

TOWN PLANNING BOARD

Minutes of 585th Meeting of the Metro Planning Committee held at 9:00 a.m. on 28.7.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Professor T.S. Liu

Mr Franklin Yu

Chief Traffic Engineer (Hong Kong), Transport Department
Mr Peter C.K. Mak

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr Richard W.Y. Wong

Assistant Director (Regional 1), Lands Department
Mr Denis K.N. Li

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

Secretary

Absent with Apologies

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Dr Lawrence W.C. Poon

Ms Sandy H.Y. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Sally S.Y. Fong

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

Agenda Item 1

Confirmation of the Draft Minutes of the 584th MPC Meeting held on 14.7.2017

[Open Meeting]

1. The draft minutes of the 584th MPC meeting held on 14.7.2017 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/H20/4 Application for Amendment to the Draft Chai Wan Outline Zoning Plan No. S/H20/22, To rezone the application site from “Government, Institution or Community” and “Open Space” to “Government, Institution or Community (4)” with stipulation of building height restriction of 100mPD, Government Land at the junction of Sun Yip Street and Siu Sai Wan Road, Chai Wan, Hong Kong
(MPC Paper No. Y/H20/4A)

[This item was conducted in English and Cantonese.]

3. The Secretary reported that the application site was located in Chai Wan. Urbis Limited (Urbis) and AIM Group Limited (AIM) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|---------------------------------------|---|
| Mr Thomas O.S. Ho | - his company having current business dealings with Urbis |
| Mr K.K. Cheung | - his firm having current business dealings with AIM |
| Mr Franklin Yu | - having past business dealings with Urbis |
| Mr Raymond K.W. Lee
(the Chairman) | - co-owning with his spouse/his spouse owning properties in Chai Wan area |
| Mr Sunny L.K. Ho | - owning and co-owning with his spouse properties in Chai Wan area |
| Mr Dominic K.K. Lam | - being a director of a company which owned a property in Chai Wan area |

4. The Committee noted that Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting and Mr Franklin Yu had not yet arrived at the meeting. As Messrs K.K. Cheung and Thomas O.S. Ho had no involvement in the application and the properties owned/co-owned by Mr Raymond K.W. Lee and/or his spouse and the properties owned/co-owned by Mr Sunny L.K. Ho and his spouse did not have a direct view of the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

5. Mr Louis K.H. Kau, District Planning Officer/Hong Kong (DPO/HK), Mr J.J. Austin, Senior Town Planner/Hong Kong (STP/HK), and the following representatives of the applicant were invited to the meeting at this point:

Fire Services Department

- | | | |
|------------------|---|-----------------------------|
| Mr Yuk Ping Wong |] | |
| Mr Ling Jim Ng |] | |
| Mr Chun Pong Ho |] | |
| Mr Ho Man Wong |] | Applicant's representatives |

Urbis Limited

- | | |
|-------------------|---|
| Mr Alan Macdonald |] |
| Ms Winona Ip |] |

Ms Oliver Cheung]
Ramboll Environ Hong Kong Limited
Mr Roger Leung]

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

- (a) background to the application;
- (b) the proposed rezoning of the application site from “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) to “G/IC(4)” and “O” with stipulation of a maximum building height restriction (BHR) of 100mPD for the “G/IC(4)” sub-zone, and to add ‘Flat (for “G/IC(4)” only)’ under Column 1 of the Notes for the “G/IC” zone for the development of a composite building with an ambulance depot on the lower floors and departmental quarters (DQs) above for the Fire Services Department (FSD). No zoning amendment was proposed for the “O” portion of the Site which would be kept as a planting strip;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Security (S for S) advised that the Security Bureau had given in-principle policy support for the project in view of the persistent shortage in DQs. The Chief Town Planner, Urban Design and Landscape, PlanD, advised that the proposed development would impose moderate visual impact on public viewers at close range. Building set back distance from Siu Sai Wan Road Garden and Siu Sai Wan Road should be maximized and additional visual mitigation measures such as vertical greening and permeable building design should be adopted to minimize the visual impact of the proposed development. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of 26 public comments were received, including two supportive comments from individuals, 22 opposing comments from the residents of Harmony Garden and individuals, one comment from an Eastern District Council member and one comment from the Incorporated Owners of Harmony Garden providing the results of a questionnaire survey on residents' views on the application. Major supportive views and objection grounds were set out in paragraph 10 of the Paper; and

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

- (e) PlanD's Views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The subject site was one of the sites identified as suitable for a composite development of ambulance depot and DQs. The proposed BHR of 100mPD tallied with the BHR stipulated for Harmony Garden, the closest residential development in the vicinity. Although the proposed development would impose moderate visual impact on public viewers at close range, visual mitigation measures could be adopted to minimize the visual impact. Though located close to a data centre and an industrial building, the Director of Environmental Protection confirmed that the proposal was acceptable upon implementation of the noise mitigation measures proposed by the applicant. Other technical assessments submitted by the applicant were considered acceptable by the relevant government departments. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant. To better reflect the intention to allow 'Government Staff Quarters' as a use that was always permitted at the site, it was recommended that 'Flat (Government Staff Quarters only) (for "G/IC(4)" only)' should be put under Column 1 of the Notes for the "G/IC" zone, instead of 'Flat (for "G/IC(4)" only)' as applied for.

7. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Alan Macdonald made the following main points:

- (a) there were over 35,000 emergency ambulance calls per annum in Hong Kong. FSD had a performance pledge to respond to 92.5% of emergency ambulance calls within 12 minutes from the time of receipt of an emergency ambulance call. To enable FSD to meet the target response rate, ambulance depot should be strategically located to enable staff to respond to the call promptly;
- (b) meanwhile, there was significant shortfall in DQs for the FSD;
- (c) from land use planning and urban design perspectives, it was not expected that the proposed development of a composite building with ambulance depot and DQs would have significant impacts on the surrounding areas;
- (d) only a limited number of staff would be accommodated within the site and the proposed development would have insignificant impact on the provision of government, institution and community facilities in the area;
- (e) to compensate for the loss of trees due to the proposed development, sufficient compensatory planting would be provided and native species would be planted; and
- (f) in conclusion, the proposed development was vital to FSD for meeting the target response rate and addressing the pressing need for DQs.

8. Some Members raised the following questions:

- (a) whether the current proposal with only four parking spaces for ambulance would be sufficient to meet the increasing demand in future;
- (b) the mitigation measures proposed by the applicant to alleviate the noise impact during operation of the ambulance depot and to reduce disturbances

to the local residents;

- (c) whether there was any planned extension of the MTR Hong Kong Line to Siu Sai Wan, the walking distance between the site and Chai Wan MTR station and any measures to improve connectivity between Chai Wan MTR station, and the residential developments in the area; and
- (d) the meaning of ‘partially agree’ as stated in paragraph 12.1 of the Paper.

9. Mr Louis K.H. Kau, DPO/HK, made the following responses:

- (a) an Environmental Assessment (EA) report was submitted by the applicant to assess, amongst others, the construction and operational noise impacts of the proposed development on the surrounding residential developments, in particular, Harmony Garden, as well as the future DQs above the ambulance depot. Noise mitigation measures at source were proposed to mitigate the noise impact on the DQs due to the cooling towers at the podium of an adjoining industrial building. Besides, the sound power level (SWL) of sirens of ambulance during night time missions would be lowered to mitigate the impact on the surrounding noise sensitive receivers (NSRs). With the mitigation measures, the residual noise impact due to the proposed development was acceptable under relevant legislation/regulations;
- (b) under the Railway Development Strategy 2014, there was no proposal to extend the MTR Hong Kong Line to Siu Sai Wan. While the existing residential developments were located at a distance from the Chai Wan MTR station, they were well-served by buses and mini-buses. Besides, there were footbridges and at grade crossing facilities for residents’ access to the Chai Wan MTR station; and
- (c) to better reflect the intention to allow ‘Government Staff Quarters’ (rather than ‘Flat’ in general) as an always permitted use at the site, PlanD recommended that ‘Flat (Government Staff Quarters only) (for “G/IC(4)”

only)' should be placed under Column 1 of the Notes of the "G/IC" zone, instead of 'Flat (for "G/IC(4)" only)' as proposed by the applicant, and thus, PlanD's recommendation was to partially approve the application.

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

10. Mr Yuk Ping Wong, the applicant's representative, also made the following responses:

- (a) regarding the provision of ambulance parking spaces within the site, as each parking space would be able to accommodate three standard ambulances, the proposed four parking spaces would be able to accommodate a total of 12 ambulances. Comparing with the current provision in Chai Wan Ambulance Station which could accommodate only four ambulances, the proposed provision was considered sufficient to meet the future demand; and
- (b) regarding the noise impact of the proposed ambulance depot, a number of mitigation measures had been adopted with a view to reducing disturbances on the local residents particularly at night time. The public announcement (PA) system would switch to a different mode at night time in that there would be no announcement at the drill yard and repeated announcement by the PA system would be reduced. Only flashing light would be used by ambulance without the need for sirens at night time unless there was blockage in traffic. Through better design, the gate would be closed at a reduced speed at night time to reduce noise nuisance.

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

Deliberation Session

12. After further deliberation, the Committee decided to partially agree to the application by rezoning the “G/IC” portion of the Site to “G/IC(4)” with stipulation of a maximum BHR of 100mPD, adding ‘Flat (Government Staff Quarters only) (for “G/IC(4)” only)’ under Column 1 of the Notes for the “G/IC” zone, and replacing ‘Flat’ with ‘Flat (not elsewhere specified)’ under Column 2 of the Notes.

13. The relevant proposed amendments to the draft Chai Wan Outline Zoning Plan No. S/H20/22 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Town Planning Ordinance.

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/H24/8 Application for Amendment to the Draft Central District (Extension) Outline Zoning Plan No. S/H24/8, To rezone the application site from “Other Specified Uses” annotated “Military Use” to “Commercial”, People’s Liberation Army Hong Kong Garrison Headquarters, Central, Hong Kong
(MPC Paper No. Y/H24/8)

[This item was conducted in Cantonese.]

Presentation and Question Sessions

14. Mr Kwok Keung Sit, the applicant’s representative, was invited to the meeting at this point. The Chairman extended a welcome and explained the procedure of the hearing. He then invited the representatives of the Planning Department (PlanD) to brief Members on the background of the application.

15. With the aid of a PowerPoint presentation, Mr J.J. Austin, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site (the site) from “Other Specified Uses” annotated “ Military Use” (“OU(Military Use)”) to “Commercial” (“C”) on the Draft Central District (Extension) Outline Zoning Plan (OZP) No. S/H24/8 for commercial use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Both the Secretary for Security and the Secretary for Development considered it inappropriate to rezone the site to other uses as the site was one of the military sites established in accordance with the Exchange of Notes between the Government of the People’s Republic of China and the Government of the United Kingdom in 1994 on the future use of the military sites in Hong Kong. It had been declared as a military installations closed area under the Military Installations Closed Areas Order (Cap. 245B) and a protected place under the Protected Places Order (Cap. 260A) for use of the People’s Liberation Army Hong Kong Garrison (the Garrison) for defence purposes. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD, had reservations on the proposal’s impact on the integrity of the design concept as set out in section 7.4 of the Explanatory Statement of the OZP. Besides, the impact on landscape resources and its compatibility with the existing landscape character could not be ascertained. Both the Chief Engineer/Development(2), Water Supplies Department and the Chief Engineer/Hong Kong and Islands, Drainage Services Department, were unable to assess the application due to limited information provided by the applicant. Other relevant government departments had no objection to or no adverse comment on the application;

[Mr Franklin Yu arrived to join the meeting at this point.]

- (d) during the first three weeks of the statutory publication period, three public comments were received from Designing Hong Kong Limited and members of the general public. Out of the three comments, two supported

and one objected to the application. Major supportive views and objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's Views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The “OU(Military Use)” zoning was considered appropriate to reflect the existing use of the site. The proposal was similar in nature to the two previous applications submitted by the same applicant which had been rejected by the Committee and there had been no change in planning circumstances since then. There was no strong planning justification nor technical assessment in the submission to substantiate the rezoning application and to demonstrate that the proposed development would not create adverse impact on the surrounding area. Approval of the application would set an undesirable precedent for similar rezoning applications in the “OU(Military Use)” zone and the cumulative effect of which would affect the military sites for defence purposes.

16. The Chairman then invited the applicant's representative to elaborate on the application. Mr Kwok Keung Sit made the following main points:

- (a) the current provision of Grade A office in the Central District was not enough to meet future demand. For example, with The Belt and Road initiative launched by the Government of the People's Republic of China, more demand for Grade A office was anticipated;
- (b) as noted from the Paper, there was a shortfall of about 5 million square feet gross floor area of Grade A office in the Central Business District by 2023. There was a need to provide more Grade A office floor spaces to meet the anticipated demand;
- (c) contrary to some military sites which were not covered by OZP and did not have land use zoning, the subject site zoned “OU(Military Use)” indicated the possibility for a change of land use zoning to reflect the landowner's intention; and

- (d) the landowner's views on future use of the site should be sought and the Committee should defer a decision on the application pending views from the landowner.

17. In response to a Member's question, Mr Kwok Keung Sit said that he had not contacted, nor in a position to contact, the landowner but, as a member of the public, he made the application in accordance with the provisions of the Town Planning Ordinance (the Ordinance).

18. As the applicant's representative had no further points to make and Members had no questions to raise, 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 their 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

19. In response to a Member's query, the Chairman said that two previous applications, both proposing to rezone the application site to "Commercial (Hotel)" submitted by the same applicant, were rejected by the Committee, and there had been no change in planning circumstances since then.

20. Some Members raised concern on the ways to deal with repeated or vexatious applications as well as public comments containing offensive wording. The Secretary said that there was no provision under the Ordinance for the Town Planning Board (the Board) to refuse processing of a planning application, as long as the applicant submitted the application in accordance with the provisions of the Ordinance and had fulfilled the 'Owner's Consent/Notification' requirement if the applicant was not the owner of the application site. The Chairman supplemented that as required under the Ordinance, the Board should make available all public comments received during the publication period for public inspection.

21. In response to a Member's query, the Chairman said that the Board should prepare statutory plans for areas of Hong Kong as the Chief Executive (CE) might direct in accordance with section 3 of the Ordinance. At present, some existing barracks, for instance, the one in Tsim Sha Tsui, was covered by OZP, but not all existing barracks were covered by OZP. For areas not covered by any statutory plans, CE's directive was required for the Board to prepare a new draft plan.

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

- “ (a) the “Other Specified Uses” annotated “Military Use” (“OU(Military Use)”) zoning is considered appropriate to reflect the existing use of the Site;
- (b) there is no strong planning justification nor technical assessment in the submission to substantiate the rezoning application and demonstrate that the proposed development would not create adverse impact on the surrounding area; and
- (c) the approval of the application will set an undesirable precedent for similar rezoning applications in the “OU(Military Use)” zone, the cumulative effect of which would affect the military sites for defence purposes.”

Tsuen Wan and West Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/K20/128 Proposed Comprehensive Development for Residential (Flat), Commercial Uses (Eating Place, Shop and Services, Off-course Betting Centre and Market) and School (Kindergarten, Nursery, Language, Computer, Commercial and Tutorial Schools, Art Schools, Ballet and Other Types of Schools Providing Interest/Hobby Related Courses) with Minor Relaxation of Domestic Plot Ratio Restriction in “Comprehensive Development Area” Zone and an area shown as ‘Road’, The “Comprehensive Development Area” Site bounded by Lai Hong Street, Fat Tseung Street, Sham Mong Road and West Kowloon Corridor and a small strip of land on Lai Hong Street
(MPC Paper No. A/K20/128)

23. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) and Ronald Lu & Partners (RL&P) were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | |
|---------------------|--|
| Mr Patrick H.T. Lau | - having current business dealings with LD and RL&P |
| Mr Thomas O.S. Ho | - having current business dealings with RL&P |
| Ms Sandy H.Y. Wong | - being a member of the Council of the Hong Kong Baptist University (HKBU) and RL&P was working for HKBU |

24. The Committee noted that the applicant had requested a deferral of consideration of the application and Mr Patrick H.T. Lau and Ms Sandy H.Y. Wong had tendered apologies for being unable to attend the meeting. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

25. The Committee noted that the applicant's agent requested on 11.7.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments of concerned government departments. It was the first time that the applicant requested deferment of the application.

26. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending 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 further information and no further deferment would be granted unless under very special circumstances.

[Ms Caroline T.Y. Tang, Ms Fannie F.L. Hung and Mr Walter W.N. Kwong, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/576 Proposed Shop and Services in "Residential (Group A)" Zone and an area shown as 'Road', 3/F to 5/F, 516 Shanghai Street, Mong Kok, Kowloon

(MPC Paper No. A/K3/576)

Presentation and Question Sessions

27. With the aid of a PowerPoint presentation, Ms Caroline T.Y. Tang, 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 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual expressing concern on the application. The major concern was 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 proposed shop and services use at the subject premises was considered not incompatible with the surrounding land uses which were predominantly mixed commercial/residential in nature with commercial uses such as shops and restaurants at lower floors. The proposed conversion was not expected to have significant adverse impact on the character of the neighbourhood. Considering that the application site was relatively small (about 92m²), the existing 6-storey building was currently vacant and 'shop and services' use at the lower three floors was always permitted, the proposal of converting three additional floors for the proposed shop and services use would not have significant impact on the housing land supply. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment, the planning assessments above were relevant.

28. Members had no question on the application.

Deliberation Session

29. Whilst not objecting to the application in view of its small scale, a Member

remarked that the Committee had in recent years taken a stricter stance in dealing with applications for non-residential uses in the “Residential (Group A)” (“R(A)”) zone and was mindful on the reduction in housing land supply. Nonetheless, the current application might warrant favourable consideration having regard to its improvement of the existing building conditions, provision of fire services installations to meet the current standard/regulations and better utilization of land resources. The Chairman echoed that due to shortage of housing land supply in recent years, applications for non-residential uses within “R(A)” zones were not approved by the Committee unless under very special circumstances. The current application which did not involve redevelopment but internal alteration of the 3/F to 5/F with a floor area of about 225m² of an existing building might warrant special consideration. Another Member also considered that despite the shortage of housing land supply, the application could be approved in view of the small scale, local context, and its individual merits.

30. A Member enquired whether approval of the application would imply that commercial use would be permitted as of right if the applicant chose to redevelop the site. The Chairman said that the approval was scheme-specific and would not be applicable to redevelopment of the site in future.

31. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.7.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

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

32. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/448 Proposed Temporary Industrial Use (Food Processing Use) for a Period of 5 Years in “Residential (Group E)” Zone, LG/F, Block A, Kerry TC Warehouse 1, 3 Kin Chuen Street, Kwai Chung
(MPC Paper No. A/KC/448)

33. The Secretary reported that the application was submitted by Kerry TC Warehouse (Block A) Limited which was a subsidiary of Kerry Properties Limited (KPL). The following Members had declared interests on this item:

Dr Lawrence W.C. Poon - his spouse being an ex-employee of KPL

Mr K.K. Cheung - his firm having current business dealings with KPL

34. The Committee noted that Dr Lawrence W.C. Poon had tendered apologies for being unable to attend the meeting. As the interest of Mr K.K. Cheung was direct, the Committee agreed that he should be invited to leave the meeting temporarily for this item.

[Mr K.K. Cheung and Mr Denis K.N. Li left the meeting temporarily at this point.]

Presentation and Question Sessions

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 proposed temporary industrial use (food processing use) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, two public comments were received from a Kwai Tsing District Council (K&T DC) member and an individual from Kerry Warehouse Hong Kong Limited. The latter supported the application without specifying the reason whereas the K&T DC member had no comment on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of five years based on the assessments set out in paragraph 10 of the Paper. As the premises and the proposed food processing use were small in scale and the use was temporary in nature, it would not jeopardise the long-term planning intention of the “Residential (Group E)” zone. The proposed use was considered not incompatible with the uses of the subject industrial building and the surrounding areas. Two similar applications for food processing use in the subject industrial building were approved in 2003 and 2013 respectively on a temporary basis for a period of five years; and there had been no change in the planning circumstances since the approval of the two similar applications. The small scale of the proposed use would unlikely generate adverse traffic or environmental impacts on the surrounding areas. Concerned government departments had no objection to or adverse comment on the application. Regarding the public comments received, the planning assessments above were relevant.

36. Members had no question on the application.

Deliberation Session

37. After deliberation, the Committee decided to approve the application on a temporary basis for a period of five years until 28.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission of fire services installations within 6 months from the date

of the approval to the satisfaction of the Director of Fire Services or of the TPB by 28.1.2018;

- (b) the provision of fire services installations within 9 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 28.4.2018; and
- (c) if the above planning conditions (a) and (b) are 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 to note the advisory clauses as set out at Appendix IV of the Paper.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TWW/112 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted House Development in “Residential (Group C) 1” Zone, Lot 425 in D.D. 399, Ting Kau, Tsuen Wan (**Open Meeting**)
(MPC Paper No. A/TWW/112C)

Presentation and Question Sessions

39. The Secretary reported that K&K Chartered Architect & Associates (K&K) was one of the consultants of the applicant. Mr K.K. Cheung had declared interest on the item as his firm had current business dealings with K&K. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

40. With the aid of a PowerPoint presentation, Mr Walter W.N. Kwong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted house development;

[Mr Denis K.N. Li returned to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that based on the submitted information, there was no apparent design merit that could be attributed to the proposed minor relaxation of PR and considered that the sustainable and innovative design could still be realised without the proposed PR relaxation under application. Besides, he had reservation on the improvement proposals as the proposed footpath and road widening were in conflict with the existing vegetation/trees and no mitigation measures were proposed, adverse landscape impact due to the proposed road works might not be mitigated. The Director of Leisure and Cultural Services (DLCS) had reservation on the proposal for the provision of waterfront footpath linking up Ting Kau Beach, Ting Kau Sitting Out Area and Lido Beach as proper access to the concerned sites was already provided and there was no strong need to link up the sites. Other concerned government departments had no objection to or no adverse comment on the application;

[Dr Frankie W.C Yeung left the meeting temporarily at this point.]

- (d) during the first three weeks of the statutory publication periods, a total of 33 public comments were received from the Village Representative of Ting Kau, villagers of Ting Kau and individuals. Of the 33 comments, 25 objected to the application while 8 supported or had no objection to the application. Major supportive views and objection grounds were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The current PR restriction of 0.75 for the site was imposed based on the recommendation of the Review of Development Intensity of “Residential (Group C)” (“R(C)”) zones in Tsuen Wan West. The application site was surrounded by steep slope and only served by a single-track vehicular access branching off from Castle Peak Road – Ting Kau. Given its locality, site characteristics and the planning intention for the site to maintain the low-rise and low-density character of the area, the existing PR restriction of 0.75 was considered appropriate. Given the Lands Department's advice that the proposed road works might have implication under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), the applicant had not provided any information on whether the proposed road works were implementable. Both CTP/UD&L, PlanD and DLCS had reservations on the application. As there were no planning and design merits to justify the proposed relaxation of PR, the approval of the application would set an undesirable precedent for similar applications, and the cumulative impact of which would overstrain the capacity of the existing and planned infrastructure and result in adverse impacts on the environment and traffic in the area. Regarding the public comments received, the comments of government departments and the planning assessments above were relevant.

41. The Chairman and some Members raised the following questions:

- (a) the PR of the adjoining sites within the same “R(C)1” zone;
- (b) whether the application site fell within the village ‘environ’ of Ting Kau as mentioned in the public comments; and
- (c) whether there were similar applications within the same “R(C)1” zone previously approved by the Committee.

42. Mr Walter W.N. Kwong, STP/TWK, made the following responses:

- (a) there were two other residential developments within the same “R(C)1” zone, i.e. Sea Cliff Lodge and Aztec Lodge, which had been developed a long time ago. The former was a two-storey residential development with an existing site coverage (SC) of 45% and PR of about 0.9 while the latter comprised seven New Territories Exempted Houses with no information on the development parameters of the site. These two residential developments and the application site were subject to the same set of lease conditions i.e. a maximum building height of two storeys and SC of 66.66%;
- (b) the application site fell outside the village ‘environ’ of Ting Kau; and
- (c) no similar application within the same “R(C)1” zone had been approved by the Committee.

Deliberation Session

43. Members generally considered that there was no planning merit to justify the proposed minor relaxation of PR.

44. After deliberation, the Committee decided to reject the application. The reasons were:

- “(a) there is no strong planning justification for the proposed relaxation of the plot ratio. The applicant’s improvement proposals without examination of its feasibility and support of relevant Government departments cannot be considered as planning and design merits to justify the proposed relaxation; and
- (b) the approval of the application would set an undesirable precedent for similar applications to relax the development restriction. The cumulative impact of approving such applications would overstrain the capacity of the

existing and planned infrastructure and result in adverse impacts on the environment and traffic in the area.”

[The Chairman thanked Ms Caroline T.Y. Tang, Ms Fannie F.L. Hung and Mr Walter W.N. Kwong, STPs/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

[Miss Jessica K.T. Lee, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Hong Kong District

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/273 Proposed Religious Institution (Church Extension and Activity Rooms) in “Residential (Group A)” Zone, Shop B on G/F, 1/F & 2/F at Man King Building, 49 Shek Pai Wan Road and 1-3 Hing Wo Street, Tin Wan, Hong Kong
(MPC Paper No. A/H15/273)

45. The Secretary reported that the application site was located in Tin Wan. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - owning a property in Tin Wan

Dr Wilton W.T. Fok - co-owning with his spouse a property in Ap Lei Chau

46. The Committee noted that Mr Patrick H.T. Lau had tendered apologies for being unable to attend the meeting. As the property co-owned by Dr Wilton W.T. Fok and his spouse did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

47. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed religious institution (church extension and activity rooms);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual supporting the application without providing further details; 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 church at the subject building had been in operation since 1998. The proposed church extension was not incompatible with the other uses within the non-residential portion of the subject building or with the domestic uses on the upper floors. The proposed use was also considered not incompatible with the surrounding developments which mainly comprised a mix of residential developments with commercial uses on the lower floors, community uses and schools. The proposed use would unlikely generate nuisance to the residents of the subject building as it was provided with a separate entrance and was physically segregated from the residential portion of the building. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the planning assessments above were relevant.

48. Members had no question on the application.

Deliberation Session

49. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.7.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition:

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

[The Chairman thanked Miss K.T. Jessica Lee, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Ms Johanna W.Y. Cheng and Ms Sandy S.K. Ng, Senior Town Planners/Kowloon (STPs/K), were invited to the meeting at this point.]

Kowloon District

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/257 Temporary School (Tutorial School) for a Period of 5 Years in
 “Residential (Group B)” Zone, G/F, 5A Junction Road, Kowloon City,
 Kowloon
 (MPC Paper No. A/K10/257)

Presentation and Question Sessions

50. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the temporary school (tutorial school) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; 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 temporary tutorial school complied with the Town Planning Board Guidelines No. 40 in that it was considered not incompatible with other uses within the same building and the surrounding developments, the main entrance/exit to the premises was separated from the entrance of domestic portion of the building and disturbance or nuisance to the residents of the development was not anticipated, and the Director of Fire Services and the

Chief Building Surveyor/Kowloon of Building Department had no in-principle objection to the application from fire safety and building design points of view. Concerned government departments had no objection to or no adverse comment on the application.

51. Members had no question on the application.

Deliberation Session

52. After deliberation, the Committee decided to approve the application on a temporary basis for a period of five years until 28.7.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 28.1.2018; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

53. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/258 Proposed Shop and Services (Money Lending Office) in “Comprehensive Development Area” Zone, G/F, 4 Pang Ching Street, Ma Tau Kok, Kowloon
(MPC Paper No. A/K10/258)

Presentation and Question Sessions

54. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services (money lending office);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual objecting to the application without providing any grounds of objection; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered not incompatible with the uses at the ground floor of the neighbouring residential buildings within the same “Comprehensive Development Area” (“CDA”) zone which were mostly occupied by ‘Shop and Services’ and vehicle repair workshops. The application involved use of the premises of an existing residential building within the “CDA” zone and would not affect the long-term redevelopment of the whole “CDA” zone. The proposed use was not expected to cause adverse impact on the surroundings. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the planning assessments above were relevant.

55. Members had no question on the application.

Deliberation Session

56. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.7.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition (a) is not complied with before the operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

57. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper.

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/225 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” Zone, Workshop 11, G/F, New Tech Plaza, 34 Tai Yau
Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/225)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services;

[Dr Frankie W.C. Yeung returned to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use at the premises was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone for general business uses. Many similar applications for ‘Shop and Services’ uses on the ground floor of industrial or industrial-office buildings were found in the vicinity. The proposed use at the premises was not incompatible with the uses in the same building. The proposed use complied with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts to the developments within the subject building and the adjacent areas. Relevant government departments had no objection to or no adverse comments on the application. Should the Committee approve the planning application, the total approved commercial area would be 174.158m², which was still within the maximum permissible limit of 460m² in accordance with TPB PG-No. 22D.

59. In response to a Member's question, Ms Sandy S.K. Ng, STP/K, said that the Director of Fire Services had confirmed that upon approval of the application, the total approved commercial area of the subject building would not exceed the maximum permissible limit of 460m².

Deliberation Session

60. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 28.7.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

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

61. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix II of the Paper.

[The Chairman thanked Ms Johanna W.Y. Cheng and Ms Sandy S.K. Ng, STPs/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting]

A/K14/745 Proposed comprehensive redevelopment with residential (flats) and commercial uses (including hotel, offices, retail), hawker bazaar, educational institution, public open space, public transport interchange, other Government, Institution or Community uses (government uses), and supporting facilities (Amendments to approved Master Layout Plan) in “Comprehensive Development Area (1)” Zone, Kwun Tong Town Centre - Main Site (area bounded by Kwun Tong Road, Hong Ning Road, Mut Wah Street and Hip Wo Street), Kowloon
(MPC Paper No. A/K14/745)

62. The Secretary reported that the application was submitted by the Urban Renewal Authority (URA). The following Members had declared interests on the item:

- | | |
|---|---|
| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - being a non-executive director of the Board and a member of Planning, Development and Conservation Committee of URA |
| Mr Lincoln L.H. Huang
(the Vice-Chairman) | - being the Deputy Chairman of Appeal Board Panel of URA |
| Dr Lawrence W.C. Poon | - being a non-executive director of the Board, a member of the Lands, Rehousing & Compensation Committee and Planning, Development and Conservation Committee, and a director of the Board of the Urban Renewal Fund of URA |
| Mr Patrick H.T. Lau |] |
| |] having current business dealings with URA |
| Mr Thomas O.S. Ho |] |
| Mr K.K. Cheung | - his firm having current business dealings with URA |
| Mr Stephen H.B. Yau | - being a past member of the Wan Chai District Advisory Committee of URA |

63. The Committee noted that the applicant had requested a deferral of consideration of the application and Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had tendered apologies for being unable to attend the meeting. As the interest of Mr Stephen H.B. Yau was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting. The interests of the Chairman, the Vice-chairman and Mr Thomas O.S. Ho were direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion. As both the Chairman and the Vice-chairman had to declare interest, as a matter of necessity, the Committee agreed that the Chairman should continue to assume the chairmanship.

64. The Committee noted that the applicant requested on 7.7.2017 deferment of the consideration of the application for two months so as to allow time for preparation of technical assessments to respond to comments of government departments. It was the first time that the applicant requested deferment of the application.

65. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending 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 further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 14

Any Other Business

66. There being no other business, the meeting closed at 10:45 a.m..