

## **TOWN PLANNING BOARD**

### **Minutes of 442nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 20.5.2011**

#### **Present**

Director of Planning  
Mr. Jimmy C.F. Leung

Chairman

Mr. K.Y. Leung

Vice-chairman

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Professor P.P. Ho

Professor C.M. Hui

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Mr. Roger K.H. Luk

Professor S.C. Wong

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr. Albert W. B. Lee

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

Principal Environmental Protection Officer (Metro Assessment),

Environmental Protection Department  
Mr. Ken Y.K. Wong

Assistant Director/Kowloon, Lands Department  
Mr. Gary Y. K. Cheung

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

Secretary

**Absent with Apologies**

Mr. Raymond Y.M. Chan

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

Mr. Laurence L.J. Li

Ms. L.P. Yau

**In Attendance**

Assistant Director of Planning/Board  
Mr. C.T. Ling

Chief Town Planner/Town Planning Board  
Miss H.Y. Chu

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

## Agenda Item 1

### Confirmation of the Draft Minutes of the 441st MPC Meeting held on 6.5.2011

[Open Meeting]

1. The Secretary reported that proposed amendments to paragraphs 38 and 41 of the draft minutes of the 441st MPC meeting held on 6.5.2011 had been received from the representative of the Environmental Protection Department (EPD) and a copy of the proposed amendments was tabled for Members' consideration. Mr. Ken Y. K. Wong, the representative of EPD advised that further amendments to the draft minutes had been proposed in addition to those tabled at the meeting. After deliberation, the Committee agreed that the draft minutes of the meeting were confirmed subject to the following amendments proposed by EPD:

Page 32, para. 38

“.....Mr. Ken Wong, PEPO(MA), EPD explained that the EIA of the CPS project was approved on the basis of the CHIA accepted by AMO. ~~that the physical structures of the declared monuments would not be affected and the overall cultural heritage would be preserved. When the EIA Report was approved, by EPD was confident-~~indicated that the proposed scheme would not have significant unacceptable impact on the materials below ground- which were considered to be of low or fairly low archaeological potential......”

Page 34, last sentence of para. 41

“.....Mr. Ken Wong said that if the design of the proposed scheme would need to be revised substantially, a variation of EP or a fresh EP had to be obtained from ~~submitted to EPD for approval~~ before commencement of the revised scheme.”

## Agenda Item 2

### Matters Arising

[Open Meeting]

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

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

Section 16 Application

[Open Meeting]

A/K2/196                      Proposed Flat, Shop and Services (Retail Shop)  
   in “Commercial” zone,  
   Nos. 54-60 Portland Street, Yau Ma Tei  
   (MPC Paper No. A/K2/196)

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3.                      The Committee noted that on 3.5.2011, the applicant’s representative requested for deferment of the consideration of the application for two months in order to allow time to prepare further information in response to the comments raised by government departments.

4.                      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 for its 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. K.T. Ng, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/422                      Shop and Services in “Industrial” zone,  
Workshop No. 2 (Portion), G/F, Thriving Industrial Centre,  
No. 26-38 Sha Tsui Road, Tsuen Wan  
(MPC Paper No. A/TW/422)

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

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

- (a)    background to the application;
- (b)    the shop and services on the ground floor of an industrial building abutting Sha Tsui Road;
- (c)    departmental comments – concerned government departments, including the Director of Fire Services, had no objection to or adverse comments on the application;
- (d)    during the statutory publication period, one public comment from a Tsuen Wan District Council Member supporting the application was received and no local objection was received by the District Officer (Tsuen Wan); and
- (e)    the Planning Department (PlanD)’s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments made in paragraph 11 of the Paper.    The premises was located on the ground floor of an existing industrial building abutting Sha Tsui Road. It was not incompatible with the industrial and industrial-related uses in the subject industrial building and the surrounding developments. A range of mixed industrial and commercial uses could be found on the

ground floor of the subject industrial building. A previous application (No. A/TW/360) for the same use was approved with condition by the Board and there was no material change in the planning circumstances. The shop and services use under application generally complied with the relevant criteria set out in the 'Town Planning Board Guidelines for Use/Development within "Industrial" Zone' (TPB PG-No. 25D). The Director of Fire Services had no in-principle objection to the application. The total aggregate commercial floor area on the ground floor of the subject industrial building would be 21.3 m<sup>2</sup>, which was within the maximum permissible limit of 460 m<sup>2</sup>. A temporary approval of three years was recommended in order not to jeopardise the long-term planning intention of industrial use for the subject premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

6. Members had no question on the application.

#### Deliberation Session

7. the Committee decided to approve the application on a temporary basis for a period of 3 years until 20.5.2014, 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 the fire service installations in the application premises within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 20.11.2011; 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.

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

- (a) prior planning permission should have been obtained before commencing

the applied use at the subject premises;

- (b) a temporary approval of three years was given in order to allow the Committee to monitor the compliance of the approval conditions and the supply and demand of industrial floor space in the area to ensure that the long-term planning intention of industrial use for the subject premises would not be jeopardized;
- (c) to note the comments of the District Lands Officer/Tsuen Wan and West Kowloon, Lands Department (LandsD) that “Property Agency” at the premises was permitted by the waiver letter dated 3.1.2006. If the owner wished to use the premises for “shop and services” other than property agency, the owner should apply to his office for a fresh temporary waiver after the approval of the subject planning application. The application would be considered by the LandsD acting in the capacity as the landlord at its sole discretion. Any approval, if given, would be subject to such terms and conditions, including inter alia, payment of waiver fee and administrative fee, as might be imposed by LandsD;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that should there be any alteration and addition works being carried out at the subject workshop, the applicant was required to engage an Authorized Person/Registered Structural Engineer to submit building plans to the Building Authority for approval and consent under the Buildings Ordinance;
- (e) to note the comments of the Director of Fire Services that a means of escape completely separated from the industrial portion was available and detailed fire service requirements would be formulated upon receipt of formal submission of general building plans. Besides, with regard to fire resisting construction of the subject premises, the applicant was advised to comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by the BD; and

- (f) to refer to the ‘Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises’ for the information on the steps required to be followed in order to comply with the approval condition on the provision of fire service installations.

[The Chairman thanked Mr. K.T. Ng, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

### **Hong Kong District**

[Ms. Kitty S.T. Lam, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

#### **Agenda Item 5**

[Open Meeting]

Draft Planning Brief for Redevelopment of Ming Wah Dai Ha at A Kung Ngam Road  
in “Comprehensive Development Area” Zone  
on Approved Shau Kei Wan Outline Zoning Plan  
(MPC Paper No. 5/11)

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9. As the draft planning brief involved the redevelopment of Ming Wah Dai Ha (MWDH) to be undertaken by the Hong Kong Housing Society (HKHS), the Director of Planning and the Director of Lands, being members of the Supervisory Board of the HKHS, had declared an interest in this item. The Committee noted that Mr. Jimmy Leung and Mr. Gary Cheung had left the meeting temporarily and the Vice-chairman chaired the meeting for this item at this point.

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

10. With the aid of a Powerpoint presentation, Ms. Kitty S.T. Lam, STP/HK, presented the draft planning brief as detailed in the Paper.



### Background

- (a) the site, with an area of about 3.53 ha, was occupied by the HKHS's MWDH public rental estate which comprised 13 blocks varying from 10 and 23 storeys in height. The site, rectangular in shape, was situated on a raised platform of about 16 metres above Principal Datum (mPD) to 28mPD running gradually upward from north towards south;
- (b) the site fell within the "Comprehensive Development Area" ("CDA") zone which was subject to a maximum plot ratio (PR) of 6, a maximum building height of 100mPD for the northern part of the zone and 120mPD for the southern part;

### Draft Planning Brief (PB)

- (c) a draft PB for the site had been prepared after taking into account the planning intention for the "CDA" zone, the development restrictions on the outline zoning plan, topography and surrounding land uses as well as the need to preserve view to the adjacent historic sites and the general amenity of the area;

[Mr. Clarence W.C. Leung arrived to join the meeting at this point.]

#### *Development Parameters*

- (d) development on the site was restricted to a maximum GFA of 192,000m<sup>2</sup> (which was equivalent to a maximum plot ratio of 6 based on net site area excluding slopes), a maximum site coverage of any podium of 65% and a maximum building height of 100 mPD for the northern part and 120mPD for the southern part of the site;

#### *Urban Design and Landscape Requirements*

- (e) a visual impact assessment and air ventilation assessment (AVA) should be included in the Master Layout Plan (MLP) submission to achieve better air

ventilation and visual permeability;

- (f) two 10m wide non-building areas (NBAs), one running across the central portion of the site and the other at the southern boundary of the site were imposed to facilitate air ventilation and served as visual relief. Two additional air/visual corridors above podium, one along the MTR reserve and one aligning with Factory Street, were also imposed;
- (g) building setback of at least 5m along the western boundary should be provided to help minimize building bulk and preserve existing trees;
- (h) on-site greening opportunities should be maximized. A minimum coverage of greenery of 30% of the site area to create a quality green setting with a minimum of 15% at grade was recommended for the site. The applicant was required to submit a Landscape Master Plan, a tree survey report and a tree preservation proposal as part of the MLP submission. Private open space of 1m<sup>2</sup> per person should be provided;

*GIC Facilities*

- (i) a Day Care Centre for the Elderly, a Residential Care Home for the Elderly and a Neighbourhood Elderly Centre Sub-base should be provided within the site;

*Environmental, Drainage, Sewerage and Waterworks Requirements*

- (j) In the MLP submission, the following impact assessments were required:
  - an environmental assessment report to examine any possible environmental problems and the proposed mitigation measures to tackle them;
  - a drainage and sewerage impact assessment to assess the existing public stormwater drains and sewers in the catchment area as well as the potential stormwater and sewerage impacts of the future development;
  - a waterworks impact assessment to assess overall water requirement of the proposed development and its impact on the capacity of

government waterworks utilities at the locality;

*Geotechnical Requirements*

- (k) a Geotechnical Planning Review Report was required to assess the potential natural terrain hazards of the steep natural terrain overlooking the site; and

Way Forward

- (l) PlanD would consult the Eastern District Council on the draft PB. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

11. In response to a Member's query, Ms. Kitty Lam informed that MWDH currently provided 3,169 units accommodating about 6,600 persons. According to a preliminary assessment, it would provide about 4,000 units for about 9,000 persons upon redevelopment.

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

12. A Member suggested and PlanD should consult the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) as to whether some of the existing building blocks built in the 1960's should be preserved.

13. A Member said that given the site was located at a level higher than its surroundings and would accommodate about 9,000 persons upon development, good pedestrian linkages between the site and the MTR station in Shau Kei Wan would be necessary. In response, Ms. Kitty Lam said that there were existing lifts and pedestrian walkways linking up MWDH leading to the MTR station via Shau Kei Wan Main Street East. There was scope to enhance the pedestrian linkages upon redevelopment of the site.

14. A Member said that the disposition of buildings on the site should not block the air paths and cause adverse air ventilation impact on the area. Another Member said that as the southern part of the site was abutting Chai Wan Road, there might be potential noise impact on the site. In response, Ms. Kitty Lam said that as the site was zoned "CDA", a Master Layout Plan supported by technical assessments, including traffic impact assessment,

air ventilation assessment, visual impact assessment and environmental assessment would have to be submitted to the Board for approval prior to its implementation.

15. After further deliberation, the Committee decided to agree that the draft planning brief was suitable for consultation with the Eastern District Council. The views collected together with the revised PB would be submitted to the Committee for further consideration.

[The Chairman thanked Ms. Kitty S.T. Lam, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr. Jimmy Leung and Mr. Gary Cheung returned to join the meeting at this point.]

### **Agenda Item 6**

#### **Section 12A Application**

[Open Meeting]

Y/H15/7                      Application for Amendment to the  
Draft Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/26  
from "Industrial" to "Other Specified Uses" annotated  
"Open Space and Boatyard",  
a Strip of Land to the East of Ap Lei Chau Praya Road, Ap Lei Chau  
(MPC Paper No. Y/H15/7 )

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16. The Secretary reported that the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd (SHKP). Mr. Felix Fong and Mr. Raymond Chan had declared interests in this item as they had current business dealings with SHKP. Ms. Julia Lau had also declared an interest in this item as she was a former employee of SHKP from November 1994 to November 2008. Members noted that Mr. Chan had tendered an apology for being unable to attend the meeting and Ms. Lau had not yet arrived at the meeting. As the Paper was on the applicant's request to defer consideration of the application, Members agreed that Mr. Fong was allowed to stay in the meeting.

17. The Committee noted that on 15.4.2011, the applicant's representative requested for deferment of the consideration of the application for two months for preparation of further

information and responses to address the further comments from the relevant government departments, particularly relating to the maintenance and implementation of the proposed open space and boatyard areas.

18. 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 for its 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 unless under very special circumstances.

[Ms. April K.Y. Kun, STP/HK, was invited to the meeting at this point.]

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H4/85                      Proposed Temporary Installation of  
Telecommunications Radio Base Station for a Period of 5 Years  
in “Other Specified Uses” annotated “Pier” zone,  
Portions of Roof Floor,  
Western Berth of 1/F and G/F of Central Pier No. 2, Central  
(MPC Paper No. A/H4/85)

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19. The Secretary reported that the application was submitted by a subsidiary of Sun Hung Kai Properties Ltd (SHKP). Mr. Felix Fong and Mr. Raymond Chan had declared interests in this item as they had current business dealings with SHKP. Ms. Julia Lau had also declared an interest in this item as she was a former employee of SHKP from November 1994 to November 2008. Members noted that Mr. Chan had tendered an apology for being unable to attend the meeting and Ms. Lau had not yet arrived at the meeting.

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

Presentation and Question Sessions

20. Ms. April K.Y. Kun, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary installation of telecommunications radio base station for a period of 5 years;
- (c) departmental comments – concerned government bureaux/departments had no objection to or no adverse comments on the application;
- (d) one public comment from a member of public was received during the statutory publication period. The commenter queried the legitimacy the ferry company to receive the revenue generated from the proposed installation as a kind of non-fare box revenue. No local objection was received by the District Officer (Central and Western); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of five years based on the assessments made in paragraph 10 of the Paper. The proposed radio base facilities would mainly be installed within the ventilation structure and would not impose any adverse impacts on or cause inconvenience to the ferry passengers as well as the users of the existing landscaped garden on the roof floor. The applicant had also demonstrated that the proposed installations of the four outdoor antennae mounted on the existing stainless steel frame on the roof floor would unlikely have significant visual impact on the surrounding areas nor affect the visual quality of the harbourfront area. The proposed installations were small in scale and were considered not incompatible with the existing pier use. Similar applications for this type of installations at the adjacent piers had been approved by the Committee before. Regarding the public comment on revenue generation, Commissioner for Transport had advised that it was the Government's

policy to help the ferry operators generate non-fare box revenue for cross-subsidising ferry operation so as to alleviate pressure for fare increase and enhance the financial viability of the ferry services. The ferry operators had to plough back the non-fare box revenue earned to the ferry operating account to subsidise ferry operation.

21. In response to a Member's enquiry, Ms. April Kun said that the antenna was small in scale (about 0.5m in height) and would unlikely have significant visual impact if the piece of cloth covering the façade of the roof floor of the pier was removed.

#### Deliberation Session

22. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 20.5.2016, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

- the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.

23. The Committee also agreed to advise the applicant to note the comment of the Government Property Agency on the need to apply for commercial concession areas for the proposed uses under the tenancy agreement.

[The Chairman thanked Ms. April K.Y. Kun, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

[Mr. K.S. Ng, STP/HK, was invited to the meeting at this point.]

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H11/98                      Proposed Minor Relaxation of Plot Ratio Restriction  
from 5 to 5.357 in “Residential (Group B)” zone,  
23 Babington Path, Mid-levels West  
(MPC Paper No. A/H11/98)

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24.                      The Committee noted that a petition letter from Mr. Stephen Chan Chit Kwai, JP, Vice Chairman, Central & Western District Council objecting to the application was received before the meeting. The letter received had been tabled in Meeting for Members’ information.

**Presentation and Question Sessions**

25.                      Mr. K.S. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a)                      background to the application;
  
- (b)                      the proposed minor relaxation of plot ratio (PR) restriction from 5 to 5.357 in return for the proposed surrender and dedication of a setback area for traffic improvement measures, including:
  - (i)                      surrender of land for widening the section of Babington Path abutting the application site to 4.5m, with the bend section of 5.5m;
  
  - (ii)                      surrender of land for provision of a 1.2m wide footpath along the section of Babington Path abutting the application site; and
  
  - (iii)                      dedication of land for provision of a corner splay (3m × 3m) to improve sightlines;



- (c) departmental comments – the Commissioner of Transport (C for T) supported the proposals of widening the section of public road to 4.5m wide and providing a 1.2m wide footpath fronting the site together with a corner splay. The surrender/dedication of land was essential for implementation of the proposed road improvement works. The proposed minor increase of PR would result in an increase in GFA of 378m<sup>2</sup>, corresponding to about 5 flats (based on average flat size of 81m<sup>2</sup>/unit). Such minor increase would not have adverse traffic impact on the local road network. Babington Path was a one-way road linking Lyttelton Road and Robinson Road. Currently, there was no restriction on the types of vehicles accessing the road and the average daily traffic flow was light to moderate. The section of Babington Path was a narrow road of substandard width and without footpath. Complaints from the public concerning pedestrian safety and requesting for safety enhancement works had been received. In view of the redevelopment of the subject site, it would be an appropriate opportunity to set back the site boundary so as to facilitate the widening of the section of the road and the provision of footpath fronting the site;
- (d) 132 public comments were received during the statutory publication period. Among them, one was from the Vice Chairman of the Central and Western District Council (C&WDC), three were from the Incorporated Owners (IO)/property management company of nearby buildings and the remaining 128 were from the general public. Their views were summarised below:

*The Vice Chairman of C&WDC*

- (i) the proposed traffic improvement schemes could only be realized with the cooperation of the nearby buildings. The proposed minor relaxation of PR would result in an increase in population and aggravate the traffic congestion problem in the area. Besides, the increase in BH at the application site would result in wall effect, and affect air ventilation and the health of the local residents;

*Others*

- (ii) the increase in population at the site would result in an increase of traffic flow and demand for mini-bus service, and affect operation of service trucks, thus creating air and noise nuisances and endanger pedestrian safety;
- (iii) the widening of part of Babington Path and the provision of footpath in part of Babington Path could not solve the traffic problem nor improve pedestrian safety. There was insufficient public interest to justify the application;
- (iv) the proposed high-rise residential development would result in wall effect which would adversely affect air ventilation and sunlight penetration, trap pollutant and aggravate the heat island effect. The view and property values of the neighbouring buildings would be affected;
- (v) as the application site abutted a road less than 4.5m wide, it did not meet the criteria for a “specified street” defined under Building (Planning) Regulation (B(P)R). As such, the application would enjoy a “double benefit”, on the one hand creating a “specified street” to make the sub-standard site into a developable one, and on the other, claiming additional plot ratio and site coverage for the proposed development;
- (vi) application site was located at a slope and abutted a steep ramp. Stability of the slope must be maintained and excessive loadings of bulky building mass should be avoided. The piling works for the high-rise residential building would have adverse impact on the foundation of Greenview Gardens and endanger the structural safety of the buildings in the vicinity;
- (vii) local residents had experienced a significant number of water pipe bursts in the area. The increase in water pressure in the pipes due

to the increase of water demand would further aggravate the situation;

- (viii) the PR restriction was imposed to avoid high-rise developments on narrow streets to prevent the wall and canyon effects. The proposed development would have been given concessionary GFA for “green features”. Approval of the application for further relaxation of PR would aggravate the environmental problems and set an undesirable precedent for similar applications;
  - (ix) the living environment at Babington Path was not satisfactory at present. The intensification of development density would create extra burden on local utilities, sewerage and drainage systems, as well as community facilities. The trees and greenery in the vicinity would also be affected;
  - (x) there was a lack of technical assessments on the key aspects including traffic, environmental impact and slope safety to substantiate the application;
  - (xi) it was the Government/developer’s responsibility to widen the road to the latest safety standard, but not at the expense of the local residents by relaxation of PR;
  - (xii) it was suggested to limit the building height, number of flats and car parking spaces to the levels of the existing building to avoid overcrowding in the area;
  - (xiii) the problems of traffic congestion, pedestrian safety and environmental nuisances would be aggravated at the construction stage; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments made in paragraph 10 of the Paper.

Babington Path was currently a winding and substandard one-way road without footpath. The proposed road improvement measures would improve traffic circulation and pedestrian safety in the area. The proposed surrender and dedication of part of the lot area in exchange for bonus PR would facilitate early implementation of the road improvement scheme. The proposed minor relaxation of PR from 5 to 5.357 (about 7.14%) would result in an increase in GFA of 378m<sup>2</sup>, corresponding to about 5 flats. The increases in GFA and flats were not significant and would unlikely cause adverse impact on the traffic and infrastructure in the area. In this regard, C for T advised that the surrender and dedication of land were essential for the implementation of the road improvement works and the minor increase in PR would not have adverse traffic impact on the local road network. The maximum building height (BH) of the proposed development would not exceed the BH restriction of 180mPD as stipulated on the OZP. The proposed residential development was compatible with the medium to high-rise residential developments in the surrounding area. Regarding the public comments on the site classification under B(P)R, Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD) advised that the application site was a Class A site under B(P)R 18A with a maximum permissible PR of 8. With respect to the slope safety and impacts of piling works on the adjacent buildings, CBS/HKW explained that the design and construction of the building development should comply with the requirements of the Building Ordinance such that the foundation works carried out within the development site would not impair the stability of, or cause damage to any buildings and structures. As for the water supply issue, Chief Engineer/Development (2), Water Services Department advised that the net increase in water demand arising from the application was minimal and the existing supply network was adequate to cope with the anticipated increase in water demand. The Director of Environmental Protection also advised that in view of the scale of the proposed development, insurmountable environmental impact due to the increase in vehicular traffic was not anticipated.

26. In response to a Member's enquiry on the public comments in paragraph 9.1 (e)

of the Paper, Mr. K. S. Ng said that according to comments of CBS/HKW, BD as stated in paragraph 8.1.3 (b), the width of Babington Path including the width of parapet wall was not less than 4.5m and the subject site was a Class A site under the B(P)R 18A with a permissible PR of 8. The same Member asked about the additional number of storeys and units if the PR was increased from 5 to 5.357. Mr. K. S. Ng replied that comparing with the latest approved building plan submission in March 2011, there would be an increase of one residential storey with no change in overall building height. Transport Department estimated that there would be an addition of five units.

27. A Member asked whether there was a genuine need to improve the traffic condition for the area for the public interest. Mr. K. S. Ng said that, C for T supported the proposals of widening the section of public road to 4.5m wide and providing a 1.2m wide footpath fronting the site together with a corner splay. The surrender/dedication of land was essential for implementation of the proposed road improvement works. Mr. Albert Lee advised that there was a need to improve the traffic condition for the area and the setback area would provide room for the provision of 1.2m wide footpath along the Babington Path to enhance the pedestrian safety.

28. Another Member doubted the effectiveness of the provision of pedestrian footpath for the section of Babington Path adjacent to the application site. Mr. K.S. Ng replied that the site was located at a bend of the Babington Path and the provision of pedestrian footpath could enhance the traffic safety for the area. Mr. Albert Lee supplemented that widening of the concerned bend of Babington Path could improve the sightline of drivers and pedestrians, thereby enhancing pedestrian safety especially when there were conflicts between vehicles and pedestrians.

29. A Member enquired whether the traffic improvement measures were proposed by the applicant or C for T. The same Member also enquired whether the C for T would consider these measures as essential. Mr. Albert Lee said that it was the outcome of the negotiations between the applicant and the TD, and C for T considered that it was an appropriate and optimal solution for improving the traffic condition and road safety for the area.

## Deliberation Session

30. In response to a Member's query, the Secretary clarified that there was no quantifiable definition of minor relaxation. Each application for minor relaxation would be considered by the Board on its individual merits. The Board had previously approved application for relaxing PR of 10% to 20%. There was no fixed percentage as to what constituted 'minor' which had to be considered in terms of impact, consequence and implication. The main consideration of the proposed minor relaxation of PR for the subject application was whether there was a need to set back the site for road widening. In this aspect, the C for T advised that the surrender/dedication of land was essential for implementation of the proposed road improvement works. The Committee noted that it would be up to the Building Authority to decide whether to grant bonus PR for the proposed surrender to widen the section of Babington Path and to provide a footpath fronting the site. However if bonus PR could not be obtained from the Building Authority and major changes to the current scheme were required, a fresh planning application would be required. An advisory clause in this respect had been imposed.

31. A Member supported the setback to provide 1.2m footpath for pedestrian and considered it a merit of the proposal to enhance the pedestrian safety. The Chairman said that the road widening for a whole street would often take a long time to materialize in the existing built-up area.

32. 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 20.5.2015, 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;
- (b) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;

- (c) the implementation of local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of a landscaping proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the approval of the application did not imply that the proposed bonus plot ratio would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. If approval was 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 the comments of the District Lands Officer/Hong Kong West & South, Lands Department (LandsD) to verify the application site boundary to ensure the accuracy of the site area and boundary to avoid any encroachment onto the adjoining private lots;
- (c) to note the comments of the Chief Estate Surveyor/Acquisition, LandsD that the proposed surrender areas should be free of structure and encumbrance;
- (d) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department (HyD) that the surrender area should be designated and constructed in compliance with the relevant standards of HyD at the cost of the lot owner, with levels match with the adjacent footpath, and no structure could be constructed above and below the surrender area;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that consideration should be given to maximizing the separation distances from adjacent buildings to enhance air

and visual permeability, 1 m<sup>2</sup> of open space per resident should be provided in the proposed development, a minimum of 20% greening coverage of the entire site (at least half of which should be provided at grade or on levels easily accessible by residents) should be incorporated into the overall design, and landscape plantings should be provided on podia and flat roofs as far as practical to enhance the landscape quality of the new development;

- (f) to note the comments of the Director of Fire Services that detailed fire service requirements would be formulated upon receipt of formal submission of general building plans and the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Fire Fighting and Rescue;
- (g) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (DSD) that the applicant should upgrade/repair all existing drains and sewers to current standards at his own costs before handing them to DSD; and
- (h) to note the comments of the Head, Geotechnical Engineering Office, Civil Engineering and Development Department that the design of the building development was required to meet the current geotechnical safety standard, and geotechnical assessment together with relevant documents as stipulated in the Buildings Ordinance should be submitted to demonstrate the proposed construction works were in compliance with the safety requirements.

[The Chairman thanked Mr. K.S. Ng, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms. Maggie Chan left the meeting at this point.]



**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/H11/99                      Proposed Minor Relaxation of Plot Ratio Restriction from 5 to 5.1  
and Building Height Restriction from 230mPD to 237mPD  
in “Residential (Group B)” zone,  
23, 25, 27D, E and F Robinson Road, Mid-levels  
(MPC Paper No. A/H11/99)

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34.            The Secretary reported that the application was submitted by a subsidiary of Henderson Land Development Co. Ltd. (Henderson). Mr. Raymond Chan who had current business dealings with Henderson had declared an interest in this item. The Committee noted that Mr. Chan had tendered an apology for being unable to attend the meeting.

35.            The Secretary reported that Mr. Clarence Leung was the director of a non-government organisation (NGO) which had previously received a private donation from a family member of the Chairman of Henderson. The Committee agreed that Mr. Leung’s interest was indirect and he could stay in the meeting.

36.            The Committee noted that on 12.5.2011 and 17.5.2011, the applicant’s representative requested for deferment of the consideration of the application for two months in order to allow sufficient time for the applicant to liaise with Transport Department (TD) with respect to TD’s request to relocate the ingress/egress point of the proposed development.

37.            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 for its 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. Raymond H.F. Au, STP/HK, was invited to the meeting at this point.]



environmental quality of the area during both the construction and operation stages. He also considered that the proposed hotel was incompatible with the surrounding residential developments and local townscape;

- (ii) Designing Hong Kong Ltd. considered that the intensity of the proposed development was excessive and would result in a pencil-like building. The absence of car parking area and drop-off area for travellers would aggravate congestion in the area, particularly along Aberdeen Main Road. With an average of 10 closures a day for the Aberdeen Tunnel, it was irresponsible to permit further increase in trip generation until after the impact of South Island Line (East) and Central-Wanchai Bypass had become clear; and
  - (iii) the residents and tenants of Veng Hing Building and members of the public raised concerns that demolition and construction works at the site would affect lighting, ventilation and structural safety of the adjoining buildings. Moreover, since the road and pavement of Aberdeen Main Road were narrow and both vehicular and pedestrian traffic along which were already very congested, the proposed development would adversely affect the local traffic condition and might cause safety problem to the pedestrians. The livelihood and security of the local residents would also be affected by tourists from the proposed hotel. One member of the public also considered that there was no need for more hotel developments in Aberdeen.
- (e) the District Officer (Southern) advised that the subject was discussed at a Working Group Meeting of the SDNAC held on 17.1.2011. Some members had objections against the application on the grounds that the proposed development was located in a busy area and would cause traffic chaos, and the site area was limited which was not suitable for redeveloping into a multi-storey hotel building. Due consideration should be given to the local sentiments in processing the application; and
  - (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper.

The proposed hotel was considered not incompatible with the surrounding land uses which were predominantly residential in character. The proposed plot ratio (PR) of 11.486 was considered not incompatible with the surrounding residential developments, which were subject to a maximum PR of 8 to 10 upon redevelopment. The proposed development with an overall BH of 70.3mPD at the top roof level was well within the maximum BH of 85mPD stipulated under the outline zoning plan for the application site and considered not incompatible with the buildings in its immediate surroundings. Regarding the public concerns on possible adverse traffic impact, the Commissioner for Transport considered that since the proposed hotel only provided 48 rooms, the trip generation and attraction from the proposed budget-type hotel during peak hours was nominal. It was anticipated that the traffic in Aberdeen would not be adversely affected. In addition, the site was easily accessible from the Aberdeen public transport terminus. To avoid causing traffic congestion in the area during the construction stage, the applicant agreed to adopt a comprehensive temporary traffic arrangement for delivery of construction materials to the site. As for the public concerns on lighting, ventilation and structural safety, the Chief Building Surveyor/Hong Kong West, Buildings Department advised that the structural system of the existing building at the application site was independent from those of the adjoining buildings and hence demolition of the existing building would not affect the structural integrity of the adjoining buildings. Given the small scale of the hotel development, there would unlikely be any adverse impacts on lighting and ventilation. In respect of the need for more hotels in the area, C for Tourism supported the application as the proposed hotel development would increase the number of hotel rooms and broaden the range of accommodations for visitors.

39. Members had no question on the application.

Deliberation Session

40. 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 20.5.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) 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;
- (d) the submission and implementation of a temporary traffic arrangement during construction to the satisfaction of the Commissioner of Transport or of the TPB; and
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development and the proposed gross floor area (GFA) exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if GFA concession, in particular the non-domestic PR of the development, was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the Board would be required;

- (b) to note the comments of the District Lands Officer/Hong Kong West and South, Lands Department in paragraph 9.1.1 of the Paper regarding the discrepancy of site area;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department in paragraph 9.1.10 of the Paper regarding the provision of landscape planting on façade, podium and roof of the proposed development;
- (d) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department in paragraph 9.1.12 of the Paper regarding the licensing requirements for hotel use under the Hotel and Guesthouse Accommodation Ordinance; and
- (e) to prepare and submit the SIA as early as possible in view of the time required for the implementation of any required sewerage works.

[The Chairman thanked Mr. Raymond H.F. Au, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/H20/172                      Proposed Hotel Development  
in "Other Specified Uses" annotated "Business" zone,  
No. 12 Lee Chung Street, Chai Wan  
(MPC Paper No. A/H20/172)

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42.            The Secretary reported that The Incorporated Owner Of No. 1 Ning Foo Street wrote to the TPB Secretariat on 28.4.2011 asking for an extension of publication period of the application which was published for 3 weeks ending on 29.4.2011. On 3.5.2011, the incorporated owner was advised that according to the Town Planning Ordinance (TPO), the publication period could not be extended. On 19.5.2011, the incorporated owner wrote to

the Secretariat again requesting for extending the publication period and asking the Committee to consider its request at this meeting. The Committee noted that the statutory publication period had been stipulated in the TPO and it could not be extended as requested, and the Committee agreed that the concerned incorporated owner should be advised accordingly.

43. The Committee noted that on 4.5.2011, the applicant's representative requested for deferment of the consideration of the application for two months to allow more time for the applicant to prepare supplementary information to address the comments from relevant government departments.

44. 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 for its 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.

### **Kowloon District**

[Mr. Richard Y.L. Siu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

**Agenda Item 12**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K8/42                      Shop and Services in “Government, Institution or Community” zone,  
Shops Nos. G201, G202 and G202A located  
under the Open Space Podium near Lok Fu Shopping Centre Phase 2  
and Public Transport Interchange at No. 198 Junction Road,  
Wang Tau Hom  
(MPC Paper No. A/K8/42)

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**Presentation and Question Sessions**

45.            Mr. Richard Y.L. Siu, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a)    background to the application;
- (b)    the shop and services;
- (c)    departmental comments – concerned government departments had no objection to or no adverse comments on the application;
- (d)    no public comment was received during the statutory publication period and no local objection was received by the District Officer (Wong Tai Sin); and
- (e)    the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The current application was to rectify the floor area calculation of the application premises previously approved under Application No. A/K8/40 for shop and services use. As compared with the previously approved application, the floor area of the current application of 535m<sup>2</sup> was only increased by 68.5m<sup>2</sup> by including enclosing walls of the application



premises. The shop and services uses under application generally complied with the TPB PG-No.16 for “Application for Development/Redevelopment within “Government, Institution or Community” zone for uses other than Government, Institution or Community uses” in that the uses would not adversely affect the normal operation of the existing public transport interchange (PTI). The uses at the application premises provided retail and service facilities to serve the daily needs of the local residents and PTI/MTR users. As such, the uses were considered not incompatible with the surrounding uses. It was considered that the uses would unlikely cause adverse traffic, environmental, fire safety and infrastructure impacts on the surrounding areas.

46. Members had no question on the application.

#### Deliberation Session

47. 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 provision of 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 20.11.2011; and
- (b) if the above approval 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.

48. 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; and
- (b) to ensure any change in use should comply with the provisions stipulated in

the Buildings Ordinance and the allied regulations.

[The Chairman thanked Mr. Richard Y.L. Siu, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr. Silas K.M. Liu, STP/K, was invited to the meeting at this point.]

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/650            Temporary Shop and Services (Garment Retailing)  
for a Period of 4 Years  
in "Other Specified Uses" annotated "Business" zone,  
Workshop 6, G/F, Prosperity Centre, 25 Chong Yip Street, Kwun Tong  
(MPC Paper No. A/K14/650)

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49.            The Secretary reported that the application was submitted by a subsidiary of Cheung Kong (Holding) Ltd. (Cheung Kong). Mr. Felix Fong and Professor P. P. Ho who had current business dealings with Cheung Kong had declared an interest in this item.

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

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

50.            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 temporary shop and services (garment retail) for a period of 4 years;
- (c) departmental comments – concerned government departments had no

objection to or no adverse comments on the application;

- (d) two public comments were received during the statutory publication period. One commenter supported the application without providing any reason. The other commenter had no objection to the application provided that (i) the applied use did not contravene the lease conditions; (ii) the applicant should comply with the requirements of relevant government departments, including the Buildings Department and Fire Services Department; and (iii) permission might be granted in a flexible approach (i.e. on a 2-year fixed term and 2-year optional term), if necessary; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments on a temporary basis for a period of four years made in paragraph 11 of the Paper. The shop and services (garment retail) use at the application premises complied with the Town Planning Board Guidelines for Development within “Other Specified Uses (Business)” Zone (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent areas. Relevant government departments consulted had no objection to the application. Should the Committee approve the current application, the total approved commercial floor area would be 125.034m<sup>2</sup>, which was within the maximum permissible limit of 460m<sup>2</sup> on the G/F of an Industrial-Office building with a sprinkler system. In this regard, the Director of Fire Services had no objection to the application.

51. Members had no question on the application.

#### Deliberation Session

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 4 years until 20.5.2015, 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 completely separated from the industrial portion and fire service installations in the application premises, within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 20.11.2011; and
- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

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

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or a waiver for the temporary shop and services (garment retail) use at the application premises;
- (b) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorised Person to submit building plans for the change of use and/or alteration works to demonstrate compliance with the Buildings Ordinance, in particular ;
  - (i) provision of natural lighting and ventilation for ancillary office under Building (Planning) Regulations 30 & 31 and PNAP ADM-2;
  - (ii) provision of 2-hour fire resisting separation wall/slab between the application premises and the remaining portion of the building in accordance with paragraphs 8 and 9 of the Code of Practice for Fire Resisting Construction 1996 and Building (Construction) Regulation 90;
  - (iii) provision of access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and

- (c) to note the comments of the Director of Fire Services that the applicant should comply with the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by the Buildings Department.

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

#### **Agenda Item 14**

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

[Open Meeting]

A/K18/280                      Proposed School (Kindergarten) in "Residential (Group C) 1" zone,  
2 Essex Crescent, Kowloon Tong  
(MPC Paper No. A/K18/280)

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54.            The Committee noted that on 4.5.2011 the applicant's representative requested for a deferment of the consideration of the application for one month in order to allow time to address departmental comments on the revised traffic impact assessment submitted on 1.4.2011.

[Professor Ho returned to join the meeting at this point.]

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 for its 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 15**

Any Other Business

56.           There being no other business, the meeting was closed at 10:10 a.m..