

## **TOWN PLANNING BOARD**

### **Minutes of 529th Meeting of the Metro Planning Committee held at 9:00 a.m. on 27.2.2015**

#### **Present**

Director of Planning  
Mr K. K. Ling

Chairman

Mr Roger K.H. Luk

Vice-chairman

Professor P.P. Ho

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Mr Laurence L.J. Li

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H. B. Yau

Mr Frankie W.C. Yeung

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

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

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

Assistant Director (R1), Lands Department  
Ms Doris M.Y. Chow

Deputy Director of Planning/District  
Mr Raymond K.W. Lee

Secretary

**Absent with Apologies**

Ms Bonnie J.Y. Chan

Dr Wilton W.T. Fok

**In Attendance**

Assistant Director of Planning/Board  
Miss Fiona S.Y. Lung

Town Planner/Town Planning Board  
Mr William W.L. Chan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 528th MPC Meeting held on 6.2.2015

[Open Meeting]

1. The draft minutes of the 528th MPC meeting held on 6.2.2015 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

Section 16 Application

[Open Meeting]

A/K1/245                      Proposed Hotel and Minor Relaxation of Plot Ratio in “Residential (Group A)” Zone, Nos. 9 - 13 Kwun Chung Street, Kowloon  
(MPC Paper No. A/K1/245A)

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3. The Secretary reported that on 13.2.2015, the applicant requested for deferment of the consideration of the application for two months so as to allow time for the applicant to prepare further information to address the outstanding comments of the Commissioner for Transport and the Commissioner of Police. This was the applicant’s second request for deferment.

4. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee 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 a maximum of two months was allowed for preparation of the submission of the further information. Since it was the second deferment of the applicant, the Committee agreed to advise the applicant 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.

#### **Agenda Item 4**

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

[Open Meeting]

A/K3/562                      Proposed Shop and Services and Minor Relaxation of Plot Ratio in  
"Residential (Group A)" Zone, G/F (portion), 4/F, 5/F, 6/F & 7/F,  
Prosperity Building, J/O Nos. 59A-61C Tung Choi Street and Nos.  
6A-6E Nelson Street, Mong Kok  

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(MPC Paper No. A/K3/562A)

5.            The Secretary reported that on 10.2.2015, the applicant requested for deferment of the consideration of the application for two months to allow time to obtain a more definitive view of the Building Authority on the proposed change of use and related plot ratio changes. This was the applicant's second request for deferment.

6.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 a maximum of two months was allowed for preparation of the submission of the further information. Since it was the second deferment of the applicant, the Committee agreed to advise the applicant 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.

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

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/467                      Proposed Temporary Shop and Services for a Period of 5 Years in  
   “Industrial” Zone, Workshops B3-1 and B3-2, G/F, Superluck Industrial  
   Centre (Phase 2), No. 57 Sha Tsui Road and Nos. 30-38 Tai Chung  
   Road, Tsuen Wan  
  
   (MPC Paper No. A/TW/467)

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### **Presentation and Question Sessions**

7.                      With the aid of a PowerPoint presentation, Ms M. L. Leung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a)      background to the application;
- (b)      the proposed temporary shop and services for a period of five years;
- (c)      departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d)      during the first three weeks of the statutory publication period, one public comment from the owner of Hale Weal Industrial Building adjacent to the subject industrial building was received. The commenter worried that the proposed change of use would generate traffic impacts (vehicular and pedestrian) and cause traffic jam, and requested to re-assess the traffic data

of the road junction of Sha Tsui Road and Tai Chung Road for the proposed change of use. No local objection/view was received by the District Officer (Tsuen Wan); and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments made in paragraph 11 of the Paper. A temporary approval of three years instead of five years applied was recommended in order not to jeopardize the long term planning intention of industrial use for the subject premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area. Temporary approval of 3 years is consistent with the Committee's previous decisions on similar applications. Regarding the public comments raising traffic concerns, the Commissioner for Transport had no comment on the application and advised that the proposed use should have no adverse traffic impact on the adjacent road network.

8. Members had no question on the application.

#### Deliberation Session

9. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 27.2.2018, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission of the fire service installations in the application premises within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 27.8.2015;
- (b) the implementation of the fire service installations in the application premises within 9 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 27.11.2015; and
- (c) if any of the above planning conditions (a) or (b) 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.”

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

- “(a) a temporary approval of three years is given in order to allow the Committee to monitor the compliance of the approval conditions and the supply and demand of industrial floor space in the area to ensure that the long term planning intention of industrial use for the subject premises will not be jeopardized;
- (b) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD) that the proposed ‘shop and services’ use is not permissible under the lease. If the application is approved by TPB, the owner should apply to his office for a temporary waiver and amendment of the ‘Canteen’ waiver dated 8.10.2007. The wavier application will be considered by LandsD acting in the capacity as landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions including payment of waiver fee and administrative fee and such other terms as considered appropriate by the Government;
- (c) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department that, under the Buildings Ordinance, adequate sanitary fitments complying with the Building (Standards of Sanitary fitments, Plumbing, Drainage Works and Latrines) Regulations should be provided to the shop and services areas;
- (d) to note the comments of the Director of Fire Services that the means of escape completely separated from the industrial portion should be available and detailed fire service requirements will be formulated upon receipt of formal submission of general building plans; and
- (e) to refer to the ‘Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial

Premises’ for the information on the steps required to be followed in order to comply with the approval condition on the provision of fire service installations.”

## **Agenda Item 6**

### **Section 16A Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/416-1            Proposed Extension of Time for Commencement of the Proposed Residential Development for a Period of 4 Years until 4.3.2019 in “Residential (Group E)” Zone, 13-17 Fu Uk Road, Tsuen Wan  
(MPC Paper No. A/TW/416-1)

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11.            The Secretary reported that the application was submitted by Starrylight Limited which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Mr Dominic K.K. Lam, Mr Patrick H.T. Lau and Ms Julia M.K. Lau had declared interests in this item as they had current business dealings with SHK. As the interests of Mr Lam and Mr Lau were direct, the Committee agreed that they should leave the meeting temporarily for this item. The Committee noted that Ms Lau had not arrived to join the meeting yet.

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

### **Presentation and Question Sessions**

12.            With the aid of a PowerPoint presentation, Ms M. L. Leung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed extension of time for commencement of the proposed residential development for a period of four years until 4.3.2019;
- (c) departmental comments – departmental comments were set out in paragraph 7 of the Paper. The District Officer (Tsuen Wan), Home



Affairs Department (DO/TW, HAD) advised that a letter was received from a Tsuen Wan District Council Member objecting to the application on the ground that the traffic capacity in the vicinity of the site had been saturated and the proposed flat development would worsen the problem of inadequate car parking spaces in the area, causing the local traffic more congested. DO/TW, HAD also advised that the objection from the Owners' Committee of Primrose Hill was expected; and

- (d) the Planning Department (PlanD)'s views – PlanD had no objection to the application for extension of time for commencement of the approved development for a period of four years based on the assessments made in paragraph 8 of the Paper. Regarding the local objection referred by DO/TW, HAD, the Commissioner for Transport had no objection to the application and the approval condition (f) requiring the submission of revised traffic impact assessment and the provision of car parking and loading/unloading facilities had been imposed to address the traffic issue.

13. Noting that the development scale was small and referring to para. 7.1.2 of the Paper, the Vice-chairman asked why the applicant failed to obtain approval of building plans within the past four years. He noted that the applicant had submitted another planning application for office development at the application site in 2014, and queried the applicant's determination to pursue the proposed residential development at the application site. In response, Ms M.L. Leung said that notwithstanding approval of building plans had not been obtained, the applicant had taken actions in the past four years to comply with the approval conditions. In order to comply with approval condition (a) for a revised building design with a lower podium height, the applicant had to revise the Environmental Assessment and Hazard Assessment and obtain prior approvals from relevant departments. The applicant had also submitted landscape proposals in 2012 and 2014 for compliance with approval condition (e), though the submissions had not fully addressed the comments from the Chief Town Planner/Urban Design and Landscape, Planning Department.

14. In response to a Member's question, the Chairman said that in granting extension of time for commencement of the proposed development, the Committee could decide how long the extension period should be, either four years as applied for or a shorter period.

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

### Deliberation Session

15. The Vice-chairman considered that the applicant had not paid genuine effort to implement the proposed residential development in the past four years. Members were generally of the view that rejecting the proposed extension of time for commencement of the approved residential development at the site would add uncertainty to the future land use of the site and delay the phasing out of the existing concrete batching plant at the site. The proposed development could minimize the industrial/residential interface problem, which was in line with the planning intention of the subject “Residential (Group E)” zone.

16. Members noted that the subject application under section 16(A)2 of the Town Planning Ordinance, which would normally be considered by the Director of Planning under the Board’s delegated authority, needed to be submitted to the Committee for consideration since DO/TW, HAD had conveyed a public objection to the application. Members also noted the criteria for assessing applications for extension of time for commencement were set out in the Town Planning Board Guidelines No. 35C (TPB-PG No. 35C). The criteria, amongst others, included whether there had been any material change in planning circumstances since the original permission was granted and whether reasonable action(s) had been taken by the applicant for the implementation of the approved development and in complying with the approval conditions. Members in general agreed that the subject application for extension of time for commencement of development complied with TPB-PG No. 35C.

17. After discussion, Members agreed to grant extension of time for commencement for the subject development. Members then discussed whether the four years applied for or a shorter period should be granted so as to give a clear message to the applicant that the development should be commenced more quickly. Noting that two years should be adequate for the applicant to obtain approval of building plans and that approval condition (a) had already been complied with and there were not many outstanding technical issues, Members agreed to grant extension of time for a shorter period of two years.

18. After deliberation, the Committee decided to approve the application for

extension of time for commencement of the approved development for a period of two years, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 4.3.2017, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a revised building design of the proposed development with a lower podium height to the satisfaction of the Director of Planning or of the TPB;
- (b) the implementation of the mitigation measures identified in the Hazard Assessment Report endorsed by the Coordinating Committee on Landuse Planning and Control relating to the Potentially Hazardous Installations to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the mitigation measures identified in the environmental assessments therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the provision of emergency vehicular access, water supply for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (f) the submission of a revised traffic impact assessment and provision of car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB.”

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

- “(a) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department on the lease matters and application for lease modification;

- (b) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department on submission of general building plans for the proposed development for approval by the Building Authority; and
- (c) to liaise with the representatives of Chung Kwai Chung Tsuen and Ham Tin Tsuen to address their concerns.”

[The Chairman thanked Ms M. L. Leung, STP/TWK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

[Mr Dominic K.K. Lam and Mr Patrick H.T. Lau returned, and Ms Julia M.K. Lau arrived to join the meeting at this point.]

[Ms Ginger K. Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), Ms Isabel Y. Yiu, Senior Town Planner/Hong Kong (STP/HK), Mr C.Y. Chan, Chief Traffic Engineer/Hong Kong, Transport Department (CTE/HK, TD) and Mr William S.H. Chow, Nature Conservation Officer (Hong Kong), Agriculture, Fisheries and Conservation Department (NCO/HK, AFCD) were invited to the meeting at this point.]

### **Hong Kong District**

#### **Agenda Item 7**

[Open Meeting ]

Proposed Amendments to the Approved Stanley Outline Zoning Plan No. S/H19/10

(MPC Paper No. 1/15)

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- 20. The Chairman welcomed the government’s representatives to join the meeting.
- 21. With the aid of a PowerPoint presentation, Ms Isabel Y. Yiu, STP/HK, presented the proposed amendments to the approved Stanley Outline Zoning Plan (OZP) as detailed in the Paper and covered the following main points :

- (a) the proposed amendments were for the rezoning of two sites at the southern end of Wong Ma Kok Road from “Green Belt” (“GB”) to “Residential (Group C)1” (“R(C)1”) (**Amendment Item A**), the rezoning of an area at Wong Ma Kok Road from “GB” to ‘Road’ (**Amendment Item B**) and the deletion of Route 81 from the OZP (**Amendment Item C**);

Amendment Item A (about 2.99 ha) – Rezoning of two sites at Wong Ma Kok Road from “GB” to “R(C)1”

- (b) it was stated in the 2013 Policy Address that the Government would adopt a multi-pronged approach to build up land reserve with a view to meeting housing and other development needs. The development intensity of Government’s unallocated residential sites would also be increased as far as allowable in planning terms;
- (c) the two sites, i.e. Site 1 and Site 2 as shown on Plan 2 of the Paper, had an area of about 0.44 ha and 2.55 ha respectively. They were government land comprising mainly vegetated slopes. The surrounding areas were mainly vegetated slopes zoned “GB” and “Coastal Protection Area”, except the existing adjacent low-rise residential development (i.e. the Regalia Bay) zoned “R(C)” subject to a maximum building height (BH) of 3 storeys in addition to 1 storey of carport, plot ratio (PR) of 0.75 and site coverage (SC) of 25%. To the immediate south and southeast of Site 2 was the Chek Chue Barracks;
- (d) it was proposed to rezone the sites from “GB” to “R(C)1” with a maximum BH of 4 storeys in addition to one storey of carport, PR of 0.9 and SC of 22.5%. The proposed residential development at the two sites would have a maximum domestic gross floor area (GFA) of about 22,200m<sup>2</sup> producing about 220 flats;
- (e) according to the visual appraisal conducted by the Planning Department (PlanD), the scale and BH of the future development at the sites were visually compatible with the immediate neighbourhood, and the cumulative

visual impact of the existing and proposed residential development within the immediate neighbourhood was considered acceptable. Besides, an Expert Evaluation on the Air Ventilation Assessment (AVA) for the two sites was undertaken. Since the proposed development was low in development density, it was not expected to have adverse air ventilation impact on the existing developments;

- (f) according to the pre-land sale tree survey conducted by the Lands Department (LandsD), there were 245 and 1006 trees on the Site 1 and Site 2 respectively. The Director of Agriculture, Fisheries and Conservation Department (DAFC) advised that no tree of particular value had been identified. Notwithstanding this, relevant tree preservation clause and the requirement for submission of Master Landscape Plan would be incorporated in the land sale conditions to minimise the impact arising from tree felling and to require necessary greening measures to mitigate the impact;
- (g) based on the preliminary assessment by the Commissioner for Transport (C for T), the proposed development could lead to an increase in traffic flow at the intersection of Stanley Village Road/Stanley Beach Road/Stanley New Street but the increase would still be less than 50% of the design flow. There would not be significant impact on the local traffic condition. A traffic impact assessment was considered not necessary;
- (h) the proposed rezoning would not have significant adverse environmental and infrastructural impacts on the surrounding areas. The Director of Environmental Protection (DEP) suggested that a 5m air quality buffer distance should be provided between the proposed development and Wong Ma Kok Road which was a local distributor. Other concerned departments had no adverse comment on the proposed rezoning. The Lands Department (LandsD) confirmed that suitable clauses would be incorporated in the land sale condition to address the departmental concerns;

- (i) there was no shortfall on government, institution and community (GIC) and open space provisions in the area. The proposed residential development would not have adverse impact on GIC and open space provisions in the area;

Amendment Item B (about 694 m<sup>2</sup>) – Rezoning of an area at the Southern End of Wong Ma Kok Road from “GB” to area shown as ‘Road’

- (j) consequential to Amendment Item A, a portion of land which was part of the existing elevated road would be rezoned from “GB” to an area shown as ‘Road’ to reflect the as-built condition;

Amendment Item C – Deletion of the possible alignment and annotation of the proposed Route 81

- (k) the possible alignment of the proposed Route 81 was previously indicated on the approved OZP. As informed by C for T, the possible alignment and annotation of the proposed Route 81 should be deleted from the OZP as there was no definite plan for the proposed road;

Proposed Amendments to the Notes of the OZP and Proposed Revisions to the Explanatory Statement (ES) of the OZP

- (l) proposed amendments to the Notes of the OZP included the revision to the covering Notes to accord with the Master Schedule of Notes to Statutory Plans; amendment to the Notes for “R(C)” zone by including sub-area “R(C)1” with BH, PR and SC restrictions incorporated; and amendments to the exemption clause on maximum PR in the remarks for “Residential (Group A)” (“R(A)”) and “R(C)” zones to clarify that exemption of caretaker's quarters and recreational facilities were only applicable to those facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building. The ES of the OZP would be revised to reflect the corresponding proposed amendments, and to update the general information of the various land use zones to reflect the

latest status and planning circumstances of the OZP where appropriate;

Consultations

- (m) relevant government departments consulted had no objection to or no adverse comment on the proposed amendments;
- (n) on 31.3.2014, PlanD consulted the District Development and Environment Committee (DDEC) of South District Council (SDC) on the proposed Amendment Item A. Seven Members opposed the proposed amendment on the ground that taking away “GB” sites for private luxurious housing was not acceptable. They requested information on all potential residential sites in the Southern District, and investigation on the possibility to relocate the Hong Kong Police College (HKPC) in Aberdeen for public housing development;
- (o) the Development Bureau (DEVB), PlanD and relevant government departments briefed SDC on 15.5.2014 on the 14 potential housing sites in the Southern District in the coming five years (including the two sites under Amendment Item A). Members generally objected to rezoning “GB” sites for private housing. They requested the Administration to provide information on the traffic and tree felling impacts of the proposed development and consult SDC before submitting the rezoning proposal to the Board;
- (p) PlanD together with C for T and DAFC on 29.9.2014 reverted back to DDEC with further information on traffic aspect and the results of the pre-land sale tree survey. DDEC objected to the proposed rezoning mainly on the grounds that extensive tree felling for private residential sites was not justified; local residents raised objection to the rezoning and there was insufficient traffic data to demonstrate that no adverse traffic impact would be resulted. DDEC requested further information such as traffic data and considered that PlanD should not submit the proposed amendments to the Board, and that SDC’s stance should be reflected



accurately and truthfully;

- (q) the responses provided by the Administration at the DDEC meetings on 31.3.2014 and 29.9.2014, and SDC on 15.5.2014 were set out in paragraph 12.6 of the Paper; and
- (r) DEVB issued a letter to SDC on 13.2.2015 reiterating the strong demand for housing and providing further technical information to address tree felling and traffic issues. The letter also stated that the Government decided to continue with the proposed rezoning and would submit the proposal to the Board for consideration.

22. The Chairman then invited Mr C.Y. Chan, CTE/HK, TD and Mr William S.H. Chow, NCO/HK, AFCD to explain the traffic and landscape impacts of the proposed rezoning. Mr Chan said that TD had conducted a preliminary assessment on the traffic impact on the nearby road junctions. The traffic flow at the intersection of Stanley Village Road/Stanley Beach Road/Stanley New Street would increase but would still be less than 50% of the design flow. There would not be significant impact on the local traffic condition. In response to the Chairman's question on the traffic impact on the major roads connecting Stanley Peninsula with other parts of Hong Kong Island, Mr Chan said that the area covered by the traffic assessment would not cover those road junctions far away from the subject sites. Besides, the addition of some 200 households brought by the proposed residential developments was insignificant in comparison with the total households of about 85,000 in the Southern District. The proposed rezoning would create only insignificant traffic impact. In response to the Vice-chairman's question, Mr Chan said that the traffic assessment had already taken into account the traffic data at the peak hours of residential use. Mr William S.H. Chow said that according to the pre-land sale tree survey conducted by LandsD, most of the trees were common native species and none of them was listed in or going to be listed in the Register of Old & Valuable Trees. In response to the Chairman's question, Ms Ginger K.Y. Kiang said that PlanD had not received any comments on the proposed rezoning directly from the public.

23. In response to a Member's question, Ms Isabel Y.Yiu said that the Head of Geotechnical Engineering Office, Civil Engineering and Development Department had no

objection to the proposed rezoning from geotechnical point of view and requirement for conducting slope stability assessment would be incorporated in the land sale conditions.

24. Some Members raised concern on the interface between the proposed residential development at Site 2 under Amendment Item A and the adjoining Chek Chue Barrack, and said that sufficient buffer area should be provided between them. In response, Ms Ginger K.Y. Kiang said that the vegetated slopes within the barrack site along its northern boundary already served as the buffer area. Besides, the concerned bureau/department had not raised any objection to the proposed rezoning. The Chairman said that the interface issue could be dealt with at the detailed design stage.

25. Noting that the existing Regalia Bay was built on terraces, which was already quite visually incompatible with the surrounding green backdrop and further development nearby would aggravate the visual impact, a Member asked whether it was possible to impose some control on the detailed design and layout of the proposed residential developments under Amendment Item A. In response, Ms Ginger K.Y. Kiang said that as the proposed developments were low density and low-rise in nature, the Committee might consider whether it was necessary to impose further restrictions on the detailed design and layout of the sites. Besides, the proposed developments would not create significant visual impact as demonstrated in the visual appraisal, especially the proposed development at Site 2 would be screened off when viewed from the Blake Pier. Another Member concurred and said that the visual impact of Site 2 was minimal.

26. In response to some Members' questions, Ms Ginger K.Y. Kiang said that the boundary and configuration of Site 1 were formulated taking into account the terrain and the 5m air quality buffer distance from Wong Ma Kok Road as required by EPD. A narrow strip of land abutting Wong Ma Kok Road was carved out from Site 1 since that part of land was steep with a gradient of over 20°. Site 1 with an area of about 0.44ha was not small when compared with other housing sites on Hong Kong Island, and would provide about 38 flats assuming an average flat size of 100 sq.m. The proposed PR restriction for Sites 1 and 2 were about 20% higher than that of Regalia Bay but still compatible with each other. Noting that the average flat size for Regalia Bay was around 200 to 300 sq.m, some Members said that the assumed average flat size of 100 sq.m for Sites 1 and 2, which would be for high-end house type development, might be an underestimate.

27. Some Members were of the view that the proposed residential development at Site 1 would only provide a very small number of flats. On the other hand, it was very difficult to develop Site 1 which was located on a slope with small size and odd shape for residential use. Proposed development at Site 1 would create more visual impact than Site 2 since Site 1 was at a higher level than Site 2 and Regalia Bay. When viewed from the Blake Pier, the proposed development at Site 2 would be screened off by Regalia Bay while that at Site 1 would block the views towards the green backdrop and even the ridgeline. Besides, the entire vegetated slope on the eastern side of Wong Ma Kok Road was still not yet developed. The proposed development at Site 1 would disturb the integrity of the vegetated slope. Some Members said that consideration might be given to enlarging Site 1 or finding a larger alternative site to the north of Regalia Bay for residential development. With a larger site area, the site could be utilized more efficiently and lower BH could be achieved, thus creating less visual impact. After balancing the benefit and cost, some Members considered that it might not be worthwhile to develop Site 1 as shown in Amendment Item A for residential use.

28. The Vice-chairman and some Members suggested to exclude Site 1 from the proposed amendments to the OZP as flat production at Site 1 was not high and the community demand for high-end housing was less pressing. Ms Ginger K.Y. Kiang said that Sites 1 and 2 were selected for rezoning for residential use after comprehensive review of “GB” sites in the Territory. Excluding Site 1 from the rezoning would lead to reduction in flat production.

29. A Member asked if the development intensity of the sites could be increased and if the sites could be used for public housing. In response, the Chairman said that public housing would not be compatible with the high-end housings of low development density in the surrounding area. In terms of development intensity, the proposed PR of the sites was already 20% higher than that of Regalia Bay.

30. In conclusion, the Chairman summarised that Members in general agreed to exclude the proposed rezoning at Site 1 from Amendment Item A but proceed with the proposed rezoning at Site 2 and other amendment items.

31. After deliberation, the Committee decided to :
- (a) agree to the proposed amendments to the approved Stanley OZP except the proposed rezoning at Site 1 in Amendment Item A, and that the draft Stanley OZP No. S/H19/10A (to be renumbered to S/H19/11 upon exhibition) and its Notes were suitable for exhibition under section 5 of the Ordinance; and
  - (b) adopt the revised ES for the draft Stanley OZP No. S/H19/10A (to be renumbered to S/H19/11 upon exhibition) as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES would be published together with the draft OZP.

[The Chairman thanked the government's representatives for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

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

### **Agenda Item 8**

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

[Open Meeting]

Y/H15/10                      Application for Amendment to the Approved Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/29, To rezone the application site from "Industrial" to "Other Specified Uses (3)" annotated "Business", 111 Lee Nam Road, Ap Lei Chau  
(MPC Paper No. Y/H15/10)

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32. The Secretary reported that Traces Ltd. was the consultant of the applicant. Ms Julia M.K. Lau had declared an interest in this item as she was the Executive Director and shareholder of Traces Ltd.. The Committee noted that Ms Lau had left the meeting

temporarily.

33. The Secretary reported that on 5.2.2015, the applicant requested for deferment of the consideration of the application for one month so as to allow time for the applicant to prepare further information to resolve the comments and technical issues from the Coordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installations. This was the applicant's first request for deferment.

34. 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 one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstance

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting]

A/H5/403                      Proposed Hotel, Shop and Services and Eating Place in "Other Specified Uses" annotated "Comprehensive Redevelopment Area" Zone, Inland Lot No. 8715 on Kennedy Road and Ship Street, Wan Chai  
(MPC Paper No. A/H5/403A)

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35. The Secretary reported that the application was submitted by Wetherall Investment Ltd. which was a subsidiary of Hopewell Holdings Ltd. with Townland Consultants Ltd. (Townland), Team 73 HK Ltd. (Team 73), LLA Consultancy Ltd. (LLA), Parsons Brinckerhoff (Asia) Ltd. (Parsons) and Hyder Consulting Ltd. (Hyder) as some of the

consultants of the applicant. The following Members had declared interests in this item:

- |                            |  |
|----------------------------|--|
| Mr Dominic K.K. Lam        | - having current business dealings with Townland, Team 73, LLA, Parsons and Hyder. |
| Professor P.P. Ho          | - having current business dealings with Townland.                                  |
| Mr Patrick H.T. Lau        | - having current business dealings with LLA.                                       |
| Mr K.K. Ling<br>(Chairman) | - owning a flat on Queen's Road East.  |
| Ms Julia M.K. Lau          | - owning two flats on Star Street.   |
| Mr Laurence L.J. Li        | - co-owning a flat near St. Francis Street with his spouse.                        |
| Mr Clarence W.C. Leung     | - co-owning a property on Queen's Road East with his spouse.                       |
| Mr Stephen H.B. Yau        | - office locating in Southorn Centre.  |

36. The applicant had requested for a deferment of consideration of the application. As Mr Lam, Professor Ho and Mr Lau had no involvement in the application, and the properties of the Chairman, Ms Lau, Mr Li and Mr Leung as well as the office of Mr Yau had no direct view on the application site, the Committee agreed that they could stay in the meeting.

37. The Secretary reported that following the approval of the first deferment on 2.1.2015, the applicant had submitted further information on 12.1.2015 and 13.1.2015 to address the departmental comments and public concerns. However, various government departments requested the applicant to provide further clarifications, supplementary information and/or assessments on the traffic, environmental, air ventilation, urban design and landscape aspects of the proposed development. As such, on 4.2.2015, the applicant requested for deferment of the consideration of the application for two months so as to allow time for the applicant to further address the comments of relevant government departments. This was the applicant's second request for deferment.

38. The Secretary continued to say that four individuals submitted an email each to the Secretariat on 25.2.2015 and 26.2.2015 expressing opposition to the applicant's request for deferral. They requested the Committee to reject the application at the meeting on 27.2.2015; the Chairman of the Board to resign because of allowing repeated deferral of the cases; and the Board to publicize the special circumstances for the applicant's deferral requests, if any, for public comments. The emails had been tabled at the meeting for Members' information.

39. The Chairman said that the applicant's justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed additional time to address departmental comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

40. 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. Since it was the second deferment of the applicant, the Committee agreed to advise the applicant that the Committee had allowed a total of three months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 10**

**Section 16 Application**

[Open Meeting]

A/H9/74

Proposed Flat, Shop and Services in “Residential (Group A)” Zone and an area shown as ‘Road’, 6 Shau Kei Wan Main Street East, Shau Kei Wan

(MPC Paper No. A/H9/74)

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41. The Secretary reported that on 16.2.2015, the applicant requested for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of relevant government departments. This was the applicant’s first request for deferment.

42. 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.

[Ms Joyce Y.S. So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]



**Kowloon District**

**Agenda Items 11 and 12**

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/714 Proposed Shop and Services (Bank and/or Local Provisions Store) in “Other Specified Uses” annotated “Business” Zone, Portion of G/F, Block III of Camelpaint Building, No. 60 Hoi Yuen Road, Kwun Tong  
(MPC Paper No. A/K14/714)

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A/K14/715 Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of G/F, Block III of Camelpaint Building, No. 60 Hoi Yuen Road, Kwun Tong  
(MPC Paper No. A/K14/715)

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43. The Committee agreed that these two applications should be considered together since they were similar in nature and the application premises were located in the same building and in close proximity to each other.

Presentation and Question Sessions

44. With the aid of a PowerPoint presentation, Ms Joyce Y.S. So, STP/K, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the proposed shop and services (bank and/or local provisions store) under application No. A/K14/714 and the shop and services under application No. A/K14/715;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers. Concerned departments had no objection to or no adverse comment on the applications;

- (d) during the first three weeks of statutory publication period, one public comment from the Chairman of Kwun Tong Central Area Committee was received for each application. The commenter supported the applications without giving any reasons. No local objection/view was received by the District Officer (Kwun Tong); and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments made in paragraph 11 of the Papers. For application No. A/K14/715, should the Committee decided to approve the application, no time clause on commencement was proposed as the shop and services use under application was already in operation.

45. Members had no question on the applications.

#### Deliberation Session

##### *For Application No. A/K14/714*

46. 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 27.2.2017, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

- “(a) apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver for the proposed ‘Shop and Services (Bank and/or Local Provisions Store)’ use at the application premises;
- (b) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings 2011 administrated by the Buildings Department (BD), and to observe the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises; and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, BD that the applicant should appoint an Authorized Person to submit building plans for the proposed change in use and/or alterations and additions works to demonstrate compliance with the Buildings Ordinance (BO), in particular, the provision of adequate means of escape, access and facilities for persons with a disability including accessible toilet, and sanitary fitments, and that the application premises should be separated from the remaining portion of the building by fire barriers, provision of structure justification for solid partition walls to be erected within the application premises, provision of separate means of escape for remaining Dangerous Goods Store on G/F and the cockloft; detailed comments under the BO can only be formulated at the building plan submission stage; for unauthorized building works (UBW) erected on private land/building, enforcement action may be taken by the Building Authority (BA) to effect their removal in accordance with BD’s enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any UBW on the application premises under the BO; and note that the BA has no powers to give retrospective approval or consent for any UBW.”

*For Application No. A/K14/715*

48. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the TPB. The permission was subject to the following conditions :

- “(a) the submission and implementation of the proposal for fire safety measures, including the provision of a means of escape completely separated from the industrial portion of the subject industrial building and fire service installations and equipment at the application premises within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 27.8.2015;
- (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.”

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

- “(a) prior planning permission should have been obtained before commencing the applied use at the application premises;
- (b) apply to the District Lands Officer/Kowloon East, Lands Department for lease modification or temporary waiver for the ‘Shop and Services’ use at the application premises;
- (c) to note the comments of the Director of Fire Services to comply with the Code of Practice for Fire Safety in Buildings 2011 administrated by the BD, and to observe the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises; and
- (d) to note the comments of the Chief Building Surveyor/Kowloon, BD that the applicant should appoint an Authorized Person to submit building plans for

the proposed change in use and/or alterations and additions works to demonstrate compliance with BO, in particular, the provision of adequate means of escape, access and facilities for persons with a disability including accessible toilet, and sanitary fitments, and that the application premises should be separated from the remaining portion of the building by fire barriers, provision of structure justification for solid partition walls to be erected within the application premises, provision of separate means of escape for remaining Dangerous Goods Store on G/F and the cockloft; detailed comments under the BO can only be formulated at the building plan submission stage; for UBW erected on private land/building, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any UBW on the Premises under the BO; and note that the BA has no powers to give retrospective approval or consent for any UBW.”

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

### **Agenda Item 13**

#### **Any Other Business**

50. There being no other business, the meeting closed at 11:00 a.m..