

TOWN PLANNING BOARD

Minutes of 482nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 25.1.2013

Present

Director of Planning
Mr. K. K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Professor P.P. Ho

Professor Eddie C.M. Hui

Ms. Julia M.K. Lau

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

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

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr. Ken Wong

Assistant Director (Kowloon), Lands Department
Mr. Edwin Chan

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

Secretary

Absent with Apologies

Mr. Maurice W.M. Lee

Mr. Clarence W.C. Leung

Mr. Laurence L.J. Li

Mr. Patrick H.T. Lau

In Attendance

Assistant Director of Planning/Board
Ms. Christine K.C. Tse

Chief Town Planner/Town Planning Board
Mr. Edward W. M. Lo

Town Planner/Town Planning Board
Mr. Terence Leung

1. The Chairman said that a group of students from Hong Kong Baptist University petitioning at the North Point Government Offices had requested Members to meet with them in the lobby outside the meeting room with regard to Agenda Item 9 on the further consideration of the proposed amendments to the approved Kowloon Tong Outline Zoning Plan No. S/K18/16. The Secretary said that the students had also submitted a statement to the Committee which was tabled at the meeting for Members' information.

2. The Secretary continued to say that there had not been any precedent in which Members of the Committee met and discussed issues related to an agenda item with the petitioners. The Chairman said that it might not be appropriate to set a precedent as it was not uncommon for petitioners to submit their views to the Committee. Furthermore, the students had already submitted a written statement and the government representatives would explain the submission in details during the consideration of the item. Members generally agreed with the Chairman. The Chairman then requested the Secretariat to explain the Committee's decision to the students and inform them that the Committee would consider their written submission when the Committee considered Item 9.

Agenda Item 1

Confirmation of the Draft Minutes of the 481st MPC Meeting held on 11.1.2013

[Open Meeting]

3. The draft minutes of the 481st MPC meeting held on 11.1.2013 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

4. The secretary reported that there were no matters arising.

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TWW/3

Application for Amendment to the Approved Tsuen Wan West Outline Zoning Plan No. S/TWW/19, from “Residential (Group C)” to “Village Type Development”, Lots No. 210, 212, 213, 214, 215RP, 215S.A., 230, 231RP, 234, 235 and 427 and Adjoining Government Land in D.D.399, Ting Kau, Tsuen Wan
(MPC Paper No. Y/TWW/3)

5. The Committee noted that the applicant had requested on 21.12.2012 for deferment of the consideration of the application for two months as additional time was required for the applicant to prepare further information in response to comments from PlanD, Transport Department, Environmental Protection Department, Drainage Services Department, Food and Environmental Hygiene Department and also public comments on the issue of land ownership.

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

[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/K5/729 Proposed Hotel in “Other Specified Uses” annotated “Business” zone,
No. 7 Wing Hong Street, Cheung Sha Wan
(MPC Paper No.A/K5/729)

7. The Secretary reported that the application was submitted by Lee Wo Co. Ltd, which was a subsidiary of HKR International Ltd. Ove Arup & Partners Hong Kong (OAP) and Environ Hong Kong Ltd. served as consultants for the applicant. The following Members had declared interests in this item:

Prof. S.C. Wong - had current business dealings with OAP. He was also the Director of the Institute of Transport Studies of the University of Hong Kong and OAP had sponsored some activities of the Institute;

Mr. Patrick Lau - had current business dealings with OAP;

Mr. Dominic Lam - had current business dealings with OAP; and

Ms. Julia Lau - had current business dealings with Environ Hong Kong Ltd.

8. Members noted that Mr. Patrick Lau had tendered apologies for being unable to attend the meeting. As Prof. S.C. Wong was not involved in the application, Members agreed that he should be allowed to stay in the meeting. Members also noted that Mr. Dominic Lam and Ms. Julia Lau had not arrived at the meeting yet.

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

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;

[Prof. P.P. Ho arrived at the meeting at this point.]

(b) the proposed hotel;

(c) departmental comments – concerned government departments had no objection to or adverse comments on the applicant;

(d) during the first three weeks of the statutory publication period, two public comments objecting the application were received. One comment was from an individual raising concern on the future of the existing tenants of the building once the building was converted into a hotel. The other comment was submitted by Designing Hong Kong, which was concerned about the traffic capacity of Cheung Sha Wan, the lack of parking facilities, the impact of loading and unloading activities by coaches and taxis along the kerb, suitability of the location of the proposed hotel in an industrial area and safety of the tourists. It requested the Board to restrain new developments and refrain from allowing a further increase in density and traffic in Cheung Sha Wan until the Board was satisfied that the traffic conditions were sustainable; and

(e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. As regards the public comments on the adverse traffic impacts, the impacts of loading and unloading activities of coaches and taxis along the kerb, the suitability of the location of the proposed hotel and the safety of tourists, relevant government departments consulted including the Commissioner for Transport (C for T) and the Commissioner of Police had no adverse comment on the issues and had no objection to the application. Moreover, the C for T considered the Traffic Impact Assessment acceptable.

11. A Member said that the existing building did not look like an industrial building and asked when the building was built. Mr. Chum said that the existing building was an industrial building though its design looked like an industrial-office building. It was completed in 1998.

12. The Chairman asked about the loading/unloading arrangement in the proposed hotel. By referring to Drawing A-3 of the Paper, Mr. Chum said that the loading/unloading facilities were provided within the site and were located at the ground floor. The vehicular ingress and egress would be located at King Lam Street and Wing Hong Street respectively. The design of the loading/unloading facilities was acceptable to C for T.

Deliberation Session

13. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.1.2017, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the provision of fire service installations to the satisfaction of the Director of the Fire Services or of the TPB; and
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or the TPB.

14. 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 of the proposed hotel development and the proposed gross floor area exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval;

- (b) to apply to the District Lands Officer/Kowloon West, Lands Department for a waiver or a lease modification for the proposed hotel use;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that subject to compliance with the criteria under Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-40, the application for hotel concession under Building (Planning) Regulation 23A would be considered upon formal submission of building plans; the provision of natural lighting and ventilation to each of the hotel guest rooms; the provision of access and facilities to persons with a disability in accordance with Design Manual: Barrier Free Access 2008; and the appointment of an Authorized Person to submit building plans for approval under the Buildings Ordinance;
- (d) to note the comment of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance;
- (e) note the comments of the Director of Fire Services that emergency vehicular access should be provided in accordance with the Code of Practice for Fire Safety in Buildings 2011 published by the Buildings Department; and
- (f) to note the comments of the Director of Food and Environmental Hygiene for obtaining appropriate licence/permit from the Food and Environmental Hygiene Department.

[Mr. Dominic Lam and Ms. Julia Lau arrived at the meeting at this point.]

15. Before proceeding to the next Agenda Item, the Secretary said that the students and representatives of Hong Kong Baptist University (HKBU) gathered at North Point Government Offices had requested the Committee to advance Item 9 in connection with the further consideration of the proposed amendments to the approved Kowloon Tong OZP No. S/K18/16.

16. After discussion, Members generally considered that there was no objection to advance the consideration of Item 9 when the representatives of relevant Government departments had arrived.

17. Since the concerned Government representatives had not yet arrived, the Chairman suggested and Members agreed that the meeting should continue with the next item and Item 9 would be considered upon the arrival of the concerned Government representatives.

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/730 Proposed Hotel in “Residential (Group A) 8” zone, Nos. 310-310C Un
Chau Street, Cheung Sha Wan
(MPC Paper No.A/K5/730)

18. The Secretary reported that the application was submitted by Smart Team Properties Ltd. with CKM Asia Ltd. as one of the consultants. Prof. S.C. Wong had declared an interest in this item as he was the Director of the Institute of Transport Studies of the University of Hong Kong and CKM Asia had sponsored some activities of the Institute. As Prof. S.C. Wong had no direct involvement in the proposed development, Members agreed that he should stay in the meeting.

Presentation and Question Sessions

19. 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 proposed hotel;
- (c) departmental comments – concerned government departments had no

objection to or adverse comments on the applicant;

- (d) during the first three weeks of the statutory publication period, three public comments were received. One comment was from a property management company which had no comment on the application. Another comment from the Incorporated Owners of Ping Fai Industrial Building (312 Un Chau Street) was concerned about the traffic impacts arising from the proposed development. However, they would not object to the application if on-street waiting of tourist coaches was not allowed. The third comment was from Designing Hong Kong Ltd. It objected to the application for the reasons that the proposed hotel at a residential zone would worsen the housing shortage in Hong Kong and there was no overriding need to develop the residential site into a hotel. The proposed height of the building would exceed that of the existing one, resulting in changes in landscape and increase in development density. It was also concerned with the suitability of the location of the proposed hotel, the traffic impacts arising from the proposed hotel and the safety of children and pedestrians living nearby. It urged the Board to restrain new developments and refrain from allowing a further increase in density and traffic in Cheung Sha Wan until the Board was satisfied that the traffic conditions were sustainable; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. Regarding the public comments objecting to the application, relevant government departments consulted including Commissioner for Transport and Commissioner of Police maintained their stance of “no objection” after reviewing the public comments. The site was subject to a maximum building height of 100mPD, and the height of the proposed development (79.80mPD at main roof) was within the statutory height limit.

20. Noting the general shortage of land for residential development in the Territory, a Member asked why the application site, which was zoned for residential use, should be used for the development of a hotel. Mr. Chum said that there was an industrial building

adjacent to the application site and there were two industrial buildings located across the street from the application site. The development of a hotel at the application site, which was regarded as a non-sensitive use, would alleviate the industrial/residential interface problem. In addition, the proposed hotel might also help to speed up the redevelopment of the industrial buildings into residential developments in the “Residential (Group E)2” zone and would serve as a catalyst to encourage residential and other compatible developments in the area.

21. Noting that a total of eight similar applications for hotel development had been approved, but five of them had already expired, a Member asked why those applicants did not proceed with the approved schemes. Mr. Chum said that most of the applications were approved in the 1990s. It was likely due to the unfavorable market conditions in the subsequent years that the five proposed hotel developments were not implemented. The implementation of the other three approved hotel developments was in progress. General building plans for two of those cases had already been submitted to the Buildings Department.

22. A Member asked whether there were active industrial uses in the industrial buildings near the application site. Mr. Chum said that the ground floors of the nearby industrial buildings, including Ping Fai Industrial Building adjacent to the application site and the two industrial buildings across the street, were mainly used as shops and services. On the upper floors of the two industrial buildings across the street, there were some active industrial uses including workshops for molding as well as some offices and mini-storage uses.

23. Referring to Plans A-2 and A-3, a Member said that the entire street block in which the application site was located was mostly used for residential purposes. The Member asked whether there were justifications to allow the application site, which was zoned for residential purposes, to be redeveloped into hotel use, given that there was a shortage of land for residential development. Mr. Chum said that the hotel development would alleviate the industrial/residential interface problem, which in turn would facilitate other residential developments in the area.

24. Noting that there were recent submissions proposing to rezone “Government, Institution or Community” or other suitable sites for residential purposes to help meet the shortage of housing land supply, a Member said that stronger justifications were required to allow hotel development in a residential zone. The present situation was different from a proposal to convert an existing industrial building for hotel development under the policy of revitalization of industrial buildings.

25. The Chairman said that if there were active industrial uses in the industrial buildings near the application site, the proposed hotel development could help to alleviate the industrial/residential interface problem. In relation to this, he asked whether there was any information on the number of industrial establishments in Ping Fai Industrial Building and the two industrial buildings across the street that could adversely affect the residential developments in the area. In response, Mr. Chum said that there were more industrial establishments in the upper floors of the two industrial buildings across the street than in Ping Fai Industrial Building. On the ground floor of those two industrial buildings, there were a number of shops selling cutleries and kitchen utensils.

26. A Member said that the application site fell within a residential zone and the existing building was a residential development with shops and services on the ground floor. While the hotel development might be considered as a catalyst to speed up transformation of the industrial development, it was in fact a proposal to change an existing residential building in a residential zone to a hotel development.

27. The Vice-Chairman said that although there was a demand for housing land supply, there was also a demand for hotel developments according to the comments of the Commissioner for Tourism as stated in the Paper. He generally agreed to the recommendation of PlanD as the proposed hotel development represented a win-win situation to meet the demand for hotel and to address the industrial/residential interface problem, it would facilitate the transformation of the area to a residential neighbourhood in the long run.

28. A Member said that if the application was approved, it would be difficult for the Committee to reject applications for hotel developments at the other sites along the street.

The Member was concerned whether the approval of the application would be regarded as a precedent for similar applications or whether it would be treated as a special case approved under exceptional circumstances. The Member considered that as the applicant proposed to develop a hotel in a predominantly residential area, stronger justifications should be submitted for the consideration of the Committee.

29. A Member supported the application and said that each application should be considered based on its special circumstances. There were industrial buildings along both sides of Un Chau Street and along Wing Lung Street and the subject residential building was built a long time ago. The area was therefore ripe for redevelopment. As it would be undesirable to develop a residential building in the immediate vicinity of industrial buildings, the development of the proposed hotel might help to serve as a catalyst to induce redevelopment of the whole residential area. In view of the small size of the application site, the approval of the hotel development would only have a small impact on the area for residential use.

30. Another Member agreed to the recommendation of PlanD and said that the proposed hotel development would help encourage redevelopment of the area. The Member also considered that if there were other applications for hotel developments in the same neighbourhood, each application should be considered based on its own merits.

31. The Secretary said that as it was the government policy to increase housing land supply, the proposed hotel development on a residential site should be considered with great care. The Committee should take into account the location of the application site adjacent to an industrial building and should consider whether there were sufficient justifications to merit the approval of the hotel development. As shown in Plan A-1 of the Paper, Members might note that some applications for hotel developments in the area were approved but some were rejected by the Committee. For those applications that were rejected, the rejection reasons were different depending on the circumstances of each case. The Committee had all along considered each application based on its own merits. If the Committee decided to approve the application, it should have considered the special circumstances of the subject application such that its approval would not set a precedent for similar applications for hotel developments in the area.

32. The Chairman said that as the area was undergoing transformation, the number of industrial establishments in the concerned industrial buildings would gradually decrease. It was therefore important to ascertain the types and number of industrial establishments that might generate industrial/residential interface problems with the neighbouring residential use. The Chairman suggested deferring the consideration of the application so that PlanD could collect information on the type and number of industrial establishments in the concerned industrial buildings. The information would allow the Committee to assess whether the application site was suitable for a hotel or a residential development.

33. A Member agreed to the Chairman's suggestion and said that information on the ownership pattern of the industrial buildings should also be collected to help the Committee assess their potential for redevelopment. Members agreed to the suggestion.

34. After further deliberation, the Committee decided to defer a decision on the application pending the submission of further information by PlanD on the type and number of industrial establishments and the ownership pattern of Ping Fai Industrial Building and the two industrial buildings across the street from the application site. The information collected would be submitted to the Committee for further consideration of the application.

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

35. The Chairman reported that the relevant representatives of government departments for Item 9 had already arrived. He suggested that the Committee should proceed with Item 9 at this juncture. Members agreed.

[The meeting was adjourned for a short break of 5 minutes and resumed at 10:05a.m.]

Kowloon District

[Miss Fiona S.Y. Lung, District Planning Officer/Kowloon (DPO/K), Ms. S. H. Lam, SeniorTown Planner/Kowloon (STP/K), Mr. Wallace Lau, Principal Assistant Secretary for Education (Higher Education) of Education Bureau (EDB), Mr Sammy Leung, Assistant

Secretary for Education (Higher Education) of EDB, Mr Kelvin Siu, Assistant Secretary-General (Capital) of the Secretariat of University Grants Committee (UGC) and Ms. Estrella Cheung, Principal Assistant Secretary for Food & Health (Health), Food and Health Bureau (FHB) were invited to the meeting at this point.]

Agenda Item 9

[Open Meeting]

Further Consideration of the Proposed Amendments to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/16
(MPC Paper No. 2/13)

36. The concerned amendment item involved the former campus of the Hong Kong Institute of Vocational Education (Lee Wai Lee), Kowloon Tong. Representatives of Hong Kong Baptist University (HKBU) had submitted comments on the proposed amendments. The following Members had declared interests in this item:

- Mr. Laurence Li - an ex-member of the court of HKBU and was once involved in the discussion in the court regarding the use of the concerned site;
- Mr. Stephen Yau - the Chairman of a committee of HKBU;
- Mr. Dominic Lam - had previous business dealings with the HKBU in 2006; and
- Ms. Julia Lau - her family members lived in Kowloon Tong.

37. Members noted that Mr. Laurence Li had tendered apologies for being unable to attend the meeting. As Mr. Dominic Lam's business dealings with HKBU had ended more than three years ago, Members agreed that he should be allowed to stay in the meeting. As the family members of Ms. Julia Lau did not live in proximity to the concerned site under the proposed amendment item, Members agreed that Ms. Lau could stay in the meeting.

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

38. The Secretary reported that a number of submissions had been tabled at the meeting. They included a letter dated 24.1.2013 from Professor Albert Chan, the President and Vice-Chancellor of the HKBU, a letter dated 24.1.2013 from the office of Hon. Wong Yuk Man, supplementary information provided by EDB, and a statement dated 25.1.2013 from the HKBU Student Union. The HKBU Student Union had also submitted an invitation to Members to sign an undertaking to affirm their support of the development of the education sector in Hong Kong and their protection of the rights of students in making a decision in the planning process involving land designated for educational purposes. The Secretary suggested that Members should take a few minutes to go over the submissions before proceeding to the consideration of the case. The representatives from PlanD would then be invited to elaborate on the submissions.

[Members were given a few minutes to go over the tabled submissions.]

39. With the aid of powerpoint presentation, Ms. S.H. Lam, STP/K, presented the further consideration of the proposed amendments to the approved Kowloon Tong Outline Zoning Plan No. S/K18/16 (the OZP) as detailed in the Paper and covered the following main points:

Introduction

- (a) on 21.12.2012, the Committee considered the proposed amendments to the OZP and agreed to the proposed Amendment Items B and C on the rezoning of a site at Dumbarton Road/Grampian Road from “Government, Institution or Community (3)” (“G/IC(3)”) to “G/IC(12)” (eastern portion) and “Residential (Group C)9” (“R(C)9”) (western portion);
- (b) the Committee decided to defer consideration of the remaining item, i.e. Amendment Item A, which concerned the rezoning of the southern part of the ex-Lee Wai Lee (LWL) campus site (the subject site) at Renfrew Road from “G/IC(9)” to “Residential (Group B)” (“R(B)”) and requested PlanD to invite representatives from the EDB to attend the meeting of the Committee with a view to providing more information on the proposed Amendment Item A;

- (c) the subject site was located to the immediate southwest of HKBU Baptist University Road Campus. EDB had confirmed that while the northern part of the ex-LWL site (0.64 ha) should be retained for higher education and ancillary uses, the subject site (0.88 ha) would be returned to the Government. It was included as one of the 36 “G/IC” sites proposed by the Government to be rezoned to residential use. The ex-LWL site was currently being used for post-secondary education on a temporary basis until the end of 2013;

Submissions received after the Committee meeting held on 21.12.2012

- (d) after the Committee meeting held on 21.12.2012, three letters from the Acting President and Vice-Chancellor of HKBU, Staff Representative, Court of HKBU and the HKBU Century Club Ltd. to the Chairman of the Town Planning Board were received. The HKBU requested that the whole ex-LWL site should be retained for long-term development of HKBU and proposed that the ex-LWL site be used for a student hostel and a Chinese medicine teaching hospital (CMTH). Similar requests were also made to the Chief Executive, Secretary for Development, Secretary for Education and Secretary for Food and Health;

Further information from EDB

- (e) EDB advised that the Administration and the UGC had all along been supporting UGC-funded institutions including HKBU in the development of publicly-funded academic facilities and student hostels in accordance with well-established policies and calculation criteria. For HKBU, apart from the Communication and Visual Arts Building completed earlier, HKBU had also been given approval to use public funding of \$945.1 million and campus land for a campus development project to meet the needs arising from the implementation of new academic structure. The two new buildings had provided HKBU with nearly 20,000m² of academic space. The Administration had also implemented various measures, including the provision of additional facilities to the university, to meet its requirements for academic space;

- (f) having considered the outstanding requirements for publicly-funded academic space and student hostels of HKBU under the prevailing policies, EDB had decided to reserve the northern portion of the ex-LWL site for higher education and ancillary use. HKBU had submitted a new hostel proposal to UGC, suggesting that new hostel blocks be constructed on the northern part of the ex-LWL site. UGC would submit its recommendations to the Administration in due course;
- (g) EDB was of the view that if HKBU could make the best use of the northern part of the ex-LWL site, it would be able to meet all its outstanding requirements for academic facilities and publicly-funded student hostels under the prevailing policies, including those arising from the implementation of the new 4-year undergraduate curriculum;
- (h) as the subject site was beyond the requirements of HKBU under the prevailing policies, EDB considered that there was no need to retain it for higher education use and had accordingly surrendered it for redeployment to ensure optimal use of valuable land resources to meet the development needs of Hong Kong;

Comments of FHB on the proposed CMTH

- (i) HKBU first put forward to the FHB in 2009 a proposal to develop a CMTH at the ex-LWL site as a preferred site. HKBU subsequently suggested to FHB in 2011 that a part of the building of the Tsim Sha Tsui Kai Fong Welfare Association in Tsim Sha Tsui could be redeveloped into a Chinese medicine hospital. HKBU sent in detailed proposals to FHB for developing the site in Tsim Sha Tsui in November 2011 and September 2012 respectively. FHB, together with departments concerned, was working closely together with HKBU to take the project forward;
- (j) FHB advised that it supported the development of Chinese medicine hospitals in Hong Kong to provide treatment for patients and training opportunities for Chinese medicine students. However, it was not a must

to have the teaching hospitals within or close to the university campus; and

Decision Sought

- (k) Members were invited to consider the further information submitted by EDB and FHB as well as the proposed Amendment Item A.

40. Miss Fiona Lung, DPO/K, introduced three of the submissions which were tabled at the meeting. The submissions were made by Professor Albert Chan, the President and Vice-Chancellor of the HKBU, office of Hon. Wong Yuk Man, and a statement from the HKBU Student Union. She covered the following main points:

Submission from the office of Hon. Wong Yuk Man

- (a) many of the residents in Kowloon Tong lived in low-density residential developments. A majority of the Planning Scheme Area under the OZP was zoned as “R(B)” or “Residential (Group C)” (“R(C)”). While the Government claimed that the subject site was not required for GIC uses and should be rezoned for residential development to meet housing needs, Hon. Wong’s office questioned the rationale provided by the Government, and considered that the needs of the students for hostel places were more acute than the needs of the public for “R(C)” sites in the Kowloon Tong area. In addition, the subject site was located close to the campus of HKBU, the student activities might affect the daily lives of the residents in the future. The subject site was therefore not suitable to be rezoned to “R(C)”. In view of the controversies arising from PlanD’s proposal, his office requested the Town Planning Board (the Board) not to agree to the proposed amendment;

Submission from Prof. Albert Chan, President and Vice-Chancellor of HKBU

- (b) Prof. Albert Chan lodged an objection to the proposed amendment and requested the Committee not to agree with the proposed amendment. He considered that the ex-LWL site represented the most logical and sustainable location for HKBU’s future growth. There were six main points of objection:

- (i) The need for “G/IC” reserves for future short, medium and long term needs
- i. according to Town Planning Board Guidelines No. 16 (TPB PG-No. 16), the “G/IC” sites were important to “cater for unforeseen future demands for which no specific GIC uses had been designated for the time being.” TPB PG-No. 16 also stated that where redevelopment for non-G/IC uses were proposed, it had to be established that the “provision of GIC facilities would not be jeopardized.” Therefore, there was a need to maintain “G/IC” reserves to meet the future short, medium and long term needs of society;
 - ii. from HKBU’s perspective, the ex-LWL site was essential to meet the current and future education needs of the university. Although the Government stated that the subject site was beyond the requirements of HKBU under the prevailing policies, the subject site was still considered by HKBU as an integral part of the university’s future;
 - iii. the Government had alleged that HKBU was pursuing a site for the CMTH in Tsim Sha Tsui. However, HKBU had advised the Government in October 2012 that the Tsim Sha Tsui site was no longer an option and HKBU had to develop the CMTH on the ex-LWL site. A master plan for the ex-LWL site incorporating the student hostels and the proposed CMTH was sent to the Government in October 2012;
 - iv. during 2012, HKBU had discussed with the Government on the options for the LWL site. These options included a Complex of Creativity and an International Exchange Centre and Convention Centre. If the subject site was rezoned to “R(B)”, any future facilities would have to be located at an off-site location;
 - v. HKBU had reached a saturation point on its current campus and

any medium to longer term projects had to be located at an off-site location. HKBU urged the Government to reconsider its position on the use of the subject site;

(ii) HKBU's campus utilization and pressing need for additional land

- i. the campus of HKBU was very small (5.4 ha) and each HKBU student occupied a land area of about 8.96 m², which was very low in comparison with other universities. Since 2005, HKBU had been requesting the allocation of the ex-LWL site for its expansion plans in order to provide additional facilities and improve the campus environment;
- ii. HKBU had recently submitted a proposal to the UGC to build a new hostel complex providing 1,700 places on the northern part of the ex-LWL site. There was insufficient land in the northern part of the ex-LWL site to accommodate the other planned facilities in the medium/longer term, in particular the CMTH;

(iii) HKBU's plans for the ex-LWL site were consistent with the strategic government policies and priorities

- i. HKBU's proposals for a CMTH and/or Creativity Complex and/or International Exchange Centre at the ex-LWL site were in line with Government policies. The 2013 Policy Address supported the work of the universities and the innovation and technology industries. It was also proposed that a Chinese Medicine Development Committee be set up to further the development of the Chinese medicine industry;
- ii. the School of Communication and the emerging Academy of Visual Arts would also benefit greatly from the potential Complex of Creativity on the ex-LWL site. These facilities were in line with the Government's support for cultural and arts development;
- iii. one of the objectives of the Hong Kong 2030 Planning Vision and

Strategy was to provide sufficient land reserves to meet the changing needs of different economic sectors;

(iv) Supporting the education sector as a key pillar of Hong Kong's future growth and competitiveness

- i. HKBU had an internationally acclaimed School of Communication and was at the forefront of Chinese medicine research. The development of these facilities would enhance Hong Kong's economy and global standing in these fields;
- ii. the CMTH in the medium term and/or Complex of Creativity and/or the International Exchange Centre in the medium to longer terms were the current identified needs of HKBU. There would be other areas that could be developed in the future. As these new opportunities could not be foreseen, flexibility was required;

(v) Lack of stakeholder consultation and transparency

HKBU was a major stakeholder in the proposed rezoning of the ex-LWL site. It had been involved in the on-going discussions with the Government on the development of the ex-LWL site since 2005. It had also been actively pursuing the ex-LWL site for the CMTH. However, HKBU had never been consulted by the Government on the proposed rezoning;

(vi) Efficient use of land/consolidation of uses/sustainability/common sense

consolidating the university's facilities on one integrated site represented the most efficient use of land. From a sustainability perspective, it was important to ensure that adjacent land uses were compatible and did not lead to future conflict. It was important to consider the consequences of the proposed rezoning as HKBU would be forced to develop facilities elsewhere, which would lead to more travelling for students and duplication of core services.

Submission from the HKBU Student Union

- (c) the HKBU Student Union stated that there was a shortage of about 1,000 hostel places in HKBU. For many years, HKBU had been negotiating with the Government for the use of the ex-LWL site for hostels and long-term development. It was therefore unreasonable for the Government to deprive 1,000 students of their rights to live in hostels and to compromise the long-term development of the university for the sake of providing 500 residential units. The HKBU Student Union raised four main points:
- i. there was an urgent need to provide additional hostel places in HKBU. The ex-LWL site was the most suitable location for providing a new hostel as it would allow students to use the existing academic facilities and services in HKBU;
 - ii. the HKBU campus was cramped. HKBU had previously sought to take up the site at No.1 Broadcast Road for the development of the university but the site was sold for the development of a luxury residential development. The agreement of the proposed amendment would represent another error of the Government;
 - iii. geographically, the ex-LWL site was an integral part of the HKBU campus. They requested that the entire ex-LWL site be granted to HKBU for its long-term development; and
 - iv. the HKBU Student Union requested to participate in the meeting of the Committee so that their voice could be directly heard by Members.

41. Mr. Wallace Lau, Principal Assistant Secretary for Education (Higher Education), introduced the EDB's submission tabled at the meeting. He covered the following main points:

- (a) the tabled submission was to supplement the further information that had

been incorporated in the Paper;

- (b) the Administration and the UGC had all along been supporting UGC-funded institutions, including the HKBU, in the development of publicly-funded academic facilities and student hostels. In terms of academic facilities, the new buildings recently completed within the HKBU campus, including the Communication and Visual Arts Building, provided more than 9,000m² of floor area of academic space. Funding had already been provided to HKBU to develop a new building providing nearly 20,000m² of academic space. With the completion of these facilities, a total of 29,000m² of new academic space, representing about 36% of the existing campus facilities, would be added to HKBU. It should also be noted that the HKBU had recently submitted a proposal to the Government on the long-term use of the former Royal Air Force station at Kwun Tong Road for academic purposes. If the proposal was approved, the site would provide over 2,000m² of additional academic space to HKBU. All these new developments testified that the Administration was very concerned about the future development of HKBU;
- (c) with regard to the student hostels, HKBU would require an additional 1,331 publicly-funded student hostel places by the 2014/2015 academic year. In fact, HKBU had submitted a new proposal to UGC seeking to provide a total of 1,700 hostel places at the northern part of the ex-LWL site. Of the 1,700 hostel places, 1,400 of them would be publicly-funded hostel places. If the proposal was approved, the proposed hostel complex would be able to fully meet the outstanding hostel place requirements for the UGC-funded sector of HKBU. The remaining 300 hostel places, which would be privately funded, would be in excess of the requirements of hostel places based on UGC's calculation. When considering HKBU's proposal, the Administration would, together with HKBU, examine whether the northern part of the ex-LWL site could be better utilized to meet the future needs of HKBU both in terms of its hostel and academic space; and
- (d) in deciding whether a particular site should be reserved for use by

UGC-funded institutions, a host of relevant factors should be taken into account, e.g. whether there were any additional requirements for space and whether the additional requirements could be met within the campus or at an off-campus location; the distance between the main campus and the proposed off-campus location; and the location and size of the sites reserved for higher education throughout Hong Kong. In fact, to address the shortfalls in hostel places and academic facilities in other UGC-funded institutions, EDB and UGC had been in discussion with some of them with a view to exploring the feasibility of constructing hostels and academic facilities in various places in Hong Kong. It should be noted that the subject site was not among the sites identified to meet the needs of the academic institutions. Taking a holistic account of the above factors, it was considered that there was no need to retain the subject site for the purpose of expansion by UGC-funded institutions including HKBU.

42. Ms. Estrella Cheung, Principal Assistant Secretary for Food & Health (Health), said that the FHB had all along been supporting the development of Chinese medicine hospitals in Hong Kong with the main objective to provide treatment for patients, and also training opportunities for Chinese medicine students if needed. Upon receipt of a proposal for Chinese medicine hospital with an appropriate site for the purpose identified, FHB would examine the proposal in great details and would discuss with the proponent on the way forward. With regard to the proposed Chinese medicine hospital at Tsim Sha Tsui, HKBU had submitted detailed proposals to FHB in November 2011 and September 2012 respectively, and they indicated that the proposed hospital was going to be self-financed. As for the ex-LWL site, HKBU had submitted a master plan in October 2012 and it was a one-page schematic plan showing the broad layout and disposition of the hospital building within the subject site. The master plan was submitted to FHB through an informal channel with no other detailed information. It was only in mid-January 2013 that FHB was informed that HKBU had considered the proposal to develop a CMTH in Tsim Sha Tsui no longer feasible.

43. The Chairman asked whether the UGC had any comment on the proposed Complex of Creativity and the International Exchange Centre and Convention Centre mentioned in the letter submitted by Principal Prof. Albert Chan of HKBU. Mr. Kelvin

Siu, Assistant Secretary-General (Capital) of the Secretariat of UGC, said that the UGC had not received any proposals from HKBU concerning the Complex of Creativity. He also said that the additional requirement of 1,331 student hostel places that were required for the UGC-funded sector of HKBU as mentioned in EDB's supplementary information was for the 2014/15 academic year.

Undertaking submitted by HKBU Student Union

44. The Chairman said that the HKBU Student Union had invited Members to sign an undertaking to affirm their support of the development of the education sector in Hong Kong and their protection of the rights of students in making a decision in the planning process involving land designated for educational purposes. As stated in the preamble of the Town Planning Ordinance (the Ordinance), the objective of the Ordinance was to "promote the health, safety, convenience and general welfare of the community by making provision for the systematic preparation and approval of plans for the lay-out of areas of Hong Kong as well as for the types of building suitable for erection therein and for the preparation and approval of plans for areas within which permission is required for development." In this regard, the Board had been discharging its duties in accordance with the provisions of the Ordinance for the general welfare of the community. The Chairman invited Members to consider the invitation to sign the undertaking with reference to the preamble of the Ordinance.

45. A Member said that as the students invited Members to sign the undertaking in their individual capacity, it might not be necessary for the Committee to discuss the matter at the meeting and should leave it to the discretion of the individual Members. The Member suggested that the Committee should focus on the consideration of the proposed amendment to the OZP. Another Member shared the same view. The Chairman said and Members agreed that they would make their own decisions whether to sign and return the undertaking to the HKBU students.

46. The Chairman continued to say that the Committee was not to consider whether a site should be granted to a particular organization nor the funding policy of the Government. The case in point was whether the site in question should be rezoned from "G/IC" to residential use.

General issues on educational policy

47. A Member asked how long it would take for the UGC to examine a proposal such as the Complex of Creativity submitted by HKBU and come to a stance on whether to support the proposal. Mr. Kelvin Siu said that the UGC had all along been supporting the universities in developing hostel places and academic facilities in accordance with the established policies and calculation criteria. If a proposal was submitted to the UGC, it would normally take a few months for the UGC to consider and reach a decision following the established procedures. However, it appeared that only sketchy information was available regarding the Complex of Creativity. According to his experience, it would usually take quite some time for the university to come up with a proposal with sufficient details for the consideration of the UGC.

48. A Member asked whether there was any principle in determining if a proposed facility of a university should be located within or off campus. Mr. Wallace Lau said that the selection of the location of a proposed facility would depend on the needs of a university. The HKBU, for example, had recently submitted a proposal to the Government to use the former Royal Air Force station in Kowloon Bay, which was quite far away from the HKBU campus, but this off-campus facility was considered by HKBU to be desirable for specific academic purposes. It was difficult to lay down a general principle on the selection of a location for a proposed facility, but the example of HKBU demonstrated that it was not essential for all academic facilities to be juxtaposed to the campus of a university.

49. The same Member continued to ask why the subject site, which was a “G/IC(9)” site previously occupied by an educational institute and was adjacent to the existing HKBU campus, was not identified to meet the needs of the post-secondary institutions. Mr. Wallace Lau said that in deciding whether a particular site should be reserved for use by a post-secondary institution, the EDB had to consider a host of relevant factors, including the needs of the institution. The mere fact that there was a piece of vacant land adjacent to a post-secondary institution had no bearing on whether it had to be granted to that or some other post-secondary institutions for expansion purposes.

Future demand for post-secondary education

50. The same Member said that it seemed that the new facilities in HKBU were only intended to meet the previous outstanding requirements for academic space and hostel

places. Noting that the UGC generally had a funding cycle of three years and taking into account the projected growth in student population and the demand for higher education, the Member asked whether there was any long-term development plan for HKBU and whether there would be enough land to meet the future needs of HKBU in the next funding cycle. Mr. Wallace Lau said that for the academic years from 2011/12 to 2022/23, the projected population in the age cohort that would normally enrol in a post-secondary institution would decrease from about 80,000 persons to 51,000 persons. Against this background, it was unlikely that the demand for hostel places and academic facilities would increase substantially in the future, and hence the requirements of these facilities as calculated by the existing formula should be able to meet the future demand. As regards the need for new academic programmes or faculties, the universities could submit proposals for the required funding support to the UGC under their triennial Academic Development Proposals for UGC's consideration.

51. The same Member asked whether the number of post-secondary students to be admitted would decrease if there was a decrease in the population of the age cohort that would normally enrol in a post-secondary institution. Mr. Wallace Lau said no decision had yet been made on the number of UGC-funded student places after the 2012/15 triennium.

52. The same Member asked whether the funding to be granted for each student would increase if the number of post-secondary students decreased during the concerned academic years. Mr. Wallace Lau said that the number of students to be admitted to a post-secondary institution would not only depend on the change in the population of the concerned age cohort but also other factors such as the results of Hong Kong Diploma of Secondary Education (HKDSE) examination. In view of the decrease in population, even if the percentage of students that would be admitted to a post-secondary institution might increase, the actual number of students would unlikely increase significantly.

The future development of HKBU

53. A Member said that the street block where the subject site was located and the surrounding areas were mainly occupied by GIC uses and therefore the subject site should better be reserved for higher educational uses by HKBU. To decide whether the subject site should be rezoned to residential uses, it was necessary to have more information on the

future development of HKBU. The Member asked whether HKBU was indeed smaller in size in comparison with other universities in the urban areas as claimed by the President of HKBU, and whether there was any forecast on the requirements for additional facilities for HKBU in the long term, including those facilities that were required to be located close to the existing campus.

54. In response, Mr. Wallace Lau said that the EDB and the UGC had been supporting the universities in the development of publicly-funded academic facilities and student hostels. As regards the publicly-funded student hostels, there were shortfalls in the provision of student hostels in all UGC-funded institutions except Lingnan University and the Hong Kong Institute of Education. For HKBU, there was a projected shortfall of 1,331 hostel places in the 2014/15 academic year. As there was a proposal to develop a hostel complex at the northern part of ex-LWL site which would provide a total of 1,700 hostel places including 1,400 publicly-funded places, the outstanding hostel place requirements of HKBU could be fully met.

55. In response to a question from a Member, Mr. Wallace Lau said that publicly-funded student hostels should only serve the students enrolled in the UGC-funded programmes. UGC-funded institutions were expected to give priority to the students enrolled in the UGC-funded programmes in the allocation of hostel places.

56. Mr. Wallace Lau continued to say that regarding academic space, out of the eight UGC-funded institutions, two of them did not have any shortfall. As for HKBU, there was a projected shortfall of 4,733m² in net operational floor area (NOFA) in academic space in the 2014/15 academic year. The shortfall could be partially met if the proposal to use the former Royal Air Force station for academic purposes was approved, which would provide over 2,000m² of additional academic space to HKBU. Meanwhile, the EDB would, together with HKBU, explore the possibility of accommodating the extra academic facilities required within the northern part of the ex-LWL site. As the proposed hostel complex with 1,700 hostel places included 300 privately-funded places which would be in excess of HKBU's requirements under existing policy, considerations should be given to addressing the shortfall in academic facilities required for the UGC-funded sector in the overall development of the hostel complex. Assuming the new hostel complex and the extra academic facilities could be co-located at the northern part of the ex-LWL site, HKBU

would be one of the two UGC-funded institutions in Hong Kong that could fully meet all the outstanding requirements in student hostels and academic space under existing policy.

57. A Member asked whether there was any information on the forecast of the requirements of HKBU in the next 10 to 20 years. Mr. Wallace Lau said that the requirements of academic facilities and student hostels were determined based on well-established policies and calculation criteria. As the UGC conducted academic planning and recurrent grants assessment with the UGC-funded institutions on a triennial basis, no long-term forecast for the next 10 to 20 years could be available. Nevertheless, if the institutions submitted proposals for new academic programmes with solid justifications to the UGC, the Administration and the UGC would offer their full support to the institutions in terms of funding and provision of land resources. In the case of HKBU, about 36% of the academic spaces had already been added to its campus over the past years. The Administration would continue to support the institutions based on their own needs in the future.

58. The same Member continued to ask whether it would be more appropriate for the expansion area of a post-educational institution to be located close to its existing campus. Mr. Wallace Lau said that the location of the expansion area would depend on the nature and operational needs of the academic activities to be conducted in the expansion area. The examples of the former Royal Air Force station which was being used by HKBU and the Prince of Wales Hospital which provided clinical teaching facilities for the Faculty of Medicine of the Chinese University of Hong Kong demonstrated that some academic facilities did not have to be located close to the campus.

59. At the request of a Member, Ms. Estrella Cheung showed the Committee the master plan submitted by the HKBU to the FHB concerning the proposed CMTH at the subject site through a visualizer.

The UGC-funded sector and self-financed sector

60. In response to a Member's question on the principle for Government's support for self-financed programmes provided by post-secondary institution, Mr. Wallace Lau said that the EDB and UGC had no objection to the establishment of self-financed programmes by individual institutions. However, the general principle was that such activities should

not detract from the core work of the UGC-funded institutions, namely to deliver the UGC-funded programmes. Therefore, if there was a piece of land that could be used for development of a new academic facility, the priority should be to use it to meet the space requirements of UGC-funded programmes. Under this general principle, each institution could run their own self-financed programmes according to its own strengths and interests.

61. In response to a question from a Member, Mr. Wallace Lau said that there was an existing practice in UGC-funded institutions where privately-funded hostel places were made available to students under the UGC-funded programmes. That said, in the case of HKBU, it might be more appropriate for HKBU to make better use of the northern part of the ex-LWL site by co-locating both publicly-funded hostel places and some new academic facilities to address the shortfall of academic space required for the operation of UGC-funded programmes, in order to safeguard the interests of students in UGC-funded programmes.

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

62. Noting that it was important for a post-secondary institution to determine whether a proposed academic facility could receive the support of the UGC as this would entail significant resource implications, the Vice-Chairman asked whether the Government or the UGC had any initial views on the proposals submitted by the HKBU for the CMTH, Complex of Creativity and the International Exchange Centre and Convention Centre.

63. In response, Mr. Wallace Lau said that the EDB provided support for the self-financing sector of an educational institution through other established channels such as Land Grant Scheme and interest-free loans which could provide new land resources and loans to the self-financing sector to establish new school premises. Furthermore, similar to students studying in UGC-funded programmes, needy students of self-financed programmes were also eligible for financial assistance from the Government. The only major difference between UGC-funded sector and the self-financing sector was that the UGC-funded sector was able to receive annual funding from the Government, while the self-financing sector would rely on other sources of income such as private donations and tuition fees.

64. The Chairman said that as the Committee's task was to ascertain whether the subject site should be retained for "G/IC(9)" use or should be rezoned to residential purposes, it might not be necessary for the Committee to focus on the detailed differences in government policy towards the UGC-funded programmes and the self-financing sector.

Number of student places of UGC-funded programmes in the next ten years

65. The Vice-Chairman said that although it appeared that the northern part of the ex-LWL site could meet the short term requirements of HKBU in terms of the provision of academic facilities and student hostels, there was no information on the long-term forecast of the requirements of new facilities other than the projected decrease in the population of the concerned age cohort. In relation to this, he asked whether there was any information on the typical growth rate of a post-secondary institution in a ten-year period. In response, Mr. Wallace Lau said that it was difficult to provide a reliable estimate on the typical growth rate of post-secondary institutions as the strengths and academic development strategies of each institution were different. However, the following information could be provided for Members' reference. There was no plan to change the number of the first-year-first-degree intake places in the UGC-funded sector, which was currently maintained at 15,000 places per year. In addition, the senior year intake places of UGC-funded programmes for students having sub-degrees or other relevant qualifications would on average amount to 4,000 places per year. In other words, the total approved number of undergraduate students in UGC-funded institutions would amount to 68,000. In view of the declining population of the relevant age cohort, it was anticipated that the number of places to be provided each academic year would remain relatively stable for the next ten years.

Issues in land use planning

66. Noting that Kowloon Tong was originally a residential neighborhood, with institutions and school developments gradually moving into the area over the years, a Member asked if there was a specific ratio between residential developments and institutional/school developments in Kowloon Tong and whether such ratio had been maintained. Miss Fiona Lung said that a large part of Kowloon Tong had been developed into the low-density Kowloon Tong Garden Estate, while some other areas had been developed into uses such as post-secondary institutions and a military camp. No specific ratio had been set for the different types of land uses within the Kowloon Tong area.

67. The Chairman summarized that based on the current information available, the northern part of the ex-LWL site could to a large extent meet the needs of HKBU. The outstanding requirements of about 2,000m² could not justify the granting of the subject site to HKBU. The new facilities proposed by HKBU, including the CMTH, the Complex of Creativity and an International Exchange Centre and Convention Centre, had not yet obtained the support of the relevant policy bureaux. Ms. Estrella Cheung clarified that the FHB supported the development of a CMTH, but considered that it might not be necessary for the proposed CMTH to be located at the subject site.

68. The Chairman asked whether there was any other GIC facilities that required the use of the subject site. In response, Ms. Fiona Lung said that in accordance with the Hong Kong Planning Standards and Guidelines, there was no deficit of planned GIC provision in the Kowloon Tong area except for a post office and an integrated children and youth service centre. As the two facilities could be incorporated into a non-domestic building or the non-domestic part of a commercial/residential building, it was considered not necessary to reserve the whole subject site for standalone development of these proposed facilities.

69. The Chairman went on to ask if the proposed “R(B)” zone would cause any land use incompatibility problems with the adjacent “G/IC(8)” and “G/IC(9)” zones. Miss Fiona Lung said that the subject site was proposed to be rezoned to “R(B)” after considering that there was no need to use the site for GIC uses and there was an urgent need for more sites to meet the acute housing shortage problem. Residential use at the subject site was compatible with the adjacent GIC uses. The proposed maximum plot ratio of 4.5 and the maximum building height of 50m (about 15 storeys) were also considered congruent with the nearby developments.

70. A Member said that the proposed “R(B)” zone was compatible with the nearby GIC developments. However, the Member considered that there was still not enough information on the long-term forecast of the needs of HKBU. HKBU had grown substantially in the past few decades and it was reasonable to expect that the HKBU would continue to grow in the future. This was especially true since the implementation of the four-year undergraduate curriculum, as students were expected to spend more time on campus. As the subject site was adjacent to the HKBU, it might be more appropriate to

reserve it for use by HKBU. If suitable sites away from the HKBU campus could be identified for the self-financing sector of HKBU, the Government might consider using those sites further away from the campus for residential developments instead.

71. The Vice-Chairman said that residential developments were not incompatible with post-secondary educational use. It was common in Hong Kong to have residential developments located close to universities such as the University of Hong Kong. In considering whether the subject site should be retained for GIC uses or be rezoned to “R(B)”, it was not necessary to limit the considerations to HKBU. If the subject site could be retained for GIC uses, considerations should also be given to allowing other post-secondary institutions to use the site so that those sites being considered for higher educational uses at the present moment could be released for residential developments.

72. Mr. Wallace Lau said that the EDB had all along been liaising with the different post-secondary institutions on the granting of additional land for their use. However, the subject site was not among the sites identified to meet the needs of those institutions. As regards the suggestion of the Vice-Chairman on the shared use of the subject site by different institutions, it was considered that the feasibility of the suggestion would depend on what types of facilities the institutions intended to build at the site. For example, the development of self-contained academic units or research centres at the subject site might be more feasible than building a library for shared use.

73. Noting that an existing building straddled the northern part of the ex-LWL site and the subject site, the Chairman asked whether the existing building would be demolished and what the procedures would be for disposal of the two sites. Miss Fiona Lung said that if the Committee agreed to the proposed amendment, the draft OZP showing the proposed amendment would be exhibited for public inspection under the Ordinance. Concerned departments were still considering views on the outstanding technical issues including demolition of the building. Mr. Wallace Lau added that all publicly-funded projects of UGC-funded institutions had to undergo the same procedures as other public works projects and funding had to be sought from LegCo.

The way forward

74. After a long deliberation, the Chairman said that there were two options that

could be considered by the Committee. First, the Committee could defer making a decision on the rezoning proposal on the subject site but retain its “G/IC” zoning so that HKBU or other institutions could continue their liaison with the Government on the use of the site in the future. Second, the subject site could be rezoned to “R(B)” and published under section 5 of the Ordinance so that the public and the stakeholders could submit representations for the Board’s consideration under the provisions of the Ordinance.

75. Two Members supported the first option on the following counts: (i) although residential development was generally compatible with the nearby GIC uses, HKBU had proposed facilities that could also be located at the subject site without any land use compatibility issues. As these proposed facilities had not been considered and approved by the UGC, it might not be appropriate to rezone the site at this stage without pending the decision of the UGC on HKBU’s proposed development; (ii) given the fluctuation in the number of potential students, there could be changes in the education policy in the future. Without sufficient information on the prospect of the changes of the policy, it might not be appropriate to rezone the subject site at this stage.

76. The Chairman said that under the first option, the most concerned stakeholders would continue to feel aggrieved that they were not given a statutory channel to submit their views on the proposed amendment to the Committee. If the Committee decided to gazette the proposed amendment under section 5 of the Ordinance under the second option, then they and the general members of the public would have an opportunity to submit representations to the Committee as provided under the Ordinance.

77. A Member supported the second option as it allowed members of the public to submit representations to the Board for consideration. The Member considered that more information on the number of students to be admitted by the post-secondary institutions in the future and the corresponding requirements for additional land or academic facilities should be made available to the Board for consideration. The Member also hoped that post-secondary institutions other than HKBU would submit their views on the proposed amendment if they were interested in using the site or part of the site. The Member was also of the view that the proposed residential development was compatible with the GIC uses.

78. A Member said that the consideration of the proposed amendment could be further deferred until there was a position from the Government on the location of the CMTH proposed by HKBU. If the Government supported the proposed location of the CMTH at the subject site, then there would not be any need to rezone the site. Ms. Estrella Cheung said that the proposed Chinese medicine hospital was not a UGC-funded teaching facility but a self-financed hospital, and it was not a must for the proposed hospital to be located at the subject site. She added that it was also important to take into consideration possible alternative use and/or other stakeholders' interest for the site.

79. The Vice-Chairman asked if the proposed amendment should be submitted to the full Board for consideration. The Secretary said that under the Board's established practice, a matter could be referred to the full Board if it involved a major planning principle, major public interests or was of territorial significance. On this point, the Secretary reported that an email from "亞洲中港民生關注組" had just been received. The group requested that the proposed amendment be referred to the full Board and the Development Bureau for consideration.

80. A Member supported the second option to gazette the proposed amendment under the Ordinance. In response to this Member's question, the Secretary said that if the proposed amendment was gazetted under section 5 of the Ordinance, the draft OZP showing the proposed amendment would be exhibited for public inspection for a period of two months. During this period of time, any person could submit representations to the Board. The relevant district council would also be consulted. After the end of the plan exhibition period, any representations received would be made available for public comment. A hearing would then be held by the Board to consider all the representations and comments received, and all the representers and commenters would be invited to attend the hearing. If the Board decided to propose further amendments to the OZP after the hearing, the proposed further amendment would be published and any person, other than those who had submitted representations and comments to the Board, could submit further representations to the Board. A further hearing would then be held by the Board to consider the further representations, and the representers, commenters and further representers would be invited to the hearing. The decision of the Board, together with all the representations, comments and further representations considered by the Board, would be submitted to the Chief Executive in Council for a final decision.

81. A Member was concerned that the decision of the Committee to gazette the proposed amendment would give the public an impression that a final decision had been made. The Secretary said that if the Committee agreed to gazette the proposed amendment after considering on the information presented by relevant government departments/bureaux, the OZP amendment would be exhibited for public inspection. The Board would make the final decision after hearing the representations and comments as provided under the Ordinance. Another Member agreed to gazette the proposed amendment for public inspection.

82. The Vice-Chairman said that if the proposed amendment was gazetted for public inspection, the Board would be able to receive representations and comments from the stakeholders as well as members of the public under the statutory process. The Chairman agreed with the Vice-Chairman and said that the Committee had so far listened to the information presented by the relevant government departments/bureaux. If the proposed amendment was gazetted, then the views of the members of the public including the stakeholders could also be heard by the full Board as provided under the Ordinance.

83. The Chairman concluded that Members in general agreed that the proposed amendments were suitable for exhibition under section 5 of the Ordinance.

84. After further deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Kowloon Tong OZP and that the draft Kowloon Tong OZP No. S/K18/16A at Attachment II of the Paper (to be renumbered to S/K18/17 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statement at Attachment IV of the Paper for the draft Kowloon Tong OZP No. S/K18/16A as an expression of the planning intentions and objectives of the Board for the various land use zones on the OZP and the revised ES would be published together with the OZP.

[The Chairman thanked Miss Fiona S.Y. Lung, DPO/K, Ms. S.H. Lam, STP/K, Mr. Wallace Lau, Principal Assistant Secretary for Education (Higher Education) of EDB, Mr. Sammy Leung, Assistant Secretary for Education (Higher Education) of EDB, Mr. Kelvin Siu, Assistant Secretary-General (Capital) of the Secretariat of UGC and Ms. Estrella Cheung, Principal Assistant Secretary for Food & Health (Health), FHB, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

[Mr. Dominic Lam, Prof. P.P. Ho, Ms. Julia Lau and Prof. C.M. Hui left the meeting at this point.]

[The meeting was adjourned for a short break of 5 minutes and resumed at 12:20p.m.]

[Miss Elsa Cheuk, Chief Town Planner/ Special Duties (CTP/SD) and Mr. Timothy Lui, Senior Town Planner/Special Duties (STP/SD), were invited to the meeting at this point.]

Special Duties Section

Agenda Item 6

[Open Meeting]

Proposed Amendments to the Draft Central District (Extension) Outline Zoning Plan No. S/H24/7

(MPC Paper No. 3/13)

Presentation and Question Sessions

85. The Secretary said that replacement pages of Plans 2 and 3 with a minor change on the location of a viewing point for a site photo had been tabled at the meeting. With the aid of a powerpoint presentation, Mr. Timothy Lui, STP/SD, presented the proposed amendments to the Draft Central District (Extension) Outline Zoning Plan No. S/H24/7 as detailed in the Paper and covered the following main points:

Background of the Proposed Amendments

- (a) the 1994 Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Arrangements for the Future Use of the Military Sites in Hong Kong (the Defence Land Agreement or DLA) provided that the then Hong Kong Government would "leave free 150 metres of the eventual permanent waterfront in the plans for the Central and Wan Chai Reclamation at a place close to the Prince of Wales Barracks (i.e. the current Central Barracks of the Hong Kong Garrison) for the construction of a military dock after 1997". When the Central District (Extension) Outline Zoning Plan (OZP) was first approved in 2000, the design of the dock and the area it would occupy had not yet been decided. It was therefore represented by a straight line annotated '150m Military Berth (subject to detailed design)' on the OZP. The design and construction of the military dock was subsequently included in the Central Reclamation Phase III (CRIII) project;
- (b) according to the recommended planning and urban design proposals in the final report of the Urban Design Study for the New Central Harbourfront (UDS) completed in mid-2011, the military dock area should be designed to integrate with the new waterfront promenade and the open area within the dock would be open to the public when it was not in use;

The Central Military Dock Site (the Site) and its surroundings

- (c) The Site, which was about 0.3 hectare in area, was a piece of flat waterfront land at the new Central harbourfront. It was located to the north of the existing PLA Hong Kong Garrison Headquarters. The military dock included four single-storey structures for supporting its operation, and the maximum height of these existing structures was about 8.7 mPD. The construction of the military dock had been substantially completed. With the delineation of the military dock confirmed, it was opportune to reflect

the final delineation and the land use of the site on the OZP;

The Proposed Amendments

- (d) two proposed amendment items had been proposed to the draft Central District (Extension) OZP No. S/H24/7. The first amendment item concerned the rezoning of a strip of waterfront site to the north of the existing People's Liberation Army Hong Kong Garrison Headquarters from "Open Space" ("O") to "Other Specified Uses" annotated "Military Use(1)" ("OU(Military Use(1)"), while the second amendment item involved the deletion of a straight line with annotation '150m Military Berth (subject to detailed design)' from the OZP;
- (e) to ensure that the height of the future development at the Site was compatible with the new Central harbourfront and would not create any visual intrusion to the developments behind it, it was proposed that a maximum building height of 10mPD (at main roof level), excluding roof-top structures, architectural features and flag poles, etc., be imposed at the site. Such level was in line with the proposed building height of 10mPD as recommended in the UDS. A minor relaxation clause had also been incorporated in the new "OU(Military Use)1" zone;
- (f) the Explanatory Statement (ES) had been revised to take into account the proposed amendments;

Departmental Consultation and Public Consultation

- (g) the proposed amendments had been circulated to relevant bureaux and departments for comment. The comments of the Development Bureau, the Security Bureau, the Department of Justice, the Civil Engineering and Development Department and the Leisure and Cultural Services Department had been incorporated where appropriate. All of them had no objection to or no adverse comment on the proposed amendments;
- (h) upon agreement of the Committee, the proposed amendments to the OZP

would be published under section 7 of the Town Planning Ordinance for public inspection. As the subject area was located prominently at the new Central harbourfront, the Central and Western District Council would be consulted on the amendments prior to or during the exhibition period of the draft Central District (Extension) OZP No. S/H24/7A (to be renumbered to S/H24/8 upon exhibition) for public inspection under section 7 of the Ordinance.

86. In response to a question from a Member, Miss Elsa Cheuk said that the military dock had been designed to integrate with the new waterfront promenade and the open area within the dock would be open to the public when it was not in use, as recommended in the UDS. The Hong Kong Garrison had recently confirmed that it would open up the area of the military dock to the public as part of the waterfront promenade for public enjoyment when the dock was not in military use.

87. In response to a question from the Chairman, Miss Elsa Cheuk said that the folding gates would be used to fence off the military dock when the dock was in military use. During those periods when the dock was fenced off, the public could use a pedestrian walkway to the immediate south of the dock area to maintain the east-west connectivity. When the dock was not in use, the folding gates could be completely withdrawn, stored away and hidden inside the ancillary building structures to avoid obstructing the view to the harbour and the waterfront promenade. Once the folding gates were hidden, the area of the military dock would become an integrated part of the waterfront promenade and was freely accessible to the public.

88. Noting that the military dock was located at the harbourfront, a Member asked whether the proposal would be considered by the Harbourfront Commission. Miss Elsa Cheuk said that the project was implemented by the Civil Engineering and Development Department, and it had already consulted the Central and Western District Council and the Harbourfront Commission.

89. Members generally agreed that the proposed amendments were technical amendments and were suitable for exhibition under section 7 of the Ordinance.

- Professor P. P. Ho - having current business dealings with the URA
- Mr. Patrick Lau - having current business dealings with the URA
- Mr. H.W. Cheung - being a co-opted member of the Planning, Development and Conservation Committee of the URA
- Prof. C.M. Hui - being a co-opted member of the Finance Committee of the URA
- Mr. Stephen Yau - being a member of the Wan Chai District Advisory Committee of the URA
- Mr. Maurice Lee - being a former non-executive director of URA (the term of office ended on 30.11.2008)
- Mr. Frankie Chou as Assistant Director of the Home Affairs Department - being an assistant to the Director of Home Affairs who was a non-executive director of the URA and a co-opted member of the Planning, Development and Conservation Committee
- Mr. Edwin Chan as Assistant Director of Lands Department - being an assistant to the Director of Lands who was a non-executive director of the URA

92. The Secretary said that Mr. Maurice Lee and Mr. Patrick Lau had tendered apologies for being unable to attend the meeting. Prof. P.P. Ho and Prof. C.M. Hui had already left the meeting. As Mr. Stephen Yau was a member of the Wan Chai District Advisory Committee of the URA which was not involved in the Staunton Street/Wing Lee Street Development Scheme, Members agreed that he should be allowed to stay in the meeting. Since the Chairman had declared an interest and needed to leave the meeting, the Committee agreed that the Vice-chairman should take over and chair the meeting for this item. The Vice-chairman chaired the meeting at this point.

[Mr. K.K. Ling, Mr. H.W. Cheung, Mr. Frankie Chou and Mr. Edwin Chan left the meeting temporarily at this point.]

Presentation and Question Sessions

93. With the aid of a powerpoint presentation, Ms. April Kun, STP/HK, presented the further consideration of the revised Planning Brief for the Urban Renewal Authority Staunton Street/Wing Lee Street Development Scheme as detailed in the Paper and covered the following main points:

- (a) on 21.9.2012, MPC considered the revised Planning Brief for the site and agreed that it was suitable for consultation with the Central & Western District Council (C&WDC). The amendments were mainly related to exclusion of Site A from the redevelopment scheme, to make reference to the latest scheme of Sites B and C, and to reflect the latest planning consideration;
- (b) the Food, Environment, Hygiene & Works Committee (FEHWC) of the C&WDC was consulted on 18.10.2012. In general, the FEHWC had no adverse comment on the revised Planning Brief but expressed a number of concerns as follows:

Development Intensity and Building Height

- (i) while the FEHWC noted that the plot ratio and building height had been significantly reduced, some members of the FEHWC considered that the development intensity and building height should be further reduced;

Open Space Provision

- (ii) the public open space (POS) should be open to the public 24 hours a day instead of “at reasonable hours” as stated in the revised Planning Brief;
- (iii) the maintenance of POS should not be a burden to future residents;

Pedestrian Connections

- (iv) barrier-free access should in any case be provided rather than to be provided “if practicable” as stated in the revised Planning Brief;

- (v) there should be control on preservation of existing street fabric of the area;

Urban Design & Landscaping Considerations

- (vi) the intention to preserve Shing Wong Street to prevent it from being built over should be clearly stated;
- (vii) there should be a mechanism to ensure that the design and landscape requirements should be carried out and there should be criteria for assessing the requirements;
- (viii) the minimum requirement for green coverage should be increased from 20% to 30%; and

Site C

- (ix) URA should work closely with the owners in preserving the ambience and tenement buildings at Site C.
- (c) Planning Department's responses to FEHWC's views on the revised Planning Brief were as follows:

Development Intensity and Building Height

- (i) the maximum plot ratio and building height under the current Planning Brief were 8 and 150mPD respectively. The URA had suggested to reduce the maximum plot ratio and building height. In considering URA's application on 19.3.2010, the Committee agreed that the revised development parameters and layout for Sites B and C were acceptable. In the revised Planning Brief which reflected the revised development parameters, the maximum plot ratio was reduced from 8 to 4.76, and the maximum building height was reduced from 150mPD to 120mPD. The proposed development parameters were considered compatible with the development intensity and height of buildings in the surrounding area;

Open Space Provision

- (ii) The requirement to provide a POS of not less than 474m² was specified in the revised Planning Brief. The URA had agreed, at its own cost, to take up the management and maintenance responsibilities of the POS, and the POS should be open to public free of charge “at reasonable hours”. The actual opening hours, management and maintenance responsibilities of the POS to be borne by URA should be decided in land processing stage and governed/enforced through the land lease conditions, taking into account issues like security and safety of the local residents and the facilities to be provided thereon;

Pedestrian Connections

- (iii) Given the need to maintain a vibrant street frontage and to preserve the distinctive character of the stepped streets in the area, it might not be feasible and/or desirable to incorporate barrier-free design compulsorily to all the pedestrian networks. Instead, initiatives for barrier-free design were encouraged whenever practicable;

Preservation of Shing Wong Street

- (iv) The statement related to preservation of Shing Wong Street was originally proposed to be deleted from the revised Planning Brief as a result of the exclusion of Site A including Shing Wong Street from the redevelopment scheme. However, in view of some C&WDC members’ concern, a footnote was now proposed in Item 4(a) of Section B of the revised Planning Brief, stating that Shing Wong Street had to be preserved and no structure was allowed to build over Shing Wong Street;

Increase of Green Coverage

- (v) According to the Sustainable Buildings Design (SBD) Guidelines (APP-152) promulgated by the Buildings Department in April 2011, new building developments with site areas of 1,000m² or more were required to meet a minimum greening requirement of some 20%. The stipulation of a minimum 20% green coverage under the revised

Planning Brief was in line with the SBD Guidelines. The URA was also required to optimize greening opportunities in the developments wherever possible;

Preservation of Buildings in Site C

- (vi) The URA Staunton Street/Wing Lee Street project was first made known to the public in 1998 and the Development Scheme Plan (DSP) had gone through the statutory planning process of plan exhibition and public consultation since its first gazettal in 2003. In view of the unique circumstances, both the Committee and the Board had discussed this project in details at various meetings. While the Board had decided to excise Site A from the DSP for preservation purpose, the Board in January 2012 had confirmed that Site C should be maintained within the DSP as part of the comprehensive development scheme;

- (d) given that the requirements in the revised Planning Brief had generally covered other issues raised by FEHWC of the C&WDC, no other amendments besides the footnote on the preservation of Shing Wong Street were considered necessary. Should the revised Planning Brief be endorsed by the Committee, the Planning Brief would be passed to URA to provide guidance for the future development and serve as a reference for the submission of planning application for the site.

94. Members had no question on the revised Planning Brief.

Deliberation Session

95. After deliberation, the Committee decided to :

- (a) note the views of the C&WDC as summarized in paragraph 3 and detailed in Attachment IV of the Paper; and

- (b) endorse the revised PB at Attachment I of the Paper.

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

[Mr. K.K. Ling, Mr. H.W. Cheung, Mr. Frankie Chou and Mr. Edwin Chan returned to join the meeting at this point.]

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/71 Proposed Hotel in "Residential (Group A) 2" zone, 225-227 Shau Kei
Wan Road, Hong Kong
(MPC Paper No. A/H9/71)

Presentation and Question Sessions

96. Ms. Kitty S.T. Lam, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), Planning Department commented that in comparison with the approved scheme with a plot ratio of 12, the current scheme with a plot ratio of 13 had increased the footprint of the tower by about 10.6%. The increased development intensity had added to the bulk visually, especially as viewed from the planned open space in the east. As the proposed plot ratio of 13 was noticeably higher than the prevailing plot ratio of the neighbouring residential developments, the approval of the

application would set an undesirable precedent for similar hotel developments in the area. The CTP/UD&L had no objection to the application from a landscape planning point of view, but advised that should the application be approved, the applicant should be advised that the proposed building façade at the ground level should be set back from the application site boundary abutting Shau Kei Wan Road in order to accommodating tree/shrub planting at-grade for improvement of the streetscape and congested local urban environment. The Commissioner for Transport (C for T) had no objection to the application, and considered that the increase in plot ratio would cause minimal increase in traffic as compared with the previous approved planning application as there had been no change in the number of guest rooms;

- (d) during the first three weeks of the statutory publication period, two public comments from a member of the Aldrich Area Committee (AAC) and Designing Hong Kong Limited were received. Both commenters objected to the proposed hotel development mainly on traffic grounds. The AAC member was also concerned on the security in the area as the hotel development would attract visitors from elsewhere. Designing Hong Kong Limited was also concerned about the adverse impacts on pedestrian safety; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 10 of the Paper. The application site was located within the “Residential(Group A)2” (“R(A)2”) zone covering a predominantly residential area with commercial uses mainly on the lower floors of the residential buildings. The proposed hotel development was considered not incompatible with the surrounding developments in terms of land use. In comparison with the approved scheme under Application No. A/H9/68, the current scheme with a plot ratio of 13 had increased the footprint of the tower by about 10.6%. The increased development intensity had added to the bulk of the building. The proposed plot ratio of 13 was also generally higher than that of the adjacent developments. It had been the Board's established practice since

mid-2007 to approve hotel applications at suitable locations within the “R(A)” zone on Hong Kong Island up to a plot ratio of 12 as such development intensity was considered generally compatible with residential developments with a permitted plot ratio of 8 to 10. To justify the application, the applicant had quoted application No. A/H3/391 for a proposed hotel development with a plot ratio of 13.2. It should be noted that a proposed hotel development with a plot ratio of 12 had previously been approved by the Committee at that application site. Application No. A/H3/391, which amended that previously approved scheme, was approved by the Committee taking into consideration the further set-back of the podium, the improvement to the hotel façade through the provision of greenery, and the fact that the additional plot ratio was absorbed within the building bulk already approved in the previous application. Regarding the public concerns on traffic impact and pedestrian safety, both C for T and Commissioner of Police (C of P) had no objection to the application. As for a commenter’s concern on security in the neighbourhood, the C of P would continue to maintain law and order in the area.

97. A Member asked whether there was any planning merit proposed by the applicant. Ms. Kitty Lam said that there was a minor setback of about 2m near a corner on the ground floor of the building.

Deliberation Session

98. After deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 11.1 of the Paper and considered that they were appropriate. The reasons were :

- (a) the proposed hotel development, with a plot ratio of 13, was considered excessive with respect to the surrounding residential developments with permitted plot ratio of 8 to 10;
- (b) there was insufficient planning merit in support of a departure from a well-established practice of allowing up to a PR of 12 for hotel application

within a residential area; and

- (c) the approval of the application would set an undesirable precedent for similar hotel developments, the cumulative effect of which would adversely affect the general amenity in the area.

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

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

[Ms. Karen F.Y. Wong, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/680 Proposed Shop and Services (Real Estate Agency) in "Other Specified Uses" annotated "Business" zone, Workshop No. 6, G/F, Prosperity Center, No. 25 Chong Yip Street, Kwun Tong
(MPC Paper No. A/K14/680)

99. The Secretary reported that the application was submitted by Prodes Co. Ltd. which was a subsidiary of Cheung Kong (Holdings) (CKH) Ltd. with Eastland Property Agency Ltd. as a consultant. Mr. Patrick Lau and Prof. P.P. Ho had declared interests in this item as they had current business dealings with CKH. Members noted that Mr. Patrick Lau had tendered apologies for being unable to attend the meeting and Prof. P.P. Ho had already left the meeting.

Presentation and Question Sessions

100. Ms. Karen F.Y. Wong, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (Real Estate Agency);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the applicant;
- (d) during the first three weeks of the statutory publication period, two public comments had been received. One of them was from the Chairman of Kwun Tong Central Area Committee and he supported the application. The other comment was submitted by the Incorporated Owners of the subject building which had no objection to the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper.

101. Members had no question on the application.

Deliberation Session

102. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.1.2015, 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 and implementation of fire safety measures, including the provision of a means of escape completely separated from the industrial portion and fire service installations in the application premises to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition was not complied with before the operation of the use, the approval hereby given should cease to have effect and

should on the same date be revoked without further notice.

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

- (a) 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 to any further application;
- (b) apply to the District Lands Officer/Kowloon East for lease modification or waiver for the proposed 'Shop and Services (Real Estate Agency)' use at the application premises;
- (c) to note the comments of Director of Fire Service that for fire resisting construction of the application premises, the applicant should be advised to comply with the requirements as stipulated in Part C of Code of Practice for Fire Safety in Buildings 2011 administrated by the Buildings Department.
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department on the appointment of an Authorised Person to submit building plans for the proposed change of use and/or alteration works to the Building Authority (BA) to demonstrate compliance with the Buildings Ordinance (BO), in particular:
 - (i) the provision of access and facilities for persons with a disability including accessible toilet in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008; and
 - (ii) the applicant should note that for unauthorized building works (UBW) erected on leased land/private buildings, enforcement action might be taken by the BA to effect their removal in accordance with Building Department's enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any UBW on the

application site under the BO.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/290 Proposed Temporary School (Kindergarten cum Child Care Centre) for a Period of 3 Years in "Residential (Group C) 1" zone, 2 & 4 Dorset Crescent, Kowloon Tong
(MPC Paper No. A/K18/290)

104. The Secretary reported that the application is submitted by Novel Start Enterprises Ltd. and Queens Garden Development Ltd. Some of the consultants include CKM Asia Ltd., Environ Hong Kong Ltd., MVA Hong Kong Ltd. and Kenneth To & Associates Ltd. The following Members had declared interests in this item:

- | | | |
|-----------------|---|--|
| Mr. Patrick Lau | - | having current business dealings with MVA Hong Kong Ltd. and Kenneth To & Associates Ltd. |
| Mr. Dominic Lam | - | having current business dealings with MVA Hong Kong Ltd. and Kenneth To & Associates Ltd. |
| Ms. Julia Lau | - | having current business dealings with Environ Hong Kong Ltd. and MVA Hong Kong Ltd. |
| Prof. S.C. Wong | - | was the Director of the Institute of Transport Studies of the University of Hong Kong and CKM Asia Limited has sponsored some activities of the Institute. |

105. Members noted that Mr. Patrick Lau had tendered apologies for being unable to attend the meeting. Members also noted that Mr. Dominic Lam and Ms. Julia Lau had left

the meeting. As PlanD had requested to defer a decision on the application to the next meeting, Members agreed that Prof. S.C. Wong could stay in the meeting.

106. The Secretary reported that the application had been deferred for four times on the request of the applicant. On 22.1.2013, the applicant submitted further information providing responses to the comments of Education Bureau on the contingency plan for placement of students in case the Board did not renew the temporary planning permission, if granted, or the planning permission was revoked during the temporary approval period. As the further information was only received on 22.1.2013, i.e. 3 days before the meeting, and the comments of the government departments on the contingency plan and traffic issues were still being sorted out, PlanD recommended that a decision of the application be deferred to the next meeting.

107. After deliberation, the Committee decided to defer a decision on the application to the next meeting as requested by PlanD pending the departmental comments.

Agenda Item 12

Section 16 Application

[Open Meeting]

A/K9/250 Proposed Hotel in “Residential (Group A)” zone, 54 and 56 Ma Tau Wai Road, Hung Hom, Kowloon
(MPC Paper No. A/K9/250)

108. The Secretary reported that the application was submitted by Golden Well Development Ltd. with CKM Asia Limited as one of the consultants. Prof. S.C. Wong was the Director of the Institute of Transport Studies of the University of Hong Kong and CKM Asia Limited has sponsored some activities of the Institute. As the applicant had requested for a deferment of consideration of the application, Members agreed that Prof. Wong could stay in the meeting.

109. The Secretary reported that the application had been deferred once. On 2.1.2013, the applicant’s representative requested the Board to defer making a decision on the application for two months in order to allow time for the applicant to prepare

supplementary information to address the departmental comments.

110. 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. Since this was the second deferment of the application and the Committee had allowed a total of four months for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 13

Any Other Business

111. There being no other business, the meeting closed at 12:45 p.m.