

TOWN PLANNING BOARD

Minutes of 595th Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.12.2017

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 Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Thomas O.S. Ho

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer/Kowloon, Transport Department
Mr David C.V. Ngu

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr C.F. 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 Wilson Y.W. Fung

Professor T. S. Liu

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Doris S.Y. Ting

Town Planner/Town Planning Board
Ms Anita M.Y. Wong

Agenda Item 1

Confirmation of the Draft Minutes of the 594th MPC Meeting held on 8.12.2017

[Open Meeting]

1. The Secretary said that subsequent to the circulation of the draft minutes of the 594th MPC meeting to Members, an editorial error was spotted and paragraph 13 was proposed to be amended as follows:

“The Committee noted that *Dr Wilton W.T. Fok* and Mr K.K. Cheung had tendered apologies for being unable to attend the meeting. The Committee also noted that as the properties of ~~Dr Wilton W.T. Fok~~, Mr Patrick H.T. Lau and Mr Dominic K.K. Lam had no direct view of the premises, and Mr Lau’s interest was remote, they could stay in the meeting.”

2. The Committee agreed that the draft minutes of the 594th MPC meeting held on 8.12.2017 were confirmed subject to the above amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

[Mr Lawrence Y.C. Chau, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) and Mr Stephen C.Y. Chan, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) were invited to the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 3

[Open Meeting]

Proposed Amendments to the Draft Kwai Chung Outline Zoning Plan No. S/KC/28

(MPC Paper No. 9/17)

Presentation and Question Sessions

4. The Secretary reported that the proposed amendment items to the draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/28 was to facilitate a proposed public housing development by the Hong Kong Housing Authority (HKHA), with the Housing Department (HD) as its executive arm. The following Members had declared interests on the item:

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| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - | being a member of the Strategic Planning Committee (SPC) and the Building Committee of the HKHA; |
| Mr Martin W.C. Kwan
<i>as Chief Engineer (Works),
Home Affairs Department</i> | - | being the representative of the Director of Home Affairs who was a member of the SPC and Subsidised Housing Committee of the HKHA; |
| Mr Patrick H.T. Lau | } | having current business dealings with HKHA; |
| Mr Thomas O.S. Ho | | |
| Mr K.K. Cheung | - | his firm having current business dealings with HKHA; |
| Mr Franklin Yu | - | having past business dealings with HKHA; and |

Dr Lawrence W.C. Poon - his spouse being a civil servant of HD but not involved in planning work.

5. The Secretary reported that according to the procedure and practice adopted by the Town Planning Board (the Board), as the public housing development were the subject of amendments to the OZP proposed by the Planning Department (PlanD), the interests of the Chairman and Members in relation to HKHA mentioned above only needed to be recorded and they could stay in the meeting. The Committee agreed to this arrangement.

6. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, presented the proposed amendments as detailed in the Paper and covered the following main points:

Background

- (a) the current proposed amendments to the OZP were mainly related to the zoning amendment of a site at San Kwai Street (the Site) for public housing development (Amendment Items A1 and A2) with about 650 flats and a design population of about 1,600 persons. The Site was zoned “Government, Institution or Community” (“G/IC”) and “Village Type Development” (“V”) on the OZP and was currently used as works area for the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link and Drainage Service Department’s maintenance depot and works area;
- (b) the concerned “G/IC” site was not designated for any use. Based on the planned population for the OZP, including the proposed development, the planned provision of major Government, Institution and Community facilities and open space in the district was generally sufficient;

Technical Assessments

- (c) broad technical assessments on traffic, environment, visual, air ventilation and infrastructural aspects had been conducted to ascertain the feasibility of

the proposed public housing development;

- (d) the traffic impact assessment (TIA) concluded that with the implementation of recommended junction improvement works, the proposed development was acceptable in transport terms;
- (e) the proposed building height (BH) was visually compatible with the surrounding environment and would not induce substantial visual impact on the surrounding area;
- (f) according to the air ventilation assessment, the Site was not located within the breezeway. It was anticipated that with implementation of recommended design measures, the proposed public housing development would not have significant adverse impact on the surrounding wind environment;
- (g) with regards to environmental and infrastructural aspects, a broad environmental assessment report was conducted and concluded that there would be no insurmountable noise, air quality and sewerage problems;

Proposed Amendments to the OZP

- (h) Amendment Item A1 – rezoning a site at San Kwai Street (about 0.33ha) from “G/IC” to “Residential (Group A)2” (“R(A)2”), subject to a maximum building height (BH) of 130mPD;
- (i) Amendment Item A2 – rezoning a site at San Kwai Street (about 0.22ha) from “V” to “R(A)2”, subject to a maximum BH of 130mPD;

[Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

Proposed Amendments to the Notes of the OZP

- (j) with a view of supporting art development, it was proposed to incorporate

‘Art Studio (excluding those involving direct provision of services or goods)’ as a Column 1 use of the “Industrial” zone and in Schedule II of the “Residential (Group E)” and “Other Specified Uses” annotated “Business” zones. Corresponding amendment would also be made to replace ‘Place of Recreation, Sports or Culture’ under Column 2 in the same schedule by ‘Place of Recreation, Sports or Culture (not elsewhere specified)’;

Departmental Consultation

- (k) concerned government bureau/departments had no objection to or no adverse comments on the proposed amendments and no insurmountable problem had been raised by the government departments consulted; and

Public Consultation

- (l) on 13.7.2017, the Kwai Tsing District Council (K&TDC) was consulted on the proposed public housing development. In general, K&TDC expressed support to the proposed development, but some K&TDC members were concerned about the traffic and transport issues; noise and air pollution; adequacy of welfare facilities as well as redevelopment of Lai Yiu Estate. To address those concerns, HD would continue to liaise with relevant bureaux/departments and address the relevant issues where appropriate at detailed design stage.

7. The Chairman, Vice-chairman and some Members raised the following questions:

Open Space

- (a) the provision of existing and planned open space in the area, its design, location and accessibility;
- (b) whether there were any open spaces provided in the proposed public

housing development;

Traffic

- (c) whether there was any assessment on the traffic impact of the proposed public housing development on the area and the accessibility of the Site to public transportation; and

“V” zone

- (d) whether the proposed rezoning from “V” to “R(A)2” would affect the land available for Small Houses; and
- (e) what the views of local villagers were on the proposed amendment.

8. Mr Lawrence Y.C. Chau, DPO/TWK, made the following responses:

- (a) there was a surplus in the existing and planned local open space (LOS) in the Kwai Chung area. The existing LOS included parks managed by the Leisure and Cultural Services Department, and open spaces within residential developments that were provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). For district open space (DOS), although there was a deficit in the existing provision, there was a surplus in the planned provision, which would mainly be contributed by the planned Kwai Chung Park, though there was no definite implementation programme at the moment. Examples of existing DOS in the Kwai Chung area included the Kwai Chung Sports Ground which was mainly an active open space and the Central Kwai Chung Park which included both active and passive recreational facilities. With regard to the accessibility of the open space, some were located in the vicinity of residential developments;
- (b) according to the conceptual layout plan provided by HD, a LOS of about 1,600m² was proposed in the future public housing development to meet

the relevant open space requirements in the HKPSG. Such requirement would also be included in the planning brief;

- (c) according to the TIA conducted, the studied junctions were operating within design capacity in 2016. Due to continuous growth of background traffic and additional traffic generated from adjacent developments, there would be over-capacity at some junctions in 2028. As such, improvements to the junctions of Kwai Chung Road/Kwai On Road/Kwai Yik Road and Kwai Chung Road/Kwai Foo Road/Tai Lin Pai Road were proposed, which would allow those junctions to operate within capacity level. As the traffic generated from the proposed public housing development was expected to be low, it was anticipated that the traffic impact arising from the proposed public housing development would be insignificant. Moreover, a pedestrian footbridge connecting the future public housing developments at Lai Cho Road and at the Ex-Kwai Chung Police Married Quarters was proposed, which would enhance pedestrian connectivity to the public transport facilities at Mass Transit Railway Kwai Fong Station which was about 300m away from the site; and
- (d) the “V” zone under Amendment Item A2 was Government land that had not been used for development of the village resite of the Ha Kwai Chung Village. The village resite was completed some years ago and the villagers of Ha Kwai Chung Village were no longer eligible to build Small Houses on concessionary terms over Government land by way of private treaty grant under the ‘Small House Policy’. In addition, an existing drainage reserve fell mostly within the portion of “V” zone. The proposed amendments to the OZP were thoroughly discussed with the local villagers and the current proposed “R(A)2” boundary had been suitably refined taking into account the comments and concerns of the local villagers.

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

9. A Member opined that while it was suitable to increase the domestic PR of the subject site by 20% in accordance with the government’s policy, such increase in PR might

not be applicable to all sites as each site had to be assessed on individual circumstances. In addition, noting that there was a surplus in secondary school classrooms in Kwai Chung, consideration might be given to conducting a territorial review on the provision of secondary school classrooms which would provide a useful reference to assist Members in considering other zoning amendments involving “G/IC” sites. Furthermore, this Member also advised that HD could consider reviewing the BH and the design of the proposed public housing development to further enhance air ventilation in the area.

10. After deliberation, the Committee decided to:

- “(a) agree to the proposed amendments to the draft Kwai Chung Outline Zoning Plan (OZP) and that the draft Kwai Chung OZP No. S/KC/28A at Attachment I of the Paper (to be renumbered as S/KC/29 upon exhibition) and its Notes at Attachment II of the Paper are suitable for exhibition for inspection under section 7 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment III of the Paper for the draft Kwai Chung OZP No. S/KC/28A as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZP and agree that the revised ES is suitable for publication together with the OZP.”

[The Chairman thanked Mr Lawrence Y.C. Chau, DPO/TWK and Mr Stephen C.Y. Chan, STP/TWK for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/KC/451 Proposed Minor Relaxation of Building Height Restriction for Kwai Chung Hospital Redevelopment in “Government, Institution or Community” Zone, 3-15 Kwai Chung Hospital Road, Kwai Chung
(MPC Paper No. A/KC/451)

11. The Secretary reported that the application was submitted by Architectural Services Department (ArchSD) and Urbis Limited (Urbis) was one 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 ArchSD;

Mr Thomas O.S. Ho - his company having current business dealings with Urbis; and

Mr Franklin Yu - having past business dealings with Urbis.

12. The Committee noted the applicant had requested deferment of consideration of the application. As the interest of Mr Patrick H.T. Lau was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. The Committee also noted that as Mr Thomas O.S. Ho had no involvement in the application and the interest of Mr Franklin Yu was indirect, they could stay in the meeting.

13. The Committee noted that the applicant’s representative requested on 8.12.2017 deferment of the consideration of the application for one month in order to allow time for preparation of further information to address departmental comments. It was the first time the applicant requested deferment of the application.

14. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of the further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 5

Section 16 Application

[Open Meeting]

A/TY/136 Proposed Temporary Concrete Batching Plant for a Period of 5 Years in
"Industrial" Zone, Tsing Yi Town Lot 108 RP (Part), Sai Tso Wan Road,
Tsing Yi
(MPC Paper No. A/TY/136)

15. The Secretary reported that the application was submitted by the Hong Kong United Dockyards Limited which was a joint venture of CK Hutchison Holdings Limited (CKH) and Swire. AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Patrick H.T. Lau | - having current business dealings with CKH and AECOM and having past business dealings with Swire; |
| Mr Thomas O.S. Ho | - having current business dealings with Swire, his firm having business related to concrete batching plant and having past business dealings with AECOM; and |
| Mr Franklin Yu | - having past business dealings with AECOM. |

16. The Committee noted that the applicant had requested deferment of consideration of the application. As the interests of Messrs Patrick H.T. Lau and Thomas O.S. Ho were

direct, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion. The Committee also agreed that as the interest of Mr Franklin Yu was indirect, he could stay in the meeting.

17. The Committee noted that the applicant's representative requested on 12.12.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time the applicant requested deferment of the application.

18. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information and no further deferment would be granted unless under very special circumstances.

[Mr T.W. Ng, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

Hong Kong District

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H6/83 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Residential Development in “Residential (Group B) 1” and “Residential (Group C)” Zones, 56 Tai Hang Road, Hong Kong
(MPC Paper No. A/H6/83A)

19. The Secretary reported that the application site was located in Tai Hang, Causeway Bay. The following Members had declared interests on the item:

Ms Sandy H.Y. Wong - self-occupying a flat in Tai Hang; and

Ms Jacinta K.C. Woo - self-occupying a flat in Tai Hang Road.

20. The Committee agreed that as the property owned by Ms Sandy H.Y. Wong had no direct view of the application site, she could stay in the meeting. As the interest of Ms Jacinta K.C. Woo, the Secretary, was remote, the Committee also agreed that she could stay in the meeting.

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

Presentation and Question Sessions

21. With the aid of a PowerPoint presentation, Mr T.W. Ng, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction from 2 to 2.568 and building height (BH) restriction from 6 storeys including carports to 6

storeys over 1 storey of basement car park for permitted residential development;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that although the proposed BH was not incompatible with the character of the area, there was not enough justification for an increase in PR, and approval of the application might set an undesirable precedent leading to negative impact on visual amenity and character of the area. Other concerned government departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication period, 28 public comments were received from Wan Chai District Councillors, Incorporated Owners and management office of neighbouring residential developments and individuals. Of which, 18 comments raised objection to and the remaining 10 comments raised concerns on the application. Major objection grounds and concerns were set out in paragraph 9 of the paper; and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. While the existing PR of the development on site is 2.334, the proposed relaxation of PR from 2, as stated on the Outline Zoning Plan (OZP) to 2.568 (+28.4%) was considered not insignificant. Although the Commissioner for Transport had no objection to the proposed development intensity, there was no planning justification for the proposed PR relaxation. As regards to the proposed BH relaxation, there were no planning justifications provided in respect of the relevant criteria set out for minor relaxation of BH restriction as stated in the Explanatory Statement (ES) of the OZP. The requirement for putting car park underground for exemption from floor area calculation and building setback to comply with Sustainable Building Design (SBD) Guidelines for streetscape enhancement should not be regarded as a

planning gain to justify the relaxation. There was no site coverage control for the site on the OZP and sufficient flexibility had already been provided for stepped height building design. Approval of the application might set an undesirable precedent for the subject “Residential (Group C)” (“R(C)”) zone leading to negative impact on the visual amenity and character of the area, and the cumulative effect of which would jeopardise the planning intention to preserve the low-density character of the area and address the poor and inadequate access in the area. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

22. Some Members raised the following questions:
- (a) noting that there was provision under the Notes of the “R(C)” zone for redevelopment up to the PR of the existing building, what the PR of the existing building was and the increase in PR of the proposed development when compared to that of the existing building;
 - (b) the rationale for locating the car park of the proposed development at basement; and
 - (c) whether the proposed development had any planning gains and whether any sustainable building design were proposed.
23. Mr T.W. Ng, STP/HK, made the following responses:
- (a) the existing 5-storey building at the site, with a PR of 2.334, was completed in 2000. The proposed minor relaxation of PR to 2.568 represented an increase of about 10% when compared to the PR of the existing building;
 - (b) the BH of the proposed development was 6 storeys over 1 storey of basement car park. As shown on site photo of Plan A-4 of the Paper, the proposed basement car park had the same arrangement as the existing one with the vehicular ingress/egress along the sloping Fuk Kwan Avenue, thus

allowing cars directly entering the basement. According to the Buildings Ordinance, car park located underground could be exempted from gross floor area (GFA) calculation; and

- (c) according to the applicant, the proposed development would provide a stepped height building design with a setback of the building form, which would open up the skyline of the street corner. In addition, landscaping was proposed at multi-levels, and the Ground Floor façades facing Fuk Kwan Avenue and Tai Hang Road would be setback with provision of additional greenery which would improve the pedestrian environment.

24. Members had no further question on the application.

Deliberation Session

25. Some Members appreciated the stepped height building design under the current application, but considered that there was no planning gain provided in the application to warrant the proposed minor relaxation in BH and PR, and the approval of the application might set an undesirable precedent.

26. A Member did not support the application and opined that minor relaxation in BH restriction might be approved only if sufficient justification and merit were given to demonstrate that the proposed setback at ground level was a public gain. The current stepped height building design could still be achieved under the prevailing BH restriction. There was no strong justification for a relaxation in PR. The additional GFA proposed might be claimed for GFA concession if its design complied with the SBD Guidelines. For minor relaxation in PR restriction, sympathetic consideration might be warranted if the increased GFA was for public use.

27. Another Member also considered that the application should not be approved on consideration that the proposed development on a rather small site would not bring significant improvement to the environment.

28. Another Member also did not support the application as the PR of the existing

building already exceeded the stated PR on the OZP and the proposed minor relaxation in PR was not in line with the criteria set out in the ES of the OZP. However, this Member opined that the proposed stepped height building form with setback at ground level would improve the pedestrian environment in the area and hence minor relaxation of BH restriction could be considered.

[Dr Wilton W.T. Fok left the meeting at this point.]

29. While appreciating the stepped height building design, the Vice-chairman did not support the application and considered that the applicant had not demonstrated that the building design could not be achieved without the proposed minor relaxation of BH and PR restrictions.

30. Another Member opined that the visual enhancement brought about by the proposed development to the area, as illustrated in Drawings A-17 and A-18 of the Paper, might be considered as a planning gain. Favourable consideration might be given to minor relaxation of BH but not PR restriction.

31. The Chairman summarised that while some Members appreciated the building design, Members generally did not support the application. Members considered that the application should be considered comprehensively involving both relaxation of PR and BH restrictions. The applicant had not demonstrated the building design could only be achieved by the proposed relaxation of PR and BH restrictions.

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

- “(a) the applicants fail to demonstrate that there are planning merits to warrant the proposed relaxation of plot ratio (PR) and building height (BH) restrictions of the “Residential (Group C)” (“R(C)”) zone; and
- (b) approval of the application would set an undesirable precedent for similar applications for relaxation of the PR and BH restrictions of the “R(C)” zone, the cumulative effect of which would jeopardise the planning intention to preserve the low-density character and to address the poor and inadequate

road access in the area.”

[The Chairman thanked Mr T.W. Ng, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H7/172 Proposed Office, Shop and Services and Eating Place in “Residential (Group A)” Zone, 8 Leighton Road, Causeway Bay, Hong Kong
(MPC Paper No. A/H7/172B)

33. The application site was located in the Wong Nai Chung/Causeway Bay area and Kenneth To & Associates Limited (KTA) and MVA Hong Kong Limited (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Patrick H.T. Lau | - having current business dealings with KTA and MVA; |
| | - co-owning with spouse a flat in Happy Valley and being the Chairman of the Happy Valley Residents’ Association; |
| Mr Thomas O.S. Ho | - having current business dealings with MVA; |
| Mr Franklin Yu | - having past business dealings with MVA; |

- Mr K.K. Cheung - co-owning with spouse a flat in Happy Valley;
- Dr Wilton W.T. Fok - his parents owning a property in Happy Valley;
- Mr Dominic K.K. Lam - his spouse owning a flat in Causeway Bay; and
- Mr Martin W.C. Kwan - his close relative owning property at The Beverly Hill.

34. The Committee agreed that as Mr Patrick H.T. Lau had no involvement in the application and the property co-owned with spouse had no direct view of the application site, he should be allowed to stay in the meeting. The Committee also agreed that as Mr Thomas O.S. Ho had no involvement in the application, and the properties owned by Mr K.K. Cheung and his spouse, Dr Wilton W.T. Fok's parents, Mr Dominic K.K. Lam's spouse and Mr Martin W.C. Kwan's close relative had no direct view of the application site, they should be allowed to stay in the meeting. As Mr Franklin Yu's interest was indirect, the Committee agreed that he should be allowed to stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office, shop and services and eating place;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication periods, 165 public comments were received from Members of the Legislative Council and/or

Wan Chai District Council, Green Sense, Designing Hong Kong Limited, the Incorporated Owners of Sung Lan Mansion and Lunar Building, and individuals. Of which, 164 objected to the application and the remaining one comment provided views on the application. Major objection grounds and concerns were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the proposed development was not in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone, the application site (the Site) was subject to air quality and noise impacts from the vehicular traffic and sharp turning of trams immediately in front of the site. Furthermore, the Site had been the subject of nine approved planning applications for commercial/office/hotel uses since 1981 with the latest one being approved by the Committee in 2007. Hence, the suitability and propensity of the Site being redeveloped for residential use would be low. Taking into account the unique development history and context, the current application for non-domestic uses on the subject “R(A)” site might warrant a special consideration. In terms of development intensity, the proposed development would be the same as that of the existing hotel at the Site. The Chief Town Planner/Urban Design and Landscape, PlanD and Chief Architect/Central Management Division 2, Architectural Services Department had no objection to the proposed development in respect of urban design and visual impacts. The proposed commercial development in general also complied with the relevant assessment criteria specified in the Town Planning Board Guidelines No. 5 in that the Site was located at an easily accessible location and the proposed development was not incompatible with the surrounding developments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

36. The Chairman and a Member raised the following questions:

- (a) whether the applicant had provided any information on the implementation

programme of the proposed development; and

(b) when the existing hotel at the Site commenced operation.

37. In response, Ms Josephine Y.M Lo, STP/HK, made the following responses:

(a) the applicant had not provided a detailed timeframe for implementing the proposed development, but had provided information that demolition of the existing building at the Site would take about seven months and construction of the proposed office development would take about two years; and

(b) the existing hotel at the Site commenced operation in 2009.

38. Members had no further question on the application.

Deliberation Session

Planning Intention

39. A Member noted that the proposed development was not in line with the planning intention of the “R(A)” zone and although the site was previously approved for commercial developments, planning merits should be provided to justify the proposed change of use from hotel to office which warranted a deviation from the planning intention of the “R(A)” zone.

Traffic Impact

40. A Member opined that due to the traffic congestion in the area, the Site was not suitable for hotel development. That Member supported the application as the proposed development could help to meet the demand for office space in Causeway Bay.

41. Another Member said that the proposed development might aggravate the existing traffic congestion in the area as compared with that of the existing hotel. A Member also considered that as Causeway Bay was heavily congested, the provision of an

office building with car parking spaces might generate additional traffic which would cause adverse impact on the surrounding area and was not conducive to the development of a liveable city as advocated under HK 2030+ Study with pleasant pedestrian environment.

42. The meeting noted that the Commissioner for Transport had no objection to the proposed development. On the provision of car parking space, the meeting noted that the car parking spaces proposed at the site were ancillary to the proposed office use. The Commissioner for Transport had recommended the applicant to provide some public parking spaces within the Site. In response, the applicant had proposed that if required, some of the car parking spaces at the Site could be made available for public use during weekends.

Environmental Impact

43. A Member raised concern on the adverse environmental impact caused by the proposed development which would involve demolition of the existing hotel that was only completed in 2009. The applicant should explore other more environmentally friendly scheme for the proposed office use such as wholesale conversion of the existing hotel.

44. Although the demolition of such a new building was not ideal, a Member considered that it was more appropriate for the Committee to focus on land use aspects. The Member said that the Site might be more suitable for non-residential uses from land use point of view given that it was subject to air quality and noise impact

45. Another Member indicated no objection to the proposed office use but raised concern on the adverse environmental impact of the proposed scheme which involved demolition of the existing building.

46. A Member said that while the use was not incompatible with the surrounding area which comprised a mix of commercial and residential developments, the public's concern on the environmental and traffic impacts of the proposed development should be taken into account. The applicant should provide information on whether there was scope to convert the proposed office use without demolishing the existing building. Another Member also said that should there be no car park required for the proposed office development, demolition of the existing building for office use might not be necessary.

47. The meeting noted that the applicant had not provided any information on whether wholesale conversion of the existing building was feasible for the proposed office use. The applicant only submitted that the proposed redevelopment was in line with the Government's policy for office development.

48. In response to some Members' concern on the environmental impact, the Vice-chairman and two Members said that wholesale conversion of the existing building to office use did not necessarily mean a reduction in construction waste and environmental impact.

49. The Chairman summarised that while Members in general had no objection to the proposed office use at the Site, some had reservation on the traffic and environmental impacts of the proposed development, which were also raised in the public comment. He said that if Members considered that the applicant should submit additional information on the feasibility of wholesale conversion from hotel to office development or other more environmentally-friendly scheme, Members might consider deferring making a decision on the application and request for further information.

50. A Member supported deferment of consideration of the application so that the applicant could carry out an assessment to compare the environmental impact between the option of demolition and wholesale conversion of the existing building.

51. The Vice-chairman and three Members considered that the application could be approved as the Committee should mainly focus on planning and land use aspects of the proposed scheme and that the redevelopment of the Site for office use was merely a commercial decision.

52. 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 22.12.2021, 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 of the assessment and sensitivity tests on the operation of the car lift and turntable for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of the internal transport facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the reinstatement of the existing vehicular run-in/out to footway to the satisfaction of the Director of Highways or of the TPB;
- (d) the submission of hydraulic calculations to demonstrate that adequacy of the existing public sewage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the existing public sewerage systems, if required, to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (f) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

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

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H15/272 Proposed Electricity Supply Installation and Hotel in “Other Specified Uses” annotated “Electricity Supply Installation and Hotel” Zone, 2 Yi Nga Drive, Ap Lei Chau, Hong Kong
(MPC Paper No. A/H15/272B)

54. The Secretary reported that the application site was located in Aberdeen/Ap Lei Chau area and the application was submitted by the Hong Kong Electric Company Limited (HKE), which was a subsidiary of CK Hutchison Holdings Limited (CKH). Kenneth To & Associates Limited (KTA) and AECOM Asia Company Limited (AECOM) 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 CKH, KTA and AECOM, and owning a flat at Tin Wan, Aberdeen;

Dr Wilton W.T. Fok - co-owning with spouse a flat in Ap Lei Chau; and

Mr Thomas O.S. Ho
Mr Franklin Yu } having past business dealings with AECOM.

55. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Wilton W.T. Fok had already left the meeting. The Committee agreed that as the interest of Mr Patrick H.T. Lau was direct, he could stay in the meeting but should refrain from participating in the discussion. As the interests of Mr Thomas O.S. Ho and Mr Franklin Yu were indirect, the Committee agreed that they could stay in the meeting.

56. The Secretary also reported that a Legislative Council Member, the Honourable Tanya Chan, submitted a petition letter prior to the meeting requesting the Committee to refuse granting deferral of consideration of the application. The petition letter was

displayed on the visualiser for Members' information.

57. The Secretary reported that the applicant's representative requested on 12.12.2017 deferment of the application for a period of two months in order to allow time to liaise with the Transport Department and prepare responses to departmental comments. It was the third time the applicant requested deferment of the application. Since the last deferment on 8.9.2017, the applicant had submitted new and revised technical assessment reports to address comments raised by concerned government departments.

58. The Chairman said that deferment on decision on planning application would be considered based on the criteria set out in the Town Planning Board Guidelines No. 33 in that the deferment period was not indefinite and the applicant had previously submitted further information to address departmental comments.

59. 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 submission of further information. Since it was the third deferment and a total of six months for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

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

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction from 12 to 12.0533 for permitted office, eating place and 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 comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and

[Mr Stephen H.B. Yau left the meeting at this point.]

- (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 minor relaxation of PR restriction for the proposed internal pedestrian walkway (IPW) was in line with the planning intention of the Government for enhancing the connectivity and walkability of the area. The area of the proposed minor relaxation of PR (a gross floor area (GFA) of about 202.207m²) tallied with the area exempted from GFA calculation by District Lands Officer/Kowloon East, Lands Department under the lease. The extent of relaxation in PR restriction was minor in nature and significant adverse visual and air ventilation impact on the surrounding area was not expected. Two similar applications in other areas (applications No. A/I-TCTC/54 and A/TW/480) involving minor relaxation of PR/GFA restriction for public pedestrian walkway required under the lease had been previously approved by the Town Planning Board.

63. Some Members raised the following questions:

- (a) when the lease governing the application site (the Site) was executed and whether the PR restriction for the site was already stipulated on the OZP when the site was disposed of;

- (b) clarification on the GFA approved by the Building Authority (BA) in the latest building plan submission and the rationale for seeking minor relaxation of PR;
- (c) the increase in GFA being sought under application and whether such increase exceeded the GFA exemption granted by the Director of Lands;
- (d) whether the provision of the IPW was a requirement under the lease for the Site; and
- (e) the portion of the IPW that was GFA accountable under the Building (Planning) Regulations (B(P)R) and whether the said portion of the IPW was eligible for exemption from GFA calculation under the Buildings Ordinance (BO).

64. In response, Ms Sandy S.K. Ng, STP/K, made the following responses:

- (a) the Site was sold via public tender in 2015 and prior to the land sale, the PR restriction for the Site had already been stipulated on the OZP;
- (b) according to the latest set of building plans approved by the BA on 13.9.2017, the total GFA for the proposed development was 45,526.2512m² (PR of 11.999), which included the area of the IPW and was in compliance with the PR restriction of 12 (or GFA of about 45,540m²) stipulated under the OZP;
- (c) in the current application, the applicant sought to increase the PR restriction from 12 to 12.0533 (equivalent an increase of about 202.207m²) to facilitate the provision of the IPW which was GFA accountable under B(P)R. The increase in PR/GFA sought under application tallied with that granted by the Director of Lands under the lease;
- (d) according to the conditions of sale for the Site, the developer was required

to provide and construct an IPW to be opened for 24 hours for public use. The Director of Lands had the discretion to decide whether the whole area of the IPW or parts of it could be excluded from GFA calculation. As IPW was subject to detailed design, the lease only indicated the location of the required IPW; and

- (e) with reference to Drawing A-2 of the Paper, the orange area was GFA accountable under B(P)R. While there was mechanism to apply for modification under BO, as the proposed commercial development did not exceed the maximum permissible PR of 15 for non-residential development under the BO, modification for GFA concession was not applicable.

65. In response to a Member's enquiry, the Chairman said that Buildings Department (BD), LandsD and PlanD had jointly issued the Joint Practice Note No. 4 (JPN No. 4), which explained the practices adopted by the three departments in respect of some development control parameters. It was stated in JPN No. 4 that when processing building plans submission, PlanD would generally follow BD's practice in GFA calculation. The JPN No. 4 was available on PlanD's website for public access and the Authorised Persons should be well-aware of such practice.

66. Members had no further question on the application.

Deliberation Session

67. The Vice-chairman said that the subject planning application was made mainly due to the different practices of GFA calculation by BD and LandsD. Noting that the increase in PR was minor in nature and solely for the proposed IPW to enhance the connectivity and walkability of the area, and there was no adverse impact on the surrounding area, he considered that the application could be supported.

68. A Member supported the application, but opined that BA could exercise discretion in granting GFA exemption for the IPW so that application to the Board for minor relaxation in PR restriction would not be required, and that in future, when drawing up the Conditions of Sale, LandsD and PlanD could carry out a preliminary assessment on the

estimated GFA that would be required for the facilities to be opened up to the public. Another Member also supported the application as there were similar applications in other areas of Hong Kong which were approved by the Board.

69. A Member had reservation on the application and said that rather than applying to the Board for minor relaxation of PR restriction under the OZP, the applicant should approach BA for modifications under the BO for exemption of the IPW from GFA calculation.

[Ms Sandy H.Y. Wong and Messrs Sunny L.K. Ho and Martin K.C. Kwan left the meeting at this point.]

70. The Chairman summarised that Members in general had no objection to the application, but raised concern on the different practices on the GFA calculation among BD, LandsD and PlanD. To address the request from the trade which had raised similar concerns, the Chief Executive in the 2017 Policy Address had announced that a steering group on would be set up within the Planning and Lands Branch of the Development Bureau to explore how best to consolidate and rationalise the standards and definitions adopted by BD, LandsD and PlanD in scrutinising development projects such that the approval process could be streamlined without prejudicing the relevant statutory procedures and technical requirements, and to engage the trade in the process.

71. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 22.12.2021, 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 additional Gross Floor Area of 202.207m² allowed is only for the provision of the 24-hour public internal pedestrian walkway.”

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

Agenda Item 10

Any Other Business

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