

## **TOWN PLANNING BOARD**

### **Minutes of 469th Meeting of the Metro Planning Committee held at 9:00 a.m. on 6.7.2012**

#### **Present**

Director of Planning Mr. Jimmy C.F. Leung	Chairman
Professor S.C. Wong	Vice-chairman
Mr. Maurice W.M. Lee	
Professor Eddie C.M. Hui	
Ms. Julia M.K. Lau	
Mr. Clarence W.C. Leung	
Mr. Laurence L.J. Li	
Mr. Roger K.H. Luk	
Ms. Bonnie J.Y. Chan	
Mr. H.W. Cheung	
Mr. Sunny L.K. Ho	
Mr. Dominic K.K. Lam	
Mr. Stephen H. B. Yau	
Mr. Patrick H.T. Lau	
Assistant Commissioner for Transport (Urban),	

Transport Department  
Mr. David To

Chief Engineer (Works), Home Affairs Department  
Mr. Frankie Chou

Principal Environmental Protection Officer  
Environmental Protection Department  
Mr. Colin Keung

Assistant Director (Hong Kong), Lands Department,  
Ms. Doris Chow

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

Secretary

**Absent with Apology**

Professor P.P. Ho

**In Attendance**

Assistant Director of Planning/Board  
Miss H.Y. Chu

Town Planner/Town Planning Board  
Ms. Karen K.W. Chan

Opening

1. The Chairman congratulated Professor P.P. Ho, Mr. Timothy K.W. Ma and Dr. W.K. Yau for being appointed as Justice of Peace and Mr. Benny Wong for being awarded the Bronze Bauhinia Star.

**Agenda Item 1**

Confirmation of the Draft Minutes of the 468th MPC Meeting held on 15.6.2012

[Open Meeting]

2. The draft minutes of the 468th MPC meeting held on 15.6.2012 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

**Tsuen Wan and West Kowloon District**

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

**Agenda Item 3**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/542                      Proposed Office in “Residential (Group E)” zone, 7/F and 8/F,  
China Paint Building, 5B Arran Street/1163 Canton Road, Kowloon  
(MPC Paper No. A/K3/542)

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4. The Secretary reported that Raymond Chan Surveyors Ltd. was the consultant of

the applicant. Mr. Dominic K.K. Lam who had current business dealings with Raymond Chan Surveyors Ltd. had declared interest in this item. As Mr. Lam had no direct involvement in the subject application, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

5. With the aid of a powerpoint presentation, Mr. Tom C.K. Yip, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed office;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) during the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11 of the Paper.

6. Members had no question on the application.

#### Deliberation Session

7. In response to a Member's question, Mr. Tom Yip said that due to fire safety concern, the ground floor areas of an existing industrial/industrial-office building was subject to an aggregate commercial floor area of 460m<sup>2</sup> (for building with sprinkler systems) or 230m<sup>2</sup> (for building without sprinkler system). The above limit on commercial floor area was only applied to commercial uses on the ground floor of the building.

8. 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 15.6.2016, 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 condition:

- the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

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

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department that the proposed use at the Premises was in breach of the user restriction and was not acceptable under the lease governing the subject lot. Any lease modification or waiver application, if required and submitted, would be processed by his office acting in the capacity as landlord at his discretion, which if approved, would be subject to the terms and conditions including, among others, charging of premium fee, as imposed by him;
- (b) to note the comments of the Commissioner for Transport that he had the rights to impose, alter or cancel any car parking loading/unloading facilities and/or any non-stopping restrictions, on all local roads to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development; and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorized Person to submit building (alterations and additions) plans to demonstrate compliance with the Buildings Ordinance, in particular, the provision of the following at the captioned premises:
  - (i) fire resisting construction under Building (Construction) Regulation 90;

- (ii) access and facilities for persons with a disability in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free access 2008; and
- (iii) prescribed windows under Building (Planning) Regulations 30, 31 and 36.

[The Chairman thanked Mr. Tom C.K. Yip, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr. Philip Y.L. Chum, 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/K5/719                      Shop and Services (Showroom) in "Other Specified Uses" annotated "Business(2)" zone, Workshop No. A6, G/F, Block A, Hong Kong Industrial Centre, 489-491 Castle Peak Road, Cheung Sha Wan  
(MPC Paper No.A/K5/719)

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

10.            Mr. Philip Y.L. Chum, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services (showroom);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in

paragraph 9 of the Paper;

- (d) during the statutory publication period, one public comment was received from the building management office of Vogue Centre (a nearby building at 696 Castle Peak Road) registering no comment from the owners of Vogue Centre; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11 of the Paper. The public comment submitted by a building management office registering 'no comment' was noted.

11. In response to a Member's question, Mr. Philip Shum said that a showroom was to exhibit or display commodities, articles, goods or products and there should be no direct purchase of goods by customers.

#### Deliberation Session

12. 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 within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2013; 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.

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

- (a) to note the comments of the District Lands Officer/Kowloon West, Lands Department for application of a temporary waiver or lease modification;

- (b) to note the comments of the Commissioner for Transport that prolonged vehicles waiting for loading and unloading activities should be avoided;
- (c) to note the comments of the Director of Fire Service that the requirements as stipulated in the Code of Practice for Fire Resisting Construction which was administered by the Buildings Department should be complied with; and
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorized Person to submit building plans for the change in use to demonstrate compliance with the Buildings Ordinance, in particular, the provision of:
  - (i) adequate means of escape in accordance with the Building (Planning) Regulation 41(1) and the Code of Practice for the Fire Safety in Buildings 2011;
  - (ii) adequate fire resisting construction to separate the Premises from the parts of the building for different use classifications/occupancies in accordance with the Building (Construction) Regulation 90 and Code of Practice for the Fire Safety in Buildings 2011; and
  - (iii) access and facilities for persons with a disability under Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008.

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

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

[Ms. Bonnie J.Y. Chan arrived to join the meeting at this point.]



**Agenda Item 5**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/433                      Shop and Services in “Industrial” zone, Workshop No. 2 (Portion),  
G/F, Thriving Industrial Centre, 26-38 Sha Tsui Road, Tsuen Wan  
(MPC Paper No.A/TW/433)

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**Presentation and Question Sessions**

14.            Mr. K.T. Ng, STP/TWK, 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 two previous applications (No. A/TW/360 and No. A/TW/422) for ‘shop and services’ use, which were approved with condition by the Committee on 28.1.2005 and 20.5.2011 respectively;
- (b) the shop and services;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) during the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11 of the Paper. As the last approval (Application No. A/TW/422) was revoked due to non-compliance with the approval condition on submission and implementation of fire service installations by the specified date, should the application be approved by the Committee, shorter compliance periods were proposed to monitor the progress of compliance of approval conditions. Moreover, the applicant would be advised that should the

applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might be not given to any further application.

15. Members had no question on the application.

#### Deliberation Session

16. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 6.7.2015, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the submission of the fire service installations in the application premises within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 6.10.2012; and
- (b) the 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 6.1.2013; and
- (c) if any of the above planning conditions (a) or (b) 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.

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

- (a) 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;
- (b) to note that shorter compliance periods were granted in order to monitor the fulfillment of the approval conditions. Should the applicant fail to comply

with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration might not be given by the Committee to any further application;

- (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 the LandsD;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department 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 should be available and detailed fire service requirements would be formulated upon receipt of formal submission of general building plans; and
- (f) 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.

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/434            Proposed Comprehensive Residential cum Government, Institution or Community Development, and Minor Relaxation of Non-domestic Plot Ratio Restriction (Amendments to an Approved Scheme under Application No. A/TW/373) in “Comprehensive Development Area” zone, Site TW7, West Rail Tsuen Wan West Station, Tsuen Wan Town Lot 403, Tsuen Wan  
(MPC Paper No. A/TW/434)

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18.            The Secretary reported that the application was submitted by Mass Transit Railway Corporation Limited (MTRCL) with AECOM Asia Co. Ltd., ADI Ltd., LLA Consultancy Ltd. as the consultants. The following Members had declared interests in this item:

Professor S.C. Wong - had current business dealings with AECOM Asia Co. Ltd.;

Mr. Dominic K.K. Lam - had current business dealings with MTRCL, AECOM Asia Co. Ltd., ADI Ltd., and LLA Consultancy;

Mr. Patrick H.T. Lau - had current business dealings with MTRCL, AECOM Asia Co. Ltd. and LLA Consultancy Ltd.; and

Mr. David To - was an assistant to the Commissioner for Transport, who was a Non-executive Director of MTRCL.

19.            The Committee noted that Professor Wong had no direct involvement in the subject application and agreed that he could stay in the meeting. As Messrs Lam, Lau and To’s interests were direct, the Committee agreed that they should withdraw from the meeting.

[Messrs Dominic K.K. Lam and David To left the meeting temporarily at this point.]

[Mr. Patrick H.T. Lau left the meeting at this point.]

### Presentation and Question Sessions

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

#### Background to the application

- (a) the application site was the subject of four previous planning applications (No. A/TW/304, No. A/TW/358, No. A/TW/373 and No. A/TW/373-1) for the a proposed comprehensive residential cum ‘Government, Institution and Community’ development;
- (b) according to the plot ratio (PR) restrictions stipulated under the Outline Zoning Plan (OZP) for the site, the PR for the domestic part of the building should not exceed the product of the difference between the maximum non-domestic PR of 9.5 and the actual non-domestic PR of 5.0 divided by the maximum non-domestic plot ratio of 9.5. While achieving the proposed domestic PR of 4.762 under the previous approved scheme, the remaining permissible non-domestic PR would amount only to 0.452;

#### The proposal

- (c) the applicant sought planning permission for amendments to the development scheme under Application No. A/TW/373 for comprehensive residential cum Government, Institution or Community development, and minor relaxation of non-domestic PR restriction for inclusion of non-domestic gross floor area (GFA) of 1,535m<sup>2</sup> (i.e. an additional non-domestic PR of 0.064) for the facilities of the covered drainage area, the 24-hour pedestrian walkway and the G/F covered pedestrian link in the proposed development. According to the applicant, the proposed 24-hour

pedestrian walkway and G/F covered walkway were for the convenience of the public and future residents of the application site, while the covered drainage reserved area was to provide unrestricted access at all times for future maintenance of the drainage and sewer pipes underneath the site. In order to include the concerned non-domestic facilities, minor relaxation of the maximum non-domestic PR (from 0.452 to 0.516) for the subject site was required;

- (d) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 10 of the Paper;
- (e) during the statutory publication period, one public comment was received from the Hong Kong and China Gas Company Limited (the gas company). The commenter stated that a risk assessment was required to evaluate the potential risk and necessary mitigation measures if required due to the existing intermediate pressure gas pipeline in the vicinity and the applicant should consult the gas company in design stage and close coordinate with the gas company during the construction stage and provision of protective measures; and
- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 12 of the Paper. The proposed increase in non-domestic GFA for the concerned non-domestic facilities would not in effect increase the development bulk and would not have adverse impacts on the environment, traffic conditions or infrastructures of the surrounding areas. Such technical amendment was considered acceptable from the planning point of view. However, it was suggested to impose an approval condition in paragraph 13.2(a) of the Paper to restrict the use of the non-domestic GFA of 1,535m<sup>2</sup> only for the provision of the covered drainage area, the 24-hour pedestrian walkway and the G/F covered pedestrian link. In respect of the public comment from the gas company regarding the existing intermediate pressure gas pipeline in the vicinity, the applicant had submitted further information and explained

that the developer had already consulted the gas company at the design stage and close liaison would be maintained during the construction stage. Moreover, the applicant would provide appropriate protective measures to ensure project safety. The Director of Electrical and Mechanical Services had also advised the applicant to maintain liaison/ coordination with the gas company in respect of the existing and planned gas pipes routes/gas installations in the vicinity of the proposed works area and the minimum set back distance away from the gas pipelines during the design and construction stages of development. In order to address the concern of the gas company, an advisory clause requesting the applicant to liaise with the gas company during the construction stage was recommended in paragraph 13.2(b) of the Paper.

21. Members had no question on the application.

#### Deliberation Session

22. 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 6.7.2016, 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 1,535m<sup>2</sup> non-domestic gross floor area under application was only for the facilities of the covered drainage area, the 24-hour pedestrian walkway and the G/F covered pedestrian link in the proposed development;
- (b) the submission of a revised Master Layout Plan (MLP) to incorporate the amendments made under the Application No. A/TW/434 and the implementation of the revised MLP to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission and implementation of a revised development programme indicating the timing and phasing of the proposed development to the satisfaction of the Director of Planning or of the TPB.

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

- (a) that the approved MLP, together with the set of approval conditions, would be certified by the Chairman of the TPB and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into a revised MLP for deposition in the Land Registry as soon as possible; and
- (b) to liaise with the Hong Kong and China Gas Company Limited during the construction stage with regard to the potential risk and protective measures, if required, due to the existing intermediate pressure gas pipeline in the vicinity.

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

[Messrs Dominic K.K. Lam and David To returned to join the meeting at this point.]

[Ms. Julia M.K. Lau arrived to join the meeting at this point.]

[Ms. Fannie F.L. Hung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]



**Agenda Items 7, 8 and 9**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/117 Proposed Temporary Concrete Batching Plant for a Period of 3 Years in “Industrial” zone, Tsing Yi Town Lot 108 RP (Part), Tsing Yi  
(MPC Paper No. A/TY/117B)

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A/TY/118 Temporary Asphalt Plant for a Period of 3 Years in “Industrial” zone, Tsing Yi Town Lot 108 RP (Part), Tsing Yi  
(MPC Paper No. A/TY/118A)

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A/TY/119 Temporary Concrete Batching Plant for a Period of 3 Years in “Industrial” zone, Tsing Yi Town Lot 108 RP (Part), Tsing Yi  
(MPC Paper No. A/TY/119A)

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24. The Chairman suggested that the three applications could be considered together as the three applications were submitted by the same applicant and the application sites were located adjacent to each other and involving an existing concrete batching plant and asphalt plant within the same lot. Members agreed.

25. The Secretary reported that the applications were submitted by the Hongkong United Dockyards Ltd., which was a subsidiary of Hutchison & Swire Joint Venture. AECOM Asia Co. Ltd. was the consultant of the applicant for Application No. A/TY/117, and Environ Hong Kong Ltd. was the consultant of the applicant for Applications No. A/TY/118 and A/TY/119. The following Members had declared interests in these items:

Professor S.C. Wong		had current business dealings with AECOM
Mr. Dominic K.K.Lam	]	Asia Co. Ltd.;
Ms. Julia M.K. Lau	-	had current business dealings with Environ Hong Kong Ltd.;
Professor P.P. Ho	-	had current business dealings with Hutchison & Swire Joint Venture; and

Mr. Patrick H.T.Lau - had current business dealings with Hutchison & Swire Joint Venutre; and AECOM Asia Co. Ltd..

26. The Committee noted that Professor P.P. Ho tendered an apology for being unable to attend the meeting and Mr. Patrick H.T. Lau had already left the meeting. As Professor Wong, Ms. Lau and Mr. Lam had no direct involvements in these applications, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

27. With a powerpoint presentation, Ms. Fannie F.L. Hung, STP/TWK, presented the applications and covered the following aspects as detailed in the Papers:

- (a) background to the applications highlighting that the application sites were the subject of two previous applications (including an asphalt plant under Application No. A/TY/106 and a concrete batching plant under Application No. A/TY/110) for a temporary period of three years;
- (b) the current applications involved a proposed temporary concrete batching plant under Application No. A/TY/117, a temporary asphalt plant under Application No. A/TY/118 and a concrete batching plant under No. A/TY/119 for a period of three years;
- (c) the major development parameters for the temporary concrete batching plant and the temporary asphalt plant under applications were summarized below:

Development Parameter	Application No. A/TY/117	Application No. A/TY/118	Application No. A/TY/119
Applied use	proposed temporary concrete batching plant for a period of 3 years	temporary asphalt plant for a period of 3 years	temporary concrete batching plant for a period of 3 years
Site Area	4,200m <sup>2</sup>	2,555m <sup>2</sup>	8,645m <sup>2</sup>
Gross Floor Area	2,562m <sup>2</sup> (including 33m <sup>2</sup> of temporary office and control room)	894.36m <sup>2</sup>	2,387.35m <sup>2</sup> (including 2,187.35m <sup>2</sup> for the plant and 200m <sup>2</sup> for office)
Plot Ratio	0.61 (including the temporary office and control room)	0.35	0.28
Building Height	37.2mPD	not exceeding 20m	not exceeding 34mPD
No. of car parking spaces	5	0	0
No. of lorry parking spaces	50-60	8	35
No. of loading/unloading spaces	4	8	6

- (d) the three applications would share a common ingress/egress and internal road. In order to facilitate the operation of the proposed concrete batching plant and avoid causing any tail back along Sai Tso Wan Road, the applicant would rent parking spaces in the nearby carparks at Sai Tso Wan Road for marshalling use;
- (e) departmental comments – concerned government departments had no objection to or no adverse comments on the applications as detailed in paragraph 9 of the Papers;
- (f) during the statutory publication period and publication period on further information for three applications, public comments were received for each

applications:

*Application No. A/TY/117*

- (i) during the first three weeks of the statutory publication period, one comment was received from a Kwai Tsing District Council member objecting to the application on the grounds of adverse traffic impacts and noise impact brought by the proposed development;
- (ii) during the statutory publication period of further information to the application, one comment was received from the Residents Committee of Rambler Crest objecting to the application on the grounds that the noise, light pollution, air pollution and traffic problems in Tsing Yi were along the concerns of Tsing Yi residents. They requested government department to review the land use planning of Tsing Yi so as to reduce the impact of heavy industries to the nearby residents;

*Application No. A/TY/118*

- (iii) during the first three weeks of the statutory publication period, two comments were received from a Kwai Tsing District Council member and the Residents Committee of Rambler Crest. They objected to the application on the grounds of adverse traffic, noise and air quality impacts brought by the development;
- (iv) during the statutory publication period of further information to the application, two comments were received from the public. They objected to the application on the grounds of adverse traffic, noise, air quality and marine ecological impacts brought by the development;

*Application No. A/TY/119*

- (v) during the first three weeks of the statutory publication period, two comments were received from a Kwai Tsing District Council member and the Residents Committee of Rambler Crest objecting to

the application on the grounds of adverse traffic, noise and air quality impacts brought by the development;

- (vi) during the statutory publication period of further information to the application, no comment was received; and
  
- (g) the Planning Department (PlanD)'s views – PlanD had no objection to the applications for the reasons as detailed in paragraph 11 of the Papers. Regarding the public comments received objecting to the applications similarly on the grounds of adverse traffic, noise, air quality and marine ecological impacts brought by the developments, the site was located at the relatively remote part of the Tsing Yi West industrial area and the range of high hills at the central part of Tsing Yi Island could effectively serve as a buffer to screen off the potential environmental impacts and disturbances to the residential areas in the north-eastern part of Tsing Yi. Moreover, concerned government departments, including the Director of Environmental Protection, Commissioner for Transport, Director of Agricultural, Fisheries and Conservation, had no objection to the applications from the environmental protection and traffic points of view.

28. A Member enquired whether there was any information about the investment return period for the temporary concrete batching plant and asphalt plant. Ms. Fannie Hung said that the applicant did not provide such information in the submissions.

#### Deliberation Session

29. The Chairman said that in the coming years, large-scale infrastructure projects would be implemented in Hong Kong. As a result, there would be an increasing demand for construction materials including cements and asphalt for the infrastructure projects. The subject sites were considered appropriate for the operation of concrete batching plant and asphalt plant as marine access was available along the waterfront of the site for loading and unloading of raw materials and transportation of goods. Moreover, they were located in urban areas where the time for transportation of cement would be reduced. The concrete batching plant and asphalt plant would unlikely pose environmental nuisances to the Tsing Yi

residents as the location was a remote part of Tsing Yi.

30. Two Members opined that granting temporary approvals for a period of three years for these applications would deter the applicant to invest on his site to provide permanent facilities for the concrete batching plant and the asphalt plan. In response, Ms. Fannie Hung said that the long-term planning intention of the subject site was for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Moreover, the subject lot was restricted under the lease for ship building, ship repairing and ancillary uses. The Chairman supplemented that the applicant applied to use the sites for a temporary period of three years.

31. A Member enquired whether the approval conditions for the three applications be the same. Ms. Fannie Hung's answer was positive. This Member pointed out that for Application No. A/TY/117, the revocation clause should also apply to approval condition (e) in paragraph 12 of the Paper. Hence, this Member suggested that the approval condition (g) be amended to read as 'if any the above planning conditions (b), (c), (d) or (e) was not complied with by the specified date, the approval hereby given should cease to have effect and shall on the same date be revoked without further notice'. Members agreed.

32. After further deliberation, the Committee decided to approve the applications on a temporary basis for a period of three years until 6.7.2015, on the terms of the applications as submitted to the Town Planning Board (TPB). Each permission was subject to the following conditions :

for Applications No. A/TY/117 and No. A/TY/119 only

- (a) no queuing on public roads in the vicinity of the application site resulting from the operation of the concrete batching plant should be allowed at any time during the planning approval period;
- (b) the submission of landscape and tree preservation proposals within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2013;

- (c) in relation to (b) above, the implementation of landscape and tree preservation proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 6.4.2013;
- (d) the submission of water supplies for fire fighting and fire service installations proposals within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2013;
- (e) in relation to (d) above, the implementation of water supplies for fire fighting and fire service installations proposals within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2013;
- (f) if the above planning condition (a) was not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (g) if any of the above planning conditions (b), (c), (d) or (e) 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.

for Application No. A/TY/118 only

- (a) no queuing on public roads in the vicinity of the application site resulting from the operation of the asphalt plant should be allowed at any time during the planning approval period;
- (b) the submission of landscape and tree preservation proposals within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the TPB by 6.1.2013;
- (c) in relation to (b) above, the implementation of landscape and tree preservation proposals within 9 months from the date of planning approval

to the satisfaction of the Director of Planning or of the TPB by 6.4.2013;

- (d) the submission of water supplies for fire fighting and fire service installations proposals within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.1.2013;
- (e) in relation to (d) above, the implementation of water supplies for fire fighting and fire service installations proposals within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 6.4.2013;
- (f) if the above planning condition (a) was not complied with during the planning approval period, the approval hereby given should cease to have effect and should be revoked immediately without further notice; and
- (g) if any of the above planning conditions (b), (c), (d) or (e) 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.

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

for Applications No. A/TY/117 and No. A/TY/119 only

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD) that the owner of Tsing Yi Town Lot 108 RP should apply for a new temporary waiver for the concrete batching plant. There was no guarantee that the application would be approved. The temporary waiver application would be considered by the LandsD acting in the capacity as Landlord at its sole discretion. Any approval, if given, would be subject to such terms and conditions, including inter alia, payment of wavier fee and administrative fee, as might be approved by the LandsD;



- (b) to note the comments of the Director of Environmental Protection that the concrete batching plant had to be operated with a Specified Process Licence complying with requirements as stipulated in the Best Practice Means for Cement Works (Concrete Batching Plant) BPM 3/2;
- (c) to note the comments of the Commissioner for Transport that the applicant should ensure an adequate, continuous internal access road for circulation of operating vehicles by sharing the road with more than one lot;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that the erection of concrete batching plants was subject to a valid Temporary Building Permit and/ or Temporary Occupation Permit issued by the Building Authority. The concrete batching plants were “buildings” under the Buildings Ordinance. With the information available, submission of general building plans to the Building Authority was required and an Authorized Person was to be appointed;
- (e) to note the comments of the Director of Fire Services that detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans. The provision 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 the Buildings Department; and
- (f) to note the comments of the Chief Engineer/Development (2), Water Supplies Department (WSD) that for provision of water supply to the development, the applicant might need to extend his/her inside services to the nearest government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and should be responsible for the installation, operation and maintenance of the inside services within the private lots to WSD’s standards.

for Application No. A/TY/118 only

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD) that the owner of Tsing Yi Town Lot 108 RP should apply for a new temporary waiver for the asphalt plant. There was no guarantee that the application would be approved. The temporary waiver application would be considered by the LandsD acting in the capacity as 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 approved by the LandsD;
- (b) to note the comments of the Director of Environmental Protection (DEP) that the asphalt plant had to be operated with a Specified Process Licence complying with requirements as stipulated in the Best Practice Means for Tar and Bitumen Works (Asphalt Concrete Plants) BPM 15;
- (c) to note the comments of the Commissioner for Transport that the applicant should ensure an adequate, continuous internal access road for circulation of operating vehicles by sharing the road with more than one lot;
- (d) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that the erection of asphalt plant was subject to a valid Temporary Building Permit and/ or Temporary Occupation Permit issued by the Building Authority. The asphalt plant was “building” under the Buildings Ordinance. Submission of general building plans to the Building Authority and appointment of an Authorized Person were required;
- (e) to note the comments of the Director of Fire Services that detailed fire safety requirements would be formulated upon receipt of formal submission of general building plans. 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

the Buildings Department; and

- (f) to note the comments of the Chief Engineer/Development (2), Water Supplies Department (WSD) that for provision of water supply to the development, the applicant might need to extend his/her inside services to the nearest government water mains for connection. The applicant should resolve any land matter (such as private lots) associated with the provision of water supply and should be responsible for the installation, operation and maintenance of the inside services within the private lots to WSD's standards.

[The Chairman thanked Ms. Fannie F.L. Hung, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Hong Kong District**

#### **Agenda Item 10**

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

[Open Meeting]

A/H8/414                      Proposed Comprehensive Hotel, Residential and Public Open Space  
Development in "Comprehensive Development Area" zone,  
12 Oil Street, Inland Lot No. 8920 and Adjoining Government Land,  
North Point  
(MPC Paper No. A/H8/414A)

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34.            The Secretary reported that Environs Hong Kong Ltd. and LLA Consultancy Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

- Mr. Dominic K.K.Lam - had current business dealings with LLA Consultancy Ltd.;
- Ms. Julia M.K. Lau - had current business dealings with Environ Hong Kong Ltd.;
- Mr. Patrick H.T.Lau - had current business dealings with Kenneth To & Associates Ltd., Earthasia Ltd. and LLA Consultancy Ltd.; and
- Mr. Frankie Chou - owned a flat at City Garden.

35. As the applicant had requested for a deferment of consideration of the application, the Committee agreed that the above Members with interests declared could stay in the meeting.

36. The Committee noted that on 13.6.2012 and 25.6.2012, the applicant's representative wrote to the Secretary of the Board and requested the Board to further defer the consideration of the application by two meetings to 10.8.2012 in order to allow more time for the applicant to address department comments concerning the design of public open space and air ventilation aspect, and submit revised technical assessments.

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 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 a further period of one month was allowed for preparation of the submission of the further information, and since a total of about three months had been allowed, 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 11**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/208            Proposed Hotel in “Other Specified Uses” annotated “Business” zone,  
20-24 Tai Yau Street, San Po Kong  
(MPC Paper No. A/K11/208A)

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38.            The Secretary reported that the application was submitted by Yangtshkiang Garment Limited, with Glormount Holdings Ltd. and LLA Consultancy Ltd. as the consultants. The following Members had declared interests in this item:

Mr. Dominic K.K. Lam   -   had current business dealings with Glormount Holdings Ltd. and LLA Consultancy Ltd.; and

Mr. Patrick H.T. Lau     -   had current business dealings with LLA Consultancy Ltd..

39.            The Committee noted that Mr. Patrick H.T. Lau had already left the meeting. As Mr. Lam had no direct involvement in the subject application, the Committee agreed that he could stay in the meeting.

40.            Mr. Clarence W.C. Leung also declared an interest in this item as he had current business dealings with the applicant. As Mr. Leung’s interest was direct, the Committee agreed that he should withdraw from the meeting.

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

**Presentation and Question Sessions**

41. With the aid of a powerpoint presentation, 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 proposed hotel;
- (c) departmental comments – concerned government departments had no objection to or no adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) during the statutory publication period, three public comments were received. Two commenters supported the application for the reasons that the proposed hotel development would help revitalize the industrial area, improve the streetscape by providing more landscape treatment and provide more car parking spaces. One commenter objected to the application for the reasons that the proposed hotel development would have adverse impacts on the arts development in the area and the local economy;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11 of the Paper. Regarding the public commenter's concern on the adverse impact of the proposed hotel development on the arts development and local economy, it should be noted that the existing development was two industrial buildings restricted for industrial uses under the lease. It was a commercial decision of the owner of the application site to redevelop the existing industrial buildings to hotel, which would help transform the area into a business area and provide employment opportunities.

42. Members had no question on the application.

#### Deliberation Session

43. A Member enquired how many of the proposed hotel developments in San Po

Kong area which were approved by the Board under planning applications had been built. In response, Mr. Richard Siu said that in San Po Kong area, there were 11 planning applications involving six sites for hotel developments which were approved by the Board. One site was under construction for hotel development, one site was under the lease modification process for hotel use and the other four sites had been redeveloped for office/commercial uses.

44. In response to a Member's question, Mr. Richard Siu said that according to the OZP, the application site zoned "OU(Business)" was subject to a maximum plot ratio (PR) of 12. According to the Remarks of the Notes for the "OU(Business)" zone on the OZP, the maximum PR restriction of 12 might be exceeded for bonus PR relating to Building (Planning) Regulations 22(1) or (2). The proposed bonus PR was subject to the acceptance by the Building Authority. In this regard, the applicant proposed to set back 3m from Tai Yau Street in order to tally with the OZP requirement and claimed a bonus PR of 0.49 for the aforesaid area. This proposed bonus PR would be subject to the approval of the Building Authority.

45. The Secretary supplemented that the site was not subject to any PR restriction on the OZP before. In 1993, the Board endorsed the recommendations of the Kowloon Density Study for incorporation on OZPs. One of the recommendations was the stipulation of a maximum PR of 12 on sites for non-domestic use, including the subject site on the OZP and the incorporation of the Remarks in the Notes to stipulate the maximum PR restriction might be exceeded for bonus PR relating to Building (Planning) Regulations 22(1) or (2). The Secretary also pointed out that on the OZP, there was a requirement of 3m-wide 'non-building area' from the lot boundary abutting Tai Yau Street for the purposes of improving the wind environment within San Po Kong Business Area, enhancing the overall streetscape and for future road widening. If the setback area was required for road widening purpose, the applicant could claim bonus PR from the BA even the PR had already exceed the maximum PR of 12.

46. 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 6.7.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

permission was renewed. The permission was subject to the following conditions :

- (a) the design and provision of a pedestrian footbridge across the service lane, as proposed by the applicant, to connect with the adjacent building at 9-11 Sheung Hei Street to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of a footbridge connection point including structural support, as proposed by the applicant, for possible future connection with the building at 25-27 Tai Yau Street upon its redevelopment to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of pedestrian passageway within the proposed development for public use on a 24-hour basis to link up future footbridge connections to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (e) the submission and implementation of the landscape proposal to the satisfaction of the Director of Planning or of the TPB.

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

- (a) the approval of the application did not imply that any proposal on building design elements to fulfill the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio and/or gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. If the building design elements and the GFA concession were not approved/granted by the Building Authority and major changes to the



current scheme were required, a fresh planning application to the TPB might be required;

- (b) to apply to the District Lands Officer/Kowloon East for lease modification/land exchange for the proposed hotel use;
- (c) to note the comments of the Chief Highway Engineer/Kowloon, Highways Department that the design of the proposed surrendered area should be submitted to both Transport Department and Highways Department for comment in due course;
- (d) to note the comments of the Director of Environmental Protection that hotel/office developments were normally provided with central air conditioning system and the applicant/authorized persons should be able to select a proper location for fresh-air intake, as well as any sensitive uses, such as swimming pool and the like, during detailed design stage to avoid exposing future occupants under unacceptable environmental nuisance/impact;
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:
  - (i) to appoint an Authorized Person to submit building plans to the Buildings Department for approval and demonstration of full compliance with the Buildings Ordinance;
  - (ii) the granting of hotel concession under Building (Planning) Regulation 23A could only be considered upon formal submission of building plans subject to the compliance with the criteria under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-40;
  - (iii) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and APP-152 on Sustainable

Building Design (SBD) Guidelines should be applicable to the proposed redevelopment. Under PNAP APP-151, the Building Authority would take account of the compliance with the SBD Guidelines as promulgated in the PNAP APP-152, where applicable, as a pre-requisite in exempting or disregarding green/amenity features and non-mandatory/ non-essential plant rooms and services from GFA and/or site coverage calculations (GFA concession) in new building developments; and

- (iv) as an existing common staircase encroaches upon the 3m strip of land at the front of the site to be surrendered for road widening, the granting of bonus PR and site coverage for the 3m NBA was subject to the condition that implementation arrangement on surrender of the portion of the lot occupied by the existing party structure should be submitted to the satisfaction of Government prior to application for an occupation permit;
- (f) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply the Code of Practice for Fire Safety in Building 2011 which was administered by the Buildings Department;
- (g) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that consideration should be made to providing more greening/landscaping on the setback area, façade and flat roof areas in order to enhance the visual amenity of the proposed development and to minimize the possible adverse visual impacts of the blank façade. The applicant should consider providing greening, especially tree planting, at the ground level and maximise greening opportunities and provide planters with sufficient soil depth and volume for the podium at 3/F; and
- (h) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department to submit documentary

evidence showing that the Building Authority had granted prior approval for the proposed use when making an application under the Hotel and Guesthouse Accommodation Ordinance (HAGAO). The proposed licence area should be physically connected. The Fire Service Installations provisions should comply with paragraph 4.28 of Code of Practice for Minimum Fire Service Installations and Equipment. The licensing requirements would be formulated after inspections by the Building Safety Unit and Fire Safety Team of his office upon receipt of a licence application under HAGAO.

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

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/K13/281                      Proposed Religious Institution (Extension of Temple) in "Green Belt" zone, Government Land Adjoining 3 Shun Lee Tsuen Road (STT No. KX 2171), Kwun Tong  
(MPC Paper No. A/K13/281)

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48.            The Committee noted that on 12.6.2012, the applicant wrote to the Secretary of the Board and requested the Board to defer the consideration of the application for two months in order to allow time for the applicant to address Water Supplies Department's concerns regarding the proposed development would encroach onto waterworks reserve.

49.            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 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 the further information, and no further deferment would be granted unless under very special circumstances.

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

### **Hong Kong District**

#### **Agenda Item 13**

[Open Meeting]

Proposed Amendments to the Draft Wan Chai Outline Zoning Plan No. S/H5/26  
(MPC Paper No. 7/12)

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50. With the aid of a powerpoint presentation, Mr. Louis K.H. Kau, STP/HK, presented the proposed amendments to the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/26 as detailed in the Paper and were summarized below:

#### **Status of the Current OZP**

- (a) on 24.9.2010, the draft Wan Chai OZP No. S/H5/26 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Plan incorporated amendments which mainly involved the incorporation of building height restrictions for various zones including “Government, Institution or Community” (“G/IC”) and rezoning of sites to reflect the planning intention or the as-built condition of the sites. Upon the expiry of the two-month exhibition period, a total of 106 representations and 293 comments were received;
- (b) on 26.4.2011, after giving consideration to the representations and comments under section 6B(1) of the Ordinance, the Town Planning Board (the Board) decided to propose amendments to the Plan to partially meet three representations in respect of the sites at 8-10 and 12-18 Wing Fung

Street (the subject site) and not to uphold the remaining representations;

- (c) on 25.7.2011, (i) the Methodist Church, Hong Kong; (ii) the Trustees of the Church of Christ in China, Wan Chai Church (CCCWC); (iii) Leighton Property Co. Ltd. and Lee Theatre Realty Ltd.; and (iv) the Real Estate Developers Association of Hong Kong (REDA) each filed a Judicial Review (JR) application against the Board's decisions not to meet their representations. Leaves for JR applications and an order of stay of the submission of the OZP to the Chief Executive in Council for approval were granted by the Court. The JRs submitted by Leighton Property Co. Ltd and Lee Theatre Realty Ltd. and the REDA would be heard on 10-12.9.2012 and 18-21.2.2013 respectively. The hearing dates of the remaining two JRs were yet to be fixed;

Proposed Amendments to OZP

*Amendment Item A: Revision to the stipulated maximum building height for the "G/IC" zone at 271 Queen's Road East*

- (d) the site was located at 271 Queen's Road East which was currently occupied by Methodist International Church (MIC), a 3-4 storey church building over one level of basement. The site was subject to a maximum building height of 4 storeys on the OZP. At the representation hearing on 26.4.2011, the representer (i.e. Methodist Church) proposed to either delete the building height restriction for the MIC site or revise it to 122mPD or 130mPD. After consideration of the representation, the Board decided not to uphold its representation. However, the Board noted that the MIC site was to be redeveloped in order to expand services to meet the needs of the church and the community. Noting such an intention, the Board requested the Planning Department (PlanD) to follow-up with the Methodist Church on the redevelopment proposal. Should the redevelopment proposal be acceptable to relevant government bureaux/departments, PlanD would recommend to the Board to amend the building height restrictions of the respective sites as appropriate so as to strike a balance between the functional requirements of the GIC sites and their function as visual/spatial

relief of the area;

- (e) since then, the Methodist Church had submitted redevelopment proposals for the Methodist International Church (MIC) site. The latest proposal involved a 25-storey church complex (including a basement). The proposed church complex had a building height of 109.68mPD, a site coverage of about 83% at LG/F and a total gross floor area (GFA) of about 11,010m<sup>2</sup> (with a plot ratio (PR) of about 13.86). A covered open space, of not less than 360m<sup>2</sup>, would be provided on LG/F of the development;
- (f) the redevelopment proposal would have no adverse environmental and infrastructural impacts. Relevant government departments including the Environmental Protection Department (EPD), Drainage Services Department (DSD) and Water Supplies Department (WSD) had no adverse comments on the proposals. The Home Affairs Bureau (HAB) and Lands and Works Bureau (LWB) in general were supportive or had no objection to the redevelopment proposal. In view of the above, it was recommended to amend the building height restriction for the MIC site on the OZP from 4 storeys to 110mPD and to incorporate the requirement of a covered open space of not less than 360m<sup>2</sup> for the site;

*Amendment Item B: Amendments to rezone the sites at 99 Kennedy Road and 269 Queen's Road East from "G/IC" zone to "Residential (Group E)" ("R(E)") and revision of the stipulated maximum building height from 3,4 and 8 storeys to 100mPD*

- (g) the sites were located at the junction of Kennedy Road and Queen Road's East and adjacent to the MIC site. The site at 99 Kennedy Road was currently occupied by the Wan Chai Polyclinic, which was a 3-storey building over one level of basement. The site at 269 Queen's Road East was occupied by the 8-storey Lui Kee Education Services Centre. The sites were subject to a maximum building height of 3, 4 and 8 storeys respectively on the OZP;

- (h) as both sites were located immediate next to a predominantly residential neighbourhood which was zoned “Residential(Group A)” (“R(A)”) on the OZP, it was considered compatible in terms of land use that they were redeveloped for residential use. However, as EPD advised that these sites would be affected by the possible traffic noise from Kennedy Road and Queen’s Road East, it was therefore proposed to rezone the two sites to “R(E)” to ensure that appropriate noise mitigation measures would be identified and implemented. It was also proposed to combine the two sites as one single site to provide more flexibility in addressing the noise issue;
- (i) given the site was located adjacent to a residential neighbourhood which was under “R(A)” zone, it was considered that a building height restriction of 100mPD and a total PR of 7.5 were appropriate for the site;

*Amendment Item C: Revision to the stipulated maximum building height for the “G/IC” zone at 77 Spring Garden Lane*

- (j) the site at 77 Spring Garden Lane was currently occupied by Church of Christ in China, Wan Chai Church (Wan Chai Church) which comprised a 3-storey church and a 5-storey building for the kindergarten/nursery over one level of basement. The site was subject to a maximum building height of 5 storeys on the OZP;
- (k) the building height restriction for the Wan Chai Church site was first imposed on the OZP on 24.9.2010. It was also the subject of representation against the imposition of building height restrictions on the OZP. CCCWC proposed to revise the building height restriction from 5 storeys to 118mPD. At the representation hearing, the Board did not uphold the representation, and PlanD was requested to follow-up with the CCCWC on the redevelopment proposal;
- (l) the redevelopment proposal of the Wan Chai Church site involved a 25-storey church/community services complex. The proposed

redevelopment would have a building height of not higher than 110mPD, a total GFA of not more than 16,620m<sup>2</sup> (i.e. a PR of 12) and a site coverage of not more than 60% over 15m. A footbridge was also provided to link up with the elevated walkway of Hopewell Centre;

- (m) the redevelopment proposal would have no adverse environmental and infrastructural impacts. Relevant government departments including EPD, DSD and WSD had no adverse comments on the proposals. The HAB, LWB and Education Bureau in general were supportive or had no objection to the redevelopment proposal. In view of the above, it was recommended to amend the building height restriction for the Wan Chai Church site from 5 storeys to 110mPD. It was also proposed to incorporate a minimum setback requirement of 2m from the lot boundary fronting Spring Garden Lane;

*Amendment Item D: Revision to the stipulated maximum building height for the “G/IC” zone at 15 Hennessy Road*

- (n) the site at 15 Hennessy Road, known as the Duke of Windsor Social Service Building (DWSSB), was subject to the maximum building height of 50mPD on the OZP. It was currently occupied by a 15-storey building with a building height of 51.7mPD;
- (o) the representer (i.e. the Hong Kong Council of Social Services (HKCSS)) proposed to revise the building height restriction from 50mPD to 100mPD. After consideration of the representation, the Board decided not to uphold its representation. However, the Board noted the HKCSS’s intention for redevelopment, and therefore requested PlanD to follow-up with HKCSS on the redevelopment proposal;
- (p) the redevelopment proposal of the DWSSB site involved a 25-storey building (excluding 2 basement levels) for institutional use with social welfare facilities. The proposed development would have a building height of 92.25mPD and a total GFA of about 9,270m<sup>2</sup> (i.e. a PR of about



14.3);

- (q) the redevelopment proposal would have no adverse environmental and infrastructural impacts. Relevant government departments including DSD and WSD had no adverse comments on the proposals. The HAB and LWB in general were supportive or had no objection to the redevelopment proposal. In addition, the Land and Development Advisory Committee had also given its support to the redevelopment proposal. In view of the above, it was recommended to amend the building height restriction for the DWSSB site from 50mPD to 93mPD;

*Amendment Item E: Rezoning the areas in Sau Wa Fong of about 3,590m<sup>2</sup> from “R(A)”, “R(C)”, “G/IC” and “Open Space” (“O”) to area shown as ‘Road’*

- (r) on 23.3.2012, the Board considered the findings of the review of the stepped streets sites on Hong Kong Island and agreed to its recommendations as follows:
  - (i) the planning intention of the “R(C)” zones covering the stepped street sites as stated in the Notes and Explanatory Statement of the relevant OZPs should be suitably revised to set out the latest planning considerations relevant to the redevelopment of these sites. These included the local character, terrace ambience, heritage value, visual, air and traffic considerations, where appropriate. The wording related to fire safety concerns and limited emergency vehicular access would be deleted;
  - (ii) the current development restrictions, i.e. a maximum PR of 5 and a maximum of 12 storeys, should be maintained for all the stepped street sites;
  - (iii) the “relaxation” clause should be revised to a “minor relaxation” clause. Each application would be considered by the Board based on individual merits; and

- (iv) to prevent the major stepped streets and terraces from being built over, the concerned areas would be excised from the “R(C)” zones and shown as ‘Road’ on relevant OZPs;
  
- (s) Sau Wa Fong area was a large and well-preserved terrace located to the south of Queen’s Road East. The area was an enclosed and tranquil residential area. In accordance with the previous Board’s decision as mentioned above, and to preserve the existing character of the area, it was proposed to rezone the terraces and the stepped streets including Sik On Street and Schooner Street in the Sau Wa Fong area from “R(C)” to area shown as ‘Road’. It was also proposed to rezone St. Francis Street, St. Francis Yard and Kwong Ming Street from “G/IC”, “O”, “R(A)” and “R(C)” to area shown as ‘Road’ to reflect their current use;

#### Proposed Amendments to the Notes and ES

##### *Amendments to the Notes of the “R(C)” zone*

- (t) the planning intention of the “R(C)” zone was revised to reflect the latest circumstances as mentioned in paragraph 50(r)(i) above;
  
- (u) the ‘relaxation clause’ was also revised to a ‘minor relaxation clause’;

##### *Addition of the Notes of the “R(E)” zone*

- (v) it was proposed to add a set of Notes for the “R(E)” zone;

##### *Amendments to the Notes of the “G/IC” zone*

- (w) the Remarks of the “G/IC” zone were revised to incorporate development restrictions for the MIC site at 271 Queen’s Road East and the Wan Chai Church site at 77 Spring Garden Lane;

- (x) the ES was revised to take into account the proposed amendments as mentioned above. Opportunity had also been taken to update the general information for the various land use zones to reflect the latest status and planning circumstances of the OZP;

Departmental Consultation and Public Consultation

- (y) the proposed amendments had been circulated to relevant government bureaux/departments for comments. They had no objection to or adverse comments on the proposed amendments. The comments of the government departments had been incorporated, where appropriate;
- (z) the District Officer (Wan Chai) suggested that Wan Chai District Council (WCDC) and concerned parties should be consulted on the proposed amendments to the OZP as early as possible; and
- (aa) the WCDC would be consulted on the amendments prior to or during the exhibition period of the draft Wan Chai OZP No. S/H5/26A (to be renumbered to S/H5/27 upon exhibition) depending on the meeting schedule.

51. Mr. Laurence L.J. Li, Ms. Julia M.K. Lau and Mr. Sunny L.K. Ho declared interests in this item. Mr. Li and Ms. Lau owned properties at St. Francis Yard and Star Street respectively, which were in close proximity to Sau Wa Fong area. Mr. Ho's office was at Hopewell Centre, which was close to the CCCWC site at Spring Garden Lane. As the interests of Mr. Li, Ms. Lau and Mr. Ho were direct, Members agreed that Mr. Li, Ms. Lau and Mr. Ho should withdraw from the meeting.

[Mr. Laurence L.J. Li, Ms. Julia M.K. Lau and Mr. Ho left the meeting temporarily at this point.]

52. Mr. Stephen H.B. Yau declared an interest on the proposed amendment item regarding the DWSSB site at Hennessy Road as he was a council member of the HKCSS. As the interest of Mr. Yau was direct, Members agreed that Mr. Yau should withdraw from the meeting.

[Mr. Stephen H.B. Yau left the meeting temporarily at this point.]

53. Ms. Bonnie J.Y. Chan declared an interest in this item as her parents owned a property opposite to Three Pacific Place along Queen's Road East. As the interest of Ms. Chan was indirect, Members agreed that Ms. Chan could stay in the meeting.

54. A Member said that according to the Paper, visual impact assessments of the proposed development of the GIC sites were carried out and photomontages were prepared to illustrate the visual impact. However, the photomontages seemed to be in two-dimensional, instead of three-dimensional. This Member enquired how the viewpoints were selected in undertaking the visual impact assessments of the proposed redevelopment of the GIC sites. In response, Mr. Louis Kau said that PlanD had made reference to the Town Planning Board Guidelines No. 41 on 'Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board' in assessing the overall visual impacts of the proposed development. Public parks or recreation grounds were chosen as the viewpoints for the assessment as they were popular areas used by the public. The visual impact of the proposed development on the surrounding area from the selected viewpoints would be assessed.

55. The Chairman added that in submitting proposals concerning the imposition of building height restrictions on OZPs to the Board for its consideration, PlanD would normally prepare three-dimensional fly-through animation to facilitate Members to consider the building height profile of the development in relation to its surrounding areas after imposing the proposed building height restrictions.

56. The same Member asked whether there were urban design standards adopted by international cities in carrying out visual impact assessments. The Chairman said that as far as he was aware, there were no such standard on urban design. Each city would usually adopt its own set of urban design principles or guidelines taking into account its own historical background, characteristics and local setting. The Chairman also pointed out that the urban design principles adopted by a particular city might change over time. For instance, the central part of London had been subject to stringent building height restriction. However, such building height restriction had been relaxed in the last two decades or so and high rise

developments such as ‘The Shard’ were built in the city. The Secretary supplemented that in the submission of proposed amendments to OZP, photomontages were prepared by the PlanD to illustrate the overall bulk of the proposed developments under certain development parameters i.e. the site coverage, the building height and the PR so as to facilitate the Board to consider visual impact of the proposed developments on their surrounding areas.

57. A Member said that given the two GIC sites (i.e. Wan Chai Polyclinic site and Lui Kee Education Service Centre site) were located at the busy road junction of Kennedy Road and Queen’s Road East, future residential development on these sites would be subject to adverse traffic noise impacts. This Member queried the intention of rezoning the two sites from “G/IC” to “R(E)” and how the traffic noise impacts on the future residential development could be mitigated. In response, Mr. Louis Kau said that the proposed residential use on the two sites were considered compatible with its adjacent residential neighbourhood which was mainly rezoned “R(A)” on the OZP. However, as the two sites were subject to traffic noise impacts of Kennedy Road and Queen’s Road East, it was proposed to rezone the two sites from “G/IC” to “R(E)”. Under the “R(E)” zoning, the applicant had to submit a planning application to the Board for residential use. In the application, the applicant had to submit technical assessments, including environmental assessment, to illustrate that the proposed residential development would not have adverse impacts on its surroundings and that the traffic noise impacts of Queen’s Road East and Kennedy Road would be adequately mitigated by appropriate noise mitigation measures. Mr. Louis Kau added that the two GIC sites would be combined as one single site so as to provide more flexibility for the developer in addressing the traffic noise issue.

58. In response to the Member’s follow-up question, the Chairman said that it was the Government’s policy to increase land supply to meet the housing demand in the territory. As a measure to increase housing land supply, the Government had undertaken reviews of GIC sites and proposed to rezone some of the under-utilised GIC sites for residential use, provided that the proposed residential use would be compatible with its surrounding land uses and the existing GIC facilities on these sites would be reprovisioned to serve the local community. Regarding the subject two GIC sites, the existing Wan Chai Polyclinic would be relocated to government-owned premises within Wan Chai, and the School Place Allocation Section within Lui Kee Education Service Centre which was not a district-based facility, would be relocated to other premises owned by the Education Bureau.

59. A Member referred to Plan 12 of the Paper and pointed out that some of the areas proposed to be rezoned and shown as 'Road' on the OZP, in particular the lanes indicated as no. 5 and no. 7 on Plan 12, were quite narrow. This Member enquired whether these lanes should be shown as 'Road' on the OZP. In response, Mr. Louis Kau said that the proposed rezoning was in accordance with the recommendation of the review of the stepped street sites on Hong Kong Island which was agreed by the Board. The areas proposed to be rezoned and shown as 'Road' on the OZP (as indicated in Plan 12 of the Paper) were government land and they would form a pedestrian network providing connection between the Sau Wa Fong area and Queen's Road East.

60. The Secretary supplemented that Sau Wa Fong was a large and well preserved terrace located to the south of Queen's Road East. The area was an enclosed and tranquil residential area. The streetscape and low to medium- rise residential developments in the area possessed a human scale and created a different urban form in contrast with the high-rise mixed developments to the north along Queen's Road East. On 23.3.2012, the Board considered the findings of the review of the stepped street sites on Hong Kong Island, which was undertaken by the PlanD. The Board agreed, among other things, that in order to prevent the major stepped streets and terraces from being built over, the concerned areas would be excised from the "R(C)" zones and shown as 'Road' on the relevant OZPs.

61. Noting that the proposed redevelopment of Wan Chai Church was located on a sloping site, a Member enquired about the reference point of the ground floor level of the proposed development and whether there were pedestrian crossing facilities to facilitate the elderly to access the proposed elderly centre on the site. Mr. Louis Kau said that the proposed redevelopment of Wan Chai Church site involved a 25-storey church/community services complex. As the proposed complex was located on a sloping site, the 'ground level' was referred to the mean street level of the lowest street i.e. Queen's Road East. Mr. Louis Kau also pointed out that the CCCWC proposed to provide a footbridge to link up the site with the elevated walkway of Hopewell Centre so as to provide a barrier free access to the complex and to enhance the pedestrian access in the neighbourhood.

62. In response to the same Member's enquiry regarding the proposed facilities in the Wan Chai Church redevelopment scheme, Mr. Kau said that the domestic helpers training

and social centre to be provided on the 19/F of the proposed redevelopment would provide a gathering place for the domestic helpers where religious preaching and bible studies would be carried out.

63. Members noted that the floor plan for 19/F was not included in CCCWC's submission. The Secretary said that the PlanD should obtain the floor plan from CCCWC and circulate to Members for reference.

64. The Chairman referred to Drawing 1-C of the Paper and said that two loading/unloading bays were proposed on the G/F of the MIC redevelopment scheme. However, it seemed that there was insufficient space on the G/F for manoeuvring of vehicles. In this regard, the Chairman enquired whether the loading/unloading activities of MIC could be conducted along the streets in the vicinity of the site. Mr. David To, the Assistant Commissioner for Transport said that the scale of the proposed redevelopment of MIC was considerably larger than of the existing church so there would be a genuine need for loading/unloading activities. Hence, the Transport Department (TD) had requested that loading/unloading bays for small coaches be provided within the site. As the number of vehicular trips related to the two loading/unloading bays would be small, the two bays would not create significant adverse traffic impact on the surrounding area. Regarding the layout of the two proposed loading/unloading bays and the provision of manoeuvring space for turning of vehicles on the G/F of this site, this could be examined in further details during the building plan submission stage. Mr. To also advised that on-street loading/unloading activities on major roads, such as Kennedy Road and Queen's Road East, would not be allowed. The internal streets in the vicinity of the MIC site were either very narrow or with kerbside fully occupied by existing activities so that there would not be sufficient space outside the site for meeting the loading/unloading demand to be generated by the proposed redevelopment.

65. A Member said that as the proposed ingress/egress point of the MIC site would be via Queen's Road East and close to the junction of Queen's Road East and Kennedy Road, where there was heavy through traffic, the vehicles going to and from the MIC site might cause traffic congestion and accidents in the area. This Member enquired whether it would be better to have the ingress/egress point of the site via Kennedy Road. In response, Mr. David To said that the layout of the loading/unloading bays and the ingress/egress points

were indicative only. Detailed design of the layout of the loading/unloading bays and the location of the ingress/egress point would be considered by TD at the building plan submission stage. Alternative arrangement, such as having ingress at Queen's Road East and egress at Kennedy Road would be considered.

66. A Member noted that the main reason for redeveloping the three GIC sites with increased development intensity was to expand the existing religious and social services on these sites to serve the local communities. This Member enquired whether there was any policy support for the proposed expansion of the services by these GIC operators. Mr. Louis Kau said that the HAB, LWB and EDB had tendered their policy support to these redevelopment proposals. For Members' reference, their comments were highlighted in paragraphs 3.7, 5.6 and 6.4 of the Paper respectively.

67. In response to a Member's question regarding the source of funding for the redevelopment of these GIC facilities, Mr. Louis Kau said that the MIC and CCCWC had indicated that the redevelopment of the church/community services complex would be financed through donations, while the HKCSS had not indicated the source of funding for the redevelopment of the DWSSB site. The Chairman added that at a previous Land and Development Advisory Committee meeting, HKCSS indicated that the redevelopment of the DWSSB site would be financed through donations.

[Mr. Maurice W.M. Lee arrived to join the meeting at this point.]

68. A Member said that apart from providing "G/IC" facilities to serve the needs of the public, GIC sites also served to provide breathing space and visual relief in the densely built-up environment. Hence, in general, the existing building heights of GIC sites were stipulated on OZPs as the maximum building heights for these sites. Against this general practice, the Member enquired about the justification for the proposed amendments to the OZP by allowing higher building heights for the three GIC sites. This Member also opined that such relaxation of building height restrictions for GIC sites would set an undesirable precedent for similar requests and it would be useful to have a set of basic principles and guidelines for the review of building height restrictions on the OZPs.

69. The Secretary said that at the representation hearing in April 2011, the Board



requested PlanD to follow-up with the Methodist Church, CCCWC and HKCSS on the redevelopment proposals. Over the past year, PlanD had several meetings with the operators of the three sites to discuss their redevelopment proposals. PlanD had also liaised with the relevant government bureaux/departments to seek their comments on the redevelopment proposals and technical assessments to find out whether the proposed redevelopment proposals would pose any adverse environmental/visual and air ventilation impacts on the surrounding areas. The findings of the technical assessments which were either carried out by PlanD or undertaken by the operators had shown that the redevelopment proposals would not pose adverse impacts on the local communities and were accepted by concerned government departments. The findings of the technical assessments had been clearly set out in the Paper.

70. The Secretary continued to point out that the three GIC sites had their own characteristics and they had to be taken into account in working out the redevelopment proposals of the sites. For instance, the Methodist Church proposed to provide a covered open space with a high headroom of 7.5m on the ground floor of the redevelopment scheme so as to enhance the permeability and air ventilation at the pedestrian level of its surroundings. In addition, a setback of 3m from the lot boundary of Queen's Road East was proposed to improve the air ventilation performance of the redevelopment proposal. The Secretary added that apart from the technical considerations, the PlanD had to ensure that the proposed religious and social facilities to be provided on the three sites were needed to serve the local communities and there were policy support for the GIC operators to provide such facilities. In that respect, the relevant bureau had tendered their support to the proposed expansion of the religious and social services on these GIC sites.

71. The Secretary said that after confirming that there was policy support for the provision of the proposed facilities, the PlanD would consider whether the proposed building heights of the redevelopment schemes would be sufficient to accommodate the facilities on the sites. Moreover, in discussing the redevelopment schemes with the GIC operators, the PlanD would consider whether such schemes would provide planning merits. For instance, in the case of the Wan Chai Church site, the PlanD had suggested CCCWC to provide a 5m-wide setback from the lot boundary fronting Spring Garden Lane for the enhancement of air ventilation and visual performance. However, CCCWC had demonstrated in its submission that a 5m-wide setback from the lot boundary along Spring Garden Lane was not

technically feasible due to site constraints. Instead, CCCWC proposed to provide a 2m-wide setback from the lot boundary, which would be effective in maintaining the visual corridor along Spring Garden Lane and facilitating air ventilation in the area.

72. The Secretary said that as mentioned above, the PlanD, before recommending an increase in building height restrictions for the three GIC sites, had liaised with the GIC operators in discussing their redevelopment schemes. The recommendations in building height restrictions were worked out after going through an iterative process, and taking into account the findings of technical assessments. The policy support obtained from the relevant bureau, and consideration of planning merits for the sites.

73. A Member enquired if the Board would adopt a scientific basis in determining the building height restrictions for individual sites on OZPs. In response, the Chairman said that in determining building height restrictions on OZPs, the Board would take into account the local area context, local wind environment and characteristics of the existing building height profile. The Secretary supplemented that the Urban Climatic Map and Standards for Wind Environment Feasibility Study undertaken by PlanD had recommended mitigation design measures to comply with the wind performance requirement. The mitigation design measures, which included measures on ground coverage, building permeability, set back requirement and greenery requirement, were worked out on a scientific basis. Nevertheless, these design measures were broad brush in nature and difficult to be applied to individual sites. In considering the building height restriction of a development/redevelopment scheme like those of the three GIC sites, PlanD had to consider the characteristics of each site, whether the proposed facilities were required to meet the needs of the local community, and whether the proposed development/redevelopment would have adverse visual, air ventilation, and traffic impacts on the local community. The planning assessment of an appropriate building height restriction for a development/redevelopment scheme had to strike a balance among the above-mentioned factors.

Deliberation Session

74. After deliberation, the Committee decided to :
- (a) agree to the proposed amendments to the draft Wan Chai OZP No. S/H5/26 and that the draft Wan Chai OZP No. S/H5/26A at Attachment III(A) of the Paper (to be renumbered to S/H5/27 upon exhibition) and its Notes at Attachment III(B) of the Paper were suitable for exhibition under section 7 of the Ordinance; and
  - (b) adopt the revised ES at Attachment III(C) of the Paper for the draft Wan Chai OZP No. S/H5/26A as an expression of the planning intentions and objectives of the Board for the various land use zonings of the Plan and the revised ES would be published together with the Plan.

[The Chairman thanked Mr. Louis K.H. Kau, STP/HK, for his attendance to answer Members' enquiries. They left the meeting at this point.]

[Messrs Laurence L.J. Li, Sunny L.K. Ho, and Stephen H.B. Yau and Ms. Julia M.K. Lau returned to join the meeting at this point.]

**Agenda Item 14**

Any Other Business

75. There being no other business, the meeting closed at 11:30 a.m..