

TOWN PLANNING BOARD

Minutes of 539th Meeting of the Metro Planning Committee held at 9:00 a.m. on 7.8.2015

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

Dr Lawrence W.C. Poon

Assistant Commissioner for Transport (Urban),
Transport Department
Mr W.L. Tang

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

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board
Ms Winnie W.Y. Leung

Agenda Item 1

Confirmation of the Draft Minutes of the 538th MPC Meeting held on 17.7.2015

[Open Meeting]

1. The draft minutes of the 538th MPC meeting held on 17.7.2015 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

2. The Secretary reported that during the last MPC meeting held on 17.7.2015, the Committee considered a s.16 application, submitted by the Hong Kong Housing Authority, in an area mainly zoned “Comprehensive Development Area” (“CDA”) on the approved South West Kowloon Outline Zoning Plan No. S/K20/30. The application was for a proposed comprehensive development for public rental housing (PRH) with commercial, government, institution and community facilities, public open space and public transport interchange and included minor relaxation of non-domestic plot ratio restriction in the “CDA” zone. Given that the proposed PRH development would lead to an increase of about 9,800 population in the Sham Shui Po area, a Member asked whether opportunity could be taken to incorporate an Integrated Family Services Centre (IFSC) in the development. After deliberation, the Committee agreed that the Planning Department (PlanD) should report to the Committee the current provision of IFSC in the Sham Shui Po area.

3. The Secretary continued to say that according to PlanD, in preparing the Planning Brief for the proposed comprehensive development, they had consulted the Social Welfare Department (SWD) on the requirement for social welfare facilities. In view that there were already five IFSCs in the Sham Shui Po area and the provision had already met the requirements of the Hong Kong Planning Standards and Guidelines, with the nearest IFSC located about a street block from the subject site, SWD advised that the provision of an additional IFSC within the proposed development was not required. Members noted the report from PlanD.

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/469 Proposed Shop and Services in "Industrial" zone, The Unit on Ground Floor, DAN6, No.6 Fui Yiu Kok Street, Tsuen Wan
(MPC Paper No. A/TW/469)

4. The Secretary reported that the application was submitted by Hong Kong Health Resort Limited, with Ove Arup & Partners Hong Kong Limited (Ove Arup) as one of the consultants of the applicant. The following Members had declared interests in this item:

| | | |
|---------------------|---|--|
| Mr Patrick H.T. Lau |] | |
| |] | |
| Mr Dominic K.K. Lam |] | having current business dealings with Ove Arup |
| |] | |
| Professor P.P. Ho |] | |

5. The Committee noted that Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Professor P.P. Ho had no involvement in the application and agreed that they should be allowed to stay in the meeting.

Presentation and Question Sessions

6. 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 shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, two public comments were received. One of them supported the application and the other objected the application. The grounds of the public comments are detailed in paragraph 10 of the Paper; 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 set out in paragraph 11 of the Paper. The 'Shop and Services' use was considered not incompatible with the industrial uses in the subject industrial building and the surrounding developments and generally complied with the relevant considerations set out in the Town Planning Board Guidelines No. 25D for 'Use/Development Within "Industrial" Zone', including the fire safety and traffic aspects. The subject industrial building was subject to a maximum permissible limit of 460m² for aggregate commercial floor area on the ground floor for fire safety concern. Approval of the application would result in aggregate commercial floor area of 199m² that was within the maximum limit. The Director of Fire Services (D of FS) had no in-principle objection to the application but an approval condition on fire safety measures and an advisory clause on provision of means of escape completely separated from the industrial portion were suggested to address the concern of D of FS. Other relevant government departments had no objection to or no adverse comments on the application. A temporary approval of three years, instead of a permanent approval under application, was recommended in order not to jeopardise the long term planning intention of industrial use for the premises and to allow the Committee to monitor the supply and demand of industrial floor space in the area. The Committee had approved one similar application (No. A/TW/377) on a temporary basis of three years

before. Approval of the application on a temporary basis of three years was consistent with the Committee's previous decisions. The adverse public comment regarding the suspected illegal domestic flats in the subject industrial building was not related to the application.

7. In response to a Member's question, Ms M.L. Leung said that the proposed shop and services would be used for retail shops such as convenience store.

Deliberation Session

8. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 7.8.2018, on the terms of the application as submitted to the Town Planning Board 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 Town Planning Board by 7.2.2016;
- (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 Town Planning Board by 7.5.2016; 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.”

9. 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 jeopardised;

- (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. The applicant should apply to LandsD for a waiver of the relevant lease condition. The waiver application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions, including inter alia, payment of waiver fee and administrative fee, as may be imposed by LandsD. The subsequent waiver application will be considered by LandsD as landlord at its sole discretion. Any approval, if given, will be subject to such terms and conditions (including the area to be covered in the waiver area) as may be determined and imposed by LandsD. In the event of any failure or neglect to observe or comply with any of the conditions in the lease, appropriate lease enforcement action against the breach of the conditions will be taken by the Government;

- (c) 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 service requirements will be formulated upon receipt of formal submission of general building plans; and

- (d) 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.”

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

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

Agenda Items 4 and 5

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/128 Temporary Concrete Batching Plant for a Period of 5 Years in
"Industrial" zone, Tsing Yi Town Lot 108 RP (Part), Sai Tso Wan Road,
Tsing Yi, New Territories

(MPC Paper No. A/TY/128)

A/TY/129 Temporary Asphalt Plant for a Period of 5 Years in "Industrial" zone,
Tsing Yi Town Lot 108RP (Part), Sai Tso Wan Road, Tsing Yi, New
Territories

(MPC Paper No. A/TY/129)

10. The Committee noted that the two applications, submitted by the same applicant, were similar in nature (i.e. temporary concrete batching plant and temporary asphalt plant) and the application sites were adjoining each other in an area zoned "Industrial" ("I") on the Tsing Yi Outline Zoning Plan (OZP). The Committee agreed that the applications should be considered together.

11. The Secretary reported that the applications were submitted by Hongkong United Dockyards Limited, with LLA Consultancy Limited (LLA) as one of the consultants of the applicant. The following Members had declared interests in the two items:

Mr Patrick H.T. Lau - having current business dealings with LLA

Mr Dominic K.K. Lam - having current business dealings with the
applicant and LLA

12. The Committee noted that Mr Patrick H.T. Lau had no involvement in the applications and agreed that he should be allowed to stay in the meeting. As the interest of Mr Dominic K.K. Lam was considered direct, the Committee agreed that he should be invited to leave the meeting temporarily for the two items.

[Mr Dominic K.K. Lam left the meeting temporarily at this point.]

Presentation and Question Sessions

13. Ms Fannie F.L. Hung, STP/TWK, drew Members' attention that for paragraph 8.1.8 of the two Papers, the Owners' Corporation and the Management Office of Rambler Crest should read as the Owners' Committee and the Estate Management Office of Rambler Crest. With the aid of a PowerPoint presentation, Ms Hung presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the application;
- (b) the temporary concrete batching plant and the temporary asphalt plant at the respective sites for a period of 5 years;

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

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Papers. Relevant government departments had no objection to or no adverse comment on the applications;
- (d) during the first three weeks of the statutory public inspection periods of the applications and the two further information, a total of 12 public comments, 11 supporting and one objecting, were received on application No. A/TY/128. One objecting comment was received on application No. A/TY/129; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications on a temporary basis for a period of five years based on the assessments set out in paragraph 10 of the Papers. The temporary concrete batching plant and asphalt plant were considered not incompatible with the surrounding industrial related developments. Relevant government departments had no objection to or no adverse comments on the applications. The sites were the subject of two previously approved applications submitted by the same applicant for a temporary concrete batching plant (Application No. A/TY/119) and a temporary asphalt plant (Application No. A/TY/118). The sites had been used for the approved

uses since 2008. There was no material change in planning circumstances and the characteristics of the surrounding area since the previous planning permissions were granted. All the approval conditions of the two previous planning permissions had been complied with. Regarding the fire safety and landscape concerns raised by the Director of Fire Services and the Chief Town Planner/Urban Design and Landscape, PlanD, they could be addressed by imposing relevant approval conditions.

14. A Member asked whether there was information on the distribution of such proposed uses in Hong Kong. Ms Fannie F.L. Hung, STP/TWK, said that she did not have such information at hand. The Chairman said that the applications should be considered in the local context and asked if Ms Hung could explain the situation in the Tsing Yi area. Ms Hung said that there was one asphalt plant in operation at the site of the subject application No. A/TY/129. There were eight similar applications (No. A/TY/32, A/TY/58, A/TY/59, A/TY/85, A/TY/112, A/TY/117, A/TY/123 and A/TY/126) for concrete batching plant use within the “I” zone on the Tsing Yi OZP covering the following six sites as shown on Plan A-6 of the Paper:

- (a) three sites further south near the Exxon Mobil oil depot at Tsing Keung Street were the subject of three applications for concrete batching plant on a permanent basis (applications No. A/TY/32, A/TY/58 and A/TY/59) approved before 2003 but had not been implemented and the planning permissions had lapsed;
- (b) a site at Tsing Tim Road was the subject of two applications. Application No. A/TY/85 approved in 2003 for permanent concrete batching plant had lapsed. Application No. A/TY/123 was approved for temporary concrete batching plant for three years and would expire on 28.11.2017;
- (c) a site at the south side of the Hong Kong United Dockyards Wharf (TYTL 108RP) was the subject of an application (No. A/TY/112) that was approved with conditions in 2010 but had been revoked as the applicant failed to comply with the approval conditions; and

- (d) a site to the southwest of the subject application sites was subject of two planning applications. Application No. A/TY/126 was approved for temporary concrete batching plant for five years and the planning permission would expire on 28.11.2019. The previous application No. A/TY/117 for temporary concrete batching plant for three years on that site had expired in July 2015.

As such, apart from the existing concrete batching plant and asphalt plant under current applications, there were two sites with valid planning permission for concrete batching plant use (under applications No. A/TY/123 and A/TY/126) in the area.

15. A Member asked whether the proposed concrete batching plant and asphalt plant would be incompatible with the planned uses for the area zoned “Other Specified Uses” (“OU”) annotated “Recreation and Tourism Related Uses” to the north-west of the application sites. The Member also asked about the intended uses and implementation programme in that “OU” zone. Ms Hung said that the area was a piece of government land that was formed by reclamation when building the Lantau Link. The site had no vehicular access and was currently being used as a temporary works area by the Highways Department. There was no programme to develop the site for recreation and tourism related uses and temporary approval of the uses sought on the application sites was considered not incompatible with the existing uses in the said “OU” zone.

16. In response to the same Member’s concern on air pollution/dust generated by the concrete batching plant, Mr K.F. Tang, Assistant Director (Environmental Assessment), Environmental Protection Department (EPD), said that based on the proposed production capacity of the concrete batching plant, requirements under the Environmental Impact Assessment Ordinance were not applicable. Nevertheless, under the Air Pollution Control Ordinance, the operator had to apply to EPD for licences to operate the concrete batching plant and, the existing concrete batching plant on the application site had obtained the licence. In considering renewal of the licence in future, EPD would take into account whether there were sensitive uses in the surroundings. The operation of the existing concrete batching/asphalt plants mainly depended on transport of raw materials from the sea, delivery of concrete/asphalt products by mixer trucks and if the conveyor belts were properly covered up, there should not be major environmental concerns. The operation of the concrete

batching/asphalt plants at the application sites were satisfactory in the past few years.

Deliberation Session

17. Members generally agreed to approve the applications on a temporary basis. A Member said that from the site photos, it appeared that the landscape planting implemented under the previous applications had not been properly maintained. The Member proposed that an approval condition should be added to require the submission of quarterly tree monitoring reports by the applicant to ensure that the landscape planting provided would be properly maintained. Members noted that as observed during site visits by PlanD, the existing landscape plantings were generally being maintained on a regular basis. Members also noted that the Chief Town Planner/Urban Design and Landscape, PlanD, pointed out that only one of the existing trees located to the north of the asphalt plant was in very poor condition and proposed that it should be replaced. In this regard, approval conditions (b) and (c) were suggested for application No. A/TY/129 (for the asphalt plant) to require the applicant to submit and implement landscape proposals. The Committee also noted that the suggested approval condition (b) for application No. A/TY/128 (for the concrete batching plant) required the applicant to maintain all landscape plantings within the site at all times during the planning approval period. Those approval conditions should be adequate to address the Member's concern. After further discussion, the Committee agreed that an additional approval condition regarding submission of quarterly tree monitoring report was not required.

18. After deliberation, the Committee decided to approve the two applications on a temporary basis for a period of 5 years until 7.8.2020, on the terms of the applications as submitted to the Town Planning Board and subject to the following conditions :

For Application No. A/TY/128

- “(a) no queuing on public roads in the vicinity of the application site resulting from the operation of the concrete batching plant shall be allowed at any time during the planning approval period;

- (b) the maintenance of all landscape plantings within the site at all times during the planning approval period;
- (c) the submission and implementation of fire service installations and water supplies for fire fighting within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 7.2.2016;
- (d) the submission of a Barging Operation Plan to the satisfaction of the Director of Marine or of the Town Planning Board before commencement of vessel/barging activities;
- (e) if the above planning conditions (a) and (b) are not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (f) if the above planning condition (c) 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; and
- (g) if the above planning condition (d) is not complied with before commencement of vessel/barging activities, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) prior planning permission should be obtained before commencing the applied use at the application site;
- (b) to note the comments of District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) that the concrete batching plant is in breach of the lease conditions and the relevant marshalling area is considered ancillary to the concrete production use and hence may be in breach of the

lease conditions. The owner of TYTL108 R.P. should apply for a temporary waiver for the concrete batching plant (including the relevant marshalling area as appropriate to be clearly specified). There is no guarantee that the application will be approved. 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 inter alia, payment of waiver fee and administrative fee, as may be approved by LandsD;

- (c) to note the comments of the Director of Environmental Protection that the concrete batching plant needs to be operated with a Specified Process Licence complying with requirements as stipulated in the Best Practice Means for Cement Works (Concrete Batching Plant) BPM 3/2;
- (d) to note the comments of the Director of Marine that the Barging Operation Plan should include the following operation arrangement:
 - (i) no ocean-going-vessel shall be allowed or permitted to use the sea access or berth at the designated seafrontage of the application site;
 - (ii) not more than two vessel/barging activities shall be allowed to use the sea access and berth at the designated seafrontage of the application site;
 - (iii) only one tier of vessel or barge shall be allowed to berth at the designated seafrontage of the application site and no off-shore anchoring shall be permitted in the vicinity; and
 - (iv) any vessel/barging activity operating near or at the seafrontage of the application site shall not cause any obstruction to the through traffic of the application site nor affecting the operation of other sites in the vicinity;

- (e) to note the comments of the Director of Fire Services that the applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department; and
- (f) to note the comments of the Chief Engineer/Development (2), Water Supplies Department (WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of the inside services within the private lots to WSD's standards."

For Application No. A/TY/129

- “(a) no queuing on public roads in the vicinity of the application site resulting from the operation of the asphalt plant shall be allowed at any time during the planning approval period;
- (b) the submission of landscape proposals within 6 months from the date of the planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 7.2.2016;
- (c) in relation to (b) above, the implementation of landscape proposals within 9 months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 7.5.2016;
- (d) the submission and implementation of fire service installations and water supplies for fire fighting within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 7.2.2016;

- (e) the submission of a Barging Operation Plan to the satisfaction of the Director of Marine or of the Town Planning Board before commencement of vessel/barging activities;
- (f) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (g) if any of the above planning conditions (b), (c) or (d) 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; and
- (h) if the above planning condition (e) is not complied with before commencement of vessel/barging activities, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) prior planning permission should be obtained before commencing the applied use at the application site;
- (b) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) that the asphalt plant is in breach of the lease conditions and the relevant marshalling area is considered ancillary to the asphalt use and hence may be in breach of the lease conditions. The owner of TYTL108 R.P. should apply for a temporary waiver for the asphalt plant (including the relevant marshalling area as appropriate to be clearly specified). There is no guarantee that the application will be approved. 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 inter alia, payment of waiver fee and administrative fee, as may be approved by LandsD;

- (c) to note the comments of the Director of Environmental Protection that the asphalt plant needs to be operated with a Specified Process Licence complying with requirements as stipulated in the Best Practice Means Tar and Bitumen Works (Asphalt Concrete Plants) BPM 3/2;
- (d) to note the comments of the Director of Marine that the Barging Operation Plan should include the following operation arrangement:
 - (i) no ocean-going-vessel shall be allowed or permitted to use the sea access or berth at the designated seafrontage of the application site;
 - (ii) not more than two vessel/barging activities shall be allowed to use the sea access and berth at the designated seafrontage of the application site;
 - (iii) only one tier of vessel or barge shall be allowed to berth at the designated seafrontage of the application site and no off-shore anchoring shall be permitted in the vicinity; and
 - (iv) any vessel/barging activity operating near or at the seafrontage of the application site shall not cause any obstruction to the through traffic of the application site nor affecting the operation of other sites in the vicinity;
- (e) to note the comments of the Director of Fire Services that the applicant is advised to observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Buildings Department; and
- (f) to note the comments of the Chief Engineer/Development (2), Water Supplies Department (WSD) that for provision of water supply to the development, the applicant may need to extend his/her inside services to the nearest government water mains for connection. The applicant shall

resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the installation, operation and maintenance of the inside services within the private lots to WSD's standards."

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

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

Hong Kong District

Agenda Item 6

Section 12A Application

[Open Meeting]

Y/H20/2 Application for Amendment to the Approved Chai Wan Outline Zoning Plan No. S/H20/21, Rezoning the Application Site from "Industrial" zone to "Other Specified Uses" annotated "Columbarium", 50 Ka Yip Street, Chai Wan
(MPC Paper No. Y/H20/2A)

21. The Secretary reported that the application was submitted by Kerry Warehouse (Chai Wan) Limited, a subsidiary of Kerry Properties (HK) Limited, with Urbis Limited (Urbis) and Mott Macdonald Limited (Mott) as two of the consultants of the applicant.

22. Mr Dominic K.K. Lam had declared an interest in this item as he had current business dealings with the applicant, Urbis and Mott and owned a workshop at Cheung Lee Street, Chai Wan.

23. As the applicant had requested for a deferral of consideration of the application, the Committee agreed that Mr Dominic K.K. Lam should be allowed to stay in the meeting but he should refrain from participating in the discussion.

24. The Secretary reported that a petition letter was submitted jointly by two Legislative Council members, Mr Wong Kwok Hing and Mr Kwok Wai Keung, three Eastern District Council members and 善終設施關注組 immediately before the meeting, indicating that the further information submitted by the applicant after the first deferment was basically the same as the original application and requested the Committee not to accede to the deferral request and to reject the application.

25. The Committee noted that the applicant's representative requested on 16.7.2015 for deferment of the consideration of the application for two months in order to allow time for preparation of technical assessments to address the comments from government departments, especially those that were traffic related. This was the second deferment requested by the applicant. The Committee had previously agreed to defer a decision on the application for two months on 8.5.2015, and the applicant had submitted further information on 8.7.2015.

26. The Chairman requested Members to consider the deferral application taking into account the applicant's reasons for requesting the deferral and the petition letter submitted on the day. Members generally considered that the Board could accede to similar deferral request noting that the applicant had been taking active steps to address government departments' concern.

27. 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 further information. Since it was the second deferment of the application and a total of four months had been allowed, no further deferment would be granted unless under very special circumstances.

[Miss Josephine Y.M. Lo, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H14/77 Proposed Minor Relaxation of Gross Floor Area and Building Height Restrictions for Temporary Place of Entertainment (Zipline Facility – Flightlinez) for a Period of 5 Years in "Other Specified Uses" zone, Roof Floor(Part) of The Peak Galleria, 118 Peak Road, Hong Kong
(MPC Paper No. A/H14/77C)

28. The Secretary reported that the application was submitted by Greenheart Hong Kong Limited with Lanbase Surveyors Limited (Lanbase), AECOM Asia Co. Limited (AECOM), CKM Asia Limited (CKM) as three of the consultants of the applicant. The following Members had declared interests in this item:

| | | |
|----------------------------|---|---|
| Mr Patrick H.T. Lau |] | having current business dealings with AECOM |
| Ms Julia M.K. Lau |] | |
| Mr Dominic K.K. Lam | - | having current business dealings with the Lanbase and AECOM |
| Professor P.P. Ho | - | having current business dealings with AECOM and CKM |
| Mr K.K. Ling (Chairman) | - | living in the government staff quarters in the Peak area and with no pecuniary interest in property value |

29. As the Chairman's interest was remote, the Committee agreed that he should continue to chair the meeting. The Committee noted that Mr Patrick H.T. Lau, Mr Dominic K.K. Lam and Professor P.P. Ho had no involvement in the application and agreed that they should be allowed to stay in the meeting. The Committee also noted that Ms Julia M.K. Lau had not yet arrived at the meeting.

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK,

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

- (a) background to the application;
- (b) the proposed minor relaxation of gross floor area (GFA) and building height (BH) restrictions for temporary place of entertainment (zipline facility – flightlinez) for a period of 5 years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection periods of the application and the three further information, a total of 241 public comments were received. Among them, 223 public comments supported the application and the remaining 18 public comments raised objection. The grounds of the public comments were set out in paragraph 9 of the Paper; 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 proposal was in line with the planning intention of the “Other Specified Uses” (“OU”) annotated “Commercial Complex cum Public Transport Terminus, Public Open Space, Government and Community Facilities and Public Car Park” under which the zipline facility, a ‘Place of Entertainment’ use, was always permitted. The proposed temporary minor relaxation of GFA restriction (addition of 200.69m² GFA for both the take-off and landing towers) and BH restriction (addition of 4.11m for the take-off tower) were not unacceptable. The Commissioner for Tourism considered that the proposed zipline facility could enhance the diversity of tourist activities and enrich the overall tourism appeal of Hong Kong. Relevant government departments had no objection to or no adverse comment on the application. To address the concern of Environmental Protection Department (EPD), an approval condition was suggested to

request the applicant to submit a noise audit report prior to the operation of the project and implementation of the recommendations identified therein so as to ensure that proper noise mitigation measures would be provided. The roof of The Peak Galleria, where the proposed zipline facility would be installed, did not count towards the minimum public open space provision required in the subject "OU" zone under the Outline Zoning Plan (OZP) or the lease and the proposal would not affect the public open space provision. Regarding responses to the public comments, the above assessments were relevant.

31. In response to a Member's question, Miss Josephine Y.M. Lo, STP/HK, said that the tallest structure on The Peak Galleria had a BH of 420mPD and the mean street level of Peak Road was about 398mPD. The absolute BH of The Peak Galleria was about 22m. The BH for the area covering the take-off tower of the zipline facility was proposed to be relaxed from 420mPD to 424.11mPD (i.e. relaxation of 4.11m), or from 22m to about 26.11m in terms of absolute BH. The areas covered by the landing tower, take-off tower and the areas under the four ziplines of the facility were about 852m² which was equivalent to about 14% of the total roof area.

32. The same Member pointed out that the applicant had provided very flimsy illustration of the zipline facility and there was a need to ensure that the design would minimise any visual impact. In response, Miss Lo said the zipline facility was small in scale with limited visual mass and there would not be significant adverse visual impact on the surrounding area.

33. The same Member further asked whether the accessibility of the roof garden would be affected as the proposed zipline would traverse the roof top and the proposed zipline facility could attract 120 riders per hour and a large crowd of spectators. In response, Miss Lo said that there was sufficient means of access to the roof garden including a lift with direct access from Peak Road and a number of escalators within The Peak Galleria. The zipline operator would have special access arrangement for the riders and would carry out crowd management particularly near the take-off tower. The roof garden was a private garden and the management office of The Peak Galleria could exercise its discretion in deciding access arrangement and crowd control measures.

34. Two Members raised concerns about the safety of the operation of the zipline facility. In response, Miss Lo said that the operation of the zipline facility would be under the purview of the Electrical and Mechanical Services Department (EMSD). EMSD had been consulted and had indicated no comment on the application. One of the Members said that a clearance/restricted area on the ground should be designated for this kind of amusement ride but there was no such information in the applicant's submission. In response, Miss Lo said that the proposed zipline would traverse some non-accessible areas on the existing roof floor including the roof structure, planters, electrical and mechanical structure and plant room. Since the current application was primarily for minor relaxation of GFA and BH restrictions, the applicant had not provided detailed information on the operation of the facility. Nevertheless, if the application was approved, the applicant would need to consult relevant government departments, including EMSD, during detailed design stage.

35. The Chairman asked Miss Lo to explain whether the proposed zipline facility would affect the public open space provision at The Peak Galleria. Miss Lo said that according to the Notes of The Peak Area OZP, for the subject "OU" zone, public open space of not less than 4,000m² should be provided, of which, not less than 2,500m² was to be provided at the Peak Road level. The remaining public open space required under the OZP had been provided as terraced open spaces at the first and second floor levels of The Peak Galleria. The roof garden of The Peak Galleria was a private garden, and its area was not counted towards the public open space provision under the OZP. Hence, the proposed zipline facility would not result in a loss of public open space provision as required under the OZP.

36. The Chairman asked Miss Lo to clarify the comment of the Leisure and Cultural Services Department (LCSD) about the possible impacts that a part of the zipline facility would overhang the Peak Road Garden. In response, Miss Lo said that a small portion (about 28m²) of the landing tower would project beyond the existing building line and form an overhang above the Peak Road Garden on ground level. The applicant would seek further advice from LCSD during the final design stage before commencing the construction works to ensure that the proposed zipline facility would not affect the Peak Road Garden.

37. A Member asked whether there was information about how the riders would ride down the zipline. In response, Miss Lo said that the applicant had not provided such

information.

38. In response to a Member's question, Miss Lo said that the current application was for minor relaxation of GFA and BH restrictions for a temporary period of 5 years. A renewal of the planning permission would be required before the expiry of the relevant approval period if the applicant wished to continue to operate the facility.

39. A Member asked what the rationale was for stipulating a BH restriction of 420mPD for The Peak Galleria. In response, Miss Lo said that BH restrictions had been imposed on various development zones on The Peak Area OZP in order to prevent excessively tall or out-of-context buildings, to preserve some key urban design attributes for the area and to provide better control of building height profile of the area. A BH restriction of 420mPD was imposed on The Peak Galleria based on the BH of the tallest structure thereat to reflect the as-built situation at the time when BH restrictions were imposed on the OZP. The current application was for minor relaxation of BH restriction only for a small area for construction of the take-off tower.

40. In response to a Member's question, Miss Lo said that the operation hours proposed by the applicant would be from 10 a.m. to 10 p.m. A Member asked whether the zipline facility would have any adverse impacts on the two residential buildings located in close proximity to The Peak Galleria. In response, Miss Lo said that occupants of the two residential buildings might have partial view of the proposed zipline facility but the visual impact would not be significant due to the small scale and limited visual mass of the structure. In terms of potential noise impact, the applicant had conducted a noise impact assessment (NIA) in Canada to simulate the noise generated by the proposed zipline facility including noise from the mechanical operation, noise from the riders and the cheering noise from the spectators. The NIA stated that the noise generated would meet the noise criteria in the Hong Kong Planning Standards and Guidelines (HKPSG). The applicant had also undertaken to implement the noise mitigation measures under the NIA, including compliance with the Noise Control Ordinance during the operation of the zipline facility, the carrying out of noise commissioning tests and submission of a noise audit report to EPD before operation of the zipline facility to demonstrate that there would be no violation of the criteria with mitigation measures as listed in the NIA report.

Deliberation Session

41. A Member said that the proposed zipline facility was considered compatible with other tourist attractions at the Peak and the design and minor increase in BH would not be visually overwhelming in that context. However, the Member raised concern on the overhanging part of the landing tower and indicated that the applicant should modify the design to confine the proposed structure within the building line of The Peak Galleria. The Chairman said that should the Committee decide to approve the application, an approval condition might be added to address this concern.

42. A Member expressed no strong view on the application but said that the proposed zipline facility might change the nature of attractions at the Peak. Currently, the attraction at the Peak was for passive and peaceful enjoyment of scenic views while the zipline was more active in nature and could enhance our tourist resources.

43. A Member supported the proposed zipline facility as a new tourist facility in Hong Kong but considered that the roof of The Peak Galleria might not be the ideal location for such facility. The facility had to be better designed if it was to become an icon of Hong Kong.

44. Two Members reiterated the concern on safety issues and indicated that EMSD had to closely scrutinize at the detailed design stage and should continue to monitor the operation of the facility so as to ensure the safety of the public.

45. A Member said that there was no strong reason to reject the application for proposed temporary minor relaxation of GFA and BH restrictions for a permitted use and considered that the impact of the proposed zipline facility on the surrounding environment was not significant. However, the Member raised concern that the facility would create noise nuisance to the nearby residents particularly during night time. Operation details would need to be controlled through relevant mechanisms and authorities.

46. In response to the Chairman's request, Mr K.F. Tang, Assistant Director (Environmental Assessment), EPD explained that as the proposed zipline facility was not incompatible with other tourist attractions in the Peak area and the applicant had undertaken

to conduct the noise audit report prior to operation of the facility, the proposal was considered acceptable by EPD. An approval condition requiring the submission of a noise audit report prior to the operation of the project and implementation of the recommendations identified in the report had been suggested.

47. A Member said that there should be more stringent control on the operation hours in order to reduce potential noise nuisance during night time while another Member considered that it was not necessary to do so as noise nuisance would be controlled under the Noise Control Ordinance. A Member said that the screaming of the riders at high pitches was a noise nuisance at any time of the day. In response, Mr Tang said that there were provisions under the Noise Control Ordinance to control noisy activities including the zipline facility that might cause annoyance to nearby residents, particularly at night time. As the roof garden was under private management, it would be easier for the operator to control noise nuisance through appropriate noise mitigation including management measures such as crowd control.

48. The Chairman concluded and Members noted that the proposed zipline facility, being a 'Place of Entertainment', was an always permitted use in the subject "OU" zone and generally considered that the application for temporary minor relaxation of the GFA and PR would have insignificant impacts. The safety and noise impact concerns could be addressed by way of approval conditions or advisory clauses. He then invited Members to go through the approval conditions and advisory clauses as suggested in paragraph 11.2 of the Paper. To address the concern about the overhanging part of the landing tower, the Committee agreed to add an approval condition requiring the applicant to refine the design of the landing tower such that no part of the zipline facility would project beyond the building line of The Peak Galleria. Regarding the safety and noise issues, the Committee agreed to add two advisory clauses to advise the applicant to seek EMSD's advice on the detailed design and operation of the proposed zipline facility and to comply with the Noise Control Ordinance during the operation of the zipline facility.

49. After further deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 7.8.2020, on the terms of the application as submitted to the Town Planning Board (the Board) and subject to the following conditions:

- “(a) to refine the design of the landing tower such that no part of the zipline facility would project beyond the building line of The Peak Galleria to the satisfaction of the Director of Planning or of the Board;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Board;
- (c) the submission of a noise audit report prior to the operation of the project and implementation of the recommendations identified therein to the satisfaction of the Director of Environmental Protection or of the Board; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Board.

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

- “(a) the approval of the application does not imply that the proposed building design elements could fulfill the requirements under the Sustainable Building Design Guidelines and the relevant requirements under the lease, and that the proposed gross floor area (GFA) concession for the proposed development will be approved/granted by the Building Authority. The applicant should approach the Buildings Department and the Lands Department direct to obtain the necessary approval. If the building design elements and the GFA concession are not approved/granted by the Building Authority and the Lands Authority and major changes to the current scheme are required, a fresh planning application to the Board may be required;
- (b) to note the comments of the District Lands Officer/Hong Kong West and South, Lands Department on modification of lease conditions to implement the proposal;

- (c) to note the comments of the Director of Fire Services with regard to formulation of detailed fire safety requirements upon receipt of formal submission of general building plans;
- (d) to note the comments of the Director of Leisure and Cultural Services with regard to the final design of the proposed zipline facility to the satisfaction of the Leisure and Cultural Services Department before commencing the construction works;
- (e) to note the comment of the Director of Environmental Protection that the operation of the zipline facility will be controlled under the Noise Control Ordinance (NCO). Noise Abatement Notice (NAN) may be issued to the applicant and other enforcement action may be taken under the NCO against the operation if the noise is a source of annoyance or does not comply with any standard or limit contained in the relevant Technical Memorandum under the NCO; and
- (f) to seek the advice of the Electrical and Mechanical Services Department on the detailed design and operation of the proposed zipline facility.”

[The meeting was adjourned for a 5-minute break.]

[Ms Julia M.K. Lau arrived to join the meeting and Mr Laurence L.J. Li left the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H14/81 Proposed Utility Installation for Private Project (Utility Pipes) in "Green Belt" zone and area shown as 'Road', Government Land adjoining No.34 Mount Kellett Road, The Peak, Hong Kong
(MPC Paper No. A/H14/81)

51. The Secretary reported that the application was submitted by Master Step Limited & Best Resource Industrial Limited with Kenneth To & Associates Limited (KTA), LWK & Partners (HK) Limited (LWK), Urbis Limited (Urbis), Parsons Brinckerhoff (Asia) Limited (Parsons) and Atkins China Limited (Atkins) as five of the consultants of the applicant. The following Members had declared interests in this item:

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| Mr Patrick H.T. Lau | - having current business dealings with KTA |
| Mr Dominic K.K. Lam | - having current business dealings with KTA, Urbis, Parsons and Atkins |
| Mr Laurence L.J. Li | - having current business dealings with LWK |
| Mr K.K. Ling (Chairman) | - living in the government staff quarters in the Peak area and with no pecuniary interest in property value |

52. As the Chairman's interest was remote, the Committee agreed that he should continue to chair the meeting. The Committee noted that Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application and agreed that they should be allowed to stay in the meeting. The Committee also noted that Mr Laurence L.J. Li had already left the meeting.

Presentation and Question Sessions

53. With the aid of a PowerPoint presentation, Miss Josephine Y.M. Lo, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed utility installation (utility pipes) to serve a house development;

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

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory public inspection period, one comment from a Central and Western District Councillor was received regarding concerns on removal of trees and compensatory planting; 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 application involved installation of pipes for electricity, telecommunications, gas, fresh water, foul water and storm water to support a permitted private residential redevelopment within the adjoining “Residential (Group C)1” zone. The proposed installation was minor in scale; would not involve extensive clearance of existing natural vegetation; would not cause any significant impact on the existing landscape features and the character of the area; nor adversely affect the infrastructure or slope stability. The proposal was considered to be generally in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within Green Belt Zone under section 16 of the Town Planning Ordinance’. Regarding the public comment on the concern on removal of trees, four trees of common species that were of fair to poor condition would be felled. Compensatory planting of whips or seedlings in a form of woodland mix planting would be provided in accordance with the requirements of relevant government departments.

54. Members had no question on the application.

Deliberation Session

55. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (the Board). The permission should be valid until 7.8.2019, 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 provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Board; and
- (b) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the Board.”

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

- “(a) to apply to the District Lands Officer/Hong Kong West and South, Lands Department for permission to carry out the proposed utility installation works on government land;
- (b) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department (BD) that the Building Authority is not empowered to process the building plan submission on proposed geotechnical works as mentioned in the Geotechnical Planning Review Report which fall outside the lot boundary of the adjacent residential redevelopment under s.14(1) of the Buildings Ordinance;
- (c) to note the comments of the Commissioner for Transport that in case public footpath/carriageway will be affected, the necessary temporary traffic arrangement has to be submitted to the police and his office for comments;
- (d) to note the comments of the Director of Fire Services to observe the requirements of emergency vehicular access (EVA) as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by BD and ensure that the subject proposal should not affect the width of existing EVA for the buildings nearby; and
- (e) to note the comments of the Chief Engineer/Development(2), Water Supplies Department (WSD) to comply with relevant Building Regulations, “Conditions of Working within Water Gathering Grounds (WGG)”, Water Pollution Control Ordinance and other WSD’s requirements during the course of the construction works within WGG.”

[The Chairman thanked Miss Josephine Lo, STP/HK for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/H3/424 Proposed Composite Commercial/Residential Development ('Flat', 'Eating Place' and 'Shop and Services' Uses) and Minor Relaxation of Building Height Restriction in "Government, Institution or Community" and "Residential (Group A) 7" zones, 6-18 Chung Ching Street, Sai Ying Pun, Hong Kong
(MPC Paper No. A/H3/424)

57. The Secretary reported that the application was submitted Camluck Development Limited with Kenneth To & Associates Limited (KTA) as the consultant of the applicant. The following Members had declared interests in this item:

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| Mr Patrick H.T. Lau |] | |
| |] | having current business dealings with KTA |
| Mr Dominic K.K. Lam |] | |
| Professor P.P. Ho | - | his spouse owning a flat in Third Street and a flat in Kui Yan Lane |
| Mr Clarence W.C. Leung | - | his mother owning a flat in Sai Ying Pun |

58. As the applicant had requested for a deferral of consideration of the application, Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application and the properties of Professor P.P. Ho's spouse and Mr Clarence W.C. Leung's mother did not have a direct view of the site, the Committee agreed that they should be allowed to stay in the meeting.

59. The Committee noted that the applicant requested on 29.7.2015 for deferment of the consideration of the application for one month in order to allow time for the applicant to

fine-tune the proposed development scheme to enhance the ground floor layout. This was the first time that the applicant requested for deferment of the application.

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

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H8/424 Proposed Development Complex Containing School, Institution and Office Uses in "Residential (Group A)" zone, 1 and 1A Java Road, North Point, Hong Kong
(MPC Paper No. A/H8/424A)

61. The Secretary reported that the application was submitted by Fukien Chamber of Commerce Educational Fund Limited, with LLA Consultancy Limited (LLA) as one of the consultants of the applicant. The following Members had declared interests in this item:

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| Mr Patrick H.T. Lau |] | |
| |] | having current business dealings with LLA |
| Mr Dominic K.K. Lam |] | |
| Mr Roger K.H. Luk | - | owning a flat at City Gardens, North Point |

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|---------------------|---|
| Mr Stephen H.B. Yau | - owning a flat in North Point |
| Mr Laurence L.J. Li | - his close relatives living in North Point |
| Dr Wilton W.T. Fok | - owning a flat on Cloud View Road, North Point |

62. The Committee noted that Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no involvement in the application and the properties of Mr Roger K.H. Luk and Mr Stephen H.B. Yau did not have a direct view of the site, the Committee agreed that they should be allowed to stay in the meeting. The Committee also noted that Mr Laurence L.J. Li had already left the meeting and Dr Wilton W.T. Fok had tendered apologies for being unable to attend the meeting.

Presentation and Question Sessions

63. With the aid of a PowerPoint presentation, Ms Irene W.S. Lai, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed development complex containing school, institution and office uses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Relevant government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory public inspection period, a total of 150 public comments from 14 Eastern District Council members, Designing Hong Kong Limited (DHK) and 135 individuals were received. Among them, 132 public comments supported the proposed development, 16 public comments provided similar views without stating support or objection, and the remaining 2 public comments objected to the application. The grounds of the public comments were set out in paragraph 10 of the Paper; 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. Although the proposed development complex containing school, institution and office uses was not entirely in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone, the site was currently occupied by the Fukien Secondary School, which was completed in 1960s and not up to current building standards. The redevelopment was seen as the continuation of the school function at the site, and would allow the applicant to sustain its community and education services through generation of income from the office rent. The proposed development was not incompatible in land use terms with the existing developments along Java Road. The proposed medium-rise building, with building height lower than the restriction as stipulated on the Outline Zoning Plan, would not result in visual incompatibility with the existing developments in vicinity. A lay-by was proposed to cater for loading and unloading activities. The building setback would improve pedestrian environment. The Transport Department had no objection to the application. As the site had been put for school use for nearly 50 years, approval of the application had no implications on the existing housing stock. The applicant had also demonstrated that the site was too small for any efficient layout for residential use. The proposed office portion complied with the Town Planning Board Guidelines No. 5 for ‘Application for Office Development in “R(A)” Zone under Section 16 of the Town Planning Ordinance’. Relevant government departments had no objection to or no adverse comment on the application. Regarding the technical concerns of government departments, they could be addressed by imposing relevant approval conditions. Regarding the public comment on blockage of wind flow towards Skyroom Terrace, the Chief Town Planner/Urban Design and Landscape had advised that due to prevailing wind directions, the proposed redevelopment would have negligible air ventilation impact on Skyroom Terrace. For other public comments, the above assessments were relevant.

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. The permission should be valid until 7.8.2019, 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 setting back of the proposed building from the lot boundary along Java Road for road widening, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the design and provision of the lay-by at Java Road, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works as recommended in the SIA in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.”

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

- “(a) the approval of the application does not imply that the proposed building design elements could fulfil the requirements under the Sustainable Building Design Guidelines and the relevant requirements under the lease, any proposal on gross floor area (GFA) concession and/or bonus plot ratio (PR)/ site coverage (SC) will be approved/granted by the Building Authority and Lands Authority. The applicant should approach the Buildings Department (BD) and Lands Department (LandsD) direct to obtain the necessary approval. If the building design elements, GFA concession and/or bonus PR/SC are not approved/ granted by the Building Authority and Lands Authority and major changes to the current scheme are required, a fresh planning application to the Board may be required;
- (b) to note the comments of the District Lands Officer/Hong Kong East, LandsD in paragraph 9.1.1 of the Paper in respect of the non-offensive trade clause under the lease;
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage Unit, BD in paragraph 9.1.2 of the Paper regarding the surrender of part of the lot for street widening, the requirements and relevant Fire Safety Code, means of escape discharge and Education Ordinance;
- (d) to note the comments of the Newly Arrived Children Support Unit, Placement & Support Section, Education Bureau in paragraph 9.1.4 of the Paper in respect of the Initiation Programme for Newly-Arrived Children;
- (e) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department (HyD) in paragraph 9.1.6 of the Paper regarding the proposed lay-by including utilities diversion works, HyD standards, local consultation and tree felling/transplanting and to take note of the pedestrian crossing being constructed at 3-5 Java Road;
- (f) to note the comments of the Director of Environmental Protection in paragraph 9.1.7(b) of the Paper regarding fresh air intake for the central air-conditioning system of the proposed development;

- (g) to note the comments of the Director of Fire Services in paragraph 9.1.9 of the Paper regarding the arrangement of emergency vehicular access;
- (h) to note the comments of the Chief Town Planner/Urban Design & Landscape, Planning Department in paragraph 9.1.12 of the Paper regarding the provision of landscape planting at the flat roof of 4/F and the roof level to improve the landscape and visual amenity of the proposed development;
- (i) to note the comments of the Director of Leisure and Cultural Services in paragraph 9.1.13 of the Paper regarding tree removal in relation to the proposed lay-by; and
- (j) to note the comments of the Project Manager (Harbour), Development Bureau in paragraph 9.1.14 of the Paper in respect of the Harbour Planning Principles and design of the building façade facing the harbour.”

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

Kowloon District

Agenda Item 11

Section 12A Application

[Open Meeting]

Y/K8/1

Application for Amendment to the Approved Wang Tau Hom & Tung Tau Outline Zoning Plan No. S/K8/21, To rezone the application site from "Government, Institution or Community" to "Residential (Group A)", 9 Tung Lung Road (former Chi Tak Public School) and adjoining area

(MPC Paper No. Y/K8/1)

67. The Secretary reported that the applicant's agent requested on 9.7.2015 for deferment of the consideration of the application for two months in order to allow time for consultation with relevant government departments and preparation of further information to address departmental comments. This was the first time that the applicant requested for deferment of the application.

68. 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 further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 12

Any Other Business

69. There being no other business, the meeting closed at 11:30 a.m..