

**RESTRICTED**

**TOWN PLANNING BOARD**

**Minutes of 511<sup>th</sup> Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 9.5.2014**

**Present**

Director of Planning  
Mr K. K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Mr H.W. Cheung

Mr Dominic K.K. Lam

Dr Wilton W.T. Fok

Mr Frankie W.C. Yeung

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Mr Sunny L.K. Ho

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Mr Francis T.K. Ip

Chief Traffic Engineer/Kowloon, Transport Department  
Mr Wilson W.S. Pang

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

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr K.F. Tang

Assistant Director (Regional 1), Lands Department  
Ms Doris M.Y. Chow

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

Secretary

**Absent with Apologies**

Professor P.P. Ho

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

**In Attendance**

Assistant Director of Planning/Board  
Ms Brenda K.Y. Au

Chief Town Planner/Town Planning Board  
Mr Louis K.H. Kau

Town Planner/Town Planning Board  
Mr Dennis C.C. Tsang

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 510<sup>th</sup> MPC Meeting held on 25.4.2014**

[Open Meeting]

1. The draft minutes of the 510<sup>th</sup> MPC meeting held on 25.4.2014 were confirmed without amendments.

**Agenda Item 2**

**Matters Arising**

[Open Meeting]

2. The Secretary reported that on 25.4.2014, the MPC considered and agreed to the proposed amendments as shown in the draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/26A. As an established practice, the Secretariat had further checked the accuracy of the proposed amendments to the OZP, Notes and Explanatory Statement and to incorporate refinements as necessary before publication. After final checking, to more accurately reflect the boundaries of the Tsuen Wan Chinese Permanent Cemetery (TWCPC), a minor adjustment was made to the zoning boundaries by rezoning a strip of land (about 0.27ha) to the immediate north of the TWCPC from “Industrial” to “Other Specified Uses” annotated “Cemetery” (“OU(Cemetery)”) and another strip of land (about 0.13ha) to the immediate west of TWCPC from “Other Specified Uses” annotated “Cargo Handling Area” to “OU(Cemetery)”; and the Remarks of the Notes of the “Commercial (3)” zone of a site at Tai Lin Pai Road were also revised to incorporate a minor relaxation clause for the setback requirement according to the standard practice. Members noted the proposed minor refinements.

**Hong Kong District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/H9/2                      Application for Amendment to the Approved Shau Kei Wan Outline Zoning Plan No. S/H9/16, to rezone the site from “Residential (Group A)” to “Government, Institution or Community”, Government Land at the junction of Oi Kan Road and Oi Tak Street (to the northwest of Shau Kei Wan Inland Lot No.848)

(MPC Paper No. Y/H9/2A)

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3.                      The Secretary reported that Ms Doris M.Y. Chow had declared an interest in this item, as the site involved a tender which had already been awarded by the Lands Department (LandsD) to the successful bidder on 9.4.2014. The Committee noted that the interest of Ms Doris M.Y. Chow was indirect and agreed that she could stay in the meeting.

4.                      The Secretary further reported that replacement pages 5 and 10 of the MPC Paper to rectify that application site (the site) was handed back to LandsD in November 2008 instead of in June 2008 as indicated in the Paper, were tabled at the meeting, and a leaflet submitted by the applicant and his representatives outlining the original planning of the site and Government’s failure to tackle the problem of walled buildings was also tabled at the meeting for Members’ reference.

Presentation and Question Sessions

5.                      Ms Ginger K.Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), and Ms Irene W.S. Lai, Senior Town Planner/Hong Kong (STP/HK), representing the Planning Department (PlanD), and the following applicant and his representatives, were invited to the meeting at this point:

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|----------------|--|
| Lee Joi Tung   | - Applicant (Representative of Concern Group of Residents of Shau Kei Wan) |
| Kwan Ling Kit  | }  |
| Chow Chung Lap | }  |
| Ng Yin         | }  |
| Chan Wing Ming | }  |
| Cheng Chi Kin  | }  |
| Choi Kam Hung  | }  |

Lam Sum Lim	}
Chan Ka Lok	}
To Wing Chiu	}
Tsang Yee Yan	} Applicant's Representatives
Tang Hiu Lin	}
Ho Wai King	}
George Lam	}
Sunshine Chiu	}
Wu Miu Mu	}
Chiu Siu Kin	}
Liu Siu	}
Sae-Tang Ngek Lang	}
Chan Chung	}

6. The Chairman extended a welcome and explained the procedure of the hearing. Ms Irene W.S. Lai, STP/HK, was then invited to brief Members on the background to the application. With the aid of a PowerPoint presentation, Ms Lai presented the application and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to amend the approved Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/16 by rezoning the site (about 480m<sup>2</sup>) from “Residential (Group A)” (“R(A)”) to “Government, Institution or Community” (“G/IC”) to provide elderly facilities such as residential care home for the elderly (RCHE) or elderly centre;

[Ms Julia M.K. Lau and Mr Clarence W.C. Leung arrived to join the meeting at this point.]

Site Background

- (b) the Planning Brief for Phases 1, 2 and 3 of the proposed public rental housing (PRH)/Home Ownership Scheme (HOS) at Aldrich Bay Reclamation was endorsed by the Committee on Planning and Land

Development in 1996. The proposed PRH/HOS was extended to include Phase 4 development which covered the site and area currently occupied by Tung Tao Court and Oi Po House in 1998. Ancillary community facilities, including a green mini-bus (GMB) terminus within the development boundary were comprehensively planned;

- (c) Phases 1 to 3 and part of Phase 4 (Oi Tung Estate, Tung Yuk Court and Tung Tao Court) were completed between 2001 and 2008 and the GMB bay was completed in December 2001;
- (d) the GMB bay was relocated to the Grand Promenade Public Transport Interchange (PTI) in June 2006 and the site was handed back to LandsD in November 2008;
- (e) the Chief Executive's 2013 Policy Address had set out a multi-pronged approach to increase housing land supply. In June 2013, the Government announced to include the site in the 2013-2014 Land Sale Programme (LSP) for residential use; and
- (f) the site was put up for sale by open tender between 21.2.2014 and 4.4.2014. The tender was awarded to the successful bidder on 9.4.2014.

*Eastern District Council's Views*

- (g) on 18.10.2013, the Works and Housing Committee (PWHC) of the Eastern District Council (EDC) passed a motion requesting the Government to withdraw the site from the land sale. On 20.3.2014, PWHC held a further discussion on the site. EDC Members raised objection to the land sale in view of the close proximity of the site to the waterfront and open space, inadequate ancillary facilities in the area, and the adverse impacts of the proposed housing development on air ventilation, sunlight penetration, visual aspect, etc. They urged the Town Planning Board (the Board) to rezone the site for low-density government, institution or community (GIC) uses, such as residential care home for the elderly (RCHE) and care centre

for the elderly.

Departmental Comments

- (h) the departmental comments were detailed in paragraph 9 of the Paper and highlighted as follows :
- (i) the Development Bureau had advised that there was a need to optimise the use of land resources (especially convenient urban sites) in view of shortage of land and housing supply. The site was vacant and the proposed residential development was in line with the planning intention of the “R(A)” zone. When considering whether the site could be used for residential development and included in the LSP, the Government consulted relevant departments and concluded that there was no insurmountable problem for development of the site for residential use and the Government had no plan to use the site for any GIC use;
  - (ii) the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) commented that the conditions of the Sale governed the subject lot restricted that the site would not be used for any purpose other than for private residential purposes. The proposed rezoning of the site from “R(A)” to “G/IC” might deprive the lot owner of future development right;
  - (iii) the Director of Social Welfare (DSW) commented that he had no plan to provide welfare facilities at the site;
  - (iv) the District Officer (Eastern), Home Affairs Department commented that in view of the existence of a community hall (Aldrich Bay Community Hall) situated at Oi Po House near the site, he did not envisage any present need to build another community centre in the vicinity;

- (v) the Commissioner for Transport commented that there was no plan to provide public transport facilities, lay-by, motor cycle parking or other parking facilities on the site; and
- (vi) the Director of Leisure and Cultural Services commented that there was no plan for provision of recreational and sports facilities, library, student study services or museum at the site. The proposed Government Joint User Complex at Lei King Wan would provide a district library and a 100-place RCHE.

Public Comments

- (vii) 215 public comments, including 167 comments in two forms of standard letters, were received from two Legislative Council (LegCo) Members, three Eastern District Councillors, the Incorporated Owners of Tung Tao Court, The Incorporated Owners of Tung Yuk Court, the concern groups, local residents and members of the public during the first three weeks of the statutory publication period of the application;
- (viii) the public comments generally echoed the views of the applicant and raised objection to residential development at the site, with two comments against the development at the site for GIC use. There were concerns on building height (BH), building disposition, and the wall effect of the future private housing development would have adverse impacts on air ventilation, sunlight penetration and blocking of the visual corridor and pedestrian access of Tung Tao Court, overloading the GIC and the transportation network, noise nuisance and environmental pollution during construction, and taking away the planned GMB terminus. Some commenters said that there was no public consultation on change of planned use prior to announcement of the land sale. The BH of the site should be limited to 2 to 3 storeys and the original GIC function of the site should be reverted to;



- (ix) the commenters proposed to revert the site to the original GMB terminus or for provision of car parking and bicycle parking spaces, bus station or taxi layby, particularly for visitors to the waterfront, or for provision of open space, recreational or tourist facilities, or for provision of a public library and study room, elderly, children, youth, women or medical facilities. Alternatively, the site should be rezoned to “Green Belt” (“GB”) or “Open Space” (“O”).

Planning Department’s (PlanD) Views

- (i) PlanD did not support the application based on the assessments made in paragraph 12 of the Paper, which were summarised as follows :
  - (i) the site had been zoned “R(A)” since 1994 with the planning intention primarily for high-density residential development. Residential developments complying with the permissible plot ratio (PR) under the Building (Planning) Regulations (B(P)R) were always permitted within the zone. The site was previously part of a comprehensive development for public housing with a number of supporting GIC facilities. It was previously used as a GMB terminus. Subsequent to the relocation of the GMB terminus to the Grand Promenade PTI, the site had been left vacant since mid-2006. The future residential development at the site was in line with the planning intention;
  - (ii) the future residential development at the site was compatible with the surrounding residential character intermixing with GIC and open space uses. It would be capped by the maximum permissible PR of 9 for pure domestic use for Class B site under the B(P)R. As the BH at the site was restricted to a maximum 120mPD, the future development would not breach the ridgeline of Mount Parker. Reducing the BH at the site would have little effect on the overall townscape at this part of Shau Kei Wan. On air ventilation, the

Chief Town Planner/Urban Design & Landscape (CTP/UD&L), Planning Department pointed out that given the elongated shape of the site with the narrow side facing the prevailing northeasterly wind direction, the future residential development would unlikely obstruct wind penetration down Oi Tak Street and the internal street corridor to the west and east of the site or undermine the role of these streets as breezeways. The localised impacts on Oi Tak Street under the easterly wind was not expected to be significant given its close proximity to waterfront and the presence of the adjoining large open space. As the prevailing wind was from the southern and southeastern directions, the site was located in the downwind area. The neighbouring developments of Tung Tao Court, Tung Yuk Court and Oi Tung Estate, rather than the future development at the site, would have impact on wind environment;

- (iii) regarding the locals' concern on walled effect, the Aldrich Bay Reclamation area was already erected with rather tall buildings, in carrying out the BH review of the OZP in 2008, a BH restriction of 120mPD was stipulated to contain the general height profile of the high-rise developments between Oi Tak Street and Oi Yin Street at this prominent waterfront location. Efforts were also made to ensure that the existing low-rise waterfront developments, including various GIC sites and open spaces were maintained as low-lying structures or open areas to provide view corridors and enhance the passage of sea-breezes into the inland. Besides, the developer could not erect any building or structure at the drainage reserve area at the northeastern part of the site in order to maintain an open corridor along the drainage reserve to facilitate sunlight penetration and air flow. Moreover, the developer had to comply with the lighting and ventilation provisions under the Buildings Ordinance (BO);
- (iv) on the traffic aspect, given the small size of the site and development scale was limited, the Commissioner for Transport (C

for T) considered that the vehicular and pedestrian flows to be generated by the future development would be insignificant. The existing footpath outside the northern entrance of Tung Tao Court would remain open for pedestrian access. The proposed residential development would not affect the sightline of drivers approaching the junction from Oi Kan Road or the pedestrians crossing Oi Tak Street at the existing pedestrian crossing facility. Regarding the public comments requesting for providing public transport facilities on the site, C for T advised that the site was no longer required for the provision of public transport facilities, vehicle lay-bys or parking facilities;

- (v) on the environmental aspect, the Director of Environmental Protection (DEP) advised that residential use at the site would not have adverse air or noise impacts on the surroundings. The potential environmental problems during construction of the proposed residential development were subject to control under various pollution control ordinances;
- (vi) on the social welfare aspect, DSW advised that there was an RCHE at Oi Po House to the immediate southwest of the site and had been in close liaison with the concerned Government departments to explore the feasibility of constructing RCHEs and elderly centres in new developments or redevelopments under his purview, or converting vacant buildings into RCHEs. Premises at the Government Joint User Complex at Lei King Wan in Sai Wan Ho had been reserved to meet the demand in the area. A variety of community facilities and open spaces had been provided/planned in the area to serve the local community and/or the Eastern District population. These community facilities and open spaces were within short walking distances of the existing residential developments. The overall provision of GIC facilities in Shau Kei Wan area generally met the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG);

- (vii) regarding the local concerns that there was no public consultation on the sale of the site, it was an established practice that the Government would not consult the public on the selection of a particular site for sale and sites included in the LSP estimated for sale within a year. Notwithstanding, relevant departments including PlanD, LandsD, Drainage Services Department and Buildings Department had explained the technical aspects of the proposed residential development to the local residents, EDC members and LegCo Members through a number of meetings and correspondence; and
- (viii) regarding the suggestion to rezone the site to “GB” or “O”, it was noted that the site had been paved and did not possess the characteristics of a “GB” and considered not appropriate to be rezoned to “GB”. With an overall planned provision of 28.6 ha of open space in the Shau Kei Wan area, there was a surplus of 3 ha for a planned population of about 128,000 according to HKPSG. There was no strong justification for rezoning the site to “O”.

7. The Chairman then invited Mr Kwan Ling Kit to elaborate on the application. Mr Kwan made the following main points with the aid of a PowerPoint presentation:

- (a) the site had been used as a mini-bus terminus as indicated on the sales brochure of Tung Yuk Court. The mini-bus terminus was an ancillary facility for the residents of Tung Yuk Court and nearby residential developments. To use the site for residential development would violate the original planning intention of the area;
- (b) Oi Po House was a 21-storey building with long façade of about 100m. Located next to Oi Po House, the future residential development on the site would not be able to achieve the building separation and permeability requirements for buildings with façade length of over 60m under the Sustainable Building Design (SBD) Guidelines. The development would

aggregate the walled effect and have adverse impact on visual quality, air ventilation and lighting of the nearby area;

- (c) with the aid of on-line video clips, he showed the EDC's discussion on 18.10.2013 objecting to the sale of the site as well as the Legislative Council (LegCo) meeting in which Hon. Chan Ka Lok had also raised objection to the subject land sale. However, the Government had ignored all these public views and awarded the tender to the successful bidder on 9.4.2014. EDC supported the use of the site for GIC facilities;
- (d) the land sale was processed too urgently without public consultation with the affected residents;
- (e) according to EDC's records, the site was originally planned for public housing. The Government had violated its commitment to use the site for public housing by selling it for development of private housing which was not a compatible use within the neighbourhood;
- (f) in view of the small size of the site, it had limited potential for development. As there was a severe shortfall of RCHE in the Eastern District, the Government should explore the possibility of using the site for elderly facilities; and
- (g) the site should be rezoned to "G/IC" and the awarded tender should be cancelled.

[Mr H.W. Cheung arrived to join the meeting at this point.]

8. The Chairman then invited Mr Chow Chung Lap to elaborate on the application. Mr Chow made the following main points :

- (a) the site was originally planned for a mini-bus terminus. It was against the planning intention and overall planning of the area to change the use of the site which was originally planned to serve residents of Tung Tao Court,

Tung Yuk Court and Oi Po House; and

- (b) detailed assessments on the environmental and health impacts on nearby residents should be carried out. The Development Bureau and PlanD should assess the impacts resulting from the future private housing development. The Housing Department should also be consulted on its impact on the supply of public housing.

[Mr Frankie W.C. Yeung arrived to join the meeting at this point.]

9. The Chairman then invited Ms Ng Yin to elaborate on the application. Ms Ng made the following main points :

- (a) the Government had violated the original planning for the site by selling it for private housing development;
- (b) no assessment had been carried out on air ventilation, odour emission and refuse collection and other potential impacts on nearby residents; and
- (c) as there were very limited subsidised RCHE places and the waiting time for these places was very long, the site should be used for elderly facilities.

10. The Chairman then invited Mr Chan Wing Ming, an owner of Tung Tao Court, to elaborate on the application. Mr Chan made the following main points :

- (a) the future private housing development would take away the site which was planned to serve Tung Tao Court, Tung Yuk Court and Oi Po House and deprive the residents of the right to use the site for enjoyment; and
- (b) the Government had failed to address the issue of acute shortage of elderly facilities in the Eastern District.

11. The Chairman then invited Mr Cheng Chi Kin to elaborate on the application. Mr Cheng made the following main points :

- (a) the Chairman was the Permanent Secretary for Development (Planning and Lands) and Members of the Board were all appointed by the Government. There was doubt if the decisions made by the Board were biased in favour of the Government. He requested the Board to consider the issues and points of arguments in a serious and impartial manner to make a fair decision;
- (b) given the small size of the site, it would produce only a small number of flats and these flats would be expensive. There was doubt on how this would help solve the housing problem of Hong Kong and whether the purpose of selling the site was to impress the public that the Government had tried to tackle the housing problem;
- (c) the use of the site for private housing would violate the original planning intention. According to the revised Planning Brief approved by the Hong Kong District Planning Conference in 1998, the site would be developed for public housing/HOS development. The EDC supported the reclamation of Aldrich Bay on the understanding that the area would be developed for public housing/HOS development;
- (d) the speedy processing of the land sale without consulting the locals had deprived the residents of the opportunity to express their views;
- (e) the Air Ventilation Assessment (AVA) carried out in 2008 concluded that the open areas and the G/IC sites along the seafront area of Aldrich Bay were important breezeways and should not be obstructed by development. Oi Po House with over 100m long façade had already exceeded the current building separation and permeability requirements under the SBD Guidelines. The site was adjoining Oi Po House and the future private housing development would worsen the air ventilation of the area. Besides, the AVA carried out in 2008 did not take into account future development of the sale site. He suggested that an AVA covering the site and the adjoining Oi Po House should be carried out by the developer to demonstrate that the proposed private housing development would not

have adverse impact on air ventilation; and

- (f) there were over 30,000 persons on the waiting list for subsidised RCHE places in Hong Kong. However, about 5,000 elderlies on the waiting list died each year. The number of subsidised RCHE places provided in the Eastern District was only 896. The proposed RCHE in Sai Wan Ho would provide only 100 places which were insufficient to meet the growing demand. The site, if developed for elderly facilities, would partially address the shortage. It was not understood why the Social Welfare Department (SWD) always claimed that there was no site available for the development of RCHE.

[Mr Patrick H.T. Lau left the meeting at this point and Mr. K.F. Tang left the meeting temporarily at this point.]

12. The Chairman then invited Mr Choi Kam Hung to elaborate on the application. Mr Choi made the following main points :

- (a) there was no consistent long-term housing policies to solve the housing problems. The current Chief Executive (CE) vowed to deploy land resources for housing development only to demonstrate that he had fulfilled the promises made in his election campaign. The Government was not concerned whether the site was suitable for private housing but only wanted to get credit for being able to sell the piece of land to meet the housing production target;
- (b) the Government had been determined to develop the site for private housing despite the site was small and there was a drainage reserve within it. The number of flats to be produced would be too small to solve the housing problem in Hong Kong; and
- (c) he would have no objection to the future private housing development at the site if the Government could address the walled effect caused by Oi Po House and the future private housing development, and suggested the Government to redevelop the two sites in a comprehensive manner.



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

13. The Chairman then invited Mr Lam Sum Lim to elaborate on the application. Mr Lam made the following main points :

- (a) at its meeting on 20.3.2014, PWHC urged the Board to rezone the site for low-density GIC uses such as RCHE and elderly care centre;
- (b) there was insufficient support from the Government for provision of elderly facilities particularly in the Eastern District; and
- (c) there was no programme for the development of the proposed RCHE for providing 100 places in Sai Wan Ho.

[Mr. K.F. Tang returned to join the meeting at this point.]

14. The Chairman then invited Mr Lee Joi Tung to elaborate on the application. Mr Lee made the following main points :

- (a) there was a change in planning intention of the site as it was originally planned for PRH/HOS housing with a mini-bus terminus as ancillary facility. However, the site had been sold for private housing; and
- (b) the Government should thoroughly review the planning of the site whether it was suitable of residential development, and assess the demand for RCHE to address the acute shortfall of such facility in the Eastern District.

15. The Chairman then invited Mr George Lam to elaborate on the application. Mr Lam made the following main points :

- (a) given the small size of the site, it might not be best for residential development; and
- (b) the site was the only suitable site available for elderly facilities in the area

and the demand was growing due to ageing population.

16. The Chairman then invited Ms Wu Miu Mu to elaborate on the application. Ms Wu said that there was an urgent need for a subsidised RCHE in the area.

17. The Chairman then invited Chiu Siu Kin to elaborate on the application. Mr Chiu said that the Government should make use of land resources in a humanly manner and to reconsider the planning of the site.

18. The Chairman then invited Hon Dr Chan Ka Lok to elaborate on the application. Dr Chan made the following main points :

- (a) the use of the site for private housing was not for public interests;
- (b) there was no public consultation on the proposed land sale;
- (c) while a minimum horizontal buffer distance of 5m from both Oi Kan Road and Oi Tak Street would be required if the site was used for RCHE, such requirement was not required for private housing development;
- (d) as the application was submitted before the land sale, the Government should have put on hold the land sale until the application was considered by the Committee;
- (e) it was doubtful how the stepped height concept could be applied to the site which was only 480m<sup>2</sup>;
- (f) the AVA carried out by WSP Energy and Environment in 2008 concluded that the open area and non-building area (NBA) near Aldrich Bay should not be obstructed by developments. However, the Government had changed the rules of game by selling the site for residential development; and
- (g) the Government should consider the best use of the site and provide elderly

facilities.

[Mr Frankie W.P. Chou left the meeting at this point.]

19. In response to a Member's question on how to ensure that the future private residential development would have no impact on the underground drainage pipes, Ms Ginger K. Y. Kiang, DPO/HK, said that the drainage reserve was earmarked as NBA in the land sale conditions and if any structure was proposed within the NBA, the developer would need to demonstrate to DLO/HK that the proposed structure would not affect the drainage reserve.

20. In response to a Member's question on the implications on the land sale site if the application was agreed by the Committee, the Secretary said that if the application was approved by the Committee, the site would be rezoned to "G/IC". According to the Notes of the OZP, "Flat" was a Column 2 use of the "G/IC" zone. Planning permission would be required for the residential development prior to the submission of building plans by the development to the Buildings Department for approval. However, if the building plan submission was made before the zoning amendment, no recommendation of building plan submission under s.16(1)(d) of the Building Ordinance to the Building Authority would be made by PlanD. The Secretary remarked that if the application was approved, the process involving the gazetting of the OZP amendments, processing of representations and comments and submission to the Chief Executive in Council would need to go through before the amendment zoning was confirmed.

21. In response to a Member's question on whether there were other sites available in the Eastern District for elderly facilities, Ms Kiang said that 100 RHCE places were reserved in the Government Joint User Complex to be built in Sai Wan Ho. SWD was also liaising with non-governmental organisations (NGOs) to explore the possibility of using NGOs' vacant premises for RCHE purpose. In response to the Vice-chairman's question, Mr Kiang said that Oi Po House was developed by the Housing Authority to provide flats for the elderly.

22. As the applicant and his representatives had no further points to make and Members had no questions to raise, the Chairman informed them that the hearing procedure

for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the applicant and his representatives, and PlanD's representatives for attending the meeting. They all left the meeting at this point.

### Deliberation Session

23. A Member considered that the local concerns on the shortage of elderly facilities in the Eastern District should be addressed and the locals should be informed of SWD's measures to address the issue. In this regard, the local concerns should be conveyed to SWD. This Member also said that the site together with the adjoining areas were originally reserved for public housing, the planning of the area should be comprehensively reviewed including the development intensity. The design of the future private housing should respect the surrounding existing developments, for example, the orientation of the windows should avoid direct facing to Oi Po House. In response, the Secretary said that a 100-place RCHE had been reserved at the proposed Government Joint User Complex in Lei King Wan. As regards the application site, the Architectural Services Department had worked out a test scheme to demonstrate that the future private residential development would meet the relevant building requirements.

24. Another Member said that the opportunities for developing elderly facilities at vacant premises of NGOs were being explored by SWD, and that elderly facilities did not have to be located at the site. This Member supported the retention of the "R(A)" zoning of the site in view of the great housing demand.

25. A Member had reservation on using the site for high-rise residential development in view of its small site area. The use of the site for elderly facilities could be considered, and there might be other sites available in the area for housing development. However, the site had already been sold for residential use.

26. A Member said that the use of the site for private residential development would not be constrained by its site area. Apart from ensuring sufficient provision of welfare facilities, the Government needed to provide housing land to meet the overall demand of the society. A balance should be struck. PlanD's recommendation of retaining the site for

“R(A)” was supported. Some other Members concurred with this view while a Member had reservation on using the site for residential development as it might result in a dense environment.

27. Noting that the site had already been sold for private residential development, the Vice-chairman said that the Board should not interfere with the situation by rezoning the site to “G/IC”. Another Member said that since the applicant and his representatives did not object to developing the site for PRH/HOS, there was no reason to support the rezoning the site to “G/IC”. Members generally did not support the application and in view of the concerns raised by the applicant and his representatives on insufficient provision of elderly facilities in the area, Members agreed to convey the concerns to SWD for consideration.

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

- “(a) the site is located within a high-density residential neighbourhood. The “Residential (Group A)” (“R(A)”) zone is considered appropriate. The developer has to comply with the development restrictions on the Outline Zoning Plan, the condition of the Government lease and all other relevant legislation and Government requirements to ensure no unacceptable development impacts; and
- (b) a variety of community facilities have been provided/planned in the area to serve the local community and/or the Eastern District population. No Government departments indicate any other Government, Institution or Community requirements at the site. There is no strong planning justification to rezone the site from “R(A)” to “Government, Institution or Community”.”

[The meeting was adjourned for a break of five minutes.]

[Dr Wilton W.T. Fok left the meeting at this point.]

**Kowloon District**

**Agenda Item 4**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/K7/9                      Application for Amendment to the Approved Ho Man Tin Outline Zoning Plan No. S/K7/22, to rezone the application site from “Open Space” to “Government, Institution or Community (2)”, Chung Hau Street/Oi Sen Path, Ho Man Tin

(MPC Paper No. Y/K7/9)

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29.                      The Secretary reported that the application was submitted by the Hong Kong Polytechnic University (PolyU) with Kenneth To & Associates Limited, ADI Limited, MVA Hong Kong Limited, Environ Hong Kong Limited, P&T Architects & Engineers Limited, Allied Environmental Consultants Limited and AIM Group Limited as consultants of the applicant. The following Members had declared interests in this item:

Mr Dominic K.K. Lam     - having current business dealings with Kenneth To & Associates Limited, ADI Limited, MVA Hong Kong Limited and Environ Hong Kong Limited

Mr Patrick H.T. Lau     - having current business dealings with Kenneth To & Associates Limited and MVA Hong Kong Limited

Ms Julia M.K. Lau       - having current business dealings with MVA Hong Kong Limited and Environ Hong Kong Limited

30.                      The Committee noted that Mr Patrick H.T. Lau had left the meeting. As Mr Dominic K.K. Lam and Ms Julia M.K. Lau had no involvement in this application, the Committee agreed that they could stay in the meeting.

31. The Secretary also reported that two letters objecting to the application were submitted by Oi Man Estate Residents Association and Carmel Secondary School on 9.5.2014. The objection letters were tabled at the meeting for Members' reference.

Presentation and Question Sessions

32. Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K), and Ms S.H. Lam, Senior Town Planner/Hong Kong (STP/K), representing the Planning Department (PlanD), and the following applicant's representatives and the applicant's consultants were invited to the meeting at this point:

Professor Timothy Tong	}	
Mr Alex Lui	}	
Professor Johnny Fan	}	
Mr Chan Shu Keung	}	
Ms Tracy Ng	}	
Ms Majorie Yang	}	
Mr Daniel Suen	}	Applicant's Representatives
Mr Pang Chi Kong	}	
Professor Gladys Cheng	}	
Mr Michael Wong	}	
Mr Wong Chun Long	}	
Miss Janet Lok	}	
Mr Law Sai Ip	}	
Mr Kenneth To	)	
Ms Pauline Lam	)	
Mr David Fok	)	Applicant's Consultants
Ms Esther Chow	)	
Ms Elsa Kwong	)	
Mr Tong Cheng	)	

33. The Chairman extended a welcome and explained the procedure of the hearing. Ms S.H. Lam, STP/K, was then invited to brief Members on the background to the application. With the aid of a PowerPoint presentation, Ms Lam presented the application

and covered the following aspects as detailed in the Paper :

The Proposal

- (a) the applicant proposed to amend the approved Ho Man Tin Outline Zoning Plan (OZP) No. S/K7/22 by rezoning the application site (the site) of about 1.2 ha from “Open Space” (“O”) to “Government, Institution or Community(2)” (“G/IC(2)”) to provide 1,279 student hostel bed places and additional academic floor area;
- (b) the proposed development would have a total gross floor area (GFA) of about 43,400m<sup>2</sup> (including 26,850m<sup>2</sup> (62%) for the proposed student hostel and 16,550m<sup>2</sup> (38%) for the proposed academic building), a net operational floor area (NOFA) of about 10,344m<sup>2</sup>, plot ratio of 3.62 (2.24 for the proposed student hostel and 1.38 for the proposed academic building), site coverage of about 30%, building heights of 13 storeys (eastern block) and 18 storeys (western block), 1,279 student hostel bed places and 3,250m<sup>2</sup> open space for enjoyment of the public.
- (c) the proposed scheme had the following features:
  - (i) two student hostel blocks (12 storeys at the western block and 6 storeys at the eastern block) were above a 7-storey academic block;
  - (ii) a stepped height profile was proposed to maintain a spatial relief for visual permeability and wind penetration. A maximum building height of 86.3mPD of the western block to respect the surrounding developments;
  - (iii) a minimum 25m wide air ventilation corridor between the proposed western and eastern blocks was proposed to allow better air ventilation;
  - (iv) a 12m wide non-building area (NBA) was proposed to set back the



proposed western block from the boundary of the adjoining Carmel Secondary School (CSS);

- (v) a landscaped area of 3,250m<sup>2</sup> was proposed for public enjoyment during opening hours of PolyU;
- (vi) a pedestrian network was proposed to connect Chung Hau Street and Oi Sen Path; and
- (vii) the existing tree clusters at the central part of the site would be preserved. A greening ratio of over 50% and a compensatory planting ratio of 1:1 were proposed;

Departmental Comments

- (d) the departmental comments were detailed in paragraph 8 of the Paper and highlighted as follows :
  - (i) the Education Bureau (EDB) supported the application on grounds that the proposed scheme would reduce PolyU's shortfall for publicly-funded hostel places to 1,409 whilst the requirements for publicly-funded academic floor space would be fully met;
  - (ii) the Director of Environmental Protection (DEP) commented that insurmountable environmental problems were not expected while technical assessments on air quality, noise and sewerage impacts should be provided at the planning application stage under section 16 of the Town Planning Ordinance (the Ordinance) to demonstrate that the proposed development would be environmentally acceptable;
  - (iii) the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) commented that the proposed building blocks fronting the perimeter of the site might be

quite bulky in the urban context. It might not be easy to reduce its impact to the surroundings by variation of facade treatment; and

- (iv) the Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L) had reservation on the proposed development from the landscape planning perspective as the proposed scheme would inevitably have a large impact on the existing landscape resources. The applicant should review and demonstrate that the proposed tree preservation proposal and Tree Protection Zone was feasible. Although the proposed building setback would allow landscape buffer planting, the greening impact would be limited considering the massiveness of the proposed buildings. The proposed stepped terrace planters at the academic building were narrow and could only contain small shrubs and climbers which had limited greening effect. Notwithstanding this, the proposal had merits in providing the much-needed higher education facilities for the territory, and the applicant had paid efforts to minimize the impacts on the landscape quality in the area with the provision of an overall greening ratio of 50% for the proposed development. A trade-off between the green buffer and the provision of educational floor space had to be considered. Despite the possible impact on the existing green buffer, further improvement to the landscape proposal could be considered at the detailed stage via the planning application mechanism;

Public Comments

- (v) 14,687 public comments, including 7,270 supporting and 7,415 objecting to the application and two expressed that the proposal would adversely affect the adjoining CSS, were received during the first three weeks of the statutory publication period of the application;
- (vi) the main grounds of supporting the application were the proposed

development would improve the landscape of the slope, would create a green area at the northwest boundary of the site, and would improve air ventilation; it would relieve the shortfall of student hostel places; the submitted scheme would have minimal impact on the adjoining CSS; and the open space would be open for public enjoyment; and

- (vii) the main reasons for objecting the application were the proposed development would ruin about 1.2ha of green area and would have adverse visual impact; there were doubts on the shortfall of 2,700 student hostel places claimed by PolyU; local residents had been suffering from noise and light pollution, environmental hygiene and overloading of infrastructure brought about by the tertiary institutions in the vicinity; there would be adverse impacts on waiting time for public transport, sharing of recreational facilities and open space; retaining the site as open space would provide a visual buffer for local residents; and putting the site on sale would increase Government revenue. In particular, CSS objected to the application as the proposed student hostel would generate noise which would affect the students of CSS and the proposed buildings would have adverse air ventilation impact on CSS;

*Kowloon City District Council Motion*

- (e) on 6.3.2014, the Kowloon City District Council (KCDC) Housing and Infrastructure Committee (HIC) discussed PolyU's proposed development. KCDC members were mainly concerned about whether there was a genuine need for additional student hostel, the loss of open space, how to ensure the provision of the proposed open space for public use, and the applicant was ignoring objection from CSS and local residents. KCDC passed a motion on 'objection to application No. Y/K7/9 to the Town Planning Board and strongly request for retaining the "O" zone of the site at Chung Hau Street/Oi Sen Path';

PlanD's Views

- (f) PlanD partially supported the application based on the assessments made in paragraph 12 of the Paper, which were summarised as follows :
- (i) the site was located at the southern end of Ho Man Tin and was surrounded by a mixture of medium-rise Government, Institution or Community (GIC) facilities and residential buildings, including CSS (72mPD) and Holy Trinity Church Secondary School (78mPD) to its northwest; and King's Park High Level Service Reservoir Playground (75mPD) to its north; medium-rise residential developments in Hung Hom to its southeast across Chatham Road North, and the Ho Man Tin Station (under construction) to its northeast. In terms of land use, the proposed educational institution development was not incompatible with the surrounding residential and GIC neighbourhood;
  - (ii) the site was located at a visually prominent location near major highways and railway network, overlooking the developments in the Hung Hom and Tsim Sha Tsui areas. Apart from the sloping topography, the site was subject to the constraints of noise and air impacts of the vehicular traffic and railway. The applicant had given due consideration to these constraints and tested different development options, including options with higher plot ratio and taller buildings, in coming up with the proposed development parameters;
  - (iii) noting that the project would reduce PolyU's shortfall for publicly-funded hostel places to 1,409 whilst meeting in full its requirements for publicly-funded academic space, EDB gave policy support to application;
  - (iv) based on the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG), there would be a surplus of planned open

space of about 6.27ha including 5.28ha of Local Open Space (LO) and 0.99ha of District Open Space in the Ho Man Tin area. Should the application be approved, there would be a surplus of 4.08ha of LO in the area. Moreover, the Leisure and Cultural Services Department advised that there was no programme to develop the site. The proposed development would provide a total of 3,250m<sup>2</sup> landscaped area which would be open to the public; and

- (v) the air ventilation assessment submitted by the applicant was acceptable to CTP/UD&L. The proposed development would unlikely induce significant drainage, water supplies, highway and geotechnical impacts.

34. The Chairman then invited the applicant's representatives to elaborate on the application. Professor Timothy Tong, President of PolyU, made the following main points with the aid of a PowerPoint presentation:

- (a) according to University Grants Committee's (UGC) projection as at January 2014, PolyU's outstanding requirements for publicly-funded facilities by end of 2014/15 academic year were 2,688 publicly-funded hostel places and 9,439m<sup>2</sup> NOFA of publicly-funded academic space;
- (b) should the application be approved, the proposed 3,250m<sup>2</sup> open space would be open for enjoyment of the public. Other academic facilities including conference rooms and halls could also be rented to the public. It was also proposed to relocate the physiotherapy centre and optometry clinic to the proposed academic block for easy access of nearby residents and other patients;
- (c) the proposed development would improve the pedestrian linkage between Ho Man Tin and Tsim Sha Tsui East;
- (d) in March 2012, PolyU started the public consultation of the development proposal with the Yau Tsim Mong District Council, members of the KCDC,

residents of Oi Man Estate and the neighbouring secondary schools including CSS and the Holy Trinity Church Secondary School, and concerned Government departments. Comments, including the concerns of CSS, received were incorporated in the revised scheme where appropriate, including the proposed setback and reducing the height of the building near CSS. A wind corridor would also be reserved and the orientation of the windows of the student hostel would be designed to avoid direct facing to CSS; and

- (e) the proposed development was not only for academic achievements but also for enhancement of the community.

35. The Chairman then invited Mr Alex Lui to elaborate on the application. Mr Lui said that the existing campus of PolyU was already fully developed and there was no room to accommodate the proposed student hostel and the new academic block. PolyU did not have a student hostel which was essential to university education and the site was the only suitable location to accommodate the proposed student hostel and academic block. There would still be a shortfall of about 1,400 hostel places even after the application was approved. PolyU would open the campus for public access and improve the pedestrian linkage between Hung Hom, Ho Man Tin and Tsim Sha Tsui East. Part of the site which was currently used for works area of the Shatin to Central Link project was proposed for open space (about 3,250m<sup>2</sup>) to be used by PolyU students and the public.

36. The Chairman then invited Mr Kenneth To, the applicant's consultant, to elaborate on the application. Mr To made the following main points with the aid of a PowerPoint presentation:

- (a) the planning for the proposed expansion of PolyU campus began in 2011. Government departments had been consulted and their advice had been incorporated in the revised scheme. The proposed development was supported by the Land and Development Advisory Committee in June 2012. The design of the proposed development, including mitigation measures to address the concerns of the public, was now at an advance stage. In this regard, he considered that a planning application for the proposed scheme under section 16 of the Ordinance would not be required if the rezoning

application was approved as recommended by PlanD;

- (b) the NOFA for the proposed academic block would be subject to change at detailed design stage;
- (c) even if the application was approved by the Committee, the applicant would still need to apply to the Lands Department (LandsD) for a Private Treaty Grant and UGC for policy support. Both LandsD and UGC would seek concerned departments' views in processing the application;
- (d) PlanD's concerns were not essential planning considerations as the OZP would have relevant restrictions for the proposed development, and the applications for land grant and finance from the Government would allow opportunities for vetting of the proposals; and
- (e) the disposition and layout of the development with the student hostel situated on top of the proposed academic block had taken into consideration the site constraints including the topography and surrounding land uses.

37. Professor Timothy Tong concluded that PolyU would liaise with UGC to determine the floor space of the proposed student hostel and academic block and with concerned Government departments and stakeholders to revise the scheme to address their concerns as far as possible.

### Traffic

38. In response to a Member's question on the waiting time for public transport by the locals, Mr Kenneth To said that the site was close to the Ho Man Tin MTR Station now under construction. Upon completion of the station, it would become an important interchange for MTR Tsueng Kwan O Line as well as Shatin to Central Link. As such, the proposed development would not pose any burden on the existing transport networks. The Transport Department had accepted the Traffic Impact Assessment submitted by the applicant.

39. In response to vice-chairman's question on the pedestrian linkage to the site, Professor Tong said that the site was currently very rugged and seldom used by pedestrians. The proposed development would greatly improve the pedestrian linkage. Mr Kenneth To supplemented that there were pedestrian walkways connecting the site and the surrounding areas and would also connect to the proposed Ho Man Tin Station.

#### Opening hours of the proposed open space

40. In response to a Member's question, Mr Chan Shu Keung said that the proposed open space would be open from 7:00 a.m. to 12:00 p.m. If necessary, the opening hours could be further adjusted.

#### PolyU Expansion Plan

41. Members had the following questions:

- (a) as only limited space would be available within the site, whether priority would be given to academic space or student hostel places;
- (b) whether there was an absolute need to develop the student hostel in close proximity to the existing campus, and whether consideration would be given to identifying an alternative site for accommodating all the current shortfall of the student hostel places,
- (c) whether the hostels near Royal Peninsula and Ko Shan Theatre were for students or for staff, and whether the provision was sufficient to meet the demand,
- (d) what self-funded facilities were to be relocated to the site;

42. In response, Professor Timothy Tong said that:

- (a) the site would fully meet the shortfall of academic floor space and partly meet the shortfall of student hostel spaces. Both were equally important



to higher education;

- (b) the site was considered most suitable for the proposed development as it was located in close proximity to the existing campus and would improve the quality of education;
- (c) the hostel in Hung Hom with 3,000 places, was constructed 11 years ago and the hostel at the junction of Fat Kwong Street and Chatham Road with 1,650 places, was constructed two years ago. As agreed with UGC, PolyU was required to provide about 7,300 hostel places and there was a shortfall of about 2,600 hostel places. The proposed development at the site would help reduce the shortfall;
- (d) the 905m<sup>2</sup> NOFA of privately-funded academic space would accommodate the physiotherapy and optometry clinics under UGC funding. The proposed relocation of the physiotherapy centre and optometry clinic to the site would be more convenient to the public, as they were currently located at the Austin Road and Chatham Road side of the existing campus. The floor space for these clinics would also be increased after relocation;

[Mr Sunny L.K. Ho left the meeting at this point.]

43. In response to the Vice-chairman's questions on how PolyU handled the growing number of privately-funded places, Professor Timothy Tong said that enrolment was subject to review of UGC once every three years which would have implications on the requirements for student hostel places and academic floor space. The demands for hostel places and academic floor space did not fluctuate significantly on yearly basis, though the demand for student hostels fluctuated relatively more over the past 10 years. The Government and UGC encouraged universities to provide student hostels to accommodate international students.

44. As the applicant's representatives and consultants had no further points to make and Members had no questions to raise, the Chairman informed them that the hearing procedure for the application had been completed and the Committee would 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 and PlanD's representatives for attending the meeting. They left the meeting at this point.

### Deliberation Session

45. A Member said that the site was covered with trees and planning permission under section 16 of the Ordinance should be required to ensure that the proposed development would not cause significant impact on the existing landscape resources.

46. Another Member said that the application was supported in principle but it was necessary to ensure that sufficient open space for the enjoyment of the public would be provided by the applicant given the site was currently zoned "O". There was also a concern on whether the provision of the large number of hostel places represented the best utilisation of land resources in view of the fact that PolyU's other hostels were located not immediately adjacent to the campus. It was necessary to review the mix of hostel places and academic floor space at the site, and the connectivity of the site to the existing campus.

47. Another Member said that from the planning perspective, rezoning from "O" to "G/IC" should in general not be supported. However, the application could be treated as a special case as the "O" zone was a slope seldom used by the public. In considering similar cases in future, EDB/UGC should provide a macro-framework for the long-term development of educational facilities for Members' reference. This Member also noted that the proposed development was bulky as pointed out by ArchSD and CSS had raised concerns on the adverse impacts of the proposed student hostel, and considered that a review of the proposed scheme would be required. The Member was also of the view that the applicant should consider the provision of escalators and the opening hours, which would facilitate the access of students. These issues should be thoroughly addressed through the planning application mechanism. The Vice-chairman also considered that it was necessary for the proposed development to go through planning application mechanism as the applicant had to further fine tune the mix of the proposed student hostel places and academic floor space.

48. The Secretary remarked that the application had attracted strong objections from CSS and the locals, and the mechanisms mentioned by the applicant's representatives and consultants would not involve public consultation. In this regard, the Committee might

consider if it would be necessary for the proposed development to go through the planning application mechanism so that the public concerns could be duly addressed. She also said that the Committee had only agreed the maximum height of the western block and the eastern block at 86.3mPD and 69mPD respectively. The applicant would have to demonstrate at the planning application stage to demonstrate why lower heights could not be adopted. The applicant should be advised accordingly.

49. After deliberation, the Committee decided to partially agree to the application and suggested that an appropriate zoning should be worked out to ensure that the proposed development at the site should be subject to the approval of the Board under the planning application mechanism. The relevant proposed amendments to the approved Ho Man Tin OZP No. S/K7/22 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Ordinance upon reference back of the approved OZP for amendment by the Chief Executive in Council.

## **Agenda Item 5**

### **Section 12A Application**

[Open Meeting]

Y/K15/3                      Application for Amendment to the Draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/20, to rezone the application site from “Open Space” to “Other Specified Uses” annotated “Public Open Space and Hotel”, Lot Nos. 859SA, 859RP and 860 in Survey District No. 3 and Adjoining Government Land, Wing Fook Street, Cha Kwo Ling

(MPC Paper No. Y/K15/3)

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50. The Secretary reported that the application was submitted by Ever China Limited with Ove Arup & Partners Hong Kong Limited, MLA Architects (HK) Limited, Environ Hong Kong Limited, LLA Consultancy Limited and AXXA Group Limited as consultants of the applicant. The following Members had declared interests in this item:

Mr Dominic K.K. Lam    -    having current business dealings with Ove Arup &

Partners Hong Kong Limited, Environ Hong Kong Limited and LLA Consultancy Limited

Mr Patrick H.T. Lau - having current business dealings with Ove Arup & Partners Hong Kong Limited and LLA Consultancy Limited

Ms Julia M.K. Lau - having current business dealings with Environ Hong Kong Limited

51. The Committee noted that the applicant had requested for deferment of consideration of the application. The Committee also noted that Mr Patrick H.T. Lau had left the meeting. As Mr Dominic K.K. Lam and Ms Julia M.K. Lau had no involvement in this application, the Committee agreed that they could stay in the meeting.

52. The Secretary reported that the application had been deferred once for two months. Since the last deferment on 13.12.2013, the applicant had made four submissions to the Town Planning Board including a revised development scheme and revised technical assessments on traffic impact, air ventilation and visual impact. The concerned Government departments had further comments on the revised development scheme and technical assessments. The applicant needed more time for the preparation of further information to address the departmental concerns.

53. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment of the application, the applicant should be advised that the Committee had allowed a total of four months for preparation of submission of further information and no further deferment would be granted unless under very special circumstances.

[Miss Elsa Cheuk, Chief Town Planner/Special Duties (CTP/SD) and Ms Polly O.F. Yip, Senior Town Planner/Special Duties (STP/SD) were invited to the meeting at this point.]

### **Agenda Item 6**

[Open Meeting (Presentation and Question Sessions Only)]

Draft Planning Brief for the “Comprehensive Development Area” Site at the Exhibition Station of the Shatin to Central Link in Wan Chai North

(MPC Paper No.9/14)

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#### Presentation and Question Sessions

54. With the aid of a PowerPoint presentation, Ms Polly O.F. Yip, STP/SD, presented the draft planning brief for the “Comprehensive Development Area” (“CDA”) site at the Exhibition Station of Shatin to Central Link (SCL) in Wan Chai North as detailed in the Paper :

#### Background

- (a) the Committee agreed on 3.5.2013 to rezone the site to “CDA”. On 24.5.2013, the draft Wan Chai North OZP No. S/H25/3 (the OZP), incorporating the “CDA” zoning amendment amongst others, was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) on 18.2.2014, the Chief Executive in Council, under section 9(1)(a) of the Ordinance, approved the draft OZP, which was subsequently renumbered as S/H25/4.

#### The Draft Planning Brief (PB)

- (c) the draft PB was intended to develop the site for a topside development

primarily for convention and meeting facilities and other commercial related uses above the station, together with railway station facilities, a public transport interchange (PTI) and other supporting facilities at the ground level in a comprehensive manner. The main requirements of the PB were included in paragraph 6 of the Paper and were summarised as follows:

#### Development Parameters

- (i) development within the site was subject to a maximum building height of 50mPD. The maximum site coverage for the development should not exceed those stipulated in the Building (Planning) Regulations;

#### Urban Design Requirements

- (ii) a number of urban design considerations should be adopted to ensure that the future development would complement with the waterfront setting and be compatible with the surrounding areas. The future development should adopt a creative building design, with a variation in building height, and with special regard to the integration of the design of the topside development with that of the above-ground railway station facilities/ventilation buildings. High quality greening should be provided at the northwestern corner of the site to minimize the visual impact of the free-standing ventilation shafts;
- (iii) building setback for greening along Road P2 and Fleming Road should be provided as far as possible; and
- (iv) an Air Ventilation Assessment and a Visual Impact Assessment with suitable mitigation measures should be included in the submission of the Master Layout Plan (MLP).

#### Open Space and Landscape Requirements

- (v) an at-grade public open space (POS) of not less than 1,300m<sup>2</sup> should be provided at the northwestern corner of the site. A minimum coverage of greenery of 30% at the POS should be provided. The POS should be provided, managed and maintained by the applicant at his own cost, and open 24 hours to the public free of charge;
- (vi) a Landscape Master Plan should be included in the MLP submission. The landscape requirements included a minimum coverage of greenery of 20% (calculated on the net site area excluding the POS) and at least half of the greening should be provided at grade or at levels easily accessible to the public;

#### GIC Facilities

- (vii) a public toilet with a gross floor area (GFA) of about 99m<sup>2</sup> and a store room with a GFA of about 43m<sup>2</sup> should be reprovisioned preferably in-situ;

#### Pedestrian Connection and Transport Requirements

- (viii) the pedestrian connections with the PTI, the railway station and its supporting facilities at the site and the adjoining developments should be addressed and indicated clearly in the MLP;
- (ix) a public passageway at the podium level, to be open 24 hours, should be provided, managed and maintained by the applicant in the topside development;
- (x) a public pedestrian walkway, to be open 24 hours, connecting between the podium level of the topside development and the Hong Kong Convention and Exhibition Centre Extension should be provided, managed and maintained by the applicant;

- (xi) a landing point should be reserved at podium level for a future possible link across Tonnochy Road in the east;
- (xii) a comprehensive Traffic Impact Assessment (TIA) should be conducted by the applicant to the satisfaction of the Commissioner for Transport (C for T) and included in the MLP submission;
- (xiii) during the construction of SCL, the existing PTI would be relocated to the waterfront area temporarily;

#### Environmental, Drainage, Sewerage and Waterworks Requirements

- (xiv) an environmental assessment (EA) should examine any possible environmental problems that might be caused by the proposed development and be submitted to the satisfaction of the Director of Environmental Protection (DEP);
- (xv) a Sewerage Impact Assessment and a Drainage Impact Assessment should be prepared and submitted as part of the MLP submission to the satisfaction of DEP and the Director of Drainage Services respectively.

#### Way Forward

- (d) subject to the Committee's agreement, the Planning Department would consult the Wan Chai District Council on the draft PB. As the future Exhibition Station site was located at the Wan Chai waterfront, the Task Force of the Harbourfront Commission would also be consulted on the draft PB. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

55. Members had no question on the draft PB.



## Deliberation Session

56. After deliberation, the Committee decided to agree that the draft PB was suitable for consultation with the Wan Chai District Council and the Task Force on Harbour Developments on Hong Kong Island of the Harbourfront Commission.

[The Chairman thanked Miss Elsa Cheuk,(CTP/SD) and Ms Polly O.F. Yip, STP/SD, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Ms Julia M.K. Lau left the meeting at this point.]

[Mr Philip Y.L. Chum, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

## **Tsuen Wan & West Kowloon District**

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/751 Proposed Hotel in "Other Specified Uses" annotated "Business(2)"  
Zone, 788 Cheung Sha Wan Road, Cheung Sha Wan  
  
(MPC Paper No. A/K5/751)

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57. The Secretary reported that Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had declared interests in this item as they had current business dealings with Ove Arup & Partners Hong Kong Limited, the consultant of the applicant. The Committee noted that Mr Lau had left the meeting. As Mr Lam had no direct involvement in the application, the Committee agreed that he could stay in the meeting.

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

58. With the aid of a PowerPoint presentation, Mr Philip Y.L. Chum, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Tourism supported the application as the proposed development would increase the number of hotel rooms, broaden the range of accommodation for visitors and supported the rapid development of convention and exhibition, tourism and hotel industries. Other Government departments consulted had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 25 public comments were received. There were 22 public comments supporting the application mainly on grounds that the location was suitable for hotel development, the proposed development could catalyse the development in Cheung Sha Wan, increase the local attractiveness for tourism and it had no adverse impact on the surrounding environment; the proposed development was in line with the Government policy to increase the supply of hotel rooms in Cheung Sha Wan. Three public comments objected to the application mainly on grounds that the proposed hotel would have adverse traffic and environmental impacts and potential impact on public security, and the conversion of the industrial-office building to hotel was not environmentally friendly. No local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Regarding the public comments against the application on traffic, environmental and security grounds, the Commissioner for Transport, Director of Environmental Protection and Commissioner of Police had no objection to or no adverse comment on the application. The conversion did not involve demolition of the existing building and was considered

environmentally friendly.

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 9.5.2018, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the proposed development is subject to a maximum gross floor area (GFA) of 20,076m<sup>2</sup>. Any floor space that is constructed or intended for use as back-of-house facilities as specified under Regulation 23A(3)(b) of the Building (Planning) Regulations (B(P)R) shall be included in the GFA calculation;
- (b) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of the Fire Services or of the TPB;
- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or the TPB;
- (d) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA in planning condition (d) above to the satisfaction of the Director of Drainage Services or of the TPB.”

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

- “(a) the approval of the application does not imply that the proposed

non-domestic plot ratio of the proposed hotel development and the proposed GFA exemption for back-of-house facilities would be granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval;

- (b) to apply to the District Lands Officer/Kowloon West, Lands Department for a waiver or a lease modification for the proposed hotel use;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to appoint an Authorized Person to submit building plans for the change in use to demonstrate compliance with the Buildings Ordinance, in particular:
  - (i) application for hotel concession under B(P)R 23A will only be considered upon formal submission of building plans subject to the compliance with the criteria under Practice Note for Authorized Persons and Registered Structural Engineers APP-40;
  - (ii) adequate means of escape and access should be provided. B(P)R 41(1), 41A and 41B and the Code of Practice for Fire Safety in Buildings 2011 refer;
  - (iii) adequate fire resisting construction should be provided. Building (Construction) Regulations 90 and the Code of Practice for Fire Safety in Buildings 2011 refer;
  - (iv) access and facilities for persons with a disability should be provided. B(P)R 72 and the Design Manual: Barrier Free Access 2008 refer;
  - (v) provision of prescribed windows for lighting and ventilation in compliance with requirements under B(P)R 30 and 31 should be demonstrated for guestrooms;
  - (vi) provision of an open space for domestic building shall be in

compliance with B(P)R 25;

- (vii) in assessing whether the carpark layout is reasonable and is not excessive for disregarding its area from GFA calculation under B(P)R 23(b)(3), the Building Authority will make reference to the Hong Kong Planning Standards and Guidelines and the advice of the Commissioner for Transport. Any excessive carparking spaces and associated spaces, including area of undersigned spaces within car parking floor(s) should be included in GFA calculation under B(P)R 23(3)(a); and
- (viii) refuge floor should be provided for the proposed hotel exceeding 25 storeys in height above the lowest ground storey at not more than 25 storeys from any other refuge floor; or above the street or the ultimate place of safety. B(P)R41(1) and Clause B18 of the Code of Practice for Fire Safety in Buildings 2011 refer;
- (d) to note the comment of the Chief Officer (Licensing Authority), Home Affairs Department regarding the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance;
- (e) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access shall comply with the Code of Practice for Fire Safety in Buildings administered by the Buildings Department;
- (f) to note the comments of the Director of Food and Environmental Hygiene for obtaining appropriate licence/permit from the Food and Environmental Hygiene Department; and
- (g) to note the comments of the Director of Electrical and Mechanical Services regarding the possible impacts on the underground electrical cable. Prior to establishing any structure within the site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask the electricity supplier to divert the underground electricity cable away

from the vicinity of the proposed structure. The “Code of Practice on Working near Electricity Supply Lines” established under the Electricity Supply Lines (Protection) Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines. It should also be noted that there are underground town gas transmission pipes running in the vicinity of the site. For any development near town gas transmission pipes, 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 route/gas installations in the vicinity of the proposed work area and the minimum set back distance away from the gas pipelines if any excavation works is required during the design and construction stages of the development. The applicant shall also note the requirements of the Electrical and Mechanical Services Department’s “Code of Practice on Avoiding Danger from Gas Pipes”.”

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/752                      Shop and Services in “Other Specified Uses” annotated “Business(2)”  
Zone, Workshop A6, G/F, Block A, Hong Kong Industrial Centre,  
489-491 Castle Peak Road, Cheung Sha Wan

(MPC Paper No. A/K5/752)

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62.                      The Secretary reported that Ms Bonnie J.Y. Chan had declared interest in this item as she had current business dealings with Lawson David & Sung Surveyors Limited. The Committee noted that Ms Chan had tendered apologies for not being able to attend the meeting.

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

63.                      With the aid of a PowerPoint presentation, Mr Philip Y.L. Chum, STP/TWK,

presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the shop and services use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned Government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the statutory publication period. No local objection was received by the District Officer (Sham Shui Po); and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments 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 the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and equipment in the subject premises and means of escape completely separated from the industrial portion, within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 9.11.2014; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) prior planning permission should have been obtained before commencing the development at the subject premises;
- (b) to note the comments of the District Lands Officer/Kowloon West, Lands Department for application of a temporary waiver or lease modification;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department to engage an Authorized Person to assess the feasibility of the proposal and implement the proposed change in use/ alterations and addition works for compliance with the Buildings Ordinance, including (but not limited to):
  - (i) adequate means of escape should be provided to the subject premises in accordance with the Building (Planning) Regulations (B(P)R) 41(1) and the Code of Practice for Fire Safety in Buildings 2011 (FS Code);
  - (ii) the subject premises should be separated from the remaining portion of the building by fire barriers of adequate fire resistance rating pursuant to Building (Construction) Regulations 90 and Code of Practice for Fire Safety in Buildings 2011; and
  - (iii) access and facilities for persons with a disability should be provided in accordance with the B(P)R 72 and Design Manual: Barrier Free Access 2008.”

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

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



## **Agenda Item 9**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/456                      Renewal of Planning Permission for Temporary “Information Technology and Telecommunications Industries” For a Period of 3 Years in “Comprehensive Development Area (3)” Zone, 1/F (Portion) and 3/F, Asia Tone i-Centre, No. 1 Wang Wo Tsai Street, Tsuen Wan (TWTL 363)

(MPC Paper No. A/TW/456)

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67.                      The Secretary reported that Ms Julia M.K. Lau had declared interest in this item as she had current business dealings with Knight Frank Petty Limited, the consultant of the applicant.    The Committee noted that Ms Lau had left the meeting.

### **Presentation and Question Sessions**

68.                      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 permission for temporary “Information Technology and Telecommunications Industries” for a period of 3 Years;
- (c)    departmental comments – departmental comments were set out in paragraph 10 of the Paper.    The Director of Environmental Protection (DEP) commented that six complaints about dark smoke/air nuisances of Asia Tone i-Centre were received between August 2011 and January 2013. All of the complaints were related to monthly testing of emergency generators installed at the building.    Investigation indicated that the testing event could comply with relevant regulations such as Air Pollution Control (Smoke) Regulations and Air Pollution Control (Fuel Restriction)

Regulations. No complaint against dark smoke generated from the generators at Asia Tone i-Centre was received since February 2013;

- (d) during the first three weeks of the statutory publication period, one public comment was received from a Member of the Tsuen Wan District Council requesting the Committee to approve the application after the dark smoke problem had been resolved; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. Although the applied use might not be in line with the planning intention of the “CDA(3)” zone, the application was for renewal of planning permission for temporary information technology and telecommunications industries for a period of 3 years. The approval of the application would not jeopardise the long-term planning intention of the “CDA(3)” zone. There had been no change in the planning circumstances and the surrounding land uses since the granting of the last temporary approval on 17.6.2011. The applied information technology and telecommunications industries use was compatible with other uses within the subject building and surrounding industrial developments. The application met the assessment criteria for renewal of planning approval for temporary uses under the Town Planning Board Guidelines No. 34B as the approval condition of the previous application (No. A/TW/424) had been complied with and there was no adverse planning implication arising from the renewal of the planning approval. Regarding the public comment requesting the Committee to grant the planning permission only after the dark smoke problem had been resolved, DEP commented that as no complaint against the dark smoke from the generators of the subject building had been received since February 2013, he had no objection to the application. To address the public concern over the dark smoke problem, relevant advisory clauses had been suggested.

[Mr Roger K.H. Luk left the meeting at this point.]

69. Members had no question on the application.

### Deliberation Session

70. Regarding the suggested advisory clause (b) in paragraph 13.2 of the Paper advising the applicant to liaise with the Tsuen Wan District Council Member to address his concerns on the problem of dark smoke, the Secretary said that it was more appropriate to advise the applicant to liaise with a Government department to address any technical issue in relation to a planning application. In this regard, she suggested to revise the advisory clause to read as “to liaise with EPD to address the concern over the problem of dark smoke emitted from the rooftop of the subject building.” In response to a Member’s question, Mr. K.F. Tang, AD(EA), EPD, said that even though the testing results could comply with relevant regulations, there were still ways to further minimise any nuisance caused by the black smoke. Members agreed with the revised advisory clause.

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.6.2014 until 17.6.2017, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“ the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

“(a) to note the Director of Environmental Protection’s comments that the person-in-charge of Asia Tone i-Centre properly maintains the emergency generators to avoid causing air nuisance to nearby residents; and

(b) to liaise with the Environmental Protection Department to address the concern over the problem of dark smoke emitted from the rooftop of the subject building.”

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

### **Hong Kong District**

#### **Agenda Item 10**

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

[Open Meeting]

A/H24/22                      Proposed Eating Place [Sites A and B] and Proposed Public Viewing Platforms [Site C] in "Other Specified Uses" annotated "Pier and Associated Facilities" Zone, Public Viewing Deck next to Watermark [Site A] and Public Viewing Terrace next to Café & Bar [Site B] of Central Pier No. 7 and Roof Platforms at the Clock Tower Building [Site C], Central Star Ferry Terminal, Central

(MPC Paper No. A/H24/22A)

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73.            The Secretary reported that Mr Dominic K.K. Lam, Mr Patrick H.T. Lau, Professor P.P. Ho and Mr Roger K.H. Luk had declared interests in this item as they had current business dealings with Wharf (Holdings) Limited under which The 'Star Ferry' Company Limited, one of the applicants, was a subsidiary company. The Committee noted that Professor Ho had tendered apologies for not being able to attend the meeting, and Mr Luk and Mr Lau had left the meeting. As Mr Lam was not involved in the application and the applicant had requested for deferment, the Committee agreed that he could stay in the meeting.

74.            The Secretary further reported that the application had been deferred once for two months as requested by the applicant in order to allow time for preparation of further information to address the comments of relevant Government departments and to solicit views from the Task Force on Harbourfront Developments on Hong Kong Island of the Harbourfront Commission. The application was scheduled for consideration by the Committee on 9.5.2014. Upon detailed checking of the submission, it was noted that the two existing shared areas between the public and restaurant customers near Sites A and B were proposed to be changed to commercial spaces but such areas had not been included in

the application premises. The Planning Department (PlanD) sought clarification from the applicant on details of the commercial spaces which included the shared areas. On 7.5.2014 and 8.5.2014, the applicant submitted clarifications on the issues. PlanD requested the Committee to defer making a decision on the application for one month in order to allow more time to consult concerned departments on the application.

75. After deliberation, the Committee decided to defer a decision on the application as requested by PlanD. The Committee agreed that the application should be submitted for its consideration within one month pending receipt of comments from the concerned departments.

### **Agenda Item 11**

#### **Section 16 Application**

[Open Meeting]

A/H3/420                      Proposed Hotel in “Residential (Group A) 6” Zone, Nos. 385 and 387  
Queen's Road West  
  
(MPC Paper No. A/H3/420)

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76. The Secretary reported that Mr Patrick H.T. Lau had current business dealings with Lanbase Surveyors Limited, one of the consultants of the applicant. The Committee noted that Mr Lau had left the meeting.

77. The Secretary said that the applicant requested on 30.4.2014 for deferment of the consideration of the application for two months in order to prepare photomontages for the proposed development in response to the comments raised by the Architectural Services Department. This was the first time that the applicant requested for deferment.

78. 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. If the further information submitted by the applicant was not substantial and could

be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K), and Mr Richard Y.L. Siu, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

### **Kowloon District**

#### **Agenda Item 12**

[Open Meeting (Presentation and Question Sessions Only)]

Proposed Amendments to the Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/25  
(MPC Paper No.10/14)

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

79. With the aid of a PowerPoint presentation, Mr Richard Y.L. Siu, STP/K, briefed Members on the proposed amendments to the approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) as detailed in the Paper and covered the following main points :

##### **Background**

###### *King Fuk Street Site*

- (a) the site (about 1 ha) at King Fuk Street, San Po Kong was zoned "Open Space" ("O") for development of district open space. The site was mainly surrounded by business/industrial buildings in the "Other Specified Uses" annotated "Business" ("OU(B)") zone of the San Po Kong Business Area

and proposed residential buildings in the “Residential (Group E)” zone;

- (b) on 17.6.2013, the Committee considered a s.12A application (No. Y/K11/3) submitted by the Tung Wah Group of Hospitals (TWGHs) for amendment to the OZP to rezone the site from “O” to “Other Specified Uses” annotated “Holistic Centre for Youth Development with Performance Venue and Hostel” (“OU(Holistic Centre)”) to facilitate the development of a proposed youth holistic centre at the site. The proposed centre had 4 storeys (30.4mPD) and a total gross floor area (GFA) of about 10,000m<sup>2</sup> (i.e. a plot ratio of about 0.99) with the provision of 3,530m<sup>2</sup> of public open space (POS), of which 2,000m<sup>2</sup> was at grade;
- (c) in considering the s.12A application, Members expressed the views that:
  - (i) the provision requirement for the POS should be stipulated in the Notes of the OZP and there should be proper control on the design of the POS and the content of the development; and
  - (ii) a tailor-made “Government, Institution or Community” (“G/IC”) zoning for the site could be considered in order to facilitate the development of the proposed holistic centre while allowing flexibility in the future use of the site;
- (d) the Committee decided to partially agree to the application by rezoning the site from “O” to an appropriate zoning to cater for the proposed development; and
- (e) as proposed by TWGHs in the s.12 application and partially agreed by the Committee on 17.6.2013, the site should be subject to the maximum building height of 4 storeys, a total maximum GFA of 10,000m<sup>2</sup> with provision of 3,530m<sup>2</sup> of public open space of which 2,000m<sup>2</sup> was grade;

*Sze Mei Street Site*

- (f) under the development proposal for the “Comprehensive Development Area” (“CDA”) zone at Diamond Hill, a joint-user government, institution or community (GIC) building was originally proposed to accommodate mainly social welfare facilities to serve the local areas with some space for creative industry. In the latest revised development option for the “CDA” site presented to the Wong Tai Sin District Council (WTSDC) on 10.9.2013, in order to better utilize the “CDA” site, it was recommended to relocate the proposed GIC building to a “G/IC” site (about 0.78ha) at Sze Mei Street, San Po Kong;
- (g) a total GFA of 13,150m<sup>2</sup> and a building height of 6 storeys was originally proposed for the building to accommodate social welfare facilities and creative industries. At request of WTSDC, it was proposed to further increase the height of the proposed building to accommodate possible additional facilities;
- (h) given the medium to high-rise developments in the surrounding areas with building height restrictions (BHRs) of 80mPD to 160mPD and to align with the BHR of 8 storeys for the adjacent primary school, a BHR of 8 storeys was proposed for the site. A 15m wide non-building area (NBA) would also be stipulated to facilitate the airflow to the inner part of the Diamond Hill area. It was considered that with the stipulation of BHR and NBA, there would be no adverse air ventilation and visual impacts on the surrounding area;

Proposed Amendments to Matters shown on the OZP

*Amendment Item A*

- (i) to rezone the site at King Fuk Street from “O” to “G/IC(2)” with stipulation of a BHR of 4 storeys.

*Amendment Item B*



- (j) designation of a 15m-wide non-building area (NBA) at the western part of the “G/IC” site at Sze Mei Street and amending the BHR for the remaining part of the site from 1 storey to 8 storeys.

Proposed Amendments to the Notes of the OZP

- (k) a new set of Notes for the proposed “Government, Institution or Community(2)” (“G/IC(2)”) sub-zone with stipulation of a minimum setback of 15m and 16m from the lot boundary fronting Tsat Po Street and King Fuk Street respectively and the provision of a POS of not less than 3,530m<sup>2</sup> of which not less than 2,000m<sup>2</sup> should be at grade; and to allow minor relaxation of the setback requirements, building gap restrictions and NBA restrictions for the “Residential (Group A)” (“R(A)”) zone, “G/IC”, “G/IC(1)” and “G/IC(2)” zones under exceptional circumstances upon application to the Board;

Proposed Revision to the Explanatory Statement (ES) of the OZP

- (l) the ES of the OZP would be revised to reflect the proposed amendments and to update the general information of various land use zones, where appropriate;

Departmental and Public Consultations

- (m) relevant Government bureaux and departments consulted had no objection to or no adverse comment on the proposed amendments; and
- (n) WTSDC would be consulted on the proposed amendments to the OZP before or during the exhibition period of the OZP amendments under section 5 of the Town Planning Ordinance.

80. Members had no question on the proposed amendments.

Deliberation Session

81. After deliberation, the Committee decided to:

- (a) agree that the proposed amendments to the approved Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/25 as shown on the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/25A (to be renumbered as S/K11/26 upon exhibition) at Attachment II and the draft Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised ES at Attachment IV of the Paper for the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/25A (to be renumbered as S/K11/26) as an expression of the planning intention and objectives of the Board for various land use zonings on the OZP and the revised ES was suitable for publication together with the draft OZP.

[The Chairman thanked Mr Tom C.K. Yip, (DPO/K), and Mr Richard Y.L. Siu, (STP/K) for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr Stephen C.Y. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/250                      Proposed Religious Institution (Church) in "Residential (Group A)"  
Zone, Shop E and Shop F, 1/F, In House, 307 To Kwa Wan Road  
  
(MPC Paper No. A/K10/250A)

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**Presentation and Question Sessions**

82. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed religious institution (church);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Secretary for Home Affairs commented that the proposed religious institution (church) was for worship and ancillary use. He was satisfied that the applicant was a bona fide and charitable religious organisation and the application would have the in-principle policy support, subject to other considerations regarding the application;
- (d) during the statutory publication period, 27 public comments objecting to or raising concerns on the application were received from local residents and the property management company of the subject building. The commenters objected to the application mainly on security ground as the church visitors / non-residents could gain access to all domestic floors via the lifts at the common lift lobby on the ground and first floors. It was considered that security control at the ground floor common lift lobby would be difficult. Other reasons for objection included: there would also be an increase in the cost of building maintenance/repair for the common areas/lifts of the building, increase in lift waiting-time and adverse impact on air ventilation of lifts due to the increase in lift passengers; adverse impacts on the living environment including affecting the general hygiene of common areas, noise nuisance particularly on worship days and festive occasions, glare impact from external lights of church; accidents would be possibly caused by more passengers using the common areas; adverse pedestrian/traffic impact due to greater demand in loading/unloading facilities at To Kwa Wan Road; and the increase of pedestrians/passenger flow in front of the subject building; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The subject building was located in a predominantly residential neighbourhood with commercial use/shops at the lower floors, the proposed church was therefore considered not incompatible with the surrounding residential and commercial uses from land use point of view. Regarding the concern on security, the applicant had actively liaised with the Incorporated Owners and proposed improvement measures to address the concerns on security and management issues. It was considered that the possible nuisance and inconvenience to the residents could be minimised and sympathetic consideration could be given to the application. Three similar applications in Ma Tau Kok were approved by the Board/Committee with or without approval conditions. These applications were approved mainly on the grounds that the proposed church use was considered compatible with the surrounding residential and commercial uses, and was located in the non-domestic portion of the building with separate access which would not cause any nuisance to the residents of the buildings concerned; and that no public objection was received. The security concerns raised by the majority of the commenters on the security issue could be possibly addressed with the implementation of the proposed security and management measures. The applicant had also undertaken to further discuss with the Incorporated Owners to review the agreed security and management measures where appropriate. On the maintenance and repair of the common area, the applicant already contributed to the relevant costs by the payment of management fee. Regarding the public comments against the application on pedestrian and traffic, glare, noise and environmental hygiene grounds, the Commissioner for Transport, Director of Environmental Protection and Commissioner of Police had no objection to or no adverse comment on the application.

83. Members had no question on the application.

84. 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 9.5.2018, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of security measures, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of fire service installations for fire fighting in the application premises, before operation of the proposed church to the satisfaction of the Director of Fire Services or of the TPB;  
and
- (c) if the above planning condition (b) is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

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

- “(a) to further liaise with the Incorporated Owners of ‘In House’ to address the concerns of the residents and the property management company of the same building;
- (b) to apply to the District Lands Officer/Kowloon West for lease modification or a temporary waiver for the proposed religious institution (church) use;  
and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that:
  - (i) all building works and change of use shall in all respects in compliance with the Buildings Ordinance (BO).

- (ii) the applicant should appoint an Authorized Person to assess the feasibility of the proposed change of use and submit building plans to demonstrate compliance with the BO including (but not limited to) the following:
  - adequate means of escape shall be provided to the subject premises and the remaining part of the building in compliance with Building (Planning) Regulations (B(P)R) 41(1), Table B2, Clause B7.1 and Clause B8.1 of Code of Practice for Fire Safety in Buildings 2011; and
  - access and facilities for use by persons with a disability including public information service counter, shall be provided in compliance with B(P)R 72 and Design Manual: Barrier Free Access 2008; and
- (iii) detailed comments under the BO can only be formulated at the building plan submission stage.”

**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/251            Proposed Hotel in “Residential (Group A)” Zone, 78-80 Maidstone Road, Ma Tau Wai

(MPC Paper No. A/K10/251)

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86.            The Secretary reported that the application was submitted by Fame Top Investment Limited with Lanbase Surveyors Limited, LLA Consultancy Limited and T.S. Chu Architects Limited as consultants of the applicant. The following Members had declared interests in this item:

- Mr Dominic K.K.Lam - having current business dealings with LLA Consultancy Limited
- Mr Patrick H.T. Lau - having current business dealings with Lanbase Surveyors Limited and LLA Consultancy Limited
- Ms Julia M.K. Lau - having current business dealings with LLA Consultancy Limited

87. The Committee noted that Mr Patrick H.T. Lau and Ms Julia M.K. Lau had left the meeting. As Mr Dominic K.K. Lam had no involvement in this application, the Committee agreed that he could stay in the meeting.

88. The Secretary reported that a letter expressing the local concerns on the proposed development was submitted by Ms Li Lin and Mr Yang Wing Kit, members of the Kowloon City District Council on 9.5.2014. The objection letter was tabled at the meeting for Members' reference.

#### Presentation and Question Sessions

89. With the aid of a PowerPoint presentation, Mr Stephen Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel;
- (c) departmental comments – departmental comments were detailed in paragraph 8 of the Paper. The Commissioner for Transport (C for T) raised concern on the manoeuvring of large coach and heavy goods vehicles at the ground floor of the proposed hotel development and its impacts on the existing roadside parking spaces. The Commissioner of Police (C of P) raised concern that the proposed hotel development would inevitably lead to an increase in the number of tourist coaches and thus further deteriorate the existing traffic condition. Other Government

departments consulted had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, 250 public comments were received. Among the public comments received, 239 objected to the application mainly on grounds of adverse environmental, traffic and security impacts, and the proposed development was incompatible with the planning intention of the “Residential (Group A)” zone. There were 11 public comments supporting the application mainly on grounds that the proposed hotel would enhance the regeneration process of the To Kwa Wan district by introducing a variety of commercial business and facilities for the local people; increase the job opportunities; and promotion of tourism and local culture;
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. While the proposed hotel development with a plot ratio of not more than 9 and a building height of about 89mPD was not incompatible with the residential land use in the vicinity, the cumulative effect of changing residential land for non-residential uses might result in a reduction in housing land supply. In view of the current acute shortage of housing land, sites planned for residential use should generally be retained for residential development, except where the site was conducive for hotel use or the hotel development was to meet a specific planning objective. C for T and C of P had raised concerns on adverse traffic impacts of the proposed hotel.

90. Members had no question on the application.

#### Deliberation Session

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



- “(a) the site is located in a predominantly residential neighbourhood. Given the current shortfall in housing supply, the site should be developed for its zoned use. The proposed hotel development would result in reduction of sites for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over the territory;
- (b) approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would aggregate the shortfall in the supply of housing land; and
- (c) the applicant fails to demonstrate that the proposed hotel development would not have adverse traffic impact on its surroundings. The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would aggravate the traffic condition of the surrounding roads.”

[The Chairman thanked Mr Stephen C.Y. Chan, (STP/K) for his attendance to answer Members’ enquiries. He left the meeting at this point.]

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting]

A/K11/216                      Proposed Hotel in “Other Specified Uses” annotated “Business” Zone,  
210-212 Choi Hung Road and 15-17 Ng Fong Street, San Po Kong  
  
(MPC Paper No. A/K11/216)

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92.                      The Secretary reported that the applicant requested on 25.4.2014 for deferment of the consideration of the application for two months in order to allow time to respond to the comments of the Environmental Protection Department. This was the first time that the

applicant requested for deferment.

93. 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. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. 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.

### **Agenda Item 16**

#### **Section 16 Application**

[Open Meeting]

A/K15/112 Proposed Comprehensive Development (including Residential, Commercial, Hotel, Government, Institution or Community Uses, Public Vehicle Park and Pier (Landing Steps)) and Minor Relaxation of Plot Ratio Restriction in "Comprehensive Development Area" Zone, Various Marine / Private Lots and Adjoining Government Land at Yau Tong Bay, Yau Tong

(MPC Paper No. A/K15/112A)

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94. The Secretary reported that the application was submitted by Main Wealth Development Limited with Ove Arup & Partners Hong Kong Limited, Urbis Limited, Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited, Westwood Hong & Associates Limited and MVA Systra Group as consultants of the applicant. The following Members had declared interests in this item:

Mr Dominic K.K. Lam - having current business dealings with Ove Arup & Partners Hong Kong Limited and Urbis Limited

- Mr Patrick H.T. Lau - having current business dealings with Ove Arup & Partners Hong Kong Limited and Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited
- Professor P.P. Ho - Dennis Lau & Ng Chun Man Architects & Engineers (HK) Limited, one of the consultants of the applicant, has made donations to the School of Architecture of the Chinese University of Hong Kong, of which he is the Director.

95. The Committee noted that Professor P.P. Ho had tendered apologies for not being able to attend the meeting and Mr Patrick H.T. Lau had left the meeting. As Mr Dominic K.K. Lam had no involvement in this application and the applicant had requested for deferment, the Committee agreed that he could stay in the meeting.

96. Mr Francis T.K. Ip also declared an interest in this item as one of the objectors of the application was his client. The Committee noted that Mr Ip's interest was remote and agreed that he could stay in the meeting.

97. The Secretary reported that the application had been deferred once for two months. On 29.4.2014, the applicant requested for a further deferment on the consideration of the application for two months to allow additional time to address the comments of various government departments. Members noted that since the last deferment on 7.3.2014, the applicant had liaised and met with various Government departments on the proposed Master Layout Plan to address their comments.

98. 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. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and since a total of four months had been allowed, no further deferment would

be granted unless under very special circumstances.

**Agenda Item 17**

Any Other Business

99.           There being no other business, the meeting was closed at 2:00 p.m..