate member for the Director of Lands  
as Assistant Director                      who was a member of the HKHA  
(Kowloon), Lands Department

109. The Committee noted that Mr. Andrew Tsang had left the meeting and Ms. Olga Lam had left the meeting temporarily. The Secretary said that as both the Chairperson and the Vice-Chairman had declared interests on this item, according to the Town Planning Board's Procedure and Practice, the Chairperson should continue to chair the meeting out of necessity. Members agreed.

[Mr. Stanley Wong left the meeting temporarily at this point.]

#### Presentation and Question Sessions

110. Mr. Derek W.O. Cheung, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – the application sites were the subjects of two previous applications (Nos. A/HK/1 and A/HK/3) submitted by the HKHA. Application No. A/HK/3 was approved for a period of three years from 27.3.2007 to 26.3.2010 with conditions by the Committee on 9.3.2007;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (letting of surplus monthly vehicle parking spaces to non-residents) for a period of 3 years;
- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department had no in-principle objection to the application and commented that the applicant should seek TD's agreement on the actual number of parking spaces to be let to non-residents. The relaxation of restriction on users should only be exercised when there were surplus parking spaces. Priority in letting of the parking spaces should be given to the residents of the subject PRH estates/HOS development;
- (d) during the statutory publication period, 13 public comments were received. 10 comments were collected by the Lei King Wan (Management) Limited from the shop owners and residents of Lei King Wan development near

Hong Tung Estate, with 7 expressing support and 3 indicating no comments. The remaining 3 comments objected to the application, 2 of which were submitted by a resident and the Incorporated Owners of Shan Tsui Court on the grounds of adverse impacts on security and traffic safety. The remaining commenter objected to the application for the reason that the over-supply of parking spaces for private cars was in direct conflict with Hong Kong's traffic demand management policy; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The application was to continue the same use under the previous application (No. A/HK/3) approved by the Committee on 9.3.2007 on a temporary basis for three years. There had been no material change in planning circumstances since the previous temporary approval was granted. The application was generally in line with the planning criteria as set out in the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34A). The letting of the surplus parking spaces to non-residents would help utilizing the existing car parks more efficiently. The proposed temporary period of 3 years was considered reasonable so that the vacant parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed. As there was no increase in the total number of car parking spaces within the application sites, the proposed conversion of ancillary car parking spaces to public vehicle park would not generate additional traffic flow on the surrounding areas. Regarding the public comments on security and traffic safety in Shan Tsui Court, the applicant had pointed out that various measures (including the separation of entrances of the car park building and residential blocks and that of vehicular access and pedestrian footpath, the deployment of security guards on 24-hour duty and the installation of CCTVs) had been put in place to address the residents' concerns. Regarding the public comment objecting to the application on the grounds of over supply of parking spaces for private cars, it should be noted that there was no increase in the total number of car parking spaces

within the application sites.

111. Members had no question on the application.

#### Deliberation Session

112. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 27.3.2013, on the terms of the application as submitted to the Town Planning Board and subject to the condition that priority should be accorded to the residents of Model Housing Estate, Hong Tung Estate, Hing Wah (II) Estate, Tsui Lok Estate, Yue Wan Estate and Shan Tsui Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

113. The Committee also agreed to advise the applicant to apply to the District Lands Officer/Hong Kong East, Lands Department for a temporary waiver to permit the proposed use at Model Housing Estate.

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

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

#### **Kowloon District**

**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

A/K9/237

Proposed Office

in “Other Specified Uses” annotated “Business” zone,

Workshop Units No. 2, 3, 4 and 5, 10/F, Guardforce Centre,

No. 3 Hok Yuen Street East, Hung Hom

(MPC Paper No. A/K9/237)

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114. The Committee noted that the applicant’s representative had requested on 27.1.2010 for deferment of the consideration of the application until further notice to allow him to consider whether to convert the use of the application premises itself or the whole industrial block in light of the new measures to accelerate the revitalization of industrial buildings launched by the Government.

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

[Mr. Silas K.M. Liu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

**Agenda Item 19**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/608            Proposed Shop and Services (Showroom)  
                          in “Other Specified Uses” annotated “Business” zone,  
                          Unit P, G/F, Everest Industrial Centre,  
                          396 Kwun Tong Road, Kwun Tong  
                          (MPC Paper No. A/K14/608)

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**Presentation and Question Sessions**

116.            Mr. Silas K.M. Liu, 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 (showroom);
- (c) departmental comments – the Director of Fire Services (D of FS) had no in-principle objection to the application provided that the proposed showroom should be used in connection with the main industrial use; and fire service installations should be provided to the satisfaction of FSD;
- (d) during the statutory publication period, one public comment supporting the application was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The “OU(Business)” zone was intended for general business uses. It allowed greater flexibility in the use of the existing industrial or industrial-office buildings provided that the proposed use would not induce adverse fire safety and environmental impacts. The proposed shop and services (showroom) use at the application premises was considered

generally in line with the planning intention and complied with the Town Planning Board Guidelines for Development within the “OU(Business)” Zone (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent areas.

117. A Member asked why the FSD objected to the previous application No. A/K14/488 for shop and services use at the subject premises but had no objection to the current application. Mr. Liu replied that according to TPB PG-No. 22D, the aggregate commercial floor areas on the ground floor of an existing industrial building with sprinkler systems should not exceed 460m<sup>2</sup>. The FSD objected to the previous application for shop and services use as the aggregate commercial area was exceeded. However, the limits on commercial floor area did not apply to showroom which was considered ancillary to the main industrial activities.

#### Deliberation Session

118. 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 19.3.2012, 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 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.

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

- (a) apply to the District Lands Officer/Kowloon East for lease modification or





Mr. Andrew Y.T. Tsang - Being an alternate member for the Director of Home  
as Assistant Director(2), Affairs who was a member of the SPC of the HKHA  
Home Affairs Department

Ms. Olga W.H. Lam - Being an alternate member for the Director of Lands  
as Assistant Director who was a member of the HKHA  
(Kowloon), Lands Department

121. The Committee noted that Mr. Andrew Tsang had left the meeting. The Secretary said that as both the Chairperson and the Vice-chairman had declared interests on this item, according to the Town Planning Board's Procedure and Practice, the Chairperson should continue to chair the meeting out of necessity. Members agreed.

[Mr. Stanley Wong and Ms. Olga Lam left the meeting temporarily at this point.]

#### Presentation and Question Sessions

122. Mr. Silas K.M. Liu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application – the premises was the subject of a planning application (No. A/K15/77) approved by the Committee on 23.3.2007 for temporary public car parks for 3 years up to 23.3.2010;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicles) (surplus parking spaces only) under Application No. A/K15/77 for a period of 3 years;
- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) had no objection to the application. Residents should have priority in using the surplus car parking spaces;
- (d) no public comment was received during the statutory publication period;  
and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper. The current application sought planning permission to continue letting surplus parking spaces in the existing car parks at Ko Cheung Court and Yau Mei Court to non-residents. The proposal did not involve any new development or redevelopment of the application premises. The applicant indicated that the residents of the two estates would be given priority in renting the parking spaces. As only the surplus monthly parking spaces would be let to non-residents, the parking need of the residents of these estates would not be compromised. The proposed tenure of 3 years of the planning permission under application was considered reasonable so that the vacant parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed. The use under application complied with the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development (TPB PG-No. 34A) in that there was no material change in planning circumstances of the surrounding areas since the previous temporary approval was granted.

123. Members had no question on the application.

#### Deliberation Session

124. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 23.3.2013, on the terms of the application as submitted to the Town Planning Board and subject to the condition that priority should be accorded to the residents of Ko Cheung Court and Yau Mei Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

125. The Committee also agreed to advise the applicant to apply to the District Lands Officer/Kowloon East, Lands Department for a temporary waiver or lease modification.

[Mr. Stanley Wong, Ms. Olga Lam and Mr. Raymond Chan returned to join the meeting at this point.]

## **Agenda Item 21**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/93                      Proposed Residential and Commercial Development  
in “Residential (Group E)” zone,  
13 and 15 Sze Shan Street, Yau Tong  
(MPC Paper No. A/K15/93)

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### **Presentation and Question Sessions**

126.            Mr. Silas K.M. Liu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential and commercial development (a total plot ratio of 6.626 and a building height of 33 storeys (123.975m/139.675mPD));
- (c) departmental comments – the Director of Environmental Protection (DEP) had no in-principle objection to the application provided that the applicant could satisfactorily address the potential land contamination and waste management implications of the application site. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) commented that the building height for the proposed development complied with the building height restriction and the proposed setback and the proposed separation between the two residential towers were also supported. However, the visual bulkiness of the proposed podium of about 100m in length was considered undesirable for the surrounding pedestrian environment. Appropriate design measures should be incorporated to reduce the visual bulkiness of the proposed podium and to

soften the appearance of the possible blank wall around the car park portion of the podium. She had reservation on the proposed development scheme from the landscape planning viewpoint as the proposed local open space provision had been reduced from approximately 2,000 m<sup>2</sup> in the two previous schemes to 1,015m<sup>2</sup> in the current proposal. Opportunity should be explored to maximize the local open space and landscape provisions in the proposed development;

- (d) during the statutory publication period, two public comments were received. The commenters supported the application as it provided an opportunity to accelerate redevelopment and improve living environment in the local area. It would also provide more small and medium size residential units in urban area; and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed residential and commercial development was in line with the planning intention of “R(E)” zone. The proposed residential and commercial development would not cause any adverse environmental, traffic and infrastructure impacts on the development in the neighbourhood. CTP/UD&L, PlanD considered that the visual bulkiness of the proposed podium of about 100m in length was undesirable. She also had reservation on the application from landscape planning viewpoint as the provision of local open space had been reduced compared with the previously approved schemes (Nos. A/K15/69 and A/K15/76). Should the application be approved, appropriate approval conditions had been suggested for Members' consideration.

127. Members had no question on the application.

#### Deliberation Session

128. 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 19.3.2014, 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 the set back proposal for footpath widening purpose to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of parking facilities, loading/unloading spaces and manoeuvring space for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of emergency vehicular access (EVA) and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (d) the submission of land contamination and waste management and the implementation of the mitigation measures identified therein prior to the commencement of the foundation works for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the submission and implementation of design measures to reduce the visual bulkiness of the podium and to soften the appearance of the possible blank wall around the car park portion of the podium to the satisfaction of the Director of Planning or of the TPB; and
- (f) the submission and implementation of a landscaping proposal to the satisfaction of the Director of Planning or of the TPB.

129. The Committee also agreed to advise the applicant :

- (a) to apply to the District Lands Officer/Kowloon East for lease modification for the proposed development at the application site;

- (b) that the arrangement on EVA should comply with part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by Buildings Department;
- (c) to appoint an Authorised Person to submit plans to Buildings Department (BD) for formal approval and demonstration of full compliance with the Buildings Ordinance; and
- (d) that the approval of the application did not imply that the gross floor area exemption and/or bonus plot ratio included in the application would be granted by the Building Authority. The applicant should approach the BD direct to obtain the necessary approval.

[The Chairperson thanked Mr. Silas K.M. Liu, STP/K, for his attendance to answer Members' enquiries. Mr. Liu left the meeting at this point.]

[Ms. Olga Lam returned to join the meeting at this point.]

### **Agenda Item 22**

[Closed Meeting]

130. The minutes of this item were recorded under separate confidential cover.

### **Agenda Item 23**

#### **Any Other Business**

131. As this was the last MPC meeting of the current term, the Chairperson took the opportunity to thank Members for their dedication and support to the work for the Board over the past two years.

132. There being no other business, the meeting was closed at 2:10 p.m.