

## **TOWN PLANNING BOARD**

### **Minutes of 544th Meeting of the Metro Planning Committee held at 9:00 a.m. on 23.10.2015**

#### **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 H.W. Cheung

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

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

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Mr Steve T.S. Li

Assistant Director (R1), Lands Department  
Mr Vincent K.L. Pang

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

Secretary

**Absent with Apologies**

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Mr Stephen H.B. Yau

Mr Frankie W.C. Yeung

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Lily Y.M. Yam

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 543rd MPC Meeting held on 9.10.2015

[Open Meeting]

1. The draft minutes of the 543rd MPC meeting held on 9.10.2015 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Hong Kong District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/H4/10                      Application for Amendment to the Approved Central District Outline Zoning Plan No. S/H4/14, To delete the word ‘Tram’ in paragraph 7(a) of the covering Notes and Para.8.5 of the Explanatory Statement, the section of tramway along Des Voeux Road Central and Queensway from Jubilee Street in the west to Arsenal Street in the east  
(MPC Paper No. Y/H4/10)

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**Presentation and Question Sessions**

3.                      The following representatives from the Planning Department (PlanD) and the representative of the applicant were invited to the meeting at this point:

- Ms Ginger K.Y. Kiang                      - District Planning Officer/ Hong Kong (DPO/HK)
  
- Mr J.J. Austin                                      - Senior Town Planner/Hong Kong (STP/HK)
  
- Mr K.K. Sit    - the applicant’s representative

4.                      The Chairman extended a welcome and explained the procedure of the hearing. He then invited Mr J.J. Austin, STP/HK, to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr J.J. Austin presented the application and covered the following aspects as detailed in the Paper:

**The Proposal**

- (a) to delete the word ‘tram’ from paragraph 7(a) of the covering Notes of the Approved Central District Outline Zoning Plan (OZP) No. S/H4/14; and

- (b) to delete paragraph 8.5 of the Explanatory Statement (ES) regarding the tram services in the area covering the section of tramway along Des Voeux Central and Queensway from Jubilee Street in the west to Arsenal Street in the east;

Justifications from the Applicant

- (c) the justifications put forth by the applicant in support of the application were summarised as follows:
  - (i) Mass Transit Railway Island Line had replaced the function of the tram as a transport mode linking up the eastern and western part of the Hong Kong Island;
  - (ii) the tramway and its stops occupied about 30% of the road surface of the busy Des Voeux Road Central;
  - (iii) phasing out or removing the tram service would bring greater efficiency in the use of Des Voeux Road Central and Queensway;
  - (iv) the proposal would improve road transport in Central; and
  - (v) the proposal would initiate the phasing out of the tramway service which was to be followed by the relevant Bureau and the Hong Kong Tramway Limited (HKTL).

Departmental Comments

- (d) the departmental comments were set out in paragraph 8 of the Paper and highlighted as follows:
  - (i) the Secretary for Transport and Housing (STH) did not support the application from the public transport policy angle. Under the existing transport policy, trams provided frequent and affordable services without roadside emissions for an average of around

180,000 passengers every day on the north of Hong Kong Island. The trams performed a supplementary transportation role in Hong Kong. There was no change to the role of trams under the transport policy;

- (ii) the Commissioner for Transport (C for T) did not support the application as he could not see how the traffic condition in the Central District could be materially improved by the proposed amendments. Trams provided an environmentally-friendly, high-frequency and very affordable mode of public transport in the north of Hong Kong Island for about 180,000 passengers on a daily basis, supplementing the services provided by other types of public transport. If tram services were to be discontinued in the Central/Admiralty area, additional space for a new depot at a suitable location would be needed. The use of most tram tracks along Des Voeux Road Central was shared by tram and other road based traffic. The proposed deletion of tram services would not provide additional road space for other road based traffic;
- (iii) according to the District Officer (Central & Western), Home Affairs Department, at the Central and Western District Council (C&WDC) informal meeting held on 27.8.2015, Members raised strong objection against the proposal on the grounds which were similar to the public objecting comments summarised below;

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

Public Comments

- (a) a total of 22,385 public comments were received from Legislative Council members, political parties, members of the C&WDC and the Wan Chai District Council, concerned groups and members of the public. 22,070 objected to, 8 supported, 300 provided comments and 7 indicated having no comment on the application;

*Supportive Comments*

- (b) the main grounds supporting the application were that the tram was an outdated mode of public transport, and the tramway occupied a large amount of road space and would aggravate the traffic load of the Central District;

*Objecting Comments*

- (c) the main grounds objecting to the application were that the tram had a high heritage value; it was a major local tourist attraction, and one of the most environmentally-friendly modes of transport in Hong Kong; tram was not the cause of traffic congestion in Central/Admiralty; the removal of the subject section of the tramway would adversely affect the integrity of the entire tram services, add burden to other transport modes and attract more private vehicles and taxis into the area, causing adverse traffic and air quality problems; and the applicant had not provided any assessment to substantiate his argument on how the removal of the section of tramway could help improve the traffic condition in the Central/Admiralty area; and

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

*PlanD's Views*

- (d) PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper, which were summarised as follows:
  - (i) paragraphs 7 and 8 of the covering Notes of the OZP were to set out uses that were always permitted on any land within the OZP and were intended to provide flexibility in the provision, maintenance and repair of basic infrastructure, including tram stops and track, and other public works coordinated by government. It was considered appropriate to retain the flexibility which had been applied consistently across the OZPs covering the Hong Kong Island. It was considered inappropriate to delete the word 'tram' from

paragraph 7(a) of the covering Notes;

- (ii) the purpose of the ES was to assist an understanding of the OZP by providing a more detailed description of the planning intention and objectives of the Town Planning Board for various land use zones of the OZP. Paragraph 8.5 of the ES was mainly a description of the existing tram services in the area and tramway should be retained as a permitted use under the covering Notes, it was considered inappropriate to delete the paragraph from the ES; and
- (iii) the applicant had not submitted any development proposal/scheme/parameter or impact assessment to substantiate the proposal. In the absence of any supporting information and/or impact assessments, it was impossible to ascertain the applicant's claims that the proposed rezoning could bring greater efficiency in the use of Des Voeux Road Central and Queensway. Nor was there any information to demonstrate that the proposed rezoning would not cause adverse impacts on the surrounding area. The approval of the application would set an undesirable precedent for similar rezoning applications for areas shown as 'Road'. A majority of the public comments received and the C&WDC raised strong objection against the application.

5. The Chairman then invited Mr K.K. Sit to elaborate on the application. Mr Sit made the following main points:

- (a) paragraph 7 of the covering Notes was mainly to include utility facilities. It was inappropriate to include 'tram' in the paragraph as the tramway had been existing before the first gazette of the OZP;
- (b) the tram was not a planned use under the OZP and was included in the ES only to reflect its existing status. It was considered appropriate to delete paragraph 8.5 from the ES;
- (c) on C for T's comments on the tram's daily passenger capacity, recent surveys



had indicated that the land-based public transport modes in Hong Kong provided services for a total of about 12,500,000 passengers. The daily passenger capacity of the tram of 180,000 passengers accounted only about 1.44% of the overall passenger capacity. The passenger capacity of the tram in the Central District was even less. Besides, parts of the tramway was fenced off and used solely by the tram;

- (d) the tram depot could be released for other uses if the tram service was discontinued. The traffic congestion problem in Des Voeux Road Central was caused by the narrow road. The space released after the removal of the tramway would allow provision of run in/run out for car parking facilities in buildings which would in turn solve the traffic congestion problem in the area, and the proposal would improve the traffic flow in Central/Admiralty area; and
- (e) on the heritage conservation and tourism aspects, the Happy Valley line could be retained as a tramway museum for promotion of tourism.

6. The Vice-chairman asked about the relocation arrangement of the previous tram depot at Sharp Street East (the current Times Square), and whether the transport policy should be a consideration of the subject application. In response, Ms Ginger K.Y. Kiang, DPO/HK, said that the government had agreed to grant two sites on a temporary basis to HKTL for the relocation of the tram depot with one in Whitty Street and another one in Shau Kei Wan. The site at Whitty Street was subsequently sold to HKTL for permanent depot use. The Secretary supplemented that OZPs were prepared and amended under the provisions of the Town Planning Ordinance (the Ordinance) and any government policy which might have implications on land use zonings would be taken into account in the plan-making process.

7. A Member asked Mr K.K. Sit whether he had carried out any technical assessment to support his proposal. Mr Sit replied that he had not.

8. In response to a Member's question on whether the deletion of the section of a tramway would affect the entire tram service, Ms Ginger K.Y. Kiang, DPO/HK, said that extra sites would be required for the provision of a maintenance depot and special

arrangement would also be required for reversing the trams in the Central/Admiralty area.

9. In response to a Member's question, Mr K.K. Sit said that he was a retired town planner previously worked in the government and submitted the application at his own initiatives. Mr Sit remarked that if the proposal was agreed by the Committee, corresponding amendments to delete the tramway in other relevant OZPs should also be made.

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

#### Deliberation Session

11. The Chairman said that the applicant's justifications for the application were doubtful. The Vice-chairman said that the government policy to retain the tram service was very clear. In view that STH and C for T did not support the subject application, and the applicant had not provided any technical assessment to substantiate the proposal, he did not support the application.

12. A Member said that if the subject application to delete a section of the tramway was approved, the whole tram service, which played an important role in providing transport services in the northern part of the Hong Kong Island, would be affected. In that regard, he did not support the application.

13. A Member expressed concern on the possible abuse of the planning application system and asked whether there was any restriction on submission of planning applications. The Chairman said that under the Ordinance, there was no mechanism to restrict the submission of a planning application.

14. After further deliberation, the Committee decided not to agree to the application

for the following reasons :

- “(a) paragraphs 7 and 8 of the covering Notes set out different uses that are always permitted on land within the Outline Zoning Plan (OZP) so as to provide flexibility for the provision of basic infrastructure, public utilities, transport-related facilities and the implementation of public works coordinated by the government. It is considered inappropriate to delete the word ‘tram’ from paragraph 7(a) of the covering Notes;
- (b) it is considered inappropriate to delete paragraph 8.5 of the Explanatory Statement of the OZP which provides a description of the existing tram services in the area;
- (c) there is no strong planning justification nor technical assessment in the submission to substantiate the rezoning application and demonstrate that the proposed rezoning would not cause adverse impacts to the surrounding area; and
- (d) the approval of the application will set an undesirable precedent for similar rezoning applications for areas shown as ‘Road’.”

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 4**

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

[Open Meeting]

A/K1/251                      Proposed Minor Relaxation of Site Coverage Restriction (from 15% to 24%) for Permitted Place of Recreation, Sports or Culture Use in “Other Specified Uses” annotated “Sports and Recreation Clubs” zone, Kowloon Cricket Club, Cox's Road, Tsim Sha Tsui, Kowloon  
(MPC Paper No. A/K1/251A)

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15. The Secretary reported that Urbis Limited (Urbis) was the consultant of the applicant. Mr Dominic K.K. Lam had declared an interest in the item as he had current business dealings with Urbis. As Mr Lam had no involvement in the item, the Committee agreed that he should be allowed to stay in the meeting.

16. The Committee noted that the applicant requested on 16.10.2015 for deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments. This was the second time that the applicant requested for deferment of the application.

17. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment of the application, the applicant should be advised that the Committee had allowed a total of four months 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.]

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K20/126 Proposed Public Utility Installation (Dry Weather Flow Interceptor) in “Open Space” zone and area shown as ‘Road’, government land, Hoi Fai Road, Tai Kok Tsui, West Kowloon  
(MPC Paper No. A/K20/126)

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Presentation and Question Sessions

18. 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;
- (b) the proposed public utility installation (Dry Weather Flow Interceptor) (DWFI);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper and highlighted as follows:
  - (i) the Director of Leisure and Cultural Services had no adverse comment on the application as there was no plan or programme to develop the site as public open space;
  - (ii) the Chief Town Planner/Urban Design & Landscape, Planning Department (PlanD) had no in-principle objection to the application and commented that there was inadequate information to demonstrate that the felled trees would be properly compensated in terms of quantity and quality, and on the landscape treatment along the waterfront promenade; and
  - (iii) the Chief Architect/Central Management Division 2, Architectural Services Department (ArchSD) commented that more greening should be provided on the facades to soften the building mass; the fenced off area should be as minimal as practicable; the design of the proposed fence and the wall should be less rigid; the applicant should consider setting back the fence from Hoi Fai Road to allow a

planting strip along the pavement; the waterfront promenade appeared narrow, in particular the area in front of the pumping station and the fenced off area and the applicant should consider widening the promenade as far as practicable; and barrier free access connecting the promenade and the raised open space should be provided; and

- (d) the Task Force of the Harbourfront Commission was briefed about the project in January and May 2013. The Task Force recognised the need for the proposed DWFI and the revised scheme presented in May 2013 had shown improvement with a widened waterfront promenade as compared to the previous scheme presented in January 2013;
- (e) during the first three weeks of the statutory publication period, two public comments were received. Designing Hong Kong Limited supported the application while a local resident suggested that a different location should be considered, and if the proposed development had to take place at the harbourfront, it should be designed as unobstructive as possible; and
- (f) PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The site fell within an area zoned “Open Space” (“O”) on the Approved South West Kowloon Outline Zoning Plan (OZP). There was a surplus of planned local and district open spaces. The applicant proposed to fence off only 380m<sup>2</sup> for the pumping station, while the waterfront promenade with an average width of 5.5m (covering an area of about 387m<sup>2</sup>) within the site and the remaining area (of about 885m<sup>2</sup>) outside the fenced off area would be open for public enjoyment. The impact on the open space provision would be minimal. The proposed pumping station was of a small scale and of one storey and would not have significant visual impact on the surrounding area. To address the departmental comments on landscaping and tree compensation, and the waterfront promenade, relevant approval conditions were suggested. The proposed development was not envisaged to have significant adverse impacts on the environmental, fire safety and traffic

aspects. Permission was already granted by the Environmental Protection Department to the applicant to apply directly for an Environmental Permit under the Environmental Impact Assessment Ordinance (EIAO) for the construction and operation of the pumping station. On the public comment on the siting of the proposed structure in relation to the shoreline, an approval condition on the design and provision of waterfront promenade was suggested.

19. In response to the Chairman's questions, Ms Michelle M.S. Yuen, STP/TWK, said that the fenced-off area covered an area of about 380m<sup>2</sup> in the northern part of the site mainly for a single-storey transformer room of about 6.5m above ground level and an underground pumping station. The applicant had not provided any information on the height of the fence wall. The proposed waterfront promenade, which would be open to the public at all times, had an average width of 5.5m with a width ranging from 3m to 8m. The design and construction of the waterfront promenade would be carried out by the applicant and managed by the Leisure and Cultural Services Department (LCSD). The Drainage Services Department (DSD) and LCSD were still discussing on the maintenance aspect. The remaining area would be landscaped and open to the public except during the maintenance period of 1.5 to 2 months each year.

20. In response to a Member's question on how the concerns of ArchSD on the proposed development could be addressed, Ms Michelle M.S. Yuen, STP/TWK, said that the concerns on greening and landscape, the width of the waterfront promenade and the access connecting the waterfront promenade and the raised open space could be addressed by the suggested approval conditions on the submission and implementation of landscape and compensatory tree planting proposals, and the design and provision of waterfront promenade.

21. On another Member's question regarding the comprehensive design of the harbourfront area, Ms Michelle M.S. Yuen said that the area to the south of the site was mainly for a marine refuse collection point and a Marine Department Harbour Patrol Office, and there was a public cargo working area to the further south. There was no programme to relocate the public cargo handling facility from the area. However, the proposed waterfront promenade could be connected to the existing open space to the north. Although the proposed pumping station would take up part of the land zoned "O", the applicant had

proposed to construct the waterfront promenade as part of the project for enjoyment of the public. In that regard, the impact of the proposed development on the provision of open space in the area would be kept to the minimal.

22. The Vice-chairman asked whether there were similar stormwater drainage facilities in other parts of the territory, Ms Michelle M.S. Yuen said that there was no similar stormwater drainage facility in the area covered by the same OZP, but in other areas of Hong Kong where the pumping stations were next to box culverts for operational purpose, their scale and footprint were comparable to those of the subject application.

23. A Member expressed concern on whether the proposed development would have any impact on the planning of the waterfront promenade, particularly when the proposed development would create a bottleneck with a width of only 3m at part of the waterfront promenade. The Chairman said that the long-term planning of the harbourfront of Victoria Harbour was to provide waterfront facilities for recreational enjoyment of the public. Opportunities would be taken to relocate some existing uses so that the waterfront area could be developed for recreational uses, such as the case in Kwun Tong. Some uses, such as the applied use, had to be located at the waterfront for operational reason. However, careful consideration of the design of those uses should be given to minimising the impacts on the waterfront area.

24. In response to a Member's question, Ms Michelle M.S. Yuen, STP/TWK, said that there was a level difference of about 2 m between the proposed pumping station and the waterfront promenade.

#### Deliberation Session

25. The Chairman expressed concerns that the fence wall around the proposed pumping station might create an imposing effect, particularly in the section where the waterfront promenade was only 3m wide, and queried why part of the proposed pumping station would have to be permanently fenced off. Members noted that part of the proposed pumping station would be placed underground and PlanD could further liaise with DSD on whether the area could be open to the public. The Chairman said that consideration should be given to reducing the permanent fencing as far as possible to ensure visual openness and



facilitate pedestrian movement.

26. A Member said that to avoid creating bottleneck situation in the waterfront promenade, the underground pumping facilities could be decked over and the above-ground pumping facilities could also be placed underground so that the decked over area could be converted to form part of the waterfront promenade for public enjoyment. Another Member was concerned about the safety aspect as the transformer room, if placed underground, might be subject to tidal flooding. Members noted that according to the applicant, the flood sensitive facilities could also be put underground but would require a much larger space. The subject development was required to be submitted to the Design Advisory Panel in accordance with the Environmental, Transport and Works Bureau Technical Circular (Works) No. 8/2005. The requirement for such submission had been included in the advisory clause.

27. A Member asked if some facilities of the proposed pumping station could be shifted northwards to release more space for the waterfront promenade. The Chairman said that the applicant had already gone through the site selection process and it was not expected that there would be much scope to relocate the pumping station. In response to another Member's suggestion to extend the width of the waterfront promenade by building a boardwalk overhanging the Victoria Harbour, the Chairman said that the proposal might have an implication under the Protection of the Harbour Ordinance.

28. A Member said that the public cargo working area had posed a land use compatibility problem to the nearby residential developments, and suggested that should the application be approved, an approval condition requiring the applicant to widen the promenade should be included, instead of a requirement under the advisory clause.

29. A Member expressed concerns on the lack of tree planting along the waterfront promenade and suggested that an approval condition should be included to require the applicant to provide more tree planting along the waterfront promenade, which was concurred with by another Member.

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

30. The Chairman concluded that Members generally had no objection to the

proposed development at the subject site. He said that the suggested approval condition on landscaping and compensatory tree planting should have largely addressed Members' concerns on tree planting; and the suggested approval condition on the design and provision of waterfront promenade could largely address the concerns on the width of the promenade. In view of Members' concerns on the overall design of the proposed development which could be further revised to enhance visual openness at the site for public enjoyment, Members agreed that an approval condition should be added requiring the applicant to submit a revised design for consideration by the Committee.

31. After further 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 23.10.2019, 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 submission of a revised design of the proposed development to the satisfaction of the TPB;
- (b) the submission and implementation of landscape and compensatory tree planting proposals to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of waterfront promenade, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB; and
- (d) the submission and implementation of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

- “(a) to note the comments of the District Lands Officer/Kowloon West, Lands Department that the applicant is required to apply for a permanent government land allocation (PGLA) to cater for the proposed Dry

Weather Flow Interceptor (DWFI). Such PGLA is subject to comments from relevant government departments upon circulation of the PGLA and the formal site survey by the District Survey Office/Kowloon. There is no guarantee that such PGLA would be approved. Subject to the applicant's agreement with the Leisure and Cultural Services Department (LCSD) on how to delineate the Drainage Services Department's facilities and LCSD's promenade, separate PGLA to LCSD may be required to cover the promenade as appropriate. A small part of the proposed DWFI, which does not form part of the application, encroaches onto the adjacent temporary government land allocation allocated to the Marine Department (MD). The applicant is requested to follow up such encroachment matter directly with MD. The applicant is also requested to submit a revised tree felling application reflecting the correct number of compensatory trees to her office for approval;

- (b) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. Emergency vehicular access shall be provided in accordance with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Buildings Department;
- (c) to note the comments of the Director of Marine that if marine works, sea access and/or vessels are involved in connection with the construction of DWFI and other works, MD shall be consulted. Marine works shall not be carried out in the New Yau Ma Tei Typhoon Shelter without notification to and agreement by MD. The uses of the public landing steps near the proposed DWFI and the existing right of way shall not be affected;
- (d) to note the comments of the Director of Environmental Protection that the applicant is reminded to obtain an environmental permit for the construction and operation of the designated project and follow the

requirements of the Environmental Impact Assessment Ordinance in implementing the project; and

- (e) to note the comments of the Chief Architect/Central Management Division 2, Architectural Services Department that more greening should be provided on the façades of the proposed development to soften the building mass. The fenced off area should be as minimal as practicable, the design of the proposed fence and the wall should be less rigid. Hanging planters or climbers to soften the edge should be considered. The applicant should consider setting back the fence from Hoi Fai Road to allow planting strip along the pavement. The applicant shall consider widening the promenade as far as practicable, e.g. to minimise and set back the structures of the penstocks above ground. The disposition of the eight structures for the penstocks above ground appears fragmented. A continual layout with dynamic treatment may be considered. To avoid blocking the harbour view, it is suggested to reduce the height of the feature walls of these structures. The applicant shall consider enhancing the transparency of these feature walls. To enhance the pedestrian flow between the promenade and the open space, additional access linking the two levels should be considered. Barrier free access connecting the promenade and the raised open space should be provided. The applicant should review the landscape design proposal and consider more grass covering on the open space. The applicant should ensure coherent and compatible design with the promenade. The applicant is reminded to submit the detailed design for Design Advisory Panel's comment in accordance with Environment, Transport and Works Bureau Technical Circular (Works) No. 8/2005.”

[The Chairman thanked Ms Michelle M.S. Yuen, STP/TWK, for her attendance to answer Members' enquiries. Ms Yuen 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 Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/432                Shop and Services in “Other Specified Uses” annotated “Business” zone,  
Workshop No. 3 (Portion), G/F, Kwai Cheong Centre, No. 50 Kwai  
Cheong Road, Kwai Chung  
(MPC Paper No. A/KC/432)

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33.                The Secretary reported that Mr Clarence W.C. Leung had declared an interest in the item as he had an office in Kwai Chung. The Committee noted that the office of Mr Leung did not have a direct view of the site and agreed that he should be allowed to stay in the meeting.

**Presentation and Question Sessions**

34.                Ms Fannie F.L. Hung, STP/TWK, informed the Committee that a replacement page (page 9) of the Paper, which had been sent to Members before the meeting, was to delete the time clause for commencement of the development as the latest site inspection had reviewed that the property agency under application was already in operation, the suggested approval conditions in paragraphs 12.2 (a) and (b) of the Paper had also been revised to include the time limit for compliance with the approval condition, and the clause stating “prior planning permission should have been obtained before commencing the development at the subject premises” had been included in the advisory clause.

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

- (a) background to the application;
- (b) the shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection was received by the District Officer (Kwai Tsing), Home Affairs Department; 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 “Other Specified Uses” annotated “Business” (“OU(B)”) zone was intended for general business uses. It allowed for greater flexibility in the use of existing industrial or industrial-office buildings provided that the use would not result in adverse fire safety and environmental impacts. The use under application was considered generally in line with the planning intention of the “OU(B)” zone. The use under application was not incompatible with the other uses of the subject industrial building. It complied with the Town Planning Board Guidelines on ‘Development within “OU(B)” Zone’ (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on developments within the subject building and the adjacent area. Relevant government departments had no objection to or adverse comment on the application. The subject industrial building was provided with a sprinkler system so that the maximum permissible commercial floor area on the ground floor was 460m<sup>2</sup>. Approval of the application with a total floor area of 82.53m<sup>2</sup> was within the maximum permissible limit of 460m<sup>2</sup>.

36. Members had no question on the application.

#### Deliberation Session

37. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission and implementation of fire safety proposals, including the provision of fire service installations and equipment in the subject premises and means of escape completely separated from the industrial portion of the subject industrial building within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2016; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

- “(a) prior planning permission should have been obtained before commencing the development at the subject premises;
- (b) to note the comments of the District Lands Officer/Tsuen Wan & Kwai Tsing, Lands Department (LandsD) that the owner should apply to his office for a modification/temporary waiver for shop and services use. The 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 Chief Building Surveyor/New Territories West, Buildings Department (BD) that the application premises should be separated from the remainder of the building with fire resistance rating of not less than 120 minutes and under the Buildings Ordinance (BO) section 4(1)(a), an Authorised Person should be appointed to coordinate building works except those stipulated in BO section 41; and this planning approval should not be construed as an acceptance of any unauthorised building works at the subject site and BD reserves a right for enforcement action under the BO; and

- (d) 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 the applicant is reminded to comply with the Code of Practice for Fire Safety in Buildings which is administered by the Building Authority. The applicant's attention is drawn to the "Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises".

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



**Agenda Item 7**

Section 12A Application

[Open Meeting]

Y/H14/5                      Application for Amendment to the Approved The Peak Area Outline  
Zoning Plan No. S/H14/11

Option 1

Site 1 (23 Coombe Road) :

To rezone the site from “Residential (Group C)2” (“R(C)2”) to “Other Specified Uses” (“OU”) annotated “Historic Building Preservation and Residential Development”

Option 2

Site 1 (23 Coombe Road) :

To rezone the site at 23 Coombe Road from “R(C)2” to “OU” annotated “Historic Building Preservation”

Site 2 (government land) :

To rezone the piece of government land north of 23 Coombe Road from “Green Belt” to “R(C)2”

(MPC Paper No. Y/H14/5)

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39.                      The Committee noted that the applicant requested on 9.10.2015 for deferment of the consideration of the application so that it could be considered together with application No. Y/H14/4 on the same day by the Committee in view that both applications were related to 23 Coombe Road, and the Committee would have a comprehensive understanding of the relevant issues and options involved before coming to an informed decision.     This was the first time that the applicant requested for deferment of the application.

40.                      In response to a Member’s question regarding the sites of the subject application and application No. Y/H14/4, the Secretary said that the applicant of the subject application had proposed two options, the site of Option 1 involved 23 Coombe Road while the sites of

Option 2 also involved a piece of government land to the north. The site of application No. Y/H14/4 was located to the south of 23 Coombe Road.

41. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant. The Committee agreed that the application should be submitted for its consideration at the same meeting of application No. Y/H14/4 which was scheduled for 6.11.2015.

### **Kowloon District**

#### **Agenda Item 8**

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

[Open Meeting]

Y/K8/1

Application for Amendment to the Approved Wang Tau Hom and 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/K8/1A)

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42. The Committee noted that the applicants requested on 19.10.2015 for deferment of the consideration of the application for two months in order to allow more time for the applicants to revise the layout and design of the proposed development and to prepare technical assessments to address the comments of the concerned government departments. This was the second time that the applicants requested for deferment of the application.

43. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants 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

applicants that two months were allowed for preparation of the submission of the further information. Since it was the second deferment of the application, the applicants should be advised that the Committee had allowed a total of four months for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/726

Section 16 Application No. A/K14/726

Shop and Services in “Other Specified Uses” annotated “Business” zone,  
Unit B3 on Ground Floor, Good Year Industrial Building, Nos. 119-121  
How Ming Street, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/726)

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44. The Secretary reported that Traces Limited (Traces) was the consultant of the applicant. Ms Julia M.K. Lau had declared an interest in the item as she was the Executive Director and a shareholder of Traces. The Committee considered that the interest of Ms Lau was direct and agreed that she should be invited to leave the meeting temporarily.

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

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

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

- (a) background to the application;

- (b) the shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period and no local objection was received by the District Officer (Kwun Tong), Home Affairs Department; 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 “Other Specified Uses” annotated “Business” (“OU(B)”) zone was intended for general business uses. It allowed for greater flexibility in the use of existing industrial or industrial-office buildings provided that the use would not result in adverse fire safety and environmental impacts. The use under application was considered generally in line with the planning intention of the “OU(B)” zone and was not incompatible with the changing land use character of the area. It complied with the Town Planning Board Guidelines on ‘Development within “OU(B)” Zone’ (TPB PG-No. 22D) in that it would not induce significant adverse fire safety, traffic, environmental and infrastructural impacts on the uses within the subject building and the adjacent area. Relevant government departments had no objection to or adverse comment on the application. The subject industrial building was provided with a sprinkler system so that the maximum permissible commercial floor area on the ground floor was 460m<sup>2</sup>. Approval of the application with a total floor area of 15.206m<sup>2</sup> was within the maximum permissible limit of 460m<sup>2</sup>. The planning permission of the previous application approved on 14.11.2014 was revoked on 14.2.2015 due to non-compliance with the approval condition on the submission of proposal for fire safety measures. The applicant had appointed a fire contractor to follow up the proposal. It was envisaged that submission on the fire service installation proposal could be arranged shortly after the planning permission of the subject application had been

granted. As previous planning permissions had been revoked due to non-compliance with approval condition, a shorter compliance period of three months for the approval condition was proposed to monitor the progress of compliance should the Committee decide to approve the subject application.

46. Members had no question on the application.

#### Deliberation Session

47. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission of the proposal for fire safety measures, including the provision of fire service installations and equipment and means of escape separated from the industrial portion at the application premises within 3 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.1.2016;
- (b) in relation to (a) above, the implementation of the proposal for fire safety measures, including the provision of fire service installations and equipment and means of escape separated from the industrial portion at the application premises within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.4.2016; 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.

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

- “(a) prior planning permission should have been obtained before commencing the development at the subject premises;

- (b) to note that a shorter compliance period is granted in order to monitor the fulfilment of the approval conditions. Should the applicant fail to comply with the approval conditions again resulting in the revocation of the planning permission, sympathetic consideration would not be given by the Committee to any further application;
- (c) to apply to the District Lands Office/Kowloon East, Lands Department for lease modification or temporary waiver for the proposed 'Shop and Services' use at the subject premises;
- (d) to note the comments of the Director of Fire Services to comply with the "Code of Practice for Fire Safety in Buildings" administered by the Building Authority (BA), and to observe the "Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises"; and
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) that the applicant should engage an Authorised Person to ensure any building works/alterations and additions works/change in use are in compliance with the Buildings Ordinance (BO), including, the provision of adequate means of escape, the application premises should be separated from the remaining portion of the building by fire barriers, and the provision of access and facilities for persons with a disability; for unauthorised building works (UBW) erected on private land/buildings, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any UBW on the subject premises under the BO; and detailed comments under the BO can only be formulated at the building plan submission stage."

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

**Agenda Item 10**

Any Other Business

49.           There being no other business, the meeting closed at 10:30 a.m..