

## **TOWN PLANNING BOARD**

### **Minutes of 421st Meeting of the Metro Planning Committee held at 9:00 a.m. on 25.6.2010**

#### **Present**

Director of Planning  
Mrs. Ava S.Y. Ng

Chairperson

Mr. K.Y. Leung

Vice-chairman

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

Dr. Winnie S.M. Tang

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Mr. Roger K.H. Luk

Professor S.C. WONG

Ms. L.P. Yau

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr. H.L. Cheng

Assistant Director (Environmental Assessment),  
Environmental Protection Department

Mr. C.W. Tse

Assistant Director (Kowloon), Lands Department  
Ms. Olga Lam

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

Secretary

**Absent with Apologies**

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

Mr. Maurice W.M. Lee

Professor P.P. Ho

Professor C.M. Hui

Professor Joseph H.W. Lee

Mr. Laurence L.J. Li

**In Attendance**

Assistant Director of Planning/Board  
Mr. Lau Sing

Chief Town Planner/Town Planning Board  
Mr. J.J. Austin

Town Planner/Town Planning Board  
Miss Hannah H.N. Yick

**Agenda Item 1**

Confirmation of the Draft Minutes of the 420th MPC Meeting held on 11.6.2010

[Open Meeting]

1. The draft minutes of the 420th MPC meeting held on 11.6.2010 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising from the last meeting.

**Hong Kong District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/H10/5                      Application for Amendment to the  
Approved Pok Fu Lam Outline Zoning Plan No. S/H10/15  
from “Government, Institution or Community” to  
“Residential (Group C)” with a Maximum Plot Ratio of 2.1,  
the Ebenezer School and Home for the Visually Impaired,  
131 Pok Fu Lam Road, Pok Fu Lam (RBL No. 136RP)  
(MPC Paper No. Y/H10/5)

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

Ms. Brenda K.Y. Au                      - District Planning Officer/Hong Kong (DPO/HK)  
Mr. C.M. Li                                      - Senior Town Planner/Hong Kong (STP/HK)

4.                      The following representatives of the applicant were invited to the meeting at this point:

Mr. Leo Barretto  
Professor Brian Duggan  
Dr. Simon Leung  
Mr. Ian Brownlee  
Ms. Helen Lung  
Mr. Philip Chan

5.                      The Chairperson extended a welcome and explained the procedures of the hearing. Noting that the applicant had requested a deferment of the consideration of the rezoning application, she invited the applicant’s representative to explain to the Committee why a deferment was sought.

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

### Presentation and Question Sessions

6. Mr. Ian Brownlee then made the following main points:

- (a) when the MPC considered the application on 19.6.2009, there was no objection to the proposed low-rise low-density residential development on the site. On the basis that the development would not exceed the existing development density and height of the school buildings, the details of the proposal could be further considered. However, as there was concern that the proposed redevelopment of the site might interrupt the services currently provided to the visually impaired, the Committee decided to defer a decision on the application and suggested Planning Department (PlanD) to explore possible mechanisms with concerned bureau/departments to ensure the continuous provision of school and social welfare facilities for the visually impaired. Members also suggested the Applicant to approach the Development Opportunities Office (DOO) to assist in sorting out the various issues;
- (b) since then, various steps had been taken by the applicant to address these issues. As the applicant was still trying to resolve the various issues, a deferment was requested. There were four reasons why the application should be deferred;

### Policy support

- (c) the applicant had approached DOO to assist in relocating the school and in April 2010, DOO advised that they could not proceed any further in identifying a reprovisioning site without the Ebenezer School and Home for the Visually Impaired (the Ebenezer) first obtaining policy support from Education Bureau (EDB). However, the EDB indicated that though had no objection to the proposed rezoning, they were unable to give policy support in view of their prevailing policy and practice on reprovisioning of schools,

mainly because the redevelopment project had been initiated by the Ebenezer rather than by the Government, and the size of the reprovisioning site requested was larger than that being surrendered to the Government. He then tabled a letter dated 26.5.2010 written to EDB with a suggestion on how to overcome the reprovisioning problem and requesting a meeting to discuss the matter. As the letter had suggested a significantly different approach to deal with the policy support issue, EDB had not yet responded. It would therefore be reasonable to allow more time for these discussions to be concluded before the Board considered the application;

#### Undertaking

- (d) in order to address the Committee's concern on the mechanism to ensure that the provision of schooling and welfare facilities for the visually impaired would not be interrupted, the Ebenezer had submitted a draft letter of Undertaking to the Board on 6.11.2009 for its consideration;
- (e) the applicant however did not receive any adverse views on the draft Letter of Undertaking until 18.6.2010 when the MPC Paper was issued and the views of the Department of Justice (D of J) were included in the Paper. The applicant considered that the legal issues raised by D of J were not insurmountable but more time was required by the applicant to seek legal opinion and to prepare an alternative undertaking, if appropriate;

#### Response to comments on PR and building height

- (f) although the Board was provided with additional justifications for the proposed plot ratio and building height on 13.11.2009, the applicant did not receive PlanD's response on the matter until 18.6.2010 when the MPC Paper was issued. More time was needed by the Ebenezer to respond to the points made by PlanD in paragraph 4.3 of the Paper, in particular the significance in terms of funding a new school a difference in plot ratio (PR) of PR 2.1 and PR 1.95 would cause;

Alternative planning solution

- (g) in view of the concerns raised by D of J and PlanD in the MPC Paper, the applicant considered that an alternative planning solution could be worked out by way of a residential zoning which still required approval by the Board through a s.16 application with a pre-requisite that the Ebenezer School should be properly reprovisioned and continued service provision be maintained. This would also provide a means for the Board to consider the detailed layout and height of the proposed residential development. However, more time was required to develop this idea further with the PlanD; and
  
- (h) the request for deferment was in line with the Town Planning Board (TPB) Guidelines No. 33 in that reasonable grounds were provided, the deferment would not be indefinite, and the rights or interests of other concerned parties would not be affected. The applicant considered that the normal deferment of two months would be adequate even though the subject application was complex and unusual. There was reasonable justification for the hearing to be deferred to allow the applicant to further consult with relevant Government departments to resolve technical issues, to obtain further legal advice regarding the undertaking and to work out with PlanD on appropriate zoning for the site that could address the concerns of the Board;

7. In addition, Mr. Leo Barretto, the Chairman of Ebenezer Group for the Blind, made the following main points:

- (a) the subject rezoning proposal would have a significant effect on the provision of education services and care for the blind and the partially sighted children in Hong Kong;
  
- (b) in order to address the concerns of the Board to ensure that the services provided would not be interrupted, the applicant was working on a positive way forward. Nothing would be lost by deferring the consideration of the

application to allow more time to work out a solution which, if found acceptable by the Board, would be a win-win situation for both the blind children and the community of Hong Kong; and

- (c) the revised low-rise development scheme would be an enhancement for the area when compared with the old and shabby-looking development of the existing Ebenezer Complex. More time was required to improve the scheme, to gather departmental views and to seek policy support. In the end, this was a creative project, not for private sector commercial gain but to serve the needs of the blind and the partially sighted children.

8. The Chairperson noted that the application was submitted in March 2009 and considered by the Committee in June 2009. To provide a background to new Board Members, the Chairperson asked DPO/HK to brief Members on the background of the case and the outstanding issues such as policy support, implementation mechanism and development intensity, and the problems that a deferment would cause.

9. Ms. Brenda K.Y. Au, DPO/HK, then made the following main points:

- (a) on the aspect of policy support, although EDB had not provided a formal reply to the applicant's letter dated 26.5.2010, EDB had already stated, as set out in paragraph 2.4 of the Paper, that they would not give policy support for the private treaty grant application for a new site for redeveloping the school in accordance with the prevailing policy and practice, and that the applicant would need to bear all costs for the relocation;
- (b) on the applicant's proposed undertaking, even if more time was given to the applicant, they would only be able to address some of D of J's concerns. The more fundamental problem raised by D of J on the lack of power of the Board to impose conditions under s.12A application and the practical and procedural difficulties in enforcing the undertaking by the Board would not be addressed; and



- (c) regarding the applicant's suggestion of designating a residential zoning which would still require the submission of planning application, she considered that such a suggestion was not appropriate. When the Board agreed a residential zoning which implied that a certain site was suitable for residential development, it would not be appropriate to require planning permission for residential development. Moreover, the applicant had not addressed the Committee's concern on the development intensity of the proposed scheme to be lowered to the existing development intensity (i.e. PR 1.9 which was confirmed by Buildings Department) and the need to provide building gaps within the development to minimise adverse visual impact.

10. Ms. Au further explained the issues would unlikely be resolved within the time frame of the 2-month deferment as the issues of concern include the availability of a relocation site, the enforcement mechanism to guarantee continuous operation of the school and the development intensity. Besides, several interested parties affected by the rezoning application including the Southern District Council (SDC) and local residents, had raised objection to the application, the deferment of the case might affect their interests.

11. A Member asked about the concerns raised by the relevant District Council and other organizations. Ms. Au replied that the SDC considered the site was suitable for Government, Institution or Community (G/IC) use which should not be changed. They also had concerns on the traffic and visual impacts caused by the proposed development. Moreover, out of 19 public comments received, 18 raised objection mainly on grounds of traffic, environmental and visual impacts.

12. In response to a Member's enquiry, Mr. Brownlee replied that a two-month time period should be adequate to address all the outstanding issues, including a proposed mechanism to ensure continued operation of the services provided by the Ebenezer, a planning solution to enable the Board to retain control on the development, and to provide adequate information for Ebenezer to justify the proposed development intensity of PR 2.1. In response to another Member's query, Mr. Brownlee responded that the detailed information that would be submitted to the Board would include a set of Notes with uses and a control mechanism specified in the Remarks that require the re-provisioning requirement of

the Ebenezer, before any residential development approved on site could proceed. Moreover, a comparison table showing the difference of PR 2.1 and 1.9 in planning terms and in financial terms, in particular the implications on the relocation of the Ebenezer and the provision of its services would be provided.

13. Noting the suggestion of retaining part of the existing site for redevelopment of the existing facilities in paragraph 4(c) of the applicant's letter to EDB on 26 May 2010, the Chairperson asked if the proposal would constitute a material change to the application that would warrant a new s.12A application. Mr. Brownlee responded that EDB's proposal was not feasible as the site would have to accommodate more facilities than that currently provided resulting in a tall and impractical building for the handicapped people with wheelchairs.

14. As the applicant and the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairperson informed them that the Committee would deliberate on the application for deferment in their absence. The applicant would be informed whether the Committee would agree to the deferment or not. The applicant, the applicant's representatives and PlanD's representatives left the meeting at this point.

#### Deliberation Session

15. Noting that the relocation of the Ebenezer was initiated by the school itself while Government departments were not keen on the relocation, a Member considered that the need to relocate the school and extend its services was not clear. This Member said the issue of relocation site should be resolved prior to considering the rezoning of the application site. The applicant should resolve all outstanding issues before submitting a rezoning request. However, if it was unlikely that there would be any solution to such fundamental issues within two months, the Committee should not defer the consideration of the application but should consider the application at the meeting.

16. The Chairperson said the applicant might want to provide further information to address Government department's concerns and D of J's comments which were only issued a week ago. The Secretary clarified that the applicant should have received the departmental

comments earlier, although D of J's comments were indeed issued a week ago.

17. Another Member opined that the Committee should refrain from discussing the merits of the development scheme at the moment but focus on the applicant's request of deferment. This Member considered that the request of deferment complied with the TPB Guidelines No. 33 in that further consultation with relevant Government departments was required as EDB had not yet replied to their letter dated 26.5.2010; the 2-month deferral as requested by the applicant was not indefinite; and no other concerned parties' rights would be affected as the deferment was only for two months. Another Member shared this Member's view that a two-month time period was not long and it would not have significant implications on the interests of the public.

18. In response to a Member's enquiry, the Secretary explained that if the request of deferment was approved, the applicant would submit further information to address the outstanding concerns within two months and upon receipt of the further information, PlanD would seek departmental views and publish the information, if required, and submit the further submission to the Committee within three months from the date of receipt of the further information. Therefore, if the case was deferred, it would take about five months before the application would be submitted to the Committee for consideration again. On the other hand, if the Committee did not agree the deferment request, the rezoning application would be considered by the Committee in this meeting. She further explained that it was already more than one and a half years since the application was first submitted to the Board.

19. Regarding the concerned parties to be affected, a Member considered that the deferment would not affect the interests of the public commenters directly as the current G/IC use of the subject site would not be affected and no landed interest would be involved. The Secretary opined that there might be psychological impact on the public commenters as it would be uncertain whether the redevelopment scheme would proceed or not.

20. In response to a Member's enquiry, the Secretary replied that normally an application could be deferred once. The same Member considered that the subject application should not be further deferred and suggested that the applicant should be informed that this would be the last time for the Committee to defer a consideration of the application. Members agreed.

21. 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 two months were allowed for preparation of the submission of further information, and no further deferment would be granted.

[Ms. Julia Lau arrived to join the meeting while Ms. Maggie Chan left the meeting at this point.]

[Ms. Brenda K.Y. Au, DPO/HK, and Ms. Esther M.Y. Tang, STP/HK, were invited to the meeting at this point.]

#### **Agenda Item 4**

[Open Meeting]

Proposed Amendments to the  
Draft Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/25  
(MPC Paper No. 14/10)

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22. The Secretary reported that the proposed amendments were related to the redevelopment of the ex-Wong Chuk Hang Estate site which would be allocated to Mass Transit Railway Corporation Limited (MTRCL). Mr. H.L. Cheng, being an assistant to the Commissioner for Transport who was a Non-executive Director of MTRCL had declared an interest in this item. As Mr. Cheng's interest was direct, Members considered that he should leave the meeting temporarily.

[Mr H.L. Cheng left the meeting at this point.]

23. The Committee also noted that the interests of the following Members:

Mr. K.Y. Leung – his mother owned a flat in Ap Lei Chau

- Mr. Roger Luk – an Independent Non-Executive Director of Wheelock Properties Limited which had a property in Heung Yip Road
- Mr. Laurence Li – owned a flat in Aberdeen and Ap Lei Chau
- Professor S.C. Wong – his sister owned properties in South Horizons and Aberdeen Centre

As the proposed amendments would not affect Ap Lei Chau, Heung Yip Road and Aberdeen Centre, the Committee considered the interests of the above Members indirect and they could stay in the meeting. It was noted that Mr. Laurence Li had not yet arrived.

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

#### Presentation and Question Sessions

24. With the aid of a powerpoint, Ms. Esther M.Y. Tang, STP/HK, presented the proposed amendments to the draft Aberdeen & Ap Lei Chau (A&ALC) Outline Zoning Plan (OZP) as detailed in the Paper.

#### Background

- (a) the proposed amendments to the OZP were mainly related to rezoning the South Island Line (East) (“SIL(E)”) Wong Chuk Hang Depot Site (WCHDS) to “Comprehensive Development Area” (“CDA”) and the deletion of Route 4 alignment and the associated zoning amendments;
- (b) on 18.12.2007, the Executive Council endorsed that the ex-Wong Chuk Hang Estate site should be reserved for the SIL(E) depot and above-depot private property development, and the site to the north of Ocean Park Station should be reserved for private property development with associated park-and-ride facilities. The property development proposals were for the purpose of bridging the funding gap of the railway project;
- (c) the area in the vicinity of the Ocean Park Station was predominantly

occupied by low- to medium-rise Government, institution or community (GIC), recreational and tourism facilities. From the land use planning perspective, residential development would not be compatible with the surrounding environment and recreational or tourism development would be more desirable;

- (d) on the other hand, the ex-Wong Chuk Hang Estate site, was mainly surrounded by medium- to high-rise developments with the Wong Chuk Hang Business Area (WCHBA) to its north, and residential developments as well as GIC facilities to its southwest. With a “Residential (Group A)” (“R(A)”) zoning on the OZP intended for high-density residential development, the proposed property development on the site was generally compatible with the surrounding land uses. The Administration and MTRCL therefore considered it more desirable to confine the property development to the ex-Wong Chuk Hang Estate site while the site adjoining the Ocean Park Station should be reserved for other more suitable uses to be reviewed separately;

Proposed rezoning of the ex-Wong Chuk Hang Estate site

- (e) under the current “R(A)” zoning, residential development at the ex-Wong Chuk Hang Estate Site could be built up to the maximum plot ratio (PR) of 8 to 10 permitted under the Buildings Ordinance depending on the site classification. Since the proposed development would be highly accessible in view of the future railway station, it would be a major source of flat supply at a convenient location in the main urban area. However, a lower development intensity should be considered having regard to the large site area and the local character. It was considered that a maximum domestic PR of 5 in addition to a maximum commercial gross floor area (GFA) of 47,000m<sup>2</sup> (about PR 0.66) should be an acceptable basis for the planning of the property development;
- (f) MTRCL had formulated a preliminary notional development proposal, where the SIL depot and Wong Chuk Hang station, a commercial centre

and car parking as well as other supporting facilities would be in a podium with the residential towers on top. With a site area of 7.17 ha, a total PR of 6.69 was proposed with a domestic GFA of 357,500m<sup>2</sup> and non-domestic GFA of 121,800m<sup>2</sup> including a shopping centre (47,000m<sup>2</sup>), social enterprises (1,500m<sup>2</sup>) and transport facilities (74,800m<sup>2</sup>);

- (g) at least 3 air/visual corridors amongst the residential blocks would be incorporated to enhance air ventilation and maintain the visual permeability of the development. Moreover, the 14 residential blocks would form a stepped height profile from 120mPD to 150mPD (27 to 38 storeys above 3 to 5 levels of podium) increasing progressively from the south-western side of the site nearer to the waterfront towards Heung Yip Road and foothill of Brick Hill. Based on the preliminary proposal, the Site would produce not more than 4,700 flats, the majority of which were small- to medium-sized flats and which could be made available in phases by 2016 the earliest. About 20% of the flats would be of about 50m<sup>2</sup> GFA in size;
- (h) to maintain adequate planning control, the site was proposed to be rezoned to “CDA” (Amendment Item A1), so that any development on the site would need to go through the planning permission system. The proposed “CDA” zoning would set out the major development parameters for the site, i.e. the maximum domestic and non-domestic GFAs and building height in the Notes of the OZP. For design guidelines, a minimum of 3 air/visual corridors, stepped height profile from 120mPD in the southwest to 150mPD towards Heung Yip Road and Brick Hill, landscape planting at street level, podium and roofs, terraces and cascade plating at podium edge were recommended to be included in the Explanatory Statement (ES) of the OZP;
- (i) a Planning Brief would be prepared to guide the future development, particularly for the planning application submission for the Site. It would set out more detailed urban design and land use planning considerations; development parameters, transport, infrastructural and engineering requirements; as well as GIC and other community facility requirements.

The design measures, including the air/visual corridors, terraced and green podium edge and stepped height profile, would also be specified in the Planning Brief. Additional requirements on maximum number of flats (4,700), average flat size of about 76m<sup>2</sup> with approximately 20% of flats with GFA about 50m<sup>2</sup> would also be stipulated;

- (j) during the consultation with the Southern District Council (SDC), there were concerns on the maximum building height of 156mPD in the MTRCL's original proposal. To address the SCD's concern, the building heights had been revised by MTRCL to range from 120mPD (27 storeys) to 150mPD (38 storeys). Moreover, appropriate GIC facilities such as a venue for performance within the shopping centre and a GFA of 1,500m<sup>2</sup> for social enterprises of GIC facilities were proposed to meet the community needs;
- (k) Government departments had no major comments on the proposed amendments to the OZP. While noting that the proposed 730 residential parking spaces was lower than the requirement of about 1,000 parking spaces in Hong Kong Planning Standards and Guidelines, in view of the scale of the development, Transport Department requested that a detailed traffic impact assessment should be conducted at planning application stage. Actual provision of parking spaces would be reviewed based on prevailing parking standards;

#### Deletion of the obsolete alignment of Route 4 and associated zoning amendments

- (l) Route 4 was planned as a strategic link providing connection between the Cross Harbour Tunnel in Causeway Bay and Aberdeen via Kennedy Town. While the section from Causeway Bay to Kennedy Town had been completed, the Transport and Housing Bureau had advised that the remaining section of Route 4 from Kennedy Town to Aberdeen as shown on the relevant OZPs was obsolete and would not be implemented. In this regard, the Committee had already agreed to delete the proposed road alignment from the draft Kennedy Town & Mount Davis OZP which was



gazetted on 26.3.2010;

- (m) on the draft A&ALC OZP, the proposed alignment of Route 4 involved a strip of area shown as 'Road' to the north of the existing Tin Wan Praya Road and connecting to Aberdeen Praya Road at the western end of the Planning Scheme Area. To the east of this strip of area, at the junction with Aberdeen Praya Road, 3 sites were zoned "Open Space"("O") which generally followed the proposed road network pattern;
- (n) one of the "O" sites had been partly developed into a sitting-out area with a different site configuration which encroached on the existing road. In order to reflect the existing sitting-out area, it was proposed to rezone part of the 'Road' area to "O" (Amendment Item C). The other two "O" sites mainly encroached on the Tin Wan Praya Road and the slip road of Tin Wan Hill Road. To reflect the existing condition, those areas zoned "O" but currently developed into roads are proposed to be rezoned to areas shown as 'Road' (Amendment Item B);
- (o) for the obsolete Route 4 alignment in the western part of the OZP, the concerned 'Road' area was mainly occupied by two pieces of formed flat land and a vegetated slope. It was proposed to rezone the slope (about 8,101m<sup>2</sup>) to "Green Belt"("GB") (Amendment Item D). The two pieces of formed land (about 7,294m<sup>2</sup>), currently used as temporary works area and car park, were proposed to be reserved for GIC uses but the actual use would be further examined. Taking into account the proximity of the two pieces of land to the concrete batching plant, gas holder (a Potentially Hazardous Installation) and Tin Wan Praya Road, the type of GIC uses to be proposed on it should not generate significant traffic flow and should be compatible in terms of building height with the surroundings. The land concerned were proposed to be rezoned from areas shown as 'Road' to "G/IC" (Amendment Item E) subject to a maximum building height restriction of 2 storeys to contain the development scale; and
- (p) the Notes and ES of the OZP would be revised to incorporate the proposed

zoning amendments.

25. In response to a Member's enquiry, Ms. Brenda K.Y. Au, DPO/HK replied that the building height of the ex-Wong Chuk Hang Estate varied from 12 to 20 storeys while the proposed development would be 27 to 38 storeys forming a stepped building height profile over a podium of 3 to 5 levels.

26. A Member asked what was the population of ex-Wong Chuk Hang Estate before it was demolished. Ms. Tang said that no such information was at hand. Ms. Au supplemented that the proposed development would be located above the planned SIL(E) and that the zoning proposal had adopted a lower car-parking ratio to encourage the future population to use mass transit.

#### Deliberation Session

27. After further deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the draft Aberdeen & Ap Lei Chau OZP No. S/H15/25 and that the draft OZP No. S/H15/25A at Attachment I (to be renumbered to S/H15/26 upon gazetting) and its Notes at Attachment II of the Paper were suitable for exhibition for public inspection under section 7 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment III of the Paper as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the OZP and agree that the ES was suitable for exhibition together with the OZP and its Notes under the name of the Board.

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

[Mr H.L. Cheng returned to join the meeting at this point.]

[Ms. Brenda K.Y. Au, DPO/HK, and Mr. Ernest C.M. Fung, STP/HK, were invited to the meeting at this point.]

**Agenda Item 5**

[Open Meeting]

Proposed Amendments to the

Approved Central District Outline Zoning Plan No. S/H4/12

(MPC Paper No. 15/10)

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28. The Secretary reported that as the proposed amendments were related to the Central Market site which would be implemented by the Urban Renewal Authority (URA) as an agent of the Government, the following Members had declared interests in this item:

Mrs. Ava S.Y. Ng as the Director of Planning	- being a non-executive director of the URA;
Mr. Maurice W.M. Lee	- being a former non-executive director of the URA with the term of office ended on 30.11.2008;
Mr. Raymond Y.M. Chan	} being a Member of the Home Purchase Allowance (HPA) Appeals Committee;
Ms. Maggie Chan	}
Ms. Olga Lam as the Assistant Director of the Lands Department	- being an assistant to the Director of Lands who was a non-executive director of the URA; and
Mr. Andrew Tsang as the Assistant Director of the Home Affairs Department	- being an assistant to the Director of Home Affairs who was a non-executive director of the URA.

29. As the proposed amendments involved the Pacific Place development which was owned by Swire Properties Limited (Swire), Mr. Raymond Chan who had current business dealings with Swire had declared interest in this item.

30. As the proposed amendments involved the site of Cheung Kong Centre which

was owned by Hutchison Whampoa Limited (HWL), Mr. Felix Fong who had current business dealings with HWL had declared interest in this item.

31. As the proposed amendments involved the site of International Finance Center which was a joint development of Sun Hung Kai Properties (SHK), Henderson Land Development Company Limited (Henderson) and Towngas, Mr. Raymond Chan and Mr. Felix Fong who had current business dealings with SHK and Henderson, and SHK respectively had declared interests. Ms. Julia Lau who had been employed by SHK had also declared interests in this item.

32. The Secretary said that since the current item was related to plan-making, it was the Board's practice that Members could stay in the meeting after declaring their interests. Apart from Mr. Maurice W. M. Lee and Mr. Andrew Tsang who had tendered apologies of not attend the meeting, the Committee agreed that the other Members who had declared interests could stay in the meeting.

33. The Committee noted that a replacement page (page 2 for Attachment II of the MPC Paper) revising the proposed covering Notes to the effect that telecommunications radio base station in "Other Specified Uses" ("OU") annotated "Pier" and "Comprehensive Development Area (2)" zones would not be always permitted on the Outline Zoning Plan (OZP) was tabled at the meeting.

#### Presentation and Question Sessions

34. With the aid of a powerpoint, Mr. Ernest C.M. Fung, STP/HK, presented the proposed amendments to the approved Central District OZP as detailed in the Paper;

#### Rezoning of the Central Market (CM) site for revitalisation (Amendment item A)

- (a) the Chief Executive in his 2009-10 Policy Address introduced the concept of "Progressive Development" that emphasised the need to strike a balance between economic development and cultural conservation. Being one of the innovative projects under the Conserving Central, the Urban Renewal Authority (URA) was tasked to revitalize the building into a "Central

Oasis” to provide commercial, cultural and community uses in Central;

- (b) built in 1939 with a building height of 4 storeys, the CM was a typical example of the contemporary Bauhaus and Functionalism possessing building façades characterised by streamlined modern style and slim horizontal lines and special architectural features such as staircases, courtyard, internal footbridges and market stalls that should be preserved;
- (c) the CM site was proposed to be rezoned from “Other Specified Uses” (“OU”) annotated “Bus Terminus, Open Space and Commercial Development” to “OU” annotated “Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses”. The planning intention of the site was to preserve the facades and special architectural features, and to revitalize the building for commercial, cultural and community uses with the provision of 1,000m<sup>2</sup> public open space, mainly in the form of roof garden. The proposed commercial, cultural and community related uses for the subject “OU” zone would provide a leisure space and greenery within the heart of the existing CBD for the working population in Central, the general public and tourists. A building height restriction of maximum 4 storeys reflecting the existing building height would be specified in the Notes;
- (d) no redevelopment of the existing building was allowed in this “OU” zone. Any new development and any major addition, alteration and/or modification to, or any demolition of the façades and special architectural features of the building would require permission from the Board. Any Application for planning permission should make reference to a set of Conservation Guidelines for the building to be drawn up by the Antiquities and Monuments Office (AMO);

Rezoning of the Murray Building (MB) site for in-situ hotel conversion  
(Amendment items B and C)

- (e) the MB, being one of the Conserving Central initiatives announced in

2009-2010 Policy Address, would be vacated by end-2011 upon relocation of the existing offices to the new Central Government Complex at Tamar. The building was proposed to be converted for hotel use given its prime location in the Central District and land use compatibility with the surrounding areas;

- (f) built in 1969, the MB was a Government Offices building with 27 storeys (110mPD at main roof level) above a two-storey carpark podium/basement and was the tallest government building at that time. The building possessed high architectural merits in respect of the character and design features of the façade, including the window design which could provide shade against direct sunlight and the high arches extending from the podium floor to the mezzanine floor. The existing vehicular arrangement with elevated road link from Cotton Tree Drive was also another outstanding design feature. Besides, there was an Old and Valuable Tree (OVT) rooted at the basement level and a landscape buffer with trees lying along the southeastern site boundary fronting Cotton Tree Drive;
- (g) the MB site was proposed to be rezoned from “Government, Institution or Community” (“G/IC”) and ‘Road’ to “Other Specified Uses” (“OU”) annotated “Building with Architectural Merits Preserved for Hotel Use” for an integrated hotel development with the provision of public open space of not less than 370m<sup>2</sup> (Amendment Item B). All uses which are ancillary and directly related to the hotel use were always permitted. In addition, any new development or any demolition of the existing building, including the building facades and the elevated road link from Cotton Tree Drive, would require planning permission from the Board;
- (h) as the MB might not meet current standards for hotel use, additional conference, banquet or back-of-house facilities might be required. In order to ensure that the character of MB could be preserved, additional structures up to 880m<sup>2</sup> GFA and 5m in height on the existing roof with setback of at least 5m from the external façade, and 400m<sup>2</sup> GFA and 3m in height on the southeastern portion on the existing podium level would be allowed. As

such, a maximum building height of 115mPD for the additional structures on the roof and 26mPD on the southeastern portion of the existing podium would be stipulated on the OZP while the associated additional GFA of 880m<sup>2</sup> and 400m<sup>2</sup> respectively would be specified in the Notes;

- (i) the existing access road along the northeastern of the MB was proposed to be rezoned from “G/IC” to ‘Road’ to reflect the existing use (Amendment Item C);

Rezoning of “Commercial/ Residential” (“C/R”) zone (Amendment item D)

- (j) there was a “C/R” zone of about 3 ha on the OZP covering the Pacific Place site, which comprised three hotels, services apartments, office accommodations and a retail shopping mall. Under the lease, the site was subject to a minimum GFA of 192,210m<sup>2</sup>. According to the approved general building plans, the total non-domestic and domestic (hotels and service apartments) GFA of the development were about 189,350m<sup>2</sup> and 154,520m<sup>2</sup> respectively. In view of the commercial nature of the existing development, the site was proposed to be rezoned to “Commercial” (“C”) to reflect the planning intention. The maximum development intensity of the site would be reviewed in conjunction with the building height review to be conducted later;

Rezoning of Cheung Kong Center and adjoining open space (Amendment item E)

- (k) Cheung Kong Center was completed in 2004 based on planning application No. A/H4/35 approved on 15.9.1995. The development with a site area of about 0.96 ha, comprised an office block, reprovisioned Government facilities (public toilets and Government accommodation), a public car park and public open space. It was proposed to be rezoned from “C” and “G/IC” to “C(1)” to reflect the existing development on the site. Specific requirements on the maximum non-domestic GFA of 144,840m<sup>2</sup>, including not more than 680m<sup>2</sup> for retail purpose, a minimum GFA of 700m<sup>2</sup> and 25,000m<sup>2</sup> respectively for the provision of Government facilities and public

car park with a minimum of 800 public car parking spaces were proposed to be stipulated in the Notes of the “C(1)” zone. In addition, public open space of not less than 5,200m<sup>2</sup> should be provided within the zone;

Rezoning of International Finance Center (IFC) and Airport Railway Hong Kong Station (Amendment item F)

- (l) the site was currently occupied by the IFC development which consisted of two office buildings, a shopping centre, a hotel and a service apartment tower. Public transport facilities were situated on the ground floor of the development podium while the Airport Railway Hong Kong Station with its associated facilities were located directly beneath the site. The site was the subject of several planning applications approved by the Board. All the approval conditions imposed by the Board in relation to provision of public transport interchange facilities, vehicular access points as well as parking and loading/unloading facilities have been complied with by December 2009. Given the commercial nature of the development, it was proposed to rezone the site from “Comprehensive Development Area (1)” (“CDA(1)”) to “C(2)” with a maximum non-domestic GFA of 415,900m<sup>2</sup> to reflect the existing development. The requirement for the provision of 13,000m<sup>2</sup> public open space within the zone would be specified under the Notes of the “C(2)” zone;

Review of “Open Space” zone

- (m) there were 22 “O” sites on the OZP, 19 of which were on Government land and 3 sites on private land including Charter Road, Garden Road and Justice Drive (Sites No. 8, 14 and 17 on Plan F1 of the Paper);
- (n) the “O” site at Justice Drive (Site No. 14) was currently a vegetated slope which fell mainly on unallocated Government land and partly within two private lots (i.e. IL 8675 and IL 9000). IL 8675 had been developed into the British Consulate Building and the British Council Building while IL 9000 (i.e. the former Explosive Magazine site) was the subject of two



planning applications (A/H11/75 and A/H11/92) approved by the Board on 11.10.2002 and 25.11.2005 respectively for the Asia Society Hong Kong Center development in the “G/IC”, “O” and “Green Belt” zones and an area shown as ‘Road’. There had long been a proposed extension of Justice Drive through this “O” site and IL 9000 connecting to Kennedy Road. Transport Department (TD) had advised that any rezoning proposal affecting the proposed Justice Drive Extension was not supported at this stage. Moreover, as the former Explosive Magazine site straddled the approved Central District OZP and the approved Mid-levels West OZP, it was considered more appropriate that the portion of the site which fell within the Mid-levels West Planning Scheme Area should be excised and incorporated into the Central District Planning Scheme Area for better planning control on the approved development. In view of TD’s advice, it was proposed that the “O” zoning for this site should be retained for the time being;

- (o) amongst the 19 Government sites, 18 had been developed into public open spaces or sitting-out/amenity areas. The “O” zoning of these sites should be retained. The only “O” site that had not been implemented was the one at Lower Albert Road (Site No. 20) and it was confirmed by the Leisure and Cultural Services Department (LCSD) that there was no implementation programme. The site was formerly occupied by the Old Dairy Farm Depot building, which was a historic building accorded with a Grade I status by the Antiquities Advisory Board. The building was owned by the Government with the North Block and the South Block currently leased to the Foreign Correspondents' Club and the Fringe Club respectively. The building fell within an area partially zoned as “O” and partially shown as ‘Road’ on the OZP. TD had advised that the southern portion of the site within the area shown as ‘Road’ would be affected by a road widening scheme of Wyndham Street and Lower Albert Road but there was no implementation programme. Given that Grade I historic buildings were regarded as a pool of highly valuable heritage buildings and might have reached the “high threshold” of monuments to be put under statutory protection, any road widening proposal affecting the subject

Grade I building should not be supported. An assessment on the building was being conducted by the AMO, while the Fringe Club was also conducting a Heritage Impact Assessment (HIA) for the South Block. Pending the availability of more details on the conservation requirements from the AMO, PlanD would propose appropriate amendment to the OZP in respect of this site for the Committee's consideration;

Proposed amendments to the Notes

- (p) under the revised Master Schedule of Notes endorsed by the Board, various amendments including broad use terms had been introduced to provide greater flexibility for change of use. The general provisions under the covering Notes and the Schedules of Uses for various zones had been revised to permit more uses as of right wherever appropriate. Besides, the planning intentions for various zones had been incorporated in the Notes to form part of the relevant OZP to allow the public to have better understanding and greater certainty in the planning intentions of individual zones;
- (q) upon the rezoning the IFC site from “CDA(1)” to “C(2), there was only one remaining “CDA” site in the OZP which was the “CDA(2)” covering the waterfront areas including Central Piers 4 to 6. Under the Urban Design Study for the New Central Harbourfront, this “CDA(2)” site involved two key development sites, namely Site 1 and Site 2. Given that the planning and design briefs for these key sites under the Study were being finalized, proposed amendments to this “CDA(2)” site will be made after the endorsement of the planning and design briefs. As such, the Notes for the “CDA(2)” zone were not proposed to be amended in this round of amendments; and
- (r) the Notes for the “C/R” zone were proposed to be deleted. The Remarks of the “C” zone had been revised to incorporate the development restrictions for the sub-zones. It was proposed to add separate Notes for the proposed “OU(Building with Historical and Architectural Interests Preserved for

Commercial, Cultural and/or Community Uses)” and “OU (Building with Architectural Merits Preserved for Hotel Use)” covering CM and MB respectively.

[Ms. Olga Lam left the meeting temporarily at this point.]

35. Noting that ‘eating place’, ‘exhibition or convention hall’ and ‘school’ were proposed under column 1 of the “OU” annotated “Building with Historical and Architectural Interests Preserved for Commercial, Cultural and/or Community Uses” zone, Mr. H.L. Cheng opined that these uses should be placed under column 2 of the user schedule requiring permission from the Board in view of their potential to generate large amount of people and vehicular traffic. Mr. Brenda K.Y. Au, DPO/HK explained that the intention of the OU zone was to provide a resting place for the working population of Central District, although tourists and nearby residents would also be benefited. ‘Eating Place’ including restaurant use was in line with this planning intention and was suitable to be placed under column 1 of the user schedule. For ‘exhibition or convention hall’ and ‘school’, no large scale exhibition or school development would be expected in the CM. The inclusion of these uses in the column 1 of the Notes would provide flexibility for small scale exhibition in the courtyard and small scale schools providing lessons for interests/hobbies. The Chairperson supplemented that in the previous consideration of a s.12A application regarding the CM site proposing all uses requiring planning permission from the Board, Members at that time had considered that some commercial uses should be placed under column 1 of the Notes to provide flexibility and enhance the vibrancy of the CM site. The GFA of CM site had been fixed and no large development within the CM site generating large amount of traffic would be expected. Mr. H.L. Cheng further asked the difference between ‘education institution’ and ‘school’. Ms. Au clarified that ‘educational institution’ usually referred to tertiary education institution while school providing lessons for interests/hobbies would fall under ‘school’. The inclusion of ‘educational institution’ in the Notes of this “OU” zone would provide flexibility for some tertiary education institutions to provide part-time courses at the site.

36. Mr. H.L. Cheng said TD was conducting a review of the car parking spaces in Admiralty and Central areas. He suggested to stipulate in the Notes for “C(1)” that the minimum 800 public car parking spaces for Cheung Kong Center should be subject to further review. Ms. Au responded that the minimum 800 public car parking spaces were provided

according to the previously approved planning application and was stipulated in the lease. Stipulation of this number in the Notes would ensure a minimum number of car parking spaces provided in the development.

37. A Member considered and the meeting generally agreed that any review of car parking spaces in the area should take the existing traffic condition of Cheung Kong Center into consideration.

#### Deliberation Session

38. After further deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Central District OZP No. S/H4/12 and that the draft Central District OZP No. S/H4/12A at Attachment I (to be renumbered to S/H4/13 upon gazetting) and its Notes at Attachment II of the Paper were suitable for exhibition for public inspection under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment III of the Paper as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the OZP and agree that the revised ES was suitable for exhibition together with the OZP and its Notes under the name of the Board.

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

**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/H1/91                      Proposed Residential Institution (Post-Graduate Residence)  
in “Residential (Group C) 1” zone and area shown as ‘Road’,  
10 Ching Lin Terrace, Kennedy Town  
(MPC Paper No. A/H1/91)

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39.            The Secretary reported that the application was submitted by the University of Hong Kong (HKU). Mr. K. Y. Leung, Professor S.C. Wong and Professor Joseph Lee had declared interests in this item as they were being employed by HKU. Professor Lee had already tendered apologies for being unable to attend the meeting. As the applicant had requested for a deferment of consideration of the application, the Committee agreed that Mr. Leung and Professor Wong could stay in the meeting.

40.            The Committee noted that the applicant’s representative requested on 8.6.2010 for deferment of the consideration of the application for two months in order to allow time to resolve comments from the Buildings Department.

41.            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.

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

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

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H1/92                      Proposed Hotel in “Residential (Group A)” zone,  
   No. 10-12 Yat Fu Lane, Shek Tong Tsui  
   (MPC Paper No. A/H1/92)

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42.                      The Secretary reported that S.K. Pang Surveyors & Co. Ltd. (SKP) was the consultant of the applicant and Ms. Olga Lam being the spouse of the Director of SKP had declared interests in this item. The Committee noted that she had already left the meeting temporarily.

43.                      Mr. Felix Fong being a Member of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) had declared interests in this item as a petition regarding the subject application was submitted by the Central & Western Branch of DAB. As Mr. Fong’s interest was direct, the Committee agreed that he should leave the meeting temporarily.

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

44.                      The Committee noted two petitions was received before the meeting. They were submitted by the Belcher’s Area Promotion Association and the Central & Western Branch of DAB, objecting to the subject application. The two petitions were tabled at the meeting.

[Mr. C.W. Tse returned to join the meeting at this point.]

**Presentation and Question Sessions**

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

- (a) background to the application highlighting that the site was small in size (171.3m<sup>2</sup>) and triangular in shape. A strip of land in the northern portion of

the site (12.635m<sup>2</sup>) was required to be surrendered to the Government for road improvement works. The site was adjacent to The Belcher's and located on a narrow, one-way street (Yat Fu Lane) which was 4.7 to 6.2m wide. A set of building plans for residential development up to 26 storeys for the site was approved on 19.2.2009;

- (b) there were 12 similar applications for hotel developments concerning 8 sites within the "Residential (Group A)" ("R(A)") zone of the OZP. Out of these, 11 applications concerning 8 sites were approved with conditions and 1 was rejected. As regards the approved applications, 3 of them concerning 2 sites had been developed into new hotels, another 3 applications concerning 2 sites had construction works for hotel in progress and the remaining 5 applications concerning 4 sites were developed or being developed for residential use. The PR of these approved applications were 12 or below, except for three cases concerning two sites, namely Hotel Jen (A/H1/35) and 12-22 Davis Street (A/H1/77 and A/H1/78), which had a PR of 15 and were approved back in 1995, 2005 and 2006 respectively;
- (c) the applicant applied for a proposed 29-storey hotel with a plot ratio of 15 and 50 guest rooms at the subject site;
- (d) departmental comments – the Commissioner of Police (C of P) had reservation on the application as Yat Fu Lane was a narrow back street. All vehicles would be required to take a three-point turn or even four-point turn for reversing at the end of the street, causing adverse traffic impact. The Commissioner for Transport (C for T) had no objection from traffic engineering viewpoint but considered that traffic management measures such as no-stopping restriction zone might need to be implemented. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that there was room for implementation of landscape planting at street level and flat roofs. A condition for the submission and implementation of a landscape proposal should be imposed. No objection or adverse comments from other concerned Government

departments were received;

- (e) during the statutory public inspection period, 318 objections, including 5 from the Central and Western District Council (C&WDC) members, 1 from the Belcher's Area Promotion Association, 1 from Designing Hong Kong Limited, 5 from the owners' corporations (OCs) and property management office of Fu Ga Building, Kwok Ga Building and The Belcher's, and 306 objections from local residents, were received. Out of the 318 objections, 230 were in the form of 3 different standard letters. The major reasons of objection included incompatibility of the hotel at a PR of 15 with the surrounding residential development; adverse traffic, pedestrian safety and air ventilation impacts; adverse traffic impact to the narrow one-way Yat Fu Lane; impact on the local residents caused by the hotel operation; security and safety problems; adverse impact on the Tak On Nursing Centre and hence the health of the elderly; noise nuisances and glare pollution; blocking the views of the nearby buildings and generate adverse impacts on sun light penetration, environmental hygiene and sewerage system;
- (f) District Officer (Central & Western) advised that the C&WDC showed great concern on the proposed hotel development. A paper relating to this proposed development was scheduled for discussion at the DC meeting on 8.7.2010. The Board was advised to take into account the views of the DC before making a decision on the application; and
- (g) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 10 of the Paper. Since mid-2007, except 4 hotel applications which either involved amendments to a previously approved scheme or in-situ conversion of existing commercial/office buildings to hotels, no proposed hotel development within "R(A)" zone with a PR of 15 had been approved on Hong Kong Island mainly for the reason that such development was not compatible with the adjoining residential developments in terms of building bulk and development intensity. It had been the Board's practice to



approve hotel applications in “R(A)” zone up to a PR of 12 as the development intensity was considered more compatible with residential developments where a PR of 8 to 10 was generally permitted. The proposed development intensity (PR 15) was significantly higher than that of the surrounding areas with an existing PR ranging from about 4 to 11. Yat Fu Lane was a narrow one-way back street. As pointed out by C of P who had reservation on the application, three-point turn or even four-point turn of vehicles for reversing at the end of the street would generate adverse traffic impact and might cause hazards to the pedestrians. Although C for T had no in-principle objection to the application, he advised that the Government might need to implement traffic management measures such as no stopping restriction zones at Yat Fu Lane as necessary. Approval of the application would set an undesirable precedent for similar hotel developments within the district, the cumulative effect of which would adversely affect the general amenity in the area. There were public concerns on grounds including development intensity and traffic impacts of the proposed development.

46. Members had no question on the application.

#### Deliberation Session

47. In response to a Member’s enquiry, Mr. C.M. Li responded that the building plans approved in September 2009 was for a residential development with 26 storeys up to 78mPD. The subject planning application would have no implication on the approved building plans and the residential development could be implemented on the subject site in accordance with the building plans as residential development was permitted as of right under the “R(A)” zoning.

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

- (a) the proposed hotel development, with a plot ratio of 15, was considered excessive and incompatible with the surrounding developments in terms of

development intensity;

- (b) the proposed development would generate adverse traffic impact in the area;  
and
- (c) the approval of the application would set an undesirable precedent for similar hotel developments, the cumulative effect of which would adversely affect the general amenity in the area.

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

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

[Professor S.C. Wong left the meeting temporarily at this point.]

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/166            Temporary Shop and Services (Money Exchange) for a Period of 3 Years  
in "Other Specified Uses" annotated "Business" zone,  
Workshop 2B, G/F, Cheung Tat Centre, 18 Cheung Lee Street, Chai Wan  
(MPC Paper No. A/H20/166)

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

49.            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 highlighting that the application premises was the subject of a previous planning application (No. A/H20/106) for a

proposed fast food shop, which was submitted when the site was zoned “Industrial” (“I”) on the Chai Wan OZP. It was approved by the Committee of the Board on 27.10.2000 with condition. The Committee had considered 11 similar applications for ‘Shop and Services’ use on the G/F of the subject industrial building, of which 10 were approved and 1 was rejected for fire safety reason;

- (b) the proposed temporary shop and services (money exchange) for a period of 3 years;
- (c) departmental comments – no objection or adverse comments from concerned Government departments were received;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Eastern); 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 development was in line with the planning intention of the “Other Specified Use (Business)” (“OU(B)”) zone which was to allow greater flexibility in the use of existing industrial buildings for both commercial and clean industrial use. The money exchange shop was considered not incompatible with the uses in the same building, which mainly include workshops, offices and non-polluting industrial uses, and with the surrounding developments comprising workshops, retail shops and eating places of the nearby industrial buildings. It complied with the Town Planning Board Guidelines for Development within “OU(B)” 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 area. Relevant Government departments including Fire Services Department, Transport Department and Buildings Department had no objection to or adverse comments on the application.

50. Members had no question on the application.

Deliberation Session

51. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 25.6.2013, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape separated from the industrial portion and fire service installations in the subject premises within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 25.12.2010; 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.

52. The Committee also agreed to advise the applicant :

- (a) that prior planning permission should have been obtained before commencing the applied use at the application premises;
- (b) to apply to the District Lands Officer/Hong Kong East, Lands Department for a temporary waiver;
- (c) to note the comments of Chief Building Surveyor/Hong Kong East and Heritage Unit, Buildings Department regarding building plan submission for any building works in connection with the use under application for approval under the Buildings Ordinance; and
- (d) to note the comments of Director of Fire Services regarding the compliance with the requirements as stipulated in Code of Practice for Fire Resisting Construction administered by the Buildings Department.

[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.]

**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/H5/388                      Proposed Office/Commercial in "Residential (Group A)" zone,  
Regal Court, 12-18 Wing Fung Street,  
Wan Chai and the rear Government lane  
(MPC Paper No. A/H5/388)

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53.            The Committee noted that the application involved Swire Properties Limited (Swire). Mr. Raymond Chan who had current business dealings with Swire had declared an interest in this item. The Committee noted that Mr. Chan had already left the meeting.

54.            The Committee noted that the applicant's representative requested on 8.6.2010 for deferment of the consideration of the application for two months in order to allow time to address departmental comments.

55.            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 10**

**Section 16 Application**

[Open Meeting]

A/H19/63                      Proposed Minor Relaxation of Site Coverage to a Maximum of 33%  
for Permitted House Development in “Residential (Group C)” zone,  
2 Cape Drive, Chung Hom Kok  
(MPC Paper No. A/H19/63)

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56.                      The Committee noted that the applicant’s representative requested on 15.6.2010 for deferment of the consideration of the application for two months in order to allow time to address departmental comments.

57.                      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.

[Professor S.C. Wong returned to join 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 11**

[Open Meeting]

Proposed Amendments to the  
Approved Stonecutters Island Outline Zoning Plan No. S/SC/8  
(MPC Paper No. 13/10)

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58. The Secretary reported that as the proposed amendments were related to Environmental Protection Department (EPD)'s proposed underground biological treatment plant at Stonecutters Island, Mr. C.W. Tse, being the Assistant Director of EPD, had declared interests in this item. The Committee agreed that Mr. Tse should leave the meeting temporarily.

[Mr. C.W. Tse left the meeting temporarily at this point.]

**Presentation and Question Sessions**

59. Mr. P.C. Mok, STP/TWK, presented the proposed amendments to the approved Stonecutters Island Outline Zoning Plan (OZP) as detailed in the Paper as follows:

**Background**

- (a) Harbour Area Treatment Scheme (HATS) which was an overall sewage collection and treatment scheme serving the areas on both sides of Victoria Harbour was implemented in 2 Stages. Under HATS Stage 1, sewage from Kowloon and part of Hong Kong Island was conveyed to the existing Stonecutters Island Sewage Treatment Works (SCISTW) for chemically-enhanced primary treatment. HATS Stage 1 had been put into full operation in 2001. HATS Stage 2A, which was at design/construction stage for completion in 2014, involved conveying the rest of the sewage from the northern and southwestern parts of Hong Kong Island to SCISTW for treatment, where the existing chemical treatment facilities would be expanded and new disinfection facilities would be added. HATS Stage 2B comprised the upgrading of sewage treatment level to secondary

treatment, which involved a biological process to remove dissolved organic matter from sewage, thereby further reducing pollution levels of the harbour. The implementation timing of HATS Stage 2B would be subject to review by EPD in 2010/11;

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

- (b) on 25.9.2009, EPD submitted a s.12A application (No. Y/SC/1) to facilitate land reservation for the development of a proposed underground Biological Treatment Plant (BTP) in relation to the HATS Stage 2B at a site bounded by Mei Ching Road, West Kowloon Highway, Hing Wah Street West and Container Port Road South on Stonecutters Island (the Site). There was an indicative Master Concept Plan proposed by EPD under Application No. Y/SC/1 for the Site;
- (c) on 18.12.2009, the Committee partially agreed to Application No. Y/SC/1 by rezoning the Site from “OU(Container Related Uses)” and “OU(PFS)” to “OU(Container Related Uses and Underground Sewage Treatment Works with Ancillary Above Ground Facilities)” and from “OU(Container Related Uses)” to “OU(PFS)” to facilitate the development of the proposed underground BTP, and from “OU(Container Related Uses)” to “Government, Institution or Community” (“G/IC”) to facilitate the development of the proposed ESS. During the discussion of the s.12A application, Members raised concern on the visual impact and massing of the above ground developments and opined that there should be proper control on the development intensity and built form of the above ground structures with a view to minimizing their visual impact to the surrounding residential areas;

Proposed amendments to the OZP

- (d) against this background, it was proposed to rezone a major portion of the Site (about 210,562m<sup>2</sup>) from “OU(Container Related Uses)” and “OU(PFS)” to “OU(Container Related Uses and Underground Sewage



Treatment Works with Ancillary Above Ground Facilities)” to facilitate the proposed underground BTP and its ancillary above ground facilities in addition to the original planning intention of the Site for container related uses;

- (e) a small portion of the Site would be rezoned from “OU(Container Related Uses)” to “OU(PFS)” (about 1,817m<sup>2</sup>) to relocate the affected PFS northwards;
- (f) another small portion of the Site would be rezoned from “OU(Container Related Uses)” to “G/IC” (about 2,316m<sup>2</sup>) to facilitate the development of a proposed ESS to serve both HATS Stages 2A and 2B;

Proposed amendments to the Notes

- (g) to address the previous concerns of the Committee, apart from incorporating a new set of Notes for the new “OU (Container Related Uses and Underground Sewage Treatment Works with Ancillary Above Ground Facilities)” zone, a maximum GFA of 12,600m<sup>2</sup> and a maximum building height of 30mPD for the ancillary above ground facilities of the BTP, as well as a maximum GFA of 253,450m<sup>2</sup> and a maximum building height of 40mPD for other above ground developments at the new “OU” zone based on the development parameters in EPD’s indicative Master Concept Plan under Application No. Y/SC/1 would be specified. Moreover, a maximum site coverage of 50% would be stipulated in the Notes to provide further control on the built form and massing of all the above ground structures at the subject “OU” zone, while allowing certain design flexibility;
- (h) minor relaxation on the maximum plot ratio/GFA/site coverage/building height was also incorporated into the Remarks in the Notes of the new “OU(Container Related Uses and Underground Sewage Treatment Works with Ancillary Above Ground Facilities)” zone and “Industrial” (“I”) zone in order to be consistent with the provisions incorporated in other OZPs;

- (i) opportunity was also taken to make technical amendments to the Notes as detailed in paragraph 5.4 (i) to (iv) of the Paper;

Proposed amendments to the Explanatory Statement (ES)

- (j) the ES of the OZP had been revised to take into account the proposed amendments to the Plan and the Notes. Opportunity had also been taken to update the general information to reflect the latest planning circumstances of the area;

Departmental comments

- (k) relevant Government bureaux/ departments had no objection to or adverse comment on the proposed amendments; and

Public consultation

- (l) EPD had consulted the Sham Shui Po and Kwai Tsing District Councils (DCs) on the proposed BTP and amendments to the OZP on 29.5.2009 and 16.6.2009 respectively before the submission of Application No. Y/SC/1. No major adverse comment was received from the DC Members. The Sham Shui Po and Kwai Tsing DCs would be consulted on the amendments before or during the exhibition period of the draft Stonecutters Island OZP No. S/SC/9 depending on the meeting schedule of the DCs.

60. Ms. Olga Lam said the proposed GFA for container related uses was equivalent to a PR of 1.76 which was much lower than other sites for container uses. As EPD was conducting a study including traffic assessment to review if the PR could be increased, the stipulation of maximum GFA for container related uses might restrict the potential for increase in GFA in future. Mr. P.C. Mok replied that the GFA of 253,450m<sup>2</sup> for uses other than BTP was derived based on a 'traffic budget approach', i.e. maximum development intensity for container related uses that could be sustained by the existing and planned traffic network in the area. TD had advised that the traffic network could not cater for more development unless more traffic facilities could be provided. Although EPD's consultant

would conduct more in-depth traffic study, the results were yet to be available. According to the latest information, the proposed GFA would be the maximum that the road network could support. The Chairperson added that whether the proposed GFA could be increased would depend on additional traffic facilities or measure to be provided in future. The Committee's previous concerns would not be addressed if no GFA were stipulated in the Notes.

61. Ms. Lam noted the purpose of the previous study undertaken by EPD's consultant was to demonstrate the potential uses at the site rather than the maximum GFA that could be supported at the site. Mr. Mok responded that a traffic approach had been adopted to derive the currently proposed maximum GFA at the site. The same traffic approach had been adopted for a land-sale site to the north of the site. A traffic impact assessment had been conducted to derive the PR for the land-sale site which had consumed much of the traffic capacity in the area. The Vice-Chairman supported the adoption of a traffic approach to determine the maximum GFA of the site as it would provide a sound basis to counter any challenge on the development intensity. The Chairperson added that there was traffic concern raised by the local people when the rezoning request was considered by the Committee. It was considered prudent to determine the maximum GFA using a traffic approach which was agreed by TD and was in line with the Board's practice. The GFA could be further reviewed when justifications for any proposed relaxation was available.

62. Ms. Lam asked the way forward if there was new assessment available to justify a higher development intensity. The Secretary responded that the development intensity could be adjusted either through an application for minor relaxation or a zoning amendment to the OZP.

63. A Member asked how flexible the permissible GFA could be distributed within the "OU" site. Mr. Mok replied that EPD's Master Concept Plan only demonstrated the conceptual feasibility of the development. The actual distribution of GFA would be determined at the land grant stage. Flexibility was allowed as the total GFA permissible applied to the whole site.

64. Another Member suggested that the development of the site should make reference to Building Environmental Assessment Method (Beam) Plus standard that was promoted by the Hong Kong Green Building Council. The Chairperson said such advice

could be forward to EPD for reference.

### Deliberation Session

65. After further deliberation, the Committee decided to :
- (a) agree to the proposed amendments to the approved Stonecutters Island OZP No. S/SC/8 and that the draft Stonecutters Island OZP No. S/SC/8A at Attachment II(A) (to be renumbered to S/SC/9 upon gazetting) and its Notes at Attachment II(B) of the Paper were suitable for exhibition for public inspection under section 5 of the Ordinance; and
  - (b) adopt the revised Explanatory Statement (ES) at Attachment II(C) of the Paper as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the OZP and agree that the revised ES was suitable for exhibition together with the OZP and its Notes under the name of the Board.

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

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

### Agenda Item 12

#### Section 16 Application

[Open Meeting]

A/KC/356                      Public Utility Installation (Electricity Package Substation)  
in "Green Belt" zone,  
Government Land in D.D. 455, Shing Mun Road, Kwai Chung  
(MPC Paper No. A/KC/356)

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66. The Committee noted that the applicant requested on 8.6.2010 for deferment of

the consideration of the application for two months in order to allow time to address the issues caused by certain unexpected technical constraints inherent with the location of the application site.

67. 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. C.W. Tse returned to join the meeting at this point.]

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting]

A/K3/525                      Proposed Hotel in “Residential (Group A)” zone,  
Nos. 58-66 Boundary Street, Mong Kok  
(MPC Paper No. A/K3/525)

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68. The Committee noted that the applicant requested on 10.6.2010 for deferment of the consideration of the application for one month in order to allow time to resolve comments from Transport Department.

69. 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.

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

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/526                      Proposed Residential-cum-Hotel Development  
in “Residential (Group A)” zone and an area shown as ‘Road’,  
Nos. 1 - 21 Dundas Street, Kowloon  
(KML No. 51 s.A ss1, s.A ss2, s.A ss3, s.A ss4, s.A ss5, s.A ss6,  
s.A RP, s.B ss1, s.B ss2, s.B ss3 and s.B RP)  
(MPC Paper No. A/K3/526)

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**Presentation and Question Sessions**

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

- (a) background to the application highlighting that there were 2 previous applications (Nos. A/K3/519 and A/K3/520) for the same proposed residential-cum-hotel development at the site. Application No. A/K3/519 with a deck over the area shown as ‘Road’ on the OZP and a building height of 129.87m (33 storeys) was rejected by the Metro Planning Committee (the Committee) on 6.11.2009. Application No. A/K3/520 was similar to the development scheme under application but with a building height of 116.72m (33 storeys). The application was subsequently withdrawn by the applicant on 30.4.2010;
- (b) the proposed 31-storey residential-cum-hotel development with dedication of an area of 3.125m<sup>2</sup> at the south-eastern corner of the site for corner splay, and surrendering to the Government an area of 269.055 m<sup>2</sup> at the eastern

side of the Site (Nos. 17-21 Dundas Street) for public road use in return for a bonus plot ratio of about 1.382;

- (c) departmental comments – there were no objection/adverse comments from concerned Government departments including Transport Department (TD) and Highways Department. Director of Leisure and Cultural Services Department (DLCS) had reservation on the application as part of existing Tak Cheong Street Playground would have to be demolished without compensation as a result of the extension of Kam Fong Street. Details of the road extension including benefits of the proposal, possible consequences if the proposal did not proceed as proposed, as well as the compensatory arrangement should be brought to the Yau Tsim Mong District Council for endorsement. Local views were also essential. Subject to the views of the Yau Tsim Mng District Council, he would critically consider the Kam Fong Street extension proposal;
- (d) District Officer (Yau Tsim Mong) (DO(YTM)) advised that the Chairman of Yau Tsim Mong East Area Committee had no comment on the application, while the District Council member of Charming Constituency (also the Chairman of Yau Tsim Mong District Council) raised objection to the application. He objected to the application as the proposed Dundas Street was an important access to a number of commercial/ residential development in West Kowloon. Allowing an egress at Dundas Street would pose danger to the pedestrians. Two public comments were received during the statutory publication period. One commenter was the Chairman of the Yau Tsim Mong District Council. His comments were the same as those conveyed by DO/YTM. The other commenter objected to the application for including the ‘Road’ area into the development. He also raised concerns on the possible adverse impact on air ventilation and traffic capacity in the 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 proposed residential-cum-hotel development was not incompatible

with the surrounding land uses which were predominantly commercial/residential developments with the lower floors for commercial uses. When compared with the previous application (No. A/K3/519) rejected by the Committee on 6.11.2009, the current proposal to surrender an area of about 269m<sup>2</sup> for future extension of Kam Fong Street instead of decking over the area in the previous application was more in line with the planning intention to extend Kam Fong Street to become a continuous thoroughfare connecting Soy Street and Dundas Street. The road extension was in line with the land use zoning and planning intention as shown on the OZP. Regarding DLCS's comments on the implications of road extension to the existing Tak Cheong Street Playground, the area to be affected was about 84m<sup>2</sup> and concerned departments would work out the detailed arrangement of the road extension works in consultation with Yau Tsim Mong District Council in the implementation of Kam Fong Street extension. As advised by the Commissioner for Transport, the surrender of part of the application site (Nos. 17-21 Dundas Street) for public road use and dedication of areas for corner splay in return for bonus plot ratio would have benefits to traffic and road safety. The proposed bonus plot ratio of 1.382 was considered acceptable from district planning point of view subject to its acceptance by the Building Authority. The applicant had made an effort to lower the building height from the originally proposed 133.15mPD to 110.9mPD to address the concerns on the possible adverse visual impact and air ventilation impact. The proposed widening of pavement along Dundas Street would enable better pedestrian movement and bring opportunities for improving the streetscape with more roadside tree planting. On the public comments on the inclusion of the 'Road' area into the development, it should be noted that the area concerned was shown as 'Road' on the OZP for the provision of a thoroughfare at Kam Fong Street connecting Soy Street and Dundas Street. The proposed development would only be carried out on areas within the "R(A)" zone. The proposed ingress and egress points and other traffic arrangement for the proposed development were also considered acceptable by TD. In response to the public comments received, TD also advised that the extension of Kam Fong Street and the surrender of parts of the application site for footpath



widening of Dundas Street would enhance road safety and improve local traffic.

71. A Member asked if there was a need to extend Kam Fong Street. Mr. C.K. Soh replied that the extension of Kam Fong Street was the planning intention shown on the OZP with TD's support. As the resumption of private land for implementation of a public road involved complicated procedures, it was a good opportunity to implement the road extension as the land owner was willing to surrender the land.

#### Deliberation Session

72. 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 25.6.2014, 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 development should not exceed a total building height of 110.9mPD as proposed by the applicant;
- (b) the surrender of the section of Kam Fong Street extension as proposed by the applicant to the satisfaction of the Director of Lands or of the TPB before the occupation of the proposed development;
- (c) the design and formation of the section of Kam Fong Street extension, as proposed by the applicant, to the satisfaction of the Director of Highways or of the TPB;
- (d) 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;
- (e) the design and implementation of the proposed street widening scheme at Dundas Street to the satisfaction of the Director of Highways or of the TPB;

- (f) the implementation of necessary sewerage upgrading/sewerage connection works as proposed in the submitted Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (g) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (h) the design and provision of car and motorcycle parking spaces, loading/unloading bays and taxi lay-bys within the proposed development and vehicular access point to the application site to the satisfaction of the Commissioner for Transport or of the TPB.

73. The Committee also agreed to advise the applicant of the following :

- (a) the approval of the application did not imply that the non-domestic plot ratio of the proposed hotel development, the proposed gross floor area exemption for back-of-house facilities and bonus site coverage and plot ratio in return for dedication/surrender of land for road use/corner splay would be granted by the Building Authority. 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 and bonus plot ratio, were not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the Board would be required;
- (b) to note District Lands Officer/Kowloon West, Lands Department's comments and to apply to him for the removal of the non-offensive trade restrictions under the lease to permit the proposed hotel use;
- (c) to note Chief Officer/Licensing Authority, Home Affairs Department's comment and to consult him on the licensing requirements for the proposed hotel;

- (d) to note Commissioner for Transport, Transport Department's comment that the management and maintenance of the land for the possible extension scheme of Kam Fong Street should remain with the land owner before it was surrendered to the Government, and that this land parcel should be formed as a section of private road by the applicant/land owner for the need of establishment of a vehicular ingress for the proposed development, and to be formed to Government standards before surrendering to the Government;
  
- (e) to note the following comments from Chief Town Planner/Urban Design and Landscape, Planning Department in preparing the landscape proposal for the development :
  - (i) in order to improve the streetscape, in-ground tree planting within the northern boundary was strongly recommended. Adequate setback of the development from the site boundary at Dundas Street and Ferry Street should be investigated to allow for space of street tree planting;
  
  - (ii) opportunities for roof greening and vertical greening should be explored; and
  
  - (iii) if the Refuge Floor would serve as a sky garden, sufficient soil depth and structure loading should be allowed for landscape planting.

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

[Mr. Lam Sai Hung, Chief Engineer/Railway Development of Highways Department (CE/RD, HyD), Mr. Li Kin Tung, Senior Engineer/Guangzhou-Shenzhen-Hong Kong Express Rail Link of Highways Department (SE/XRL, HyD), Mr. Tang Wai Leung, Chief Engineer/Priority Railway of Transport Department (CE/PR, TD), and Mr. Luk Wing Cheong,

Senior Engineer/Priority Railway of Transport Department, (SE/PR, TD), were invited to the meeting at this point.]

### **Agenda Item 15**

[Open Meeting]

Pedestrian Connectivity between the West Kowloon Terminus and  
Public Transport Interchange of the  
Guangzhou – Shenzhen – Hong Kong Express Rail Link and Peripheral Areas  
(MPC Paper No. 16/10)

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74. As the subject item related to the Express Rail Link (XRL) and Mr. H.L. Cheng, being an assistant to the Commissioner for Transport who was a Non-executive Director of Mass Transit Railway Corporation Ltd. (MTRCL) had declared interests in this item. As it was an information paper, the Committee agreed that Mr. Cheng could stay in the meeting.

### **Presentation and Question Sessions**

75. With the aid of a powerpoint, Mr. Tang Wai Leung, CE/PR, TD, presented the proposed pedestrian connectivity between West Kowloon Terminus (WKT) and the Public Transport Interchange (PTI) of the XRL as detailed in the Paper as follows:

- (a) on 19.3.2010, the Committee considered an application seeking permission for an integrated development of public open space, PTI, public vehicle park for coach and motorcycle, public toilet and Mass Transit Railway vent shaft, emergency assembly area and other railway-related facilities associated with the XRL project at a site to the north of the WKT of the XRL (the Site) and decided to approve the application with conditions. During the deliberation session, Members expressed concern on the issue of pedestrian connectivity between the Site, the WKT of the XRL and the surrounding areas (particularly with Yau Ma Tei and Jordan). The Committee agreed that the Highways Department should be invited to brief Members on this matter. Therefore, a presentation was arranged in this meeting;

- (b) in addition to the existing system of footbridge/subway/at-grade crossing serving the concerned sites, there would be seven footbridges and two subways to connect WKT with the surrounding areas. They include:
  - (FB1) WKT and the southeast corner of Elements;
  - (FB2) WKT and the east part of Elements;
  - (FB3) WKT and the northeast corner of Elements;
  - (FB4) WKT and PTI at north of Austin Station (AUS);
  - (FB5) WKT and the north of AUS;
  - (FB6) WKT and the south of AUS;
  - (FB7) PTI and Man Cheong Buildings etc.;
  - (S1) WKT and AUS; and
  - (S2) WKT and Kowloon Station (KOW)
  
- (c) there would be footpath extension at street level and associated signalised crossing facilities to connect WKT / PTI with the surrounding area, particularly the built-up areas in the vicinity; and
  
- (d) the PTI to north of WKT would be covered by a landscaped deck with walkway facilities connecting the nearby public open spaces and the buildings around Man Cheong Street to the East. Footbridges would connect the PTI to WKT. Moreover, footpath extension would be provided along Hoi Wang Road (at works site of Central Kowloon Route) to connect the older neighbourhood to the northeast of the Site with signalised pedestrian crossings. Lifts would be provided such as the one at the junction of Hoi Wang Road and Yan Cheung Road to enable barrier-free access to the deck of the PTI connecting the WKT.

76. The Chairperson asked whether the width of the footbridges and subway had been finalized. Mr. Lam Sai Hung, CE/RD, HyD, responded that the relevant width of pedestrian facilities was yet to be decided as the pedestrian flow had to be considered. In response to the Chairperson's further question, Mr. Lam replied that the Committee's previous concern on the width of pedestrian facilities to facilitate people carrying luggage would be taken into account in the design of the pedestrian facilities.

77. A Member asked whether the footbridges and subway systems were designed with barrier-free access which would enable access by the disabled. Mr. Lam replied that lifts would be provided at the northern, central and southern part of the pedestrian system of the PTI to enable barrier-free access.

78. Noting that WKT would be the gateway of Hong Kong, the Chairperson asked whether the appearance of the footbridges would match with the station design of the WKT. Mr. Lam responded that MTRCL would be advised to take into account the characteristics of the surrounding areas in the design of WKT and its associated footbridge/subway system. Moreover, all the design would be submitted to the Advisory Committee on the Appearance of Bridges and Associated Structures for consideration.

79. A Member asked if there was information regarding the location of bicycle parking and car park. Mr. Lam responded that information on details of the internal layout of the development had been provided last time when the Committee considered the application. The current presentation mainly focused on the connections of the application site with the surrounding areas with a view to addressing the previous concern of the Committee on pedestrian connectivity of the WKT of XRL.

#### Deliberation Session

80. After further deliberation, the Committee noted the proposed pedestrian connectivity of the WKT and PTI of XRL with the surrounding areas as presented and detailed in the Paper.

[The Chairperson thanked Mr. C.K. Soh, STP/TWK, Mr. Lam Sai Hung, CE/RD, HyD, Mr. Li Kin Tung, SE/XRL, HyD, Mr. Tang Wai Leung, CE/PR, TD, and Mr. Luk Wing Cheong, SE/PR, TD, for their attendance to answer Members' enquiries. They left the meeting at this point.]

#### Kowloon District

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

[Ms. Julia Lau and Mr. Roger Luk left the meeting temporarily at this point.]

**Agenda Item 16**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/614            Proposed Shop and Services (Showroom)  
in “Other Specified Uses” annotated “Business” zone,  
Unit N (including Store Room), G/F, Everest Industrial Centre,  
396 Kwun Tong Road, Kwun Tong  
(MPC Paper No. A/K14/614)

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**Presentation and Question Sessions**

81.            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 – no objection/adverse comments from concerned Government departments were received;
- (d) two public comments expressing support/no objection to the application were received during the statutory publication period. One of the commenters considered that the applicant should ensure the provision of fire safety installations and means of escape to the satisfaction of the relevant Government departments and no local objection was received by the District Officer (Kwun Tong); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed shop and services (showroom) use at the application premises was considered generally in line with the planning intention of the “Other Specified Use (Business)” (“OU(Business)”) zone which was intended for general business uses and to allow 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 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. Relevant Government departments consulted including Fire Services Department, Buildings Department and Transport Department had no in-principle objection to the application.

82. Members had no question on the application.

#### Deliberation Session

83. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.6.2012, 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.



84. The Committee also agreed to advise the applicant of the following :
- (a) apply to the District Lands Officer/Kowloon East for lease modification or temporary waiver for the proposed shop and services (showroom) use at the subject premises;
  - (b) appoint an Authorized Person to submit building plans for the proposed change of use to demonstrate compliance with the Buildings Ordinance; and
  - (c) note the Director of Fire Services's comment that the proposed showroom use should be used in connection with the main industrial use.

[Mr. Roger Luk returned to join the meeting at this point.]

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/615            Proposed Shop and Services  
                          in "Other Specified Uses" annotated "Business" zone,  
                          Shop No. 1-B, G/F, Century Centre, 44-46 Hung To Road, Kwun Tong  
                          (MPC Paper No. A/K14/615)

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**Presentation and Question Sessions**

85. 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 highlighting that the premises was currently used as a convenient store selling Japanese products;

- (b) the proposed shop and services use;
- (c) departmental comments – no objection/adverse comments from concerned Government departments were received;
- (d) two public comments expressing support/no objection to the application were received during the statutory publication period. One of the commenters considered that the applicant should ensure the provision of fire safety installations and means of escape to the satisfaction of the relevant Government departments and no local objection was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed shop and services use at the application premises was considered generally in line with the planning intention of the “Other Specified Use (Business)” (“OU(Business)”) zone which was intended for general business uses and to allow 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 use at the application premises 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. Relevant Government departments consulted including Fire Services Department, Buildings Department and Transport Department had no in-principle objection to the application.

86. Members had no question on the application.

#### Deliberation Session

87. After deliberation, the Committee decided to approve the application, on the

terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- (a) the submission and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the subject premises, within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 25.12.2010; 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.

88. The Committee also agreed to advise the applicant of the following :

- (a) planning permission should have been renewed before continuing the applied use at the application premises;
- (b) to apply to the District Lands Officer/Kowloon East for lease modification or temporary waiver for the shop and services use at the subject premises;
- (c) to comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by Buildings Department; and
- (d) to appoint an Authorized Person to submit building plans for the change of use/alteration works to demonstrate compliance with the Buildings Ordinance, in particular, (i) provision of 2-hour fire resisting separation wall between the application premises and the remaining portion of existing workshop on the ground floor in accordance with paragraph 8.1 of the Code of Practice for Fire Resisting Construction 1996 and Building (Construction) Regulation 90; and (ii) provision of access and facilities for the persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008.

[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. Julia Lau returned to join the meeting at this point.]

[Miss Annie K.W. To, STP/K, was invited to the meeting at this point.]

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K8/41                      Proposed Religious Institution (Church)  
                                    in "Residential (Group A)" zone,  
                                    Level 3, 4 and 5 (Roof) of the Commercial Complex,  
                                    Tsui Chuk Garden, 8 Chui Chuk Street, Wang Tau Hom  
                                    (MPC Paper No. A/K8/41)

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

89.           Miss Annie K.W. To, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application highlighting that the premises was currently vacant and was previously occupied by a kindergarten which ceased operation in 2004;
- (b) the religious institution (church) with no change in the gross floor area (GFA) of the application premises (i.e. 767.8m<sup>2</sup>) for the proposed conversion from kindergarten to church use. The application premises would mainly be used for religious services on Friday evenings, Saturday afternoons and Sunday mornings with a maximum of 180 to 200 visitors while only 6 to 8 visitors were anticipated during the other weekdays;

- (c) departmental comments –Commissioner for Transport (C for T) advised that the proposal would not significantly affect the traffic conditions from the traffic point of view as compared to the approved use for kindergarten. Secretary for Education (S for E) considered that there would be sufficient school places at kindergarten level in Wong Tai Sin District. Other concerned Government departments had no objection/adverse comments;
  
- (d) four public comments were received during the statutory publication period. All four commenters opposed to the application. One commenter considered that the proposed church would aggravate the traffic problem of Tsui Chuk Garden, while the other 3 commenters indicated that the application premises should be used for other purposes, such as kindergarten, market facilities, library and recreational facilities for the benefit of the local residents. District Officer (Wong Tai Sin) had no objection to the application. However, she advised that the big ‘cross’ wall decoration should be avoided due to adverse visual impact and The increased traffic flow should not lead to traffic jam at Chui Chuk Street; 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 conversion of the application premises from kindergarten to church would not increase the non-domestic GFA as confirmed by the applicant. The application premises being a free-standing building on top of the car-parking floors was accessible directly via Chui Chuk Street and hence physically separated from other residential towers. The proposed church would unlikely cause nuisance to the residents and users of the adjacent shopping centre of Tsui Chuk Plaza. It was therefore considered not incompatible with the surrounding residential and commercial uses. According to S for E’s advice, the provision of kindergartens falling within private land was market-driven and it was projected that there would be sufficient school places at kindergarten level in Wong Tai Sin District. At present, there were 10 kindergartens in the nearby residential developments. C for T considered that the existing public transport could cope with the

increase in demand caused by the proposed church. Therefore, the proposed church would not cause adverse traffic impact in the area. As for the public commenters' suggestions on using the application premises for kindergarten, market facilities, library and recreational facilities, it should be noted that it was a commercial decision of the owner of the application premises and these facilities were provided in the nearby public housing developments in the area.

90. Members had no question on the application.

#### Deliberation Session

91. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.6.2014, 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 before operation of the applied 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.

92. The Committee also agreed to advise the applicant of the following :

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for a temporary wavier or lease modification;
- (b) to appoint an Authorised Person to submit building plans for the proposed change in use to demonstrate compliance with Buildings Ordinance, in particular, the provision of means of escape and the provision of access and

facilities for persons with a disability;

- (c) to note the Director of Fire Services's comment that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by Buildings Department;
- (d) to note the Director of Environmental Protection's comment as stated in paragraph 8.1.5 of the Paper that the potential traffic noise impact from Chuk Yuen Road should be taken into account when designing the layout of the church and to follow the Hong Kong Planning Standards and Guidelines in providing noise mitigation measures as far as practicable; and
- (e) to note the Chief Town Planner/Urban Design and Landscape's comment that the existing vegetation should be maintained during the operation stage of the proposed development.

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

### **Agenda Item 19**

#### **Any Other Business**

93. There was no other business.

### **Vote of Thanks**

94. The Vice-Chairman informed Members that this meeting was the last Committee meeting under the Chairperson's chairmanship before her retirement. On behalf of the Members, a vote of thanks was proposed to the Chairperson. The Chairperson thanked Members for their unfailing support in the work of the Committee throughout the years.

95. The meeting was closed at 12:25 p.m..

