

TOWN PLANNING BOARD

Minutes of 537th Meeting of the Metro Planning Committee held at 9:00 a.m. on 3.7.2015

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Roger K.H. Luk

Vice-chairman

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

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

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

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

Assistant Director/Regional 1, Lands Department
Mr Simon S.W. Wang

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Professor P.P. Ho

Mr H.W. Cheung

Mr Frankie W.C. Yeung

In Attendance

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

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

Senior Town Planner/Town Planning Board
Miss Anissa W.Y. Lai

Agenda Item 1

Confirmation of the Draft Minutes of the 536th MPC Meeting held on 19.6.2015

[Open Meeting]

1. The draft minutes of the 536th MPC meeting held on 19.6.2015 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 12A Application

[Open Meeting]

Y/K3/6 Application for Amendment to the Draft Mong Kok Outline Zoning Plan No. S/K3/30, to rezone the application site from “Residential (Group E)1” and area shown as ‘Road’ to “Commercial (4)”, and amendments to the Notes for an office development, Nos. 25-29 Kok Cheung Street, Tai Kok Tsui, Kowloon
(MPC Paper No. Y/K3/6C)

3. The Secretary reported that Kenneth To & Associates Ltd. (KTA), Dennis Lau & Ng Chun Man Architects & Engineers (HK) Ltd. (DLNCM) and CKM Asia Ltd. (CKM) were consultants of the applicant. The following Members had declared interests in this item:

Mr Patrick H.T. Lau - having current business dealings with KTA and DLNCM

- Mr Dominic K.K. Lam - having current business dealings with KTA
- Professor P.P. Ho - having current business dealings with CKM and being an employee of the School of Architecture of the Chinese University of Hong Kong which received donations before from DLNCM

4. The Committee noted that Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had not yet arrived to join the meeting and Professor P.P. Ho had tendered apologies for being unable to attend the meeting.

5. The Committee noted that the applicant requested on 19.6.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information on the demand and supply of office space. This was the fourth time that the applicant requested for deferment of the application. Since the last deferment, the applicant was conducting a study on the demand and supply of office space to substantiate the application and more time was required for completion of the study.

6. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. 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 were allowed for preparation of the submission of the further information. Since this was the fourth deferment and a total of eight months had been allowed, this was the last deferment and no further deferment would be granted.

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K1/249 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Hotel, Shop and Services Uses in “Commercial (6)” zone, Nos. 54 and 56 Granville Road, Tsim Sha Tsui, Kowloon
(MPC Paper No. A/K1/249)

7. The Committee noted that the applicant requested on 11.6.2015 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 from government departments. This was the first time that the applicant requested for deferment of the application.

8. 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 Michelle M.S. Yuen, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K2/213 Proposed Commercial Bathhouse/Massage Establishment in “Residential (Group A)” zone, 12/F, Wai Wah Commercial Building, Nos. 109-113 Portland Street, Kowloon
(MPC Paper No. A/K2/213)

Presentation and Question Sessions

9. With the aid of a Powerpoint presentation, Ms Michelle M.S. Yuen, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

(a) background to the application;

[Dr Wilton W.T. Fok, Ms Bonnie J.Y. Chan and Mr Patrick H.T. Lau arrived to join the meeting at this point.]

(b) the proposed commercial bathhouse/massage establishment;

(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) during the statutory publication period, two public comments were received objecting to the application mainly on fire safety ground; 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. The premises were located within an existing commercial/office building in a mixed neighbourhood with residential, commercial/office and other commercial developments. The proposed use was not incompatible with the surrounding uses and developments. Both the Director of Fire Services (D of FS) and Director of the Buildings (DB) had no objection to

the application. The application complied with the Town Planning Board Guidelines (TPB PG) No. 14B for application for commercial bathhouse and massage establishment.

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

10. In response to the Vice-chairman's question, Ms Michelle M.S. Yuen said that the previous application (No. A/K2/194) at the premises for massage establishment submitted by the same applicant was approved by the Committee on 28.1.2011 but the planning permission had been already lapsed on 28.1.2015. There were five existing commercial bathhouse and/or massage establishment uses within the subject building and the applications of these uses were not submitted by the same applicant.

11. A Member noted that there was a public comment raising concerns on the obstruction at the staircase between 12/F and 13/F (the roof) of the subject building. In response, Ms Yuen said that according to the recent site visit by PlanD, no obstruction was observed at the staircases at 12/F and 13/F, but PlanD would refer the local concern to the concerned departments including the Buildings Department (BD) and the Fire Services Department (FSD) for follow up as appropriate. In response to another Member's question on whether the capacity of the premises originally designed for commercial use could cater for the proposed use as a commercial bathhouse/massage establishment in terms of fire safety, Ms Yuen said that the proposed commercial bathhouse/massage establishment would require respective licences from the Director of Food and Environmental Hygiene (DFEH) and the Commissioner of Police (C of P) who would consult BD and FSD on fire safety aspect in the process.

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

Deliberation Session

12. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 3.7.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

“(a) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department that detailed comments under the Buildings Ordinance will be given at the building plan submission stage;

(b) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral from the licensing authority; and

(c) to note the comments of the Director of Food and Environmental Hygiene that the applicant should apply for a Commercial Bathhouse License from his department if commercial bathhouse is located at the application premises.

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

[Ms M. L. Leung, STP/TWK, was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/471 Shop and Services (Real Estate Agency) in “Industrial” zone, Workshop No.52, G/F, Wing Fung Industrial Building, 40-50 Sha Tsui Road, Tsuen Wan

(MPC Paper No. A/TW/471)

Presentation and Question Sessions

14. 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 shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director-General of Trade and Industry (DG of TI) had no comment if the use was permitted on a temporary basis for three years. The Director of Fire Services (D of FS) had no objection subject to fire service installations and equipment being provided to his satisfaction. Other 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 and no comment 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 as set out in paragraph 11 of the Paper. The application was generally in line with the planning criteria for commercial use in an industrial building as set out in the Town Planning Board Guidelines No. 25D for use/development within “Industrial” (“I”) zone. A temporary approval of three years, instead of a permanent approval, was recommended in order not to jeopardize the long term planning intention of industrial use for the application premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area.

15. Members had no question on the application.

Deliberation Session

16. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 3.7.2018, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of the fire service installations in the premises within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 3.1.2016; and
- (b) if the above planning condition (a) 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.”

17. 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 premises;
- (b) a temporary approval of three years is given in order to allow the TPB 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 jeopardised;
- (c) to note the comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (LandsD) that the proposed ‘shop and services (real estate agency)’ use is in breach of the lease conditions. The owner of the premises has to apply to his office for a temporary waiver. His office cannot verify the area quoted by the applicant at this stage. The applicant will have to demonstrate the area calculation during the temporary waiver application stage. The temporary waiver 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;

- (d) 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;
- (e) to note the comments of the Director of Fire Services that means of escape completely separated from the industrial portion should be available and detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. 'Code of Practice for Fire Safety in Buildings' should be complied with for fire resisting construction of the premises; and
- (f) refer to the 'Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises' for the information on the steps required to be followed in order to comply with the approval conditions on the provision of fire service installations."

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

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

Hong Kong District

Agenda Items 7 and 8

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/77 Proposed Utility Installation for Private Project (Tram Power Substation) in an area shown as 'Road', at the Island Planter surrounded by Irving Street and Yee Wo Street, adjacent to the Existing Causeway Bay Tram Terminus, Hong Kong
(MPC Paper No. A/H6/77B)

A/H7/169 Proposed Utility Installation for Private Project (Tram Power Substation) in an area shown as 'Road', Government Land Underneath the Canal Road Flyover No. H110 between Pier No. 25 and No. 26 at Morrison Hill Road, Wong Nai Chung, Hong Kong
(MPC Paper No. A/H7/169A)

18. The Committee noted that the two applications were similar in nature, submitted by the same applicant, and within areas shown as 'Road'. The Committee agreed that the applications should be considered together.

Presentation and Question Sessions

19. Ms Irene W.S. Lai, STP/HK, drew Members' attention that there was further information (FI) providing more justifications on the two applications submitted by the applicant on 30.6.2015 after issuance of the Papers and the FI was tabled at the meeting for Members' information. With the aid of Powerpoint presentation, Ms Lai presented the two applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications highlighting that the applicant had to relocate the existing substation at the basement of Times Square before expiration of the rental agreement. Two new substations, at Causeway Road (application No. A/H6/77) and Morrison Hill Road (application No. A/H7/169), were proposed to replace the existing Times Square Substation;

- (b) the proposed utility installation for private project (tram power substation) at each of the sites;
- (c) departmental comments – departmental comments were set out in paragraph 7 of the Papers. Concerned government departments had no objection to the applications. Major views from bureau/departments were summarised below:
 - (i) the Secretary for Transport and Housing (STH) supported the applications from the angle of public transport policy;
 - (ii) the Commissioner for Transport (C for T) required the provision of crash gate and submission and implementation of safety measures for vehicular access for maintenance;
 - (iii) the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) considered that :

Application No. A/H6/77

removal of planter to give way for permanent structure in a congested area would cause adverse visual nuisance to the pedestrian and surroundings and was not advisable;

Application No. A/H7/169

the applicant should review the location of the pillar box and maintain sufficient set back from the tram tracks in view of road safety and maintenance space required for the proposed vertical greening on the pillar box surface, if any, as well as minimize the visual impact on the surrounding areas;

- (d) during the statutory publication period, four public comments were received on application No. A/H6/77, three of which were submitted by Regal Hotel and the hotel owner. They objected to the application on grounds of traffic, construction safety, adverse impacts on hotel business

and image, as well as potential noise and air pollution during construction. The remaining comment opined that greening proposal or compensatory landscaping would be required. No public comment was received on application No. A/H7/169 during the statutory publication period. No local objection was received by the District Officer (Wan Chai) for both applications; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessments set out in paragraph 9 of the Papers. The sites were identified by the applicant having regard to technical considerations including supply voltage to the respective servicing zone, proximity to connect with the existing overhead line network and no blockage of pedestrian or traffic flow. As the two sites were either surrounded by or located within the tram-only lane and would not affect other road users, the proposed development would not unduly compromise the road function. The proposed developments were small in scale and were considered not incompatible with the surrounding urban setting with roads and buildings. While CA/CMD2, ArchSD had concerns on the removal of a large planter for application No. A/H6/77, C for T considered that the site was suitable for setting up a tram power substation and the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that with the proposed rooftop and vertical greening, the proposed development would not create significant adverse visual impact. Regarding public comments on visual impact, traffic impact, and noise and air pollution, the above assessments were relevant.

20. The Vice-chairman and three Members asked the following questions:

- (a) whether the rental agreement of the existing tram power substation at Times Square was a requirement under the lease conditions or a private deal;
- (b) under what circumstances were the existing tram power substation installed within Times Square;

- (c) whether the provision of a tram power substation was part of the development conditions when the former tram depot at Times Square was redeveloped;
- (d) whether there was any undertaking by the applicant of the Times Square development that there would be no disruption to the tram services, including provision of a tram power substation within the site, when the former tram depot was redeveloped; and
- (e) the future use of the premises occupied by the existing tram power substation in Times Square after its relocation.

21. In response, Ms Irene W.S. Lai made the following points:

- (a) the rental agreement of the existing tram power substation at the basement of Times Square was a private business deal;
- (b) the Times Square site was a former tram depot which had been relocated partly to Sai Wan Ho and partly to Whitty Street. There were currently a total of seven substations between Sai Wan Ho and Whitty Street with approximate equal track coverage to support the operation of tram services. The tram power substation at Times Square was to serve the track in Happy Valley/Causeway Bay;
- (c) Times Square was developed on private lots and the development of a tram power substation within the site after relocation of the depot was a business decision of the concerned parties;
- (d) Times Square was previously zoned “Other Specified Uses” annotated “Comprehensive Redevelopment Area” on the Outline Zoning Plan (OZP). Based on the PlanD’s record, no tram power substation was shown on the approved master layout plan for the site. There was also no information in the planning application of the Times Square site indicating that the applicant had committed to provide tram facilities within the proposed

development;

- (e) PlanD had no information on the future use at the current premises in Times Square after the removal of the substation. As the Times Square site was currently zoned “Commercial (2)” on the OZP, commercial uses were always permitted; and
- (f) the operator of the tramway had identified alternative sites for reprovisioning of the tram power substations and the currently proposed locations were supported by STH.

22. Mr Simon S.W. Wang, Assistant Director/Regional 1, Lands Department (LandsD) supplemented that there was no requirement under the lease conditions of Times Square for provision of a tram power substation.

23. In response to a Member’s question, Ms Lai said that she did not have information in hand on the approved uses of the existing substation and whether it was exempted from gross floor area calculation on the approved building plans of the Times Square development.

24. A Member considered that the proposed substation at Morrison Road under application No. A/H7/169 should be relocated further away from the tram track to address the comments made by ArchSD. Another Member concurred with the view and asked whether road diversion would be required during the construction of the proposed development and hence traffic would be interrupted as the site was very close to Morrison Hill Road. In response, Ms Lai said that the applicant had advised that the two proposed tram power substations were adjacent/within the tram track/tram only lane and would not block other traffic flow. Besides, C for T had advised that the submission of temporary traffic arrangement would be required if the existing footpath and road were affected during construction. The applicant had also confirmed that the size of the proposed tram power substations were already the most practical minimum. As the internal arrangement of the proposed pillar boxes were designed by the electricity supplier and there was also clearance requirement for structure under flyover and around flyover columns, the applicant had expressed that there was no scope to revise the layout and configuration of the proposed

structures under application No. A/H7/169. Besides, setting back of the proposed pillar box structure further from Morrison Hill Road would encroach onto the existing planters managed by the Leisure and Cultural Service Department.

25. In response to a Member's questions, Ms Lai said that the area of the existing tram power substation at Times Square was 95m² and PlanD did not have any information on the existing rental and estimated project cost of the proposed relocations. Regarding the premium or fee to be imposed by LandsD, Ms Lai said that if the planning applications were approved by the Committee, the applicant would need to apply for land grant which would be subject to the terms and conditions including payment of rent/premium and fees as determined by LandsD.

Deliberation Session

26. The Chairman said that more information was required by Members during the question & answer session on the need for relocation of the existing substation, the previous planning approval of the redevelopment of the Times Square site, and the design details of the proposed development at Morrison Hill Road (application No. A/H7/169) in particular whether its design and layout could be further enhanced so as to minimise the potential adverse visual, traffic and road safety impacts.

27. A Member considered that the relocation was a business decision and the Committee should focus on whether the proposed locations were considered acceptable in planning terms. This Member agreed that the design of the proposed development at Morrison Hill Road should be enhanced. Another member had reservation on the location of the proposed substation at Causeway Bay which was close to St. Paul's Hospital.

28. Another Member considered that more information should be provided to justify the proposed substations, and given that tram service was a mode of public transport and/or a tourist attraction, proposals that helped lower its costs could be favourably considered.

29. A Member considered that there was insufficient information to demonstrate that no reasonable alternatives were available other than the relocation of the existing tram power substation in Times Square to the proposed sites at Causeway Bay and Morrison Hill Road.

Another Member suggested to defer the applications as more information on the previous planning approval of the Times Square development and alternative options should be provided and the design of the proposed development at Morrison Hill Road should be improved. Another Member concurred that more information on whether the substation was part of the development conditions when the former tram depot at Times Square was redeveloped should be provided.

30. A Member opined that more justifications should be provided to explain why the proposed developments could not be located underground so as to minimise the impacts on public space and green area. Another Member considered that details of the previous planning approval and approved building plans of the Times Square site should be provided as the proposed developments would involve public interest. The Vice-chairman agreed that the applications should be deferred as more information on the previous planning approval should be provided and the design of the proposed developments could be improved.

31. After further deliberation, the Committee decided to defer a decision on the applications pending the submission of further information including details of the previous planning permission of the Times Square development in respect of the provision of the existing tram power substation, any alternative options considered other than relocation, enhancement to the location and design of the proposed structures under application No. A/H7/169, the traffic impact of the proposed developments during construction, as well as justifications for not adopting an underground design for the proposed developments.

[The Chairman thanked Ms Irene W.S. Lai, STP/HK for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/220 Proposed Hotel in “Other Specified Uses” annotated “Business” zone,
210-212 Choi Hung Road and 15-17 Ng Fong Street, San Po Kong,
Kowloon
(MPC Paper No. A/K11/220A)

32. The Secretary reported that AGC Design Ltd. (AGC) was one of the consultants of the applicant and Mr Patrick H.T. Lau had declared interest in this item as he had current business dealings with AGC. As Mr Lau had no involvement in the project, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

33. With the aid of a Powerpoint presentation, Ms Sandy S.K. Ng, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel highlighting that the current scheme was a modification of the previous approved application No. A/K11/216;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Tourism (C for Tourism) supported the application. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication period, two public comments were received. One commenter objected to the application mainly on the grounds of incompatibility and adverse traffic impact while the other raised concern on the height of the proposed development; 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. The proposed use was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone for commercial and clean industrial uses. The proposed development was generally in line with the Town Planning Board Guidelines (TPB PG-No. 22D) for development within “OU(B)” zone in that it was not incompatible with the surrounding land uses. The proposed development would not create adverse environmental, sewerage, drainage and traffic impacts on the surrounding areas.

34. Members had no question on the application.

Deliberation Session

35. 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 3.7.2019, 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 implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (b) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

- “(a) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio and/or gross floor area (GFA) concession for the proposed development will be approved/granted by the Building Authority. The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval. If the building design elements and the GFA concession are not approved/granted by the Building Authority and major changes to the current scheme are required, a fresh planning application to the TPB may be required;
- (b) to note the comments of the District Lands Officer/Kowloon East, Lands Department (LandsD) that the applicant will need to apply to LandsD for a temporary waiver/lease modification to effect the proposal. There is no guarantee that such application will be approved. If the application for temporary waiver/lease modification is approved by LandsD, it will be subject to those terms and conditions, including the payment of a waiver fee/premium, as considered appropriate by LandsD acting in the capacity of landlord;
- (c) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans and to observe the requirements of Emergency Vehicular Access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, BD that:
- (i) an Authorized Person should be appointed to submit building plans to BD for approval and demonstration of full compliance with the Buildings Ordinance (BO);
 - (ii) the granting of hotel concession under Building (Planning) Regulation 23A can only be considered upon formal submission of

building plans subject to the compliance with criteria under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-40;

- (iii) PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines are applicable to the proposed development on the subject site;
 - (iv) under PNAP APP-2, 100% GFA concession may be granted for underground private carpark while only 50% GFA concession may be granted for aboveground private carpark;
 - (v) all hotel guest rooms should comply with the lighting and ventilation requirements under Building (Planning) Regulations 30 and 31;
 - (vi) the Code of Practice for Fire Safety in Buildings 2011 should be complied with;
 - (vii) detailed comments under the BO can only be provided at the building plan submission stage; and
 - (viii) the proposed operation of the hotel shall be subject to the licensing requirements under the Hotel and Guesthouse Accommodation Ordinance (HAGAO) (Cap. 349);
- (e) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department that the applicant should maximize the provision of greening, especially at-grade roadside planting at the setback areas at Choi Hung Road and Ng Fong Street and explore the feasibility of vertical greening on the façade to enhance the streetscape of the vicinity;
- (f) to note the comments of the Chief Officer (Licensing Authority), Office of the Licensing Authority, Home Affairs Department that the applicant

should submit a copy of the occupation permit for the proposed hotel when making an application under the HAGAO; the proposed licensed area should be physically connected; the Fire Service Installations provisions should comply with paragraph 4.28 of Code of Practice for Minimum Fire Service Installations and Equipment; and the licensing requirements will be formulated after inspections by the Building Safety Unit and Fire Safety Team of his office upon receipt of a licence application under HAGAO; and

- (g) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment should be carried out by the applicant at his own cost.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K14/722 Place of Recreation, Sports or Culture (Sports Training Ground) in "Other Specified Uses" annotated "Business" zone, 1/F and 2/F, Kras Asia Industrial Building, No. 79 Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/722)

Presentation and Question Sessions

37. The Committee noted that the applicant requested on 24.6.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. This was the first time that the applicant requested for deferment of the application.

38. 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 11

Any Other Business

39. There being no other business, the meeting closed at 11:05 a.m..