

TOWN PLANNING BOARD

Minutes of 489th Meeting of the Metro Planning Committee held at 9:00 a.m. on 24.5.2013

Present

Director of Planning
Mr. K. K. Ling

Chairman

Professor S.C. Wong

Vice-chairman

Mr. Maurice W.M. Lee

Professor P.P. Ho

Professor Eddie C.M. Hui

Mr. Clarence W.C. Leung

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. W.B. Lee

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

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

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

Secretary

Absent with Apologies

Ms. Julia M.K. Lau

Mr. Laurence L.J. Li

Mr. Patrick H.T.Lau

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

In Attendance

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

Chief Town Planner/Town Planning Board (Atg.)
Ms. Donna Y.P. Tam

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

Agenda Item 1

Confirmation of the Draft Minutes of the 488th MPC Meeting held on 3.5.2013

[Open Meeting]

1. The draft minutes of the 488th MPC meeting held on 3.5.2013 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Hong Kong District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/H21/3

Application for Amendment to the Approved Quarry Bay Outline Zoning Plan No. S/H21/28 from “Government, Institution or Community (1)” and an Area Shown as ‘Road’ to “Green Belt”, Government Land, Mount Parker Road and Hong Pak Path, Mount Parker, Quarry Bay
(MPC Paper No.Y/H21/3A)

3. The subject site under application for rezoning was close to Kornhill. Professor S.C. Wong and Mr. Roger K.H. Luk had declared an interest in this item as they owned properties in Kornhill. As the interests of Professor Wong and Mr. Luk were direct, the Committee agreed that he should leave the meeting temporarily for this item.

[Professor S.C. Wong and Mr. Roger K.H. Luk left the meeting temporarily at this point.]

4. Mr. K.K. Ling also declared an interest in this item as his brother owned a property in Kornhill. As the Vice-chairman had declared interest in this item and had left the meeting temporarily, Members agreed that the Chairman should continue to chair the meeting.

Presentation and Question Sessions

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

- Ms. Ginger Kiang - District Planning Officer/Hong Kong (DPO/HK),
PlanD
- Ms. Irene Lai - Senior Town Planner/Hong Kong (STP/HK),
PlanD
- Ms. Brenda Sin - Town Planner/Hong Kong (TP/HK), PlanD

6. The following applicant's representatives were invited to the meeting at this point:

- Mr. Roy Tam
- Mr. Lo Chung Wah
- Ms. Yim Siu Man
- Ms. Wong Wing Yan, Anita
- Mr. Wong Siu On, Terry
- Ms. Cheung Yuk Chi, Kitty
- Ms. Chan Fung Chi
- Mr. Yim Siu Chin
- Mr. Cheng Pak Tam
- Mr. Tsang Wai Shing
- Mr. Tse Tsz Kei
- Ms. Judy Chan
- Mr. Hung Lung Chuen, Larry
- Mr. Patrick Leung

Mr. Lo Shun Kee
Ms. Wong Kai Lai, Carly
Ms. Tam Mei Shan, Pepper
Ms. Ting Wai Yu
Ms. Cheung Wai Hing, Sandy
Ms. Chan Suk Tze, Queenie
Ms. Lam Yuk Lin
Mr. Tong See Him
Mr. Chan Chun Ming
Mr. Raymond Cheung
Mr. Ng Yin Keung

7. The Chairman extended a welcome and explained the procedures of the hearing. The Chairman then invited Ms. Irene Lai to brief Members on the background to the application. With the aid of a powerpoint presentation, Ms. Irene Lai presented the application as detailed in the Paper and made the following main points:

Proposal

- (a) the applicant proposed to rezone the application site from “Government, Institution or Community (1)” (“G/IC(1)”) and an area shown as ‘Road’ on the approved Quarry Bay Outline Zoning Plan (OZP) No. S/H21/28 to “Green Belt” (“GB”) to reflect the present conditions and maintain the ecological environment of the application site;

The Application Site

- (a) the application site was located at Mount Parker Road on high grounds at the south-western part of Quarry Bay. Mount Parker Road provided limited access to the site;
- (b) the site comprised three platforms situated on different levels;
- (c) part of the northern platform was occupied by a temporary works area of Highways Department’s contractor, a temporary plant nursery and a radio

base station. The remaining area was left idle and overgrown with vegetation. The south-western platform, the adjoining 'Road' reserve and the slope between the northern and south-western platform were well vegetated. There was relatively less vegetation on the south-eastern platform;

- (d) the Woodside building which was a Grade 2 historic building, and the Quarry Bay Salt Water Service Reservoir with a sitting out area on its roof were located to the north and northwest of the site;
- (e) the area surrounding the site was zoned "GB" and to the further west and south was the Tai Tam Country Park (Quarry Bay Extension) with Wilson Trail, Quarry Bay Tree Walk, Quarry Bay Jogging Trail and Eastern Nature Trail; and
- (f) residential clusters including Mount Parker Lodge, Nam Fung Sun Chuen and Kornhill were located downhill to the east and northeast;

Applicant's Justifications

- (a) the applicant's justifications in support of the application were detailed in paragraph 2 of the Paper;

Background and Previous Rezoning Applications

- (a) the background and previous rezoning applications were detailed in paragraph 4 of the Paper;

Government Bureaux/Departments' Comments

- (b) comments from the Secretary for Education (SED) were set out in paragraph 8.1 and Appendix III of the Paper and were summarized as follows:

- (i) the subject “G/IC(1)” site had been reserved for school use. It was the only available site on Hong Kong Island for reprovisioning of existing mainstream schools and special schools both in the Eastern District as well as across Hong Kong Island and addressing demand for international school places;
- (ii) a number of schools (two special schools and more than ten mainstream schools) on Hong Kong Island were housed in sub-standard school premises. In-situ redevelopment of these schools was not feasible within the existing sub-standard premises. The school site at Mount Parker Road would provide a good opportunity for reprovisioning two or three schools, such that these schools could meet the prevailing design and facility requirements to provide quality education to the students;
- (iii) there was an increasing demand of international schools. It was projected that there was a shortage of 4,200 primary school places in the international school sector by 2016/17;
- (iv) it is important for the Education Bureau (EDB) to reserve sufficient number of sites to meet the current and future educational needs of the community, whether estimated or unforeseen. On the one hand, should there be concrete proposals in the development of the site, EDB would closely comply with the existing zoning requirements in submitting application to the Board for approval. EDB would give policy support on works for further site formation and processing access road subject to the nature of development at the site. While the concerns of the nearby residents and community at large in respect of development at the site were noted, EDB would release the site only if a readily available replacement site of similar size with similar (if not better) locations and conditions that could meet the current and future educational needs had been identified. Otherwise, EDB considered that the retention of the site for school use or educational use was necessary to cater for future development

on the educational front;

- (c) comments from the Director of Agriculture, Fisheries and Conservation (DAFC) were set out in paragraph 8.1 of the Paper and were summarized as follows:
- (i) apart from an existing nursery and Highways Department's works area, the "G/IC(1)" zone had been colonised by trees and shrubs of native and exotic species. The north-eastern portion of the "G/IC(1)" zone was particularly well vegetated mainly with native species, with good potential of developing into a secondary woodland;
 - (ii) the middle portion of the 'Road' area was a secondary woodland consisting of a diversity of native tree species. This woodland was contiguous to the secondary woodland of the adjacent "GB" zones. The eastern portion of the 'Road' area consisted of planted trees mainly of ornamental nature;
 - (iii) the dominant native tree species and ornamental tree species were common tree species and were not of particular high ecological value;
 - (iv) there were merits for the current rezoning proposal in preserving the existing vegetation on portions of the site from the nature conservation perspective as well providing a buffer area to the adjoining country park. The proposed rezoning was also compatible with the surrounding natural landscape;
 - (v) regarding the public comment on using the site for country park, assessment should be made against a set of established principles and criteria including conservation value, landscape and aesthetic value, recreation potential, size, proximity to existing country parks, land status and existing land use. The advice of the Country and

Marine Parks Board would also be sought. The DAFC had no plan to assess the site's suitability for country park designation;

- (d) comments from the Chief Town Planner/Urban Design and Landscape were set out in paragraph 8.1 of the Paper and were summarized as follows:
 - (i) from landscape point of view, he had no objection to the application;
 - (ii) based on the information submitted by the applicant and the aerial photo taken in March 2012, it was noted that the "G/IC(1)" site, which was located on vegetated hill slope, was formed with three platforms mostly covered by existing shrubs and trees of significant sizes. There were a hard paved area with some low-rise temporary structures in the north-western corner of the site, and an open area with some minor vegetation in the eastern side; and
 - (iii) the site was mostly surrounded by woodland on hill slope of a natural and green character. The proposed rezoning of the site from "G/IC(1)" and an area shown as 'Road' to "GB" was considered not incompatible with the surrounding natural environment;
- (e) other government departments including the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department, Antiquities and Monuments Office, Leisure and Cultural Services Department (AMO) and Transport Department (TD) had no objection to or adverse comments on the application;

Public Comments Received During Statutory Publication Period

- (a) during the first three weeks of the statutory public inspection period, a total of 5,700 public comments were received. Among them, 5,695 public comments supported the application (including 5,639 comments in the form of 8 standard letters). They were submitted by a member of Legislative

Council, two members of Eastern District Council (EDC), Eastern Branch of Democratic Alliance for the Betterment and Progress of Hong Kong, Democratic Party, Kornhill Owners' Committee, the Incorporated Owners of Nam Fung Sun Chuen, Orchards Management Company, Shanghai Alumni Primary School, Island East Green Action, local residents and individuals; one comment was submitted by the Park Vale (Management) Limited attaching 237 questionnaires, in which 212 (89%) supported the application and 25 (11%) objected to the application; and one comment was submitted by the Incorporated Owners of Nam Fung Sun Chuen stating that out of the 1,021 questionnaires collected from its owners/tenants, 974 (95.4%) with 2,938 signature supported the application, while the other 47 (4.6%) with 67 signatures were either against the application or void;

- (b) one comment from the New People Party requested the Board to note the views of the public (318 letters from the public were attached in the submission and included the standard comments);
- (c) one comment from an individual did not state whether he supported or objected to the application, but echoed the views of the applicant; and
- (d) one objecting comment was submitted by a resident of Mount Parker Lodge;
- (e) the public comments to the planning application generally echoed the views of the applicant to rezone the site to "GB". The major points as detailed in paragraph 9 of the Paper were highlighted below:
 - (i) the Woodside area was characterized by an abundance of trees, diverse ecological values and large open space. The proposal to rezone the site to "GB" could help preserve the beautiful environment, landscape and ecology of the area;
 - (ii) the construction of the school and the associated road at the application site would worsen the air quality and living environment of the residents and the animals;

- (iii) the site was highly patronized by local residents, hikers and elderly people in the district. The proposed GIC development would result in a permanent loss of this existing recreation space;
- (iv) the proposed school would generate heavy traffic flow to Grieg Road and Hong Yue Street; and
- (v) Mount Parker was a popular country park for all residents in Hong Kong. The public should be thoroughly consulted for at least three months for any development in the area;

The Planning Department (PlanD)'s views

- (a) the PlanD did not support the application based on the assessment made in paragraph 10 of the Paper. The main points were summarized below:

Site History

- (i) the site was all along intended to be a development site. Back in late 1970s/early 1980s, the Woodside area was planned to be developed for GIC facilities including schools, service reservoir and residential use with a proposed road connecting to Grieg Road. Three platforms and a portion of the proposed road were already formed for the proposed developments in mid-1980s. The Committee had previously rejected four requests for rezoning the site to "GB" in view of the loss of reserved school sites for the Eastern District and that the site was a formed platform which was readily available for GIC uses to meet unforeseen community needs that might emerge in future;

Need of the Site for School and Road Uses

- (ii) the "G/IC(1)" zone was currently reserved for school development which was in line with the planning intention of "G/IC" zone. The SED advised that the site would provide an opportunity for

reprovisioning two or three existing schools which were being operated in substandard premises to provide quality education to the students. Moreover, the site was also a potential site for providing international school places to address the shortage. The SED considered that the retention of the site for school use or educational use was necessary to cater for future development from the educational point of view;

- (iii) the area shown as 'Road' was essential to provide vehicular access to the proposed school development;
- (iv) it was very difficult to identify a suitable replacement "G/IC" site of comparable size and location across the urban areas on Hong Kong Island for school or educational use. Fulfilment of the school demand might have to be met in other green areas at the urban fringe. Development on these green areas would probably require substantial site formation and be subject to infrastructure constraints;
- (v) given the scarce land resources to meet the growing population and the increasing community aspiration for more quality GIC facilities apart from schools, particularly close to the urban populated core, retention of the formed sites for development purpose would be prudent. Or else, alternative green sites had to be identified to satisfy the community needs;

Conservation and Recreational Aspects

- (vi) the DAFC pointed out that the existing vegetation on the site was common tree species and was not of particular high ecological value;
- (vii) the public normally accessed Tai Tam Country Park via Grieg Road and Mount Parker Road. Development at the "G/IC(1)" zone would not adversely affect the public access to the country park, despite that there was a short section of the proposed road overlapping with the public access along Grieg Road. However,

this proposed road section was still subject to detailed design and the minor interface between the public and the vehicular access could be addressed at the detailed design stage. Country park visitors could continue enjoying the relevant sections of the Quarry Bay Tree Walk, Quarry Bay Jogging Trail, Eastern Nature Trail and Wilson Trail within the country park. Both the existing “GB” and the country park could continue serving the community demand for recreational outlets. There were no strong justifications for the proposed “GB” zoning;

Public Comments

- (viii) as regards the public comments on the possible environmental impacts generated by the proposed development and its associated road works, under the current “G/IC(1)” zoning, the applicant had to apply for planning permission and submit a layout plan with relevant technical assessments for the Board’s consideration. This would ensure a compatible development with the surrounding green environment and any possible impacts could be addressed properly;
- (ix) regarding the commenters’ concerns on the impacts of school development as discussed in paragraphs 10.2, 10.12 and 10.13 of the Paper, the requirement for planning permission could ensure that the potential impacts generated by future development would be properly addressed;
- (x) the AMO advised that the wartime cooking stove mentioned in the public comments were located outside the application site;
- (xi) the DAFC advised that there was no record of the specific tree species and animal species as mentioned by the public commenters at the application site. As for the suggestion to include the site in the country park, the DAFC advised that designation of country park required assessment against a set of established principles and criteria. The DAFC had no plan to assess the site’s suitability for

country park designation;

- (xii) the suggestion to use existing vacant school premises for English School Foundation (ESF) school was not a relevant consideration in determining the planning intention of the subject site, which was for GIC development not limiting to ESF school use. The public commenters indicated that 25.9ha of unleased and unallocated Government land in the Eastern District could be considered for school development. However, such land actually included a lot of road/passageways, man-made slopes, land under Simplified Temporary Land Allocation and fragmented sites. There was no other suitable site identified within the existing undesignated “G/IC” zones on Hong Kong Island for school development; and
- (xiii) regarding the concerns on public consultation raised by some commenters, should the Board receive any application within the subject “G/IC(1)” zone, the application would be published for public inspection and comments in accordance with the statutory requirement and established practice.

8. The Chairman then invited the applicant’s representatives to elaborate on their justifications for the application. With the aid of a powerpoint presentation, Mr. Roy Tam made the following main points:

- (a) it was necessary to preserve the living and natural environment of Hong Kong as Hong Kong was our home. Hong Kong was facing a problem of over-development which had resulted in too many construction works. The living environment in Hong Kong had become very poor. Hong Kong was no longer an ideal place to live;
- (b) it was proposed to rezone the application site to “GB” to reflect its present conditions and maintain the ecological environment of it. The rezoning was supported by the local residents in Quarry Bay;

- (c) the application site was located at the fringe of the Tai Tam Country Park and was suitable to be rezoned to “GB” to form a buffer between existing urban developments and the country park;
- (d) the application site was very close to Wilson Trail, Quarry Bay Tree Walk and Eastern Nature Trail and was frequently visited by hikers and morning walkers. Any construction works in the area would cause irreversible damage to the existing natural environment;
- (e) a lot of trees would be felled if a school and the associated flyover were to be built. The fact that the trees found in the site were of common species did not mean that they could be felled. Moreover, the construction of the school and the associated road would involve extensive site formation works which would also produce a large amount of construction waste, adding burden to the landfills; and
- (f) with the territory-wide reduction in school-age children, the demand for school sites had been substantially reduced. The proposed school development at the application site was not necessary. Even if there was a need for school sites, the Government should consider redeveloping the sites currently occupied by vacant school buildings, such as the Lui Kee Education Centre site in Wan Chai.

9. Mr. Lo Chun Wah made the following main points:

- (a) it was noted that previous proposals for residential and school uses in the area had been abandoned due to the strong local objections and local people aspirations for preservation of the greenery of the area;
- (b) in their letter to the EDC in February 2013, the Director of Environmental Protection (DEP) and DAFC indicated that the Woodside area was a potential site to be preserved as greenery space;
- (c) the Woodside area was very close to the Tai Tam Country Park.

The elderly people, hikers and the public hoped that the natural environment of the area could be preserved as an outlet for passive recreational activities;

- (d) the area was covered by a secondary woodland consisting of different tree species such as *Gordonia axillaris* (大頭茶), and Chinese New Year Flower (*Enkianthus quinqueflorus*) (吊鐘) and *Rhodoleia* (*Rhodoleia championi*) (紅苞木), which were protected species under the Forestry Regulations Cap. 96A of the Laws of Hong Kong;
- (e) the site was near the outdoor cooking stoves built during the World War II, which should be preserved;
- (f) the woodland in the area was a valuable piece of greenery serving as a buffer between the high-rise developments and the country park. Further encroachment of the urban development onto the greenery area should be avoided;
- (g) any GIC or residential development on the subject site would destroy the existing landscape and the surrounding green belt. Many trees would be felled. It would cause permanent loss of greening areas in the fringe of the urban area;
- (h) Hong Kong was a world city. However, the air quality did not meet the target set by the World Health Organization. The poor air quality had led to an increasing number of people suffering from diseases such as asthma and bronchial infections;
- (i) according to the Travel & Tourism Competitiveness Report 2013, though Hong Kong was one of the world's leading cities, the air pollution problem had affected its competitiveness among the other Asian countries such as Singapore and Japan; and
- (j) it was suggested that the platforms in the area could be used for

recreational purposes such as park, organic farm or farmers' markets.

10. Ms. Anita Wong made the following points:

- (a) the air quality in Hong Kong was poor;
- (b) the area was situated at the fringe of the Tai Tam Country Park. It was regarded as the 'back garden' of the Eastern District. The site was characterized by an abundance of trees and high ecological diversity. It was a popular spot for hikers and morning walkers because of its proximity to the community. The area should be zoned "GB" to protect the natural environment from being encroached upon by any urban development;
- (c) as the site was located on a slope, the proposed school development would involve major formation works and vegetation clearance. A flyover would need to be built to provide access to the proposed school development. Large volumes of construction waste would also be generated. The construction works would also generate adverse air and noise impacts to the surrounding areas;
- (d) the proposed school development would generate additional traffic to Grieg Road and the adjoining road networks which were already congested especially during peak hours;
- (e) the proposed school development at the site would destroy the existing natural landscapes. This was not in line with the principles of sustainable development and environmental protection;
- (f) as an international city, Hong Kong should not be falling behind the other world cities in our commitment towards sustainable development, preservation of the natural environment and protection of public health and community welfare. It was proposed that the site should be retained for uses involving minimum construction

wastes, but was beneficial to a wider community;

- (g) if the site was rezoned to “GB”, it could be used for conducting education programmes and field visits to promote environmental awareness of the students and the general public. Tree planting and organic gardening sessions could be organized to promote weekend outings with families and help relieve stress of the Hong Kong people. These environmentally-friendly activities could bring the local communities together while promoting the health and well-being among the public;
- (h) weekend farmers’ markets could be established in the area to support local farming produce, to encourage healthy lifestyles among the public and to promote local arts and craft businesses; and
- (i) with the large volumes of waste generated in Hong Kong each year, the site could also be used to conduct activities to educate the public about the benefits and importance of recycling and waste minimisation, such as composting to eliminate food waste, recovery of materials for reuse and exchange of second-hand goods. These initiatives could help alleviate the pressure on the existing landfill facilities in Hong Kong and improve waste management.

11. Mr. Wong Shui On, Terry made the following points:

- (a) the air quality in Hong Kong, in particular the densely populated area, was extremely poor. In 2011, a Hong Kong based company did a survey of more than 200 international and local companies in Hong Kong. The survey report revealed that three out of four companies considered that the poor air quality in Hong Kong had made it harder for them to attract and retain employees from overseas. Moreover, a poll by a local think tank, Civic Exchange, showed that one in four Hong Kong residents was considering emigrating because of the air pollution problem;

- (b) Hong Kong was lacking of farmers' markets. In Hong Kong (which covered an area of 426 sq. miles with a population of 7.17 million), there were only five farmers' markets. However, with a similar land area and population, there were 138 farmers' markets in New York City. The Government should promote farmers' market in Hong Kong in order to maintain its status as a world class city;

- (c) if the Woodside area was changed to a permanent green belt zone, it could provide venue for farmers' markets and community organic gardens. The major benefits associated with farmers' market and community organic garden were:
 - (i) farmers could sell their products directly to consumers, which would reduce transport of goods to the large grocers. This would help save energy and reduce greenhouse gas emissions. Moreover, the overhead costs such as rent, lighting and air conditioning could also be reduced when farmers sold their products in an outdoor environment. Farmers might retain most of the cost savings which gave them more incentives to produce more organic and healthy fruits and vegetables;

 - (ii) farmers' markets could promote community building and help maintain social ties among the communities;

 - (iii) visitors and health conscious consumers were drawn to farmers' markets because the products were fresher, healthier and less expensive. Farmers' market was a great place for people to enjoy an outdoor walk while getting their fruits and vegetables; and

 - (iv) community organic garden could promote public's awareness towards recycling and help protect our environment.

12. In response to a Member's enquiry, Ms. Ginger Kiang said that according to SED, there were two special schools and more than ten mainstream schools on Hong Kong Island (including the Eastern District) that were operating in sub-standard school premises. The sizes of the existing school campuses were far below the prevailing standard site requirements for school use.

13. In response to a Member's question on the condition of the platforms in the application site, Ms. Ginger Kiang referred to Plan Z-2a of the Paper and said that as compared with the eastern platform, the platform on the western portion of the site was more densely vegetated. According to the information provided by AFCD, the vegetation was common tree species and were not of particular high ecological value.

14. In response to a Member's question on other sites available for school development, Ms. Ginger Kiang said that the subject "G/IC(1)" site was the only site available for school development on Hong Kong Island. Ms. Kiang also pointed out that according to the SED, two or three schools could be reprovisioned within the subject site to provide quality education to the students.

15. In response to the same Member's enquiry, Ms. Ginger Kiang said that since 1980s, the Woodside area had been planned for GIC uses including school development. If the SED decided that the site was no longer required for school development, the site could be released for other GIC facilities. Ms. Kiang said that taking into account the character of the Woodside area and the existing condition, including the inadequate vehicular access, the site was rezoned to "G/IC(1)" in 2008, with only a limited range of permissible GIC uses subject to planning permission and submission of a layout plan with relevant technical assessments to ensure that the proposed development would be compatible with the surrounding natural environment and the adjacent Woodside building. However, operation of temporary markets or organic farm would be permitted under the current provisions of the OZP.

16. In response to a Member's questions on whether the two special schools and ten mainstream schools could be redeveloped in-situ and the programme of redevelopment of those schools, Ms. Ginger Kiang said that as those existing schools were operated in sub-standard premises with limited space, it was not feasible to redevelop the schools in-situ.

Ms. Kiang said that the EDB had a set of established School Allocation Exercise procedures where school operators could make application to EDB when a school site was available. At present, the subject site had not been allocated to any school yet and there was no concrete implementation programme for school development on the site. If the site was allocated for school use, it would take about two or three years for the construction of the school.

17. In response to the Chairman's question, Ms. Ginger Kiang said that the site which was at present occupied by Lui Kee Education Service Centre in Wan Chai was too small for a standard school development according to current standard.

18. In response to a Member's questions, Ms. Ginger Kiang said that the subject site was formed many years ago for GIC uses including school development. It was the only site readily available for school development on Hong Kong Island.

19. A Member enquired whether the proposed school development and its associated road works would affect the accessibility to Tai Tam Country Park. With reference to Plan Z-2b, Ms. Ginger Kiang said that Tai Tam Country Park could be accessed via Wilson Trail, Quarry Bay Tree Walk, Quarry Bay Jogging Trail and Eastern Nature Trail. A flyover connecting the site with Grieg Road might be required for further school development. However, details of the road works were not available at this stage and the potential impacts created by the new road would be assessed and addressed in the detailed design stage.

20. Mr. Lo Chun Wah said that pillars would need to be built to support the extension of Grieg Road which would be in the form of a flyover. The existing access to Tai Tam Country Park would be affected. Moreover, the park near Mount Parker Lodge would also be closed during the construction period.

21. As the applicant's representatives had no further points to make and Members had no further questions to raise, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives for attending the meeting. The applicant's representatives left the meeting at this point.

22. The Chairman said that the applications under Items 3,4 and 5 were related to the same sites and of the same nature. He suggested and Members agreed that the three items should be deliberated together after their presentation and question sessions.

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/H21/4 Application for Amendment to the Approved Quarry Bay Outline Zoning Plan No. S/H21/28 from “Government, Institution or Community (1)”, “Government, Institution or Community” and an Area Shown as ‘Road’ to “Green Belt”, Government Land, Mount Parker Road, Quarry Bay Salt Water Service Reservoir and Hong Pak Path, Mount Parker, Quarry Bay
(MPC Paper No.Y/H21/4A)

23. The subject site under application for rezoning was close to Kornhill. Professor S.C. Wong and Mr. Roger K.H. Luk had declared an interest in this item as they owned properties in Kornhill. The Committee noted that Professor Wong and Mr. Roger Luk had declared interests in the last item and had left the meeting temporarily.

24. Mr. K.K. Ling also declared an interest in this item as his brother owned a property in Kornhill. As the Vice-chairman had declared interest in this item and had left the meeting temporarily, Members agreed that the Chairman should continue to chair the meeting.

Presentation and Question Sessions

25. The following applicant’s representatives were invited to the meeting at this point:

Mr. Wong Kin Pan (M.H.) - the Chairman of Eastern District Council and the Hong Kong Quarry Bay Residents Association

Ms. Lee Ching Har - the Secretary of the Hong Kong Quarry Bay Residents

Association

Mr. Chan Fan Ho - the Secretary of the Hong Kong Quarry Bay Residents Association

Mr. Lui Wing Fuk - applicant's representative

26. The Chairman extended a welcome and explained the procedures of the hearing. The Chairman said that Agenda Items 3, 4 and 5 were related to the same sites and of similar nature, i.e. the rezoning of "G/IC(1)", "G/IC" and an area shown as 'Road' to "GB" near Mount Parker Road. As the representative of Planning Department had already briefed Members on the background of the cases, he suggested and Members agreed that the presentation should only cover the public comments received on the application.

27. With the aid of a powerpoint presentation, Ms. Irene Lai said that:

- (a) during the first three weeks of the statutory public inspection period, a total of 2,954 public comments were received, including:
 - (i) 2,949 public comments supporting the application (including 2,928 comments in the form of five standard letters) submitted by an EDC member, Kornhill Owners' Committee, local residents, individuals, and the Hong Kong Quarry Bay Residents Association Ltd. which had submitted two comments with a total of 893 signatures supporting the application;
 - (ii) one comment submitted by the Incorporated Owners of Nam Fung Sun Chuen which stated that the residents' comments collected on the similar Application No. Y/H21/3 were also applicable to the subject Application No. Y/H21/4, i.e. out of 1,021 questionnaires collected from its owners/tenants, 974 with 2,938 signatures supported the application, while the other 47 with 67 signatures were either against the application or void;
 - (iii) three comments from a LegCo member and two members of the public without stating whether support or against the application, but echoing the views of the applicant;

- (iv) one submission from a member of the public indicating no comment on the application;
- (b) the public comments generally echoed the views of the applicant. The major points detailed in paragraph 9 of the Paper were highlighted below:
 - (i) the Woodside area was characterized by an abundance of trees, diverse ecological values and large open space. The dense woodlands at Mount Parker provided a natural habitat for animals such as squirrels, birds, Hong Kong Newt and Romer's Tree Frog, etc. The proposed rezoning of the sites to "GB" could help preserve the beautiful environment, landscape and ecology of the area;
 - (ii) the construction of the school and the associated road at the application site would worsen the air quality and living environment of the residents and the animals;
 - (iii) the sites were highly patronized by local residents, hikers and elderly people in the district. The proposed GIC development would result in a permanent loss of this existing recreation space;
 - (iv) the proposed school would generate heavy traffic flow to Grieg Road and Hong Yue Street; and
 - (v) Mount Parker was a popular country park for Hong Kong people. The public should be thoroughly consulted for at least three months for any development in the area;

28. The Chairman then invited the applicant's representatives to elaborate on their justifications for the application. With the aid of a powerpoint presentation, Ms. Lee Ching Har made the following main points:

- (a) the Quarry Bay Residents Association was a local organization which had served the local residents for about 18 years. A lot of concerns were raised

by the residents of the Quarry Bay area when they heard about the preliminary plan to set up a school in Mount Parker. The applicant therefore submitted the subject application to rezone the area to “GB”. The local community had strong aspiration to preserve the area under the “GB” zoning. Moreover, the EDC, on 28.2.2013, passed two motions requesting to rezone the Woodside area to “GB” in view of the grave concerns of the local residents. The applicant’s proposal was fully supported by the EDC;

- (b) one major concern of the residents was the potential traffic impact generated by the proposed school in the area. Grieg Road was narrow and it was the only access to the Woodside area and Kornhill. The heavy traffic generated by the school, in particular if it was an international school, could not be supported by Grieg Road and Hong Yue Street. The tailing back of private cars along Grieg Road would even affect the traffic along King’s Road and Island Eastern Corridor;
- (c) there was a mixture of different tree species in the secondary woodland in the Woodside area. It was considered as a ‘back garden’ of the Quarry Bay area. The natural environment should be conserved. Even if the trees were of not particular high ecological value, they should not be felled as the trees helped to purify air and were beneficial to the living environment;
- (d) the construction of the proposed school and the associated flyover would cause air pollution and noise nuisance. It would affect the health of the local residents particularly the elderly people; and
- (e) it was noted from the study commissioned by the EDB that there would be a shortage of 4,200 primary school places in the international school sector by 2016/17. However, such shortage of places covered the whole territory, and not only the Eastern District. Sites were available in other districts to meet the demand for international school. In April 2013, the Secretary for Education (SED) announced that three vacant school premises (two on Hong Kong Island and one in Kowloon) had been successfully allocated to

three operators for international school development. Hence, there should be sufficient school premises to meet the demand for international school places.

29. A local resident, Mr. Lui Wing Fuk made the following points:

- (a) he was 70 years old and had retired for more than ten years. He did exercises every day in Mount Parker which had helped him to maintain a healthy body since his retirement. The existing green spaces in Mount Parker provided a convenient and important place for local residents in particular the elderly people to enjoy the natural environment. He supported the applicant's proposal to rezone the Woodside area to "GB" for the following reasons:
 - (i) the construction of school and other structures in the area would cause air pollution and noise nuisance. It would affect the health of the local residents particularly the elderly people; and
 - (ii) the proposed school development would increase the traffic and pedestrian flow in the area; and
- (b) in order to achieve the Government's objective of 'Ageing in Place', it was suggested that the Government should devote more resources to support the elderly people in the local district, for instance, to plant more trees and provide additional rain shelters, recreational and sports facilities for the elderly people in the Woodside area.

30. With the aid of a powerpoint presentation, Ms. Lee Ching Har added that according to the Projection of Population Distribution 2010-2019 issued by the Planning Department, the elderly population in the Eastern District would be about 22% in 2019 (i.e. about 130,000 elderly people). The Eastern District would become one of the districts with the highest proportion of elderly population in 2019, following Wan Chai. At present, there were only four elderly community centres providing day-time recreational facilities for the elderly people in the Eastern District. Priority should be given to the provision of elderly

services in resource allocation than to the development of international school in the District.

31. Mr. Chan Fan Ho, the Secretary of the Quarry Bay Residents Association, made the following points:

- (a) the Woodside area was well vegetated mainly with native species and with a good potential of developing into a secondary woodland. Spiny Tree Fern (*Alsophila spinulosa*) (刺桫欏) which was listed in Category I of the State Protection List, *Tetrathryium subcordatum* (四葯門花) in Category II and *Amentotaxus argotaenia* (穗花杉) in Category III and 16 endemic plant species in Hong Kong such as *Osmundaceae* (紫萁科), *Asarum hongkongense* (Aristolochiaceae) (馬兜鈴科的香港細辛) and *Bulbophyllum tsaenum* (Orchidaceae) (蘭科的謝氏卷瓣蘭) were rare floral species. The fauna species including *Sousa chinensis* (中華白海豚) which was listed as Category I of the State Protection List; *Philautus romeri* (盧氏小樹蛙) and *Diabmus bogadeki* (包氏雙足蜥) in Category II were samples of rare fauna species. These flora and fauna species were commonly found in the past. However, they had decreased in number due to deforestation and urban development and had become rare species under protection;
- (b) the trees and plants helped absorb carbon dioxide and release oxygen. If the trees were felled, the amount of carbon dioxide would increase. The health of the local residents would be affected;
- (c) the trees and plants in general affected the water cycle. The tree canopies intercepted a proportion of precipitation, which was then evaporated back to the atmosphere. Their stems and trunks helped slow down surface runoff. When part of the vegetation was removed, the trees no longer transpired the water, which then percolated to groundwater systems. Deforested areas became sources of surface water runoff, which moved much faster than the sub-surface flows. Deforestation reduced soil cohesion. Erosion, flooding and landslides would be resulted;

- (d) the construction of the school and its associated road works would cause noise nuisances to the animals living there. It would affect biodiversity in the woodland;
- (e) the construction debris might block the drainage channel in the area and cause serious flooding in the Quarry Bay Street;
- (f) the application site was very close to Wilson Trail, Quarry Bay Tree Walk and Eastern Nature Trail where a natural environment was reasonably expected by hikers and morning walkers. There were over 1,000 visitors per day. It should be preserved for public enjoyment;
- (g) the nearby woodland, trails, heritage sites and ecological environment had high conservation value. The proposed school development would lead to a non-recoverable loss of the natural environment for the next generation;
- (h) any GIC development or road construction would destroy the existing landscape and tranquility of the area and the surrounding green belt. The construction of the proposed flyover would induce significant noise nuisance and air pollution to the surrounding area, thus affecting the health of the residents;
- (i) additional traffic generated by the proposed school (during and after construction period) might cause congestion to King's Road and even the Island Eastern Corridor. Moreover, the additional traffic would induce air pollutants and worsen the air pollution problem in the area;
- (j) with the territory-wide reduction in school-age children, the demand for schools sites had been substantially reduced. Hence, preserving the Woodside area should have precedence over school development; and
- (k) the rezoning of the site to "GB" would help promote a more sustainable development in the Eastern District;

- (l) the proposed rezoning of the site to “GB” was widely supported by the local residents as indicated in the large number of public comments in support of the application;

32. In response to a Member’s enquiry, Ms. Ginger Kiang said that according to the Transport Department (TD), as no application for school development at the application site had been received, it was too early to decide whether the proposed extension of Grieg Road was required at this stage. Moreover, the proposed road extension would be subject to detailed design. Should there be a school development, the project proponent would need to examine in detail the potential traffic impacts that might arise from the proposed development and propose traffic improvement measures to address the traffic impacts.

33. The Chairman asked if social welfare facilities such as elderly centre were allowed in the subject “G/IC(1)” site. Ms. Ginger Kiang responded that under the current “G/IC(1)” zoning on the approved Quarry Bay OZP, ‘social welfare facility’ was a column 2 use and might be permitted on application to the Board.

34. As the applicant’s representatives had no further points to make and Members had no further questions to raise, the Chairman informed them that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in their absence and inform the applicant of the Committee’s decision in due course. The Chairman thanked the applicant’s representatives for attending the meeting. They all left the meeting at this point.

[A short break of 5 minutes was taken at this point.]

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/H21/5

Application for Amendment to the Approved Quarry Bay Outline Zoning Plan No. S/H21/28 from “Government, Institution or Community (1)” and an Area Shown as ‘Road’ to “Green Belt” and to delete ‘School’ use from Column 2 of the Notes for the “Green Belt” zone, Government Land, Mount Parker Road and Hong Pak Path, Mount Parker, Quarry Bay
(MPC Paper No.Y/H21/5)

35. The subject site under application for rezoning was close to Kornhill. Professor S.C. Wong and Mr. Roger K.H. Luk had declared an interest in this item as they owned properties in Kornhill. The Committee noted that Professor Wong and Mr. Roger Luk had declared interests in the last item and had left the meeting temporarily.

36. Mr. K.K. Ling also declared an interest in this item as his brother owned a property in Kornhill. As the Vice-chairman had declared interest in this item and had left the meeting temporarily, Members agreed that the Chairman should continue to chair the meeting.

Presentation and Question Sessions

37. The following representative of the applicant was invited to the meeting at this point:

Mr. Chan Kar Pak

38. The Chairman extended a welcome and explained the procedures of the hearing. The Chairman said that Agenda Items 3, 4 and 5 were related to the same sites and of similar nature, i.e. the rezoning of “G/IC(1)”, “G/IC” and an area shown as ‘Road’ to “GB” near Mount Parker Road. As the representative of Planning Department had already briefed Members on the background of the cases, he suggested and Members agreed that the no presentation was required.

39. The Chairman then invited the applicant's representative to elaborate on his justifications for the application. With the aid of a powerpoint presentation, Mr. Chan Kar Park made the following main points:

- (a) he was representing Mr. Cheung Kwok Cheong, the assistant of Ms. Leung Suk Ching (Eastern District Council Member (EDC));
- (b) the applicant proposed to rezone the "G/IC(1)" site and an area shown as 'Road' on the approved Quarry Bay OZP to "GB" and delete 'School' use from Column 2 of the Notes for the "GB" zone. The reasons were:
 - (i) more than 2,000 comments from the local residents were collected. Among them, most of the local residents opposed the development of a school at the application site. The local residents were of the view that there was good ecological environment in the Woodside area and it was a green belt near the urban area treasured by the public. Many trees had been growing there for decades and it was the habitat of many wild animals. If there was development in the Woodside area such as a school and an elevated bridge, many trees would have to be felled and the precious birds and animals could no longer survive in the area. The slope would most probably be damaged, causing landslide and the damage to the natural environment. The Government had been educating the public with the importance of environment protection. Environment protection and prudent community planning were two important factors which needed to be taken into considerations in economic development;
 - (ii) the previous proposal to building an English School Foundation (EFS) school at the site had met with strong local objection. Local residents were very concerned about the potential traffic impacts caused by the operation of the school, in particular that students of ESF school would use private cars as their major mode of transport to the school; and

- (iii) as for the future development of the Woodside area, some residents hoped that it would be designated as country park for permanent protection as it was highly patronized by hikers and morning walkers.

40. In response to a Member's enquiry on the details of two special schools and ten mainstream schools which were in need of re-provisioning, Ms. Ginger Kiang said that the EDB did not provide any information on the name of the schools. However, the School Allocation Committee would go through a thorough and detailed scrutiny process on school allocation taking into account various factors including the age of the schools.

41. As the applicant's representative had no further points to make and Members had no further questions to raise, the Chairman informed him that the hearing procedures for the application had been completed and the Committee would further deliberate on the application in his absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representative and the representatives of PlanD for attending the meeting. They all left the meeting at this point.

Deliberation Session for Planning Applications No. Y/H21/3, Y/H21/4 and Y/H21/5

42. A Member asked if the application site could be made available for farmers' markets, community organic gardens or environmental workshops as suggested by the applicants on a temporary basis in view that there was still no programme for school development at the site. In response, the Chairman said that temporary uses of five years or less were always permitted in all the zones under the Outline Zoning Plan.

43. A Member noted that the subject site was all along intended for GIC development particularly for school use and the SED advised that there was a need to retain the site for school development. There was no strong reason to change the planning intention of the site and rezone it to "GB". It was also noted that the site could be put for temporary uses such as farmers' markets or organic gardens as proposed by the applicants, pending the implementation of the school development.

44. A Member supported that more open spaces should be provided in the congested

urban area. However, a larger green space was already provided in Tai Tam Country Park to the south of the area. It was also noted that there was a shortage of school places in the territory. As the subject site had already been formed and designated for school use for a very long time, the zoning of the site should be retained as “G/IC(1)”.

45. In response to a Member’s question on how the concerns raised by the public commenters on the possible environmental impacts generated by the proposed school development and its associated road works could be addressed. The Secretary said that three platforms and part of the proposed road were formed in mid-1980s to facilitate GIC development including school at the site. Taking into account the character of the Woodside area and the existing condition including inadequate vehicular access, the site was rezoned to “G/IC(1)” with only a limited range of permissible GIC uses subject to planning permission and submission of a layout plan with relevant technical assessments such as TIA and tree survey for the Board’s consideration. This would help ensure that the proposed development would be compatible with the surrounding green environment and that any possible adverse impacts generated by the proposed development could be properly addressed.

46. A Member said that a balance should be struck between development and conservation. As the subject site had already been formed and there was a need to reserve the site for school use, the site should not be rezoned to “GB”. This Member also agreed that Tai Tam Country Park had provided a large green space in the area for the enjoyment of the public. Moreover, any possible environmental nuisance caused by the construction works associated with the school development were only be temporary. Suitable mitigation measures could be adopted to minimize such nuisances.

47. Members noted that the strong aspirations of the applicants and the local residents on preserving the natural environment and green space for enjoyment of the public. As the sites had already been formed in the 1980s and had all along been intended for GIC development to serve not only the Quarry Bay area but also Hong Kong Island, Members generally considered that it should be retained for GIC use including school development. Given that Tai Tam Country Park was located nearby, Members did not consider that there were strong justifications to support the proposed rezoning of the site to “GB”. To address local residents’ concerns on the possible environmental impacts caused by the proposed

school development and the associated road works, under the Notes of the “G/IC(1)” zone, application for planning permission and submission of a layout plan with relevant technical assessments such as traffic impact assessment and tree survey for the Board’s consideration was required. This would help ensure that the proposed development would be compatible with the surrounding green environment and that any possible adverse impacts generated by the proposed development could be properly addressed.

Application No. Y/H21/3

48. After further deliberation, the Committee decided not to agree to the application for the following reasons :

- (a) the site comprised three development platforms formed in mid 1980s for Government, Institution or Community uses. There were increasing reprovisioning needs of substandard schools both in the Eastern District and across Hong Kong Island and increasing demand for international school places. The “Government, Institution or Community (1)” (“G/IC(1)”) zoning should be retained to satisfy community needs and aspiration of more and quality GIC facilities particularly school use;
- (b) the existing vegetation on the site was common tree species which were not of particular high ecological value. The surrounding “Green Belt” (“GB”) zone and Tai Tam Country Park could continue serving the community’s demand for recreational outlets. There were no strong justifications for the proposed “GB” zoning;
- (c) under the “G/IC(1)” zoning, there was requirement for application for planning permission for development and submission of layout plan and technical assessments for consideration by the Town Planning Board. This would ensure a compatible development with the surrounding greenery environment and historic building, as well as address various possible development impacts properly; and
- (d) the proposed extension of Grieg Road was essential to provide vehicular

access to the “G/IC(1)” site. The area shown as ‘Road’ should also be retained.

Application No. Y/H21/4

49. After further deliberation, the Committee decided not to agree to the application for the following reasons :

- (a) the “G/IC” zone was currently occupied by the Quarry Bay Salt Water Service Reservoir with a sitting out area on its roof. The “G/IC” zoning was appropriate to reflect these existing uses;
- (b) the “G/IC(1)” site comprised three development platforms formed in mid 1980s for GIC uses. There were increasing reprovisioning needs of substandard schools both in the Eastern District and across Hong Kong Island and increasing demand for international school places. The “Government, Institution or Community (1)” (“G/IC(1)”) zoning should be retained to satisfy community needs and aspiration of more and quality GIC facilities particularly school use;
- (c) the existing vegetation on the “G/IC(1)” site was common tree species which were not of particular high ecological value. The surrounding “Green Belt” zone and Tai Tam Country Park could continue serving the community’s demand for recreational outlets. The “G/IC” zoning would not affect public enjoyment of the sitting out area on the roof of the Quarry Bay Salt Water Service Reservoir. There were no strong justifications for the proposed “GB” zoning;
- (d) under the “G/IC(1)” zoning, there was requirement for application for planning permission for development and submission of layout plan and technical assessments for consideration by the Town Planning Board. This would ensure a compatible development with the surrounding greenery environment and historic building, as well as address various possible development impacts properly; and

- (e) the proposed extension of Grieg Road was essential to provide vehicular access to the “G/IC(1)” site. The area shown as ‘Road’ should also be retained.

Application No. Y/H21/5

50. After further deliberation, the Committee decided not to agree to the application for the following reasons :

- (a) the site comprised three development platforms formed in mid 1980s for Government, Institution or Community uses. There were increasing reprovisioning needs of substandard schools both in the Eastern District and across Hong Kong Island and increasing demand for international school places. The “Government, Institution or Community (1)” (“G/IC(1)”) zoning should be retained to satisfy community needs and aspiration of more and quality GIC facilities particularly school use;
- (b) the existing vegetation on the site was common tree species which were not of particular high ecological value. The surrounding “Green Belt” (“GB”) zone and Tai Tam Country Park could continue serving the community’s demand for recreational outlets. There were no strong justifications for the proposed “GB” zoning;
- (c) under the “G/IC(1)” zoning, there was requirement for application for planning permission for development and submission of layout plan and technical assessments for consideration by the Town Planning Board. This would ensure a compatible development with the surrounding greenery environment and historic building, as well as address various possible development impacts properly; and
- (d) the proposed extension of Grieg Road was essential to provide vehicular access to the “G/IC(1)” site. The area shown as ‘Road’ should also be retained.

[Professor S.C. Wong and Mr. Roger K.H. Luk returned to join the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/733 Proposed Shop and Services (Supermarket) in "Residential (Group E)2" zone, Portion of G/F, 350-360 Fuk Wing Street, Cheung Sha Wan
(MPC Paper No. A/K5/733)

51. The Secretary said that the application was submitted by A.S. Watson Group (HK) Ltd., which was a subsidiary of Hutchison Whampoa Company Ltd. and Ove Arup & Partners Hong Kong Ltd. (ARUP) was the consultant of the applicant. The following Members had declared interests in this item:

Professor P.P. Ho	-	had current business dealings with Hutchison Whampoa Company Ltd.
Professor S. C. Wong]	had current business dealings with ARUP
Mr. Dominic K.K. Lam]	
Mr. Patrick H.T. Lau]	

52. The Committee noted that Mr. Dominic K.K. Lam had not yet arrived the meeting and Mr. Patrick H.T. Lau had tendered apology for being unable to attend the meeting. As the applicant had requested for a deferment of consideration of the application, the Committee agreed that Professor S.C. Wong and Professor P.P. Ho could stay in the meeting.

53. The Secretary reported that on 3.5.2013, the applicant wrote to the Secretary of the Board and requested the Board to defer consideration of the application for two months in order to allow the applicant to address the departmental comments on the application.

Deliberation Session

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

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/122 Proposed Residential Institution (Redevelopment of Fok Ying Tung Hall of Residence) in “Government, Institution or Community” zone, The Hong Kong Institute of Vocational Education (Tsing Yi), 20, 20A and 22 Tsing Yi Road, Tsing Yi (Tsing Yi Town Lot 123)
(MPC Paper No. A/TY/122A)

55. The Secretary said that the application was submitted by the Vocational Training Council (VTC) and Ove Aup & Partners Hong Kong Ltd. (ARUP) was the consultant of the applicant. The following Members had declared interests in this item:

Mr. Dominic K.K. Lam	-	had current business dealings with ARUP and VTC
Professor S. C. Wong]	
		had current business dealings with ARUP
Mr. Patrick H.T. Lau]	

56. The Committee noted that Mr. Dominic K.K.Lam had not yet arrived the meeting and Mr. Patrick H.T. Lau had tendered an apology for being unable to attend the meeting.

As Professor S.C. Wong did not involve in the proposed development, the Committee agreed that Professor Wong could stay in the meeting.

57. Professor C.M. Hui had also declared an interest in this item as he was a member of the Real Estate Services Training Board of VTC. As the interest of Professor Hui was direct, the Committee agreed that he should leave the meeting temporarily for this item.

[Professor C.M. Hui left the meeting temporarily at this point.]

Presentation and Question Sessions

58. With the aid of a powerpoint presentation, Ms. Fannie F.L. Hung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential institution (redevelopment of Fok Ying Tung Hall of Residence);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments were received. The comments were submitted by three private individuals: a resident of Mayfair Gardens, a retired staff of Tsing Yi IVE and Tsing Yi IVE. All of them supported the application as the proposed development would better utilize land resources. The proposed residential institution would not cause adverse air ventilation, visual and traffic impacts on the surrounding area. Furthermore, the disposition of the proposed residential institution would provide a good sea view to the students; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the

application based on the assessments as set out in paragraph 10 of the Paper. The public comments supporting the application were noted.

59. Members had no question on the application.

Deliberation Session

60. 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 24.5.2017, 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 :

Approval Conditions

- (a) the submission and implementation of landscape and tree preservation proposals to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the provision of internal transport facilities, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (d) the submission of revised noise assessment report and provision of recommended noise mitigation measures and acoustic windows to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department that the lot owner was required to submit the revised Concept Plan to reflect the subject proposal to the Lands Department for consideration and approval under lease. Details of the revised Concept Plan and relevant general building plans would be checked and commented upon submission stage;
- (b) to note the comments of the Director of Fire Services that detailed fire services requirements would be formulated upon receipt of formal submission of general building plans. The arrangement of emergency vehicular access should comply with Section 6 Part D of the Code of Practice for Fire Safety in Building 2011, which was administered by the Buildings Department;
- (c) to note the comments of the Director of Electrical and Mechanical Services that the applicant should approach the electricity supplier for the requisition of cable plans to find out whether there was any underground cable (and/or overhead line) within or in the vicinity of the site. Based on the cable plans obtained, if there was underground cable (and/or overhead line) within or in the vicinity of the site, the applicant and/or his contractors should carry out the following measures:
 - (i) to liaise with the electricity supplier and, if necessary, ask the electricity supplier to divert the underground cable (and/or overhead line) away from the vicinity of the proposed structure prior to establishing any structure within the site; and
 - (ii) to observe the “Code of Practice on Working near Electricity Supply Lines” established under the Electricity Supply Lines (Protection) Regulation when carrying out works in the vicinity of the electricity supply lines;

- (iii) for any development near the town gas transmission pipes and facilities, the project proponent/consultant should maintain liaison/coordination with the Hong Kong and China Gas Company Limited in respect of the exact location of existing or planned gas pipes routes/gas installations in the vicinity of the proposed work area and the minimum set back distance away from the pipelines during the design and construction stages of development. The project proponent/consultant should also note the requirements of the Electrical and Mechanical Services Department's Code of Practice on Avoiding Danger from Gas Pipes;

- (d) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department that the applicant attention should be drawn to the relevant provisions of the Hotel and Guesthouse Accommodation Ordinance (HAGAO) in that 'hotel' and 'guesthouse' meant any premises being held out in which sleeping accommodation was provided for any person presenting himself who appeared able and willing to pay a reasonable sum for the services and facilities provided for a period of less than 28 continuous days. Should the mode of operation of the proposed hostel fell within the definition of a hotel and guesthouse accommodation under section 2 of the HAGAO (Cap. 349 Sub. Leg. C), a licence had to be obtained under the HAGAO. When making an application under the HAGAO, the applicant should submit a copy of the occupation permit for the proposed redevelopment. The proposed licence area should be physically connected. The applicant's attention should be drawn to paragraph 4.28 of Code of Practice for Minimum Fire Services Installations and Equipment. The licensing requirements would be formulated after inspections by the Building Safety Unit and Fire Safety Team upon receipt of a licence application under the HAGAO;

- (e) to note the comments of the Director of Environmental Protection that the applicant should provide proper sewage collection system to connect the sewage generated from the proposed redeveloped student hostel to the

public sewerage system and to rectify any irregularities in the revised noise assessment report and conduct in-situ testing of the acoustic window during the initial construction stage of the superstructure to confirm the adequate design to achieve the necessary noise attenuation; and

- (f) to note the comments of the Commissioner for Transport that the applicant should consider to provide barrier-free access according to the latest Building Regulations.

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

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

[Professor C.M. Hui returned to join the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/448 Renewal of Planning Approval for Temporary Public Vehicle Park (Excluding Container Vehicle) (Vacant Vehicle Parking Spaces Only) for a Period of Three Years in "Government, Institution or Community" and "Residential (Group A)" zones under Application No. A/TW/412, (a) Cheung Shan Estate and (b) Fuk Loi Estate, Tsuen Wan
(MPC Paper No. A/TW/448)

61. The Secretary said that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in this item:

Mr. K.K. Ling - being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA

- Mr. Frankie Chou - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA
- Ms. Doris Chow - being an alternate member for the Director of Lands who was a member of HKHA
- Mr. Dominic K.K. Lam - had current business dealings with HKHA
- Ms. Julia M.K. Lau - being a member of HKHA and Commercial Properties Committee and Tender Committee of HKHA

62. The Committee noted that Mr. Dominic K.K. Lam had not yet arrived the meeting and Ms. Julia M.K. Lau and Mr. Frankie Chou had tendered apologies for being unable to attend the meeting. As the interests of the Mr. K.K. Ling and Ms. Doris Chow were direct, the Committee agreed that they should leave the meeting temporarily for this item. As the Chairman had to leave the meeting temporarily, the Vice-chairman took up the chairmanship of the meeting at this point.

[Mr. K.K. Ling and Ms. Doris Chow left the meeting temporarily at this point.]

Presentation and Question Sessions

63. With the aid of a powerpoint presentation, Mr. K.T. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (vacant vehicle parking spaces only) under Application No. A/TW/412 for a period of three years;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;

- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer (Tsuen Wan); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 11 of the Paper.

64. Members had no question on the application.

Deliberation Session

65. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 12.6.2013 to 11.6.2016, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

Approval Condition

Priority should be accorded to the residents of Cheung Shan Estate and Fuk Loi Estate in the letting of the vacant vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

Advisory Clauses

- (a) to review and keep a record of the conditions of the use of parking spaces regularly so as to ensure well management in utilizing the public resources and avoid exploiting the right of letting of monthly vehicle parking spaces in the car park by the residents;
- (b) consideration might be given to letting the vacant vehicle parking spaces to non-governmental organizations or other uses so as to fully utilize the

vacant vehicle parking spaces in the housing estates; and

- (c) to note the comments of the Director of Environmental Protection that the Recommended Pollution Control Clauses for Construction Contracts should be followed.

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

Hong Kong District

[Ms. April K.Y. Kun, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 9

[Open Meeting]

Further Consideration of the Draft Planning Brief for Conversion of Chai Wan Factory Estate for Public Rental Housing Development in "Comprehensive Development Area" Zone on Chai Wan Outline Zoning Plan
(MPC Paper No. 12/13)

66. The Secretary said that the item involved the proposed conversion of the Chai Wan Factory Estate for public rental housing by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in this item:

- | | |
|------------------|---|
| Mr. K.K. Ling | - being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA |
| Mr. Frankie Chou | - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA |
| Ms. Doris Chow | - being an alternate member for the Director of |

Lands who was a member of HKHA

Mr. Dominic K.K. Lam - had current business dealings with HKHA

Ms. Julia M.K. Lau - being a member of HKHA and Commercial Properties Committee and Tender Committee of HKHA

67. The Committee noted that Mr. Dominic K.K. Lam had not yet arrived the meeting, and Ms. Julia M.K. Lau and Mr. Frankie Chou had tendered apologies for being unable to attend the meeting. The Committee also noted that the other Members who had declared interests had left the meeting temporarily for the last item already. As the Chairman was not in the meeting, the Vice-chairman continued to take up the chairmanship of the meeting.

Presentation and Question Sessions

68. With the aid of a powerpoint presentation, Ms. April K.Y. Kun, STP/HK, presented the background and the results of consultation with the Eastern District Council (EDC) on the draft Planning Brief (PB) as detailed in the Paper:

Background

- (a) on 8.2.2013, the Committee was briefed on Housing Department (HD)'s plan to preserve the Chai Wan Factory Estate (CWFE) for public rental housing (PRH) development in the "Comprehensive Development Area" ("CDA") zone on the Chai Wan Outline Zoning Plan (OZP) and agreed that that the draft PB was suitable for consultation with EDC; and
- (b) on 28.2.2013, the Planning, Works and Housing Committee (PWHC) of EDC was consulted on the draft PB;

EDC's Views on the Draft PB

- (c) the PWHC of EDC had diverse views on the proposed conversion of the

CWFE for PRH. However, they had no adverse comments on the draft PB. The PWHC members proposed to review the preservation of the building for PRH through the setting up of a 5-year review mechanism. Their views were summarized below:

- (i) substantial resources would need to be allocated to the proposed preservation of the CWFE. The Administration should pay due regard to different views and adopt a sustainable development proposal;
- (ii) the building should be demolished and the site should be redeveloped for PRH in view of the keen demand for PRH;
- (iii) it would be more appropriate to convert the site for Government, institution and community (GIC)/cultural/arts facilities or creative industries instead of PRH use;
- (iv) the graded building should be properly conserved, managed and maintained; and
- (v) the proposed PRH use would generate additional traffic to the area near the Chai Wan MTR station. The surrounding road network was narrow and close to residential developments. Attention should be paid to minimize the potential impact generated by the additional traffic and waste disposal;

Responses to EDC's Views

- (i) the CWFE was the last "H" type factory building in Hong Kong. The local community and some members of the Legislative Council and District Council had requested the Government to preserve and revitalize the existing factory building. On 20.2.2013, the building was accorded with a Grade 2 historic status by the Antiquities Advisory Board (AAB);

- (ii) there were about 200 000 applicants on the PRH general waiting list. To address the strong demand for PRH and maintain the average waiting time at about three years, HD had to make the best use of every site;
- (iii) taking into account the conservation value of the CWFE and the public aspiration for conserving the CWFE, as well as the keen demand for PRH, HD had proposed to convert the building for PRH development. The proposal had struck a good balance between PRH supply and conservation;
- (iv) HD would make the best use of resources to achieve cost effectiveness. Besides, having regard to the results of studies, consultations and technical assessments, HD would come up with an appropriate development scheme and submit a Master Layout Plan (MLP) for the Board's approval;
- (v) to ensure that the important building features of the CWFE would not be adversely affected, a heritage impact assessment (HIA) had been prepared and endorsed by AAB in the meeting held on 17.4.2013. It was also stated in the PB that a HIA should be prepared and submitted as part of the MLP submission at the planning application stage;
- (vi) to address possible environmental issues due to industrial/residential interface, it was stated in the PB that an environmental assessment (EA), including traffic, railway and industrial noise impacts, industrial and vehicular emission, land contamination, waste management, sewerage impact and construction impacts, should be prepared. In addition, HD had engaged expert consultants to study the traffic arrangement after conversion and propose mitigation measures, if necessary;

- (vii) HD would preserve the ground floor of the CWFE retail use or for use by non-Government organisations for creative industries; and
- (viii) HD would continue to listen to the views of EDC Members on the setting up of a 5-year review mechanism.

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to:

- (a) note the view of the Planning, Works and Housing Committee of the Eastern District Council as summarized in paragraph 3 of the Paper; and
- (b) endorse the draft Planning Brief (PB) at Attachment I of the Paper. The PB would be passed to the Housing Department to provide guidance for the future development and serve as a reference for the submission of planning application for the site.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/413 Comprehensive Development with Residential, Commercial and Open Space Uses in “Comprehensive Development Area” zone, the site of the Urban Renewal Authority Development Scheme at Staunton Street/Wing Lee Street, Hong Kong
(MPC Paper No. A/H3/413)

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

- Mr. K.K. Ling
as the Director of Planning - being the non-executive director of the URA;
- Mr. Laurence L.J. Li - being the non- executive director of the URA;
- Professor C.M. Hui - being the non-executive director of the URA;
- Mr. H.W. Cheung - being the co-opted member of the Planning, Development and Conservation Committee of the URA;
- Mr. Stephen H.B. Yau - being a member of the Wan Chai District Advisory Committee of the URA;
- Professor P.P. Ho - being a conservation consultant of the URA project;
- Ms. Doris Chow
as the Assistant Director of Lands - being the alternate Member for the D of Lands who was a non-executive director of the URA;
- Mr. Frankie Chou
as the Assistant Director of Home Affairs - being the alternate Member for Director of Home Affairs who was a non-executive director of the URA; and
- Mr. Patrick H.T. Lau - had current business dealings with URA

72. Members noted that Messrs. Frankie Chou, Laurence L.Y. Li and Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the interest of Mr. Stephen H.B. Yau with regard to the Wan Chai District Advisory Committee of the URA was remote, the Committee agreed that Mr. Yau could stay in the meeting.

73. The Committee noted that Mr. K.K. Ling and Ms. Doris Chow had declared

interests in the last two items and had left the meeting temporarily. As the interests of Professor P.P. Ho, Professor C.M. Hui and Mr. H.W. Cheung were direct, the Committee agreed that they should leave the meeting temporarily for this item.

74. As the Chairman was not in the meeting, the Vice-chairman continued to take over the chairmanship of the meeting.

[Professor C.M. Hui and Mr. H.W. Cheung left the meeting temporarily at this point.]

[Professor P.P. Ho left the meeting at this point.]

Presentation and Question Sessions

75. With the aid of a powerpoint presentation, Ms. April K.Y. Kun, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposal involved the development of two residential blocks with podium floor(s) accommodating commercial/retail uses at Sites B and C of the application site which was zoned “Comprehensive Development Area” (“CDA”) on the Approved Urban Renewal Authority Development Scheme Plan (DSP) No. S/H3/URA1/4. Public Open Spaces (POS) were proposed to be provided at various locations within the proposed development. 88-90 Staunton Street would be preserved and revitalized for commercial/retail uses. There was no vehicle parking in the proposal. A proposed combined loading/unloading bay at Staunton Street would be provided for shared use of the subject development and the neighbouring development at 70-72 Staunton Street (i.e. CentrePoint);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, a total of

136 public comments were received. Among them, 122 (owners of the application site, the Incorporated Owners of Grandview Garden, residents of CentrePoint, District Councillor of the Central & Western District Council (C&WDC), Green Sense, Central & Western Concern Group, Designing Hong Kong and members of the public) objected to the application. The remaining 14 comments were in support of the application. The major points of the comments received were summarized as follow:

Support/Positive Comments

- (i) the proposal was in line with the surrounding development and the street scenery would be refurbished;
- (ii) the proposed redevelopment could create a synergy effect for the Journalism Education Foundation Hong Kong Limited's proposal to revitalise the Bridges Street Market (BSM) (a Grade 3 historic building) into the HK News-Expo;
- (iii) there was an increase in public space and better public access. The environment and air ventilation of the area would be improved. The building height of the proposed development was acceptable, while the permeability of the site could be preserved; and
- (iv) the redevelopment of the site had been long overdue and should not be further delayed;

Objection

- (i) only those buildings that were under the control of the URA were in a state of disrepair. Some owners had invested a great deal in maintaining their properties. The existing buildings were in good structural condition and there was no immediacy or urgency in redeveloping the site. Private owners should have the right to keep their homes and it was feasible for them to renovate and maintain the

buildings. The private property rights should be respected;

- (ii) the Government/URA should give priority to renovation instead of demolition. Development in SOHO initiated by private individual should also be supported. Moreover, URA/developers should not be allowed to make profit at the expense of the private owners;
- (iii) the proposal would destroy the neighbourhood, culture, SOHO's low-rise ambience, Hong Kong style/history/heritage ("tong lau") and make the area unattractive;
- (iv) the tenement buildings at the site were of high historical value. They should be preserved/ kept low-rise together with the surrounding developments including the Former Police Married Quarters (FPMQ), BSM and Wing Lee Street in an integrated manner;
- (v) the proposed development would generate adverse traffic impact to the already congested area. It would also pose danger to the safety of the pedestrians. No parking facilities should be incorporated into the plan;
- (vi) the development intensity of the area would be increased and proposed towers were totally out of context. The development would destroy the immediate human-scale and environment and did not meet the sustainable architectural criteria. The proposed development would have adverse impacts on the visual, amenity and environment (including air, noise, natural lighting, air ventilation and waste generation) aspects and geotechnical safety of the area; and
- (vii) the URA had not been successful in consolidating the land ownership within the site and the project should be abandoned. The site should be used to develop open space for the community;

Consultation with Central & Western District Council

- (viii) on 26.4.2013, the URA presented the proposed scheme to the Concern Group on Urban Renewal Projects in the Central and Western District (the Concern Group) of the Central & Western District Council (C&WDC). The main concerns raised by the C&WDC included (i) the maintenance and management responsibility of the POS and the proposed lift at Shing Wong Street; (ii) preservation of the existing trees; (iii) the details regarding the proposed shop use; and (iii) the follow-up actions to be taken if URA failed to acquire the properties in the site;

PlanD/URA's Responses to the Views of C&WDC:

- (i) the POS would be maintained by the URA;
 - (ii) while the existing trees would be felled, compensatory planting would be undertaken in the ratio of a minimum of three replacement trees to every tree removed. The proposed lift would provide barrier free access and also serve the shops at the site. It would be maintained and managed by non-residential property owners;
 - (iii) the URA would add a condition to forbid the provision of bar in the proposed development; and
 - (iv) the URA had been acquiring the properties following the established procedures. Subject to application to the Development Bureau, the URA could resume the land under the Lands Resumption Ordinance. Besides, the URA could develop the site by phases;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 11 of the Paper and were summarized below:
- (i) the application site was located within an area predominantly occupied by residential developments with commercial uses on the

lower floors. The proposed comprehensive development would provide 154 flats to meet the demand for residential accommodation. The proposed development was considered not incompatible with the surrounding developments in terms of land use;

- (ii) to echo the 2008-2009 Chief Executive's Policy Address on revitalizing the FPMQ at Hollywood Road, and in response to the public aspiration for a better living environment, URA had reduced the plot ratio and building height when compared with the originally intended level. The overall PR of 4.76 blended in well with the adjoining building heritages;
- (iii) a stepped building height profile along Shing Wong Street and Staunton Street had been adopted. Setbacks and integrated private and public open spaces were provided to further enhance air ventilation and visual permeability of the area. In this regard, both CTP/UD&L of PlanD and CA/A&SC, ArchSD had no adverse comments on the application;
- (iv) not less than 474m² of POS would be provided on 1/F and 2/F at Site B and G/F at Site to connect with the existing streets/lanes and POS. The applicant proposed to design, implement and maintain the proposed POS while the POS would be opened to the public at reasonable hours. In this regards, the Director of Leisure and Cultural Services had no comment on the proposal;
- (v) the proposed comprehensive development generally complied with the requirements set out in the PB. Relevant technical assessments including traffic impact assessment (TIA), air ventilation assessment (AVA), environmental assessment, and visual appraisal etc., had also been submitted by the applicant to demonstrate that the proposed development would unlikely generate adverse traffic, environmental and sewerage impacts on the surrounding areas;

- (vi) to respect the local setting of the area, the existing north-south street pattern is retained by keeping Wa In Fong West, Wa In Fong East and Chung Wo Lane within the application site and the connectivity with the Dr. Sun Yat-sen's trail. The setting and ambience of Shing Wong Street would be respected through preserving the two 4-storey tenement buildings for adaptive reuse for commercial/shop uses. Besides, the new development in Site B would align with the existing tenement buildings with their lower floors fronting Shing Wong Street designated for small shops/offices. These shop-fronts had been designed with due regard to the two preserved tenement buildings. The design would help preserve the existing streetscape and local setting and maintain the vibrancy of the area;

- (vii) a LMP including a tree preservation scheme was included in the application. While the existing trees were recommended to be felled in view of the low survival rate after transplantation, compensatory planting would be undertaken in the ratio of a minimum of three replacement trees to every tree removed. The CTP/UD&L, PlanD had no in-principle objection to the proposal;

- (viii) Responses to public comments were :
 - regarding the public comments on the existing building condition, it should be noted that although renovation works had been carried out for some properties within Sites B and C, many of the existing buildings were still in deteriorating or poor conditions. Some of the buildings had illegal extensions, and some parts of Site C were in poor environmental and hygienic conditions. Based on the building condition survey submitted by the URA, the majority of the 18 out of 21 buildings in Sites B and C were in "Poor"/"Varied" condition and had suffered from a lack of proper and coordinated maintenance for an extended period. Besides, the proposed development was in line with the planning intention of the "CDA" zone to bring about environmental improvement through comprehensive redevelopment;

- on the historical value of the tenement buildings, it should be noted that the tenement buildings at Sites B and C were neither existing nor proposed historic buildings by the AAB. In considering the previous applications related to the three sites, the Board had noted that the settings in Sites B and C did not have similar character as those at Wing Lee Street, which was special in terms of their rather uniform buildings design and contextual setting on a terrace, and agreed that Sites B and C should be retained in the Development Scheme Plan for comprehensive redevelopment;

- regarding the public concern on impacts on the character of the local area, URA's proposed redevelopment scheme had already considered the heritages, the characters and ambience of the local area. Apart from excluding Wing Lee Street from the scheme, the proposed comprehensive development had included other main features including the visual integration with Shing Wong Street by proposing lower building blocks along Shing Wong Street and a cascading building height towards FPMQ at site B; retention of the streets/lanes pattern and streetscape, preservation of 88-90 Staunton Street for adaptive reuse; and creation of a vibrant street frontage facing Shing Wong Street. In this regard, the Antiquities and Monument Office, Leisure and Cultural Services Department had no adverse comment on the application from a heritage perspective. Besides, there were positive public comments considering that the proposal could create a synergy effect for the historic building in the vicinity of the site; and

- the public also had concerns on the development intensity and traffic, visual, environmental and infrastructural impacts. The development intensity of the proposed development had been substantially reduced to not more than plot ratio 4.76 (based on the net site area) in response to the public aspiration for heritage conservation. Technical assessments on traffic, visual, environmental and geotechnical aspects had been carried out and the relevant government departments had no

adverse comments on the technical assessment reports.

76. The Secretary informed Members that on 22.5.2013, the Secretariat received an email from Mr. Dare Koslow, a commenter to the subject application. Mr. Koslow indicated that in the light of the on-going investigation into the business of Mr. Barry Cheung, the Chairman of the URA, the Committee should postpone decision on any URA related proposals.

77. The Vice-chairman then invited Members to consider whether Mr. Koslow's request for deferment of consideration of all the URA related applications (including the subject application) should be acceded to.

78. A Member said that the current investigation was related to Mr. Cheung's personal affairs, but not on the URA. The Board considered all planning applications, including those submitted by the URA, in accordance with the statutory provisions and established practices. This Member opined that the deferral request was not justified and should not be acceded to.

79. A Member said that the Development Scheme at Staunton Street/Wing Lee Street had a long history. The URA had been working on the proposal for many years and it would not be affected by any individual within the URA. This Member also considered that the deferral request should not be acceded to.

80. The above views were shared by another Member who said that there was no correlation between the current investigation of Mr. Cheung's business and the subject application.

81. The Vice-chairman concluded that Members were generally of a view that the commenter's deferral request should not be acceded to and he suggested continuing the discussion of the current application. Members agreed.

82. In response to a Member's enquiry, Ms. April Kun said that the URA Staunton Street/Wing Lee Street DSP originally covered three sites, namely Site A, Site B and Site C. Site A was subsequently excised from the DSP with a view to preserving the existing

character and ambience of Wing Lee Street. The subject application mainly involved a master layout plan submission for the development of two residential blocks with podium floors accommodating commercial/retail uses at Sites B and C.

Deliberation Session

83. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 24.5.2017, 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 :

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan to incorporate, where appropriate, the approval conditions as stipulated in items (b) to (i) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the implementation of traffic improvement measures including a corner splay, on-street lay-by and set back of Site C from Staunton Street to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission and implementation of a landscape master plan including a tree preservation proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the design, provision, management and maintenance of the public open space, at no cost to the Government, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (e) the setting back of 2m from the lot boundary above 15m measured from mean street level abutting Aberdeen Street to the satisfaction of the Director of Planning or of the Town Planning Board;

- (f) to align development in Site B with the existing buildings along Shing Wong Street and to arrange ground floor frontage facing Shing Wong Street to the satisfaction of the Director of Planning or of the Town Planning Board;
- (g) the design and implementation of the façade for the development facing Shing Wong Street particularly the shop front design to the satisfaction of the Director of Planning or of the Town Planning Board;
- (h) the setting back of the building line from Chung Wo Lane to allow for a clearance of 7m between the proposed development at Site C and CentrePoint to the satisfaction of the Director of Planning or of the Town Planning Board;
- (i) the preservation and maintenance of 88-90 Staunton Street at no cost to the Government, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (j) the submission of a detailed site appraisal on land contamination and, prior to start of any construction works at the subject site, submission of land contamination assessment and completion of remediation works, if necessary, to the satisfaction of the Director of Environmental Protection or the Town Planning Board;
- (k) the submission of a revised drainage impact assessment and the implementation of drainage improvement works identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (l) the submission of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or the Town Planning Board;
- (m) the implementation of mitigation measures identified in the revised

sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and

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

Advisory Clauses

- (a) the approved Master Layout Plan, together with the set of approval conditions, would be certified by the Chairman of the Town Planning Board and deposited in the Land Registry in accordance with section 4A(3) of the Town Planning Ordinance. Efforts should be made to incorporate the relevant approval conditions into a revised Master Layout Plan for deposition in the Land Registry as soon as practicable;
- (b) to consult the Antiquities and Monuments Office, Leisure and Cultural Services Department on the works proposal prior to the commencement of works;
- (c) to note the comments of the Chief Engineer/Development(2), Water Services Department on the requirement for diversion of water mains;
- (d) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department on the issues related to the surrender, design, management and maintenance of the streets/lanes;
- (e) to note the comments of the Director of Fire Services regarding the requirement for compliance with the Code of Practice for Fire Safety in Buildings 2011;
- (f) to note the comments of Head of Geotechnical Engineering Office, Civil Engineering and Development Department on the need for a study to verify the stability of all the existing retaining walls/slopes as well as the need to provide appropriate remedial/precautionary measures and adequate

maintenance access; and

- (g) to resolve any land issue relating to the development with the concerned owners of the application site.

[Messrs. K.K. Ling and H.W. Chueng, Ms. Doris Chow and Professor C.M. Hui returned to join the meeting at this point.]

[Mr. Dominic K.K. Lam arrived to join the meeting at this point.]

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

[The Chairman resumed the chairmanship at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/408 Proposed Hotel (Wholesale Conversion of an Existing Commercial Building) in “Residential (Group A)” zone, 181-183 Connaught Road West, Hong Kong
(MPC Paper No. A/H3/408B)

84. The Secretary reported that the application was submitted by Sino Pink Development Ltd. and Townland Consultants Limited and MVA Hong Kong Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

Mr. Dominic K.K. Lam	-	had current business dealings with Townland Consultants Ltd. and MVA Hong Kong Ltd.
Ms. Julia M.K. Lau]	had current business dealings with MVA Hong
Mr. Patrick H.T. Lau]	Kong Ltd.

85. The Committee noted that Ms. Julia M.K. Lau and Mr. Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As Mr. Dominic K.K. Lam did not involve in the development, the Committee agreed that Mr. Lam could stay in the meeting.

Presentation and Question Sessions

86. With the aid of a powerpoint presentation, Ms. April K.Y. Kun, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel (wholesale conversion of existing commercial building);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication periods of the application and the further information, a total of 15 public comments objecting to the application were received. The commenters considered that there were too many hotels in the Sai Ying Pun area which had created nuisances to the local residents. There were insufficient parking facilities for the hotels in the area and the proposed hotel would cause adverse air ventilation, visual, environmental, traffic and drainage impacts on the surrounding area. One commenter raised concern on the consultation with the Owners' Committee within 100 feet from the application site for the subject application;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 10 of the Paper. Regarding the public concerns on the nuisances and adverse environmental impact of the proposed development, the applicant would replace the existing A/C chiller, sprinkler/F.S. pump and pump on the 10/F and 11/F

with new models that meet all current standards. The Director of Environmental Protection (DEP) had no objection to the application from environmental viewpoint. However, to ensure the newly installed plants complies with the noise standard, DEP advised to impose an approval condition to request the applicant to submit an Industrial Noise Impact Assessment (INIA) report and to implement the recommendations to his satisfaction. As regards the concern on traffic impact, the Assistant Commissioner for Transport had no objection to the application from traffic viewpoint. As for the concern on fair consultation on the application, the Board had followed the statutory requirements under the Town Planning Ordinance in public consultation by publishing notice on newspaper during the first three-week public inspection period; and posting a site notice in the prominent positions on and near the application site at the beginning of the public inspection period. In addition, as an administrative measure, a notice informing the public about the availability of the application for public inspection had also been uploaded to the website of the Board; posted at the Secretariat of the Board, the Planning Enquiry Counters of the Planning Department, the Hong Kong District Planning Office and District Officer (Central & Western) during the first three-week public inspection period; and sent to relevant District Council members and the owners' corporations/committees of the building within 100 feet from the application boundary.

87. In response to a Member's questions on the public comments that there were too many hotel developments in the area, Ms. April Kun referred to Figure 2.1 in Appendix Ia of the Paper and said that there were four existing hotels in the vicinity. The commenters were mainly concerned about the insufficient parking facilities provided for the hotel developments.

Deliberation Session

88. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 24.5.2017, 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 :

Approval Conditions

- (a) the proposed hotel development was subject to a maximum gross floor area (GFA) of 15,400m². Any floor space that was constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations and for refuge purpose should be included in GFA calculation;
- (b) the submission of an Industrial Noise Impact Assessment report and implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the implementation of the vehicular access and the modification of existing goods vehicle parking spaces and associated relocation of traffic signs to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (g) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning

Board.

Advisory Clauses

- (a) the approval of the application did not imply that the proposed non-domestic plot ratio (PR) of the proposed hotel development would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. In addition, if hotel concession for the non-domestic PR of the development was not granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the Town Planning Board might be required;
- (b) to note the comments of the Chief Building Surveyors/Hong Kong West, Buildings Department regarding the requirements laid down under PNAP APP-40;
- (c) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department regarding the site coverage of greenery and requirements in providing landscape plantings on flat roofs and vertical greening on building façade;
- (d) to note the comments of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements for hotel use; and
- (e) to note the comments of the Director of Fire Services regarding the requirement for compliance with the Code of Practice for Fire Safety in Building.

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

[Mr. K.S. Ng, Senior Town Planner/Hong Kong (STP/HK) and Miss Tracy Wong, Assistant Town Planner/Hong Kong (ATP/HK) were invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H10/84 House (Swimming Pool and Private Garden) in “Green Belt” zone,
Government Land Adjoining House B1, Villa Cecil, 200 Victoria Road,
Pok Fu Lam

(MPC Paper No. A/H10/84)

89. The Secretary said that the application was submitted by Swanbridge Ltd. and Raymond Chan Surveyors Ltd. was the consultant of the applicant. Mr. Dominic K.K. Lam had declared an interest in this item as he had current business dealings with the consultant. As Mr. Lam did not involve in the development, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

90. With the aid of a powerpoint presentation, Mr. K.S. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the house (private garden and swimming pool);
- (c) departmental comments – the District Lands Officer/Hong Kong West & South, Lands Department (DLO/HKW&S, LandsD) commented that the application site was an unleased and unallocated government land. In respect of the unauthorized occupation of government land, the DLO/HKW&S, LandsD would take land control actions against unlawful structures on unleased land and to require the occupier to cease the unlawful occupation. In the subject case, the DLO/HK W&S, LandsD had issued warning letters to the registered owners of House B1 of Villa Ceil and informed them that all Government’s right were reserved on the matter. The DLO/HK W&S, LandsD would go on taking appropriate actions against the unauthorized occupation of the subject government

land;

- (d) during the first three weeks of the statutory publication period, three public comments were received. One commenter had reservation on the planning application on the grounds that the subject site should not be used for private use. Another commenter expressed objection to the application as the applicant failed to provide evidence to substantiate the “existing use” claim of the swimming pool. The swimming pool was an illegal structure and rectification works to remove the swimming pool were required. Moreover, the swimming pool did not conform with the planning intention of “Green Belt” (“GB”) zone;
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments as set out in paragraph 11 of the Paper which were summarized below:
 - (i) the application site was a piece of government land which had been developed as a private garden and a swimming pool, as part of a house. According to aerial photos taken in 1980 and 1981, the site comprised natural vegetation. Since the first gazettal of the Outline Zoning Plan (OZP) on 28.2.1986, the site had been zoned “GB”. The planning intention of the “GB” zone was primarily for the conservation of the existing natural environment at the urban fringe and to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities for public purpose. There was a general presumption against development in “GB” zone;
 - (ii) the site had been formed and converted for private garden and swimming pool use without permission from the Board or the Land Authority. Based on the information provided by the applicant as well as the aerial photos taken during the period from 1980 to 1986, only a small part of the application site was used as a garden before the publication of the first OZP for the area in 1986 and might be

regarded as an “existing use”, and could be tolerated under the OZP. The remaining part of the site was converted to private garden and swimming pool use after the site was zoned “GB” on the OZP without the Board’s approval;

- (iii) according to the TPB Guidelines for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No.10), development within “GB” zone would only be considered in exceptional circumstances and had to be justified with very strong planning grounds. The site was a piece of government land which formed a buffer between the “Residential (Group C)4” zone and the natural coastline of Sandy Bay. There was no strong planning justification to utilize this piece of government land for private garden and swimming pool for private enjoyment. Turning the site zoned “GB” for private garden and swimming pool uses would be contrary to the planning intention of “GB” zone; and
- (iv) there were other houses within Villa Cecil Phase 1 and other low-density residential developments nearby (Villa Cecil Phase 2 and Villa Primavera) having similar circumstances that they were situated adjacent to land zoned “GB”. The approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the natural environment.

91. In response to a Member’s enquiry, Mr. K.S. Ng referred to Appendix Ic of the Paper and said that according to the information provided by the applicant, he moved to the application site in 1996. The applicant also stated in his submission that the pool at B1 had been in existence before 1980.

92. In response to a Member’s enquiry, Mr. K.S. Ng referred to the aerial photos at Plans A-3a to A-3e of the Paper and said that the natural vegetation previously covering the

application site was cleared in the early 1980s. It was shown in the aerial photos that a garden was built in front of House B1 in 1982-1983. The aerial photos also showed that the swimming pool was only built after 1988. The area currently occupied by the swimming pool was covered with vegetation.

93. In response to the Chairman's enquiry, Mr. K.S. Ng said that the Lands Department had taken action against the unauthorized structures found on the site adjacent to the application site.

Deliberation Session

94. A Member said that as the applicant had not provided any information to demonstrate that the swimming pool and private garden under application was in existence before the publication of the subject OZP, the swimming pool and garden could not be regarded as an existing use. This Member considered that the application should not be supported.

95. A Member said that the relevant government department should take prompt actions against any illegal structures on the application site.

96. After further deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12.1 of the Paper and considered that they were appropriate. The reasons were :

- (a) the private garden and swimming pool development was not in line with the planning intention of the "Green Belt" ("GB") zone which was primarily for conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There was a general presumption against development in the "GB" zone. There was no strong justification for a departure from the planning intention;
- (b) the proposed residential development did not meet the TPB Guidelines No. 10 for 'Application for Development within "GB" Zone' in that there were

no exceptional circumstances to justify the application; and

- (c) the approval of the application would set an undesirable precedent for other similar development applications within the “GB” zone. The cumulative effect of approving such proposals would result in a general degradation of the environment in the area.

[The Chairman thanked Mr. K.S. Ng, STP/HK, and Miss Tracy Wong, ATP/HK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting]

A/H5/396 Proposed Office in “Residential (Group A)” zone,
101-111 Wan Chai Road, Wan Chai
(MPC Paper No. A/H5/396)

97. The Secretary reported that the application was submitted by Powerful World Ltd. and Ove Arup & Partners Hong Kong Ltd. (ARUP), Environ Hong Kong Ltd. and CKM Asia Ltd. were the consultants of the applicant. The following Members had declared interests in this item:

Mr. Dominic K.K. Lam	-	had current business dealings with ARUP and Environ Hong Kong Ltd.
Professor S. C. Wong]	
Mr. Patrick H.T. Lau]	had current business dealings with ARUP
Professor P.P. Ho	-	had current business dealings with CKM Asia Ltd.

98. The Committee noted that Professor S.C. Wong and Professor P.P. Ho had already left the meeting. The Committee also noted that Mr. Patrick H.T. Lau had tendered

an apology for being unable to attend the meeting. As the applicant had requested for a deferment of consideration of the application, Mr. Dominic K.K. Lam, with interests declared, could stay in the meeting.

99. The Secretary reported that on 6.5.2013, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer consideration of the application for two months in order to allow the applicant to address the departmental comments on the application.

Deliberation Session

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

Kowloon District

[Ms. Eva K.W. Chan, Senior Town Planner/Kowloon (STP/K), and Mr. Thomas Yeung, STP/K, were invited to the meeting at this point.]

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/679 Proposed Shop and Services in "Other Specified Uses" annotated
"Business" Zone, Workshop No. 2, Ground Floor, Apec Plaza, 49 Hoi
Yuen Road, Kwun Tong
(MPC Paper No. A/K14/679B)

101. The Secretary said that the application was submitted by Rinnovare Limited. Knight Frank Petty Limited was the applicant's consultant. Ms. Julia M.K. Lau had declared an interest in this item as she had current business dealings with the consultant. The Committee noted that Ms. Julia M.K. Lau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

102. With the aid of a powerpoint presentation, Ms. Eva K.W. Chan, 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;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, one supporting public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 12 of the Paper. The supporting public comment was noted.

103. Members had no question on the application.

Deliberation Session

104. 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 24.5.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

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

Approval Conditions

- (a) the proposed shop and services use at the application premises and its associated proposed conversion works to the existing building, including the proposed means of escape, should not result in an exceedance of the maximum plot ratio (PR) of 12 for the subject industrial building under the Outline Zoning Plan;
- (b) 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 before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (c) 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.

Advisory Clauses

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver for the proposed 'shop and services' use at the application premises;
- (b) to note the comments of the 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; and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that all building works/change in use were subject to

compliance with the Buildings Ordinance (BO) and that the applicant should appoint 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 BO, in particular:

- (i) the application premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011;
- (ii) 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;
- (iii) the proposed Means of Escape (MOE) leading from the application premises onto portion of the existing car park area should be included in the gross floor area (GFA) calculation under Building (Planning) Regulation 23(3)(a). According to the approved plan dated 30.5.1994, the non-domestic GFA of the building was 22,294.418m² which amount to a PR of 11.998. Should this area be included in GFA calculation, the PR of the development might exceed 12;
- (iv) the proposed MOE including its width and fire resisting construction should be designed and constructed in accordance with Building (Planning) Regulation 41(1), Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
- (v) application for exemption/exclusion of the areas from GFA calculation under the BO was subject to their compliance with the relevant criteria, detailed requirements, pre-requisites, overall GFA cap, etc. as set out in the relevant Practice Notes for Authorized Persons, Registered Structural Engineers and Registered

Geotechnical Engineers (PNAPs) and Joint Practice Notes (JPNs);

- (vi) detailed comments under the BO would be provided at the building plan submission stage; and
- (vii) 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 premises under the BO.

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/683 Proposed Shop and Services in "Other Specified Uses" annotated
"Business" Zone, Ground Floor, Dah Way Industrial Building, 86 Hung
To Road, Kwun Tong
(MPC Paper No. A/K14/683)

Presentation and Question Sessions

105. Ms. Eva K.W. Chan, 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;
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 10 of the Paper;

- (d) during the first three weeks of the statutory publication period, two public comments were received. One comment was submitted by the Chairman of the Kwun Tong Central Area Committee who supported the application. The other commenter stated that the new commercial/office uses in the area had already increased the traffic and pedestrian flow. Together with the roadside parking or loading/unloading activities, the traffic along Hung To Road was very congested. It was concerned that the proposed use would further aggravate the traffic congestion problem; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 12 of the Paper. Regarding the public comments on the possible traffic impacts on the surrounding, the Commissioner for Transport had been consulted on the application and had no comment on the proposed 'shop and services' use.

106. Members had no question on the application.

Deliberation Session

107. 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 24.5.2015, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

Approval 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 before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board; 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.

Advisory Clauses

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver for the proposed 'shop and services' use at the application premises;
- (b) to note the comments of the Director of Fire Services 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 administered by the Buildings Department;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that all building works/change of use were subject to compliance with the Buildings Ordinance (BO) and that the applicant should appoint 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 BO, in particular:
 - (i) the provision of adequate means of escape to the premises and the remaining portion of G/F in accordance with Building (Construction) Regulation 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
 - (ii) the application premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the Code of Practice for Fire Safety in Buildings 2011;
 - (iii) the provision of access and facilities for persons with a disability

including toilet to the premises and the remaining portion of G/F in accordance with Building (Planning) Regulation 72 and Design Manual: Barrier Free Access 2008;

- (iv) the provision of adequate sanitary fitments to the premises and the remaining portion of G/F in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations;
- (v) detailed comments under the BO could only be provided at the building plan submission stage; and
- (vi) 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. Also, according to Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-47, the BA had no power to give retrospective approval or consent for any UBW.

Agenda Item 16

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/111 Proposed School Extension (Conversion Works to an Existing School) in "Green Belt" zone, Hong Kong Red Cross Princess Alexandra School, 8 Rehab Path, Kwun Tong
(MPC Paper No. A/K15/111)

108. The Secretary said that the application was submitted by the Hong Kong Red Cross. Townland Consultants Limited was the consultant of the applicant. Mr. Dominic

K.K. Lam had declared an interest in this item as he had current business dealings with the consultant. As Mr. Lam did not involve in the development, Members agreed that Mr. Lam could stay in the meeting.

Presentation and Question Sessions

109. With the aid of a powerpoint presentation, Mr. Thomas C.S. Yeung, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed school extension (conversion works to an existing school);
- (c) departmental comments – concerned government departments had no objection to or adverse comments on the application as detailed in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments were received objecting to the application. One comment was submitted by the adjacent Hong Kong Society for Rehabilitation, stating no objection but raising concerns about the road safety arising from construction vehicles and requested the applicant to take appropriate measures to protect the road surface and control the noise level during the construction period. The other comment was submitted by an individual who considered that the applicant did not provide sufficient justifications to demonstrate “exceptional circumstances” for the proposed development in the “Green Belt” zone and the proposed development would exceed plot ratio of 0.4. The application site had been approved for the school use three times. Approval of the current application would further deteriorate the environment, imposed further visual impact which was incompatible with the surrounding. Moreover, the applicant did not provide justifications for the increase in staff room, and the feasibility of the alternative site for school extension, for example in the boarding section of the school, which was about 70m away from the application site; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments as set out in paragraph 11 of the Paper. Regarding the public comment on road safety and noise level during construction, the applicant agreed to take appropriate measures in order to ensure the pedestrian and vehicles safety as well as reduce noise levels during the construction period. Regarding the public comment requesting sufficient justifications for the application, the proposed conversion works would be carried out within the school site, and there was no encroachment onto the surrounding area. As for his comments that the application was not in line with the TPB Guideline No. 10, the assessment in paragraph 11.4 of the Paper was relevant. Regarding the comment on locating the school extension within the boarding section of the School, the applicant's intention was mainly to improve the facilities within the existing Annex Building.

110. In response to a Member's enquiry, Mr. Thomas Yeung said that the as compared with the existing annex building, the proposed extension of the existing school building would involve a larger coverage within the "G/IC" zone (about 13%).

Deliberation Session

111. 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 24.5.2017, 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 :

Approval conditions

- (a) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
and
- (b) the design and provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the

Town Planning Board.

Advisory clauses

- (a) to apply to the District Lands Officer/Kowloon East, Lands Department for approval under the Short Term Tenancy No. KX 1499 for the proposed school extension works;
- (b) to apply to the District Lands Officer/Kowloon East, Lands Department for lease modification for New Kowloon Inland Lot No. 5775 to give effect to the proposed school extension works;
- (c) to note the comments of the Director of Fire Services that emergency vehicular access should be provided in accordance with Section 6 Part D of the Code of Practice for Fire Safety in Buildings 2011 which was administered by the Buildings Department; and
- (d) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorized Person to submit building plans to the Buildings Department to demonstrate compliance with the Buildings Ordinance, in particular:
 - (i) the resultant site coverage and plot ratio should not exceed the permissible limits under Building (Planning) Regulations 20 and 21;
 - (ii) adequate means of escape should be provided in accordance with Building (Planning) Regulation 41(1) and the Code of Practice for Fire Safety in Building 2011 (FS Code);
 - (iii) adequate fire resisting construction should be provided in accordance with Building (Construction) Regulation 90 and the FS Code;
 - (iv) access and facilities for persons with disability should be provided in accordance with Building (Planning) Regulation 72 and Design

Manual: Barrier Free Access 2008;

- (v) emergency vehicular access should be provided in accordance with Building (Planning) Regulation 41D and the FS Code; and
- (vi) if the proposed use was subject to the issue of a licence, any buildings on the application site intended to be used for such purpose were required to comply with the building safety and other relevant requirements as might be imposed by the licensing authority.

[The Chairman thanked Ms. Eva Chan, STP/K and Mr. Thomas C.S. Yeung, STP/K, for their attendance to answer Members' enquiries. They all left the meeting at this point.]

Agenda Item 17

Any Other Business

112. There being no other business, the meeting closed at 1:00 p.m..