

## **TOWN PLANNING BOARD**

### **Minutes of 609<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 3.8.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr Peter P.C. Wong

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 Simon S.W. Wang

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

Secretary

**Absent with Apologies**

Mr Stephen H.B. Yau

Mr Thomas O.S. Ho

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms April K.Y. Kun

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 608<sup>th</sup> MPC Meeting held on 20.7.2018

[Open Meeting]

1. The draft minutes of the 608<sup>th</sup> MPC meeting held on 20.7.2018 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

[Ms Katy C.W. Fung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/796                      Proposed Office Building with Shop and Services in “Residential  
(Group A) 6” Zone, 269 Lai Chi Kok Road, Kowloon  
(MPC Paper No. A/K5/796)

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Presentation and Question Sessions

3. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed office building with shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) advised that they could not support the application as no traffic impact assessment had been submitted to demonstrate that the proposed development would not have adverse traffic impact. 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, one public comment was received objecting to the application. The major objection ground was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was not in line with the planning intention of the “Residential (Group A)6” zone. The proposed office development was incompatible with the surrounding developments in land use term, and would result in reduction of sites available for residential developments. It did not comply with the Town Planning Guidelines No 5 in that the Site was considered too small for a properly designed office building, the proposed development was incompatible with the surrounding residential area, and C for T did not support the proposed development. Most of the similar applications were rejected by the Committee mainly on grounds of small site area, no/insufficient provision of internal transport facilities, incompatibility with the surroundings, being not in line with the planning intention of the area and setting an undesirable precedent for similar applications within the residential area.

4. A Member asked why the applicant claimed that office building was the only viable option and whether there was opportunity to combine with other adjacent sites for development. Ms Katy C.W. Fung, STP/TWK, replied that the applicant had put forth the

justifications that according to the Building (Planning) Regulations, non-residential development of the site would allow a greater usable floor space than residential development and it was not feasible to develop the small site for residential use which would involve a large core area for escape staircases and fireman lift, etc. The buildings adjoining the application site were over 50 years old and they were under multiple ownership. The possibility of enlarging the application site was subject to redevelopment programme of the adjoining buildings.

5. In response to the enquiries from the Chairman and a Member, Ms Katy C.W. Fung, STP/TWK, said that there were 29 similar applications for office development within “Residential (Group A)” zone on the same Outline Zoning Plan, of which 21 were rejected by the Committee. A similar application with site area of about 93 m<sup>2</sup> was rejected by the Committee. Regarding residential development on small site, she recalled general building plan for a case in Shanghai Street, Tsim Sha Tsui, involving a slightly larger site area than the application site with the design of a smaller core area was approved by the Building Authority.

#### Deliberation Session

6. A Member did not support the application and considered that the Site should be retained for the intended residential use. Another Member pointed out that development on small sites was not efficient, however it was noted that small size private lots were not uncommon in old urban area.

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

- “(a) the application is not in line with the planning intention of the “Residential (Group A)6” zone which is for high-density residential developments. The Site is located in a predominant residential neighbourhood. Given the current shortfall in housing supply, the Site should be developed for its zoned use. The proposed office building with shop and services would result in reduction of sites for residential developments, which would affect the supply of housing land in meeting the pressing housing demand over

the territory;

- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 5 for Application for Office Development in Residential (Group A) Zone under Section 16 of the Town Planning Ordinance as the Site is considered too small for a properly designed office building, the proposed development is considered incompatible with the surroundings which is a predominantly residential area and the applicant fails to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such applications would aggravate the shortfall in the supply of housing land.”

[The Chairman thanked Ms Katy C.W. Fung, STP/TWK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting]

A/TY/136                      Temporary Concrete Batching Plant for a Period of 5 Years in  
“Industrial” Zone, Tsing Yi Town Lot 108 RP (Part), Tsing Yi, New  
Territories  
(MPC Paper No. A/TY/136B)

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

- Mr Thomas O.S. Ho - having current business dealings with Swire and past business dealings with AECOM;
- Mr Alex T.H. Lai - his firm having current business dealings with HUD and CKH; and
- Mr Franklin Yu - having past business dealings with AECOM.

9. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Messrs Alex T.H. Lai and Franklin Yu had not yet arrived to join the meeting.

10. The Committee also noted that the applicant's representative requested on 23.7.2018 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant submitted further information to address departmental comments mainly on traffic and environmental issues.

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

[Mr Jerry J. Austin, Senior Town Planner/Hong Kong (STP/HK), Mr Vincent H.K. Lee, Senior Architect (Antiquities & Monuments) (SA(A&M), Leisure and Cultural Services

Department (LCSD), and Ms Janny W.Y. Lui, Maintenance Surveyor (Antiquities & Monuments) (MS(A&M), LCSD, were invited to the meeting at this point.]

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

### **Hong Kong District**

#### **Agenda Item 5**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/437                      Proposed Residential Institution (Youth Hostel) in “Government, Institution or Community” Zone, 122A-130 Hollywood Road, Sheung Wan  
(MPC Paper No. A/H3/437)

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12.            The Secretary reported that the application was submitted by Tung Wah Group of Hospitals (TWGHs). Kenneth To & Associates Limited (KTA), Team 73 Limited (Team 73) and Ove Arup & Partners Hong Kong Limited (OAP) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Franklin Yu            -    having past business dealings with TWGHs, Team 73 and OAP;
  
- Mr Alex T.H. Lai        -    his firm having current business dealings with TWGHs and OAP; and
  
- Mr Daniel K.S. Lau     -    his firm having current business dealings with KTA.

13.            The Committee noted that Mr Alex T.H. Lai had not yet arrived to join the meeting. As Messrs Daniel K.S. Lau and Franklin Yu had no involvement in the application, the Committee agreed that they could also stay in the meeting.



### Presentation and Question Sessions

14. With the aid of a PowerPoint presentation, Mr Jerry 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 residential institution (Youth Hostel);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary of Home Affairs advised that the proposed youth hostel had obtained the policy support of the Home Affairs Bureau (HAB). The District Officer (Central & Western), Home Affairs Department, conveyed that while the Central and Western District Council supported the proposed development in general, individual members were concerned about the impact of the buildings and the works on the neighbourhood, particularly on Man Mo Temple. 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 periods, a total of 742 comments, including 602 supporting, 113 opposing and 27 not indicating whether they supported or opposed the application, were received. Major views 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 assessment set out in paragraph 11 of the Paper. The proposed youth hostel development was not incompatible with the planning intention of the “Government, Institution or Community” zone. The proposed building design measures would bring about planning merits in terms of better integration with the adjoining Man Mo Temple Complex (MMTC) and opening up the visibility of MMTC. The

measures to protect the MMTC during the construction of the proposed youth hostel proposed by the applicant were accepted by the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department. The proposed development would not generate any adverse impacts on geotechnical, traffic, environmental, air ventilation, visual and landscape aspects. Regarding the adverse public comments, the planning assessments above were relevant.

*Visual Impact on the MMTC*

15. Some Members raised the following questions:
- (a) while the Heritage Bazaar of the proposed Youth Hostel had a headroom of 11m in height, whether the MMTC would still be visually blocked by the proposed building; and
  - (b) whether it was feasible to relocate the ground floor transformer room to another part of the building to enhance the visual permeability.
16. Mr Jerry J. Austin, STP/HK, made the following responses:
- (a) as the headroom of the Heritage Bazaar was higher than the MMTC, the view to the MMTC would not be obstructed; and
  - (b) the applicant could be requested to consider relocating the transformer room to another part of the building at the detailed design stage.

*MMTC*

17. A Member raised the following questions:
- (a) whether the proposed development was in compliance with the Man Mo Temple Ordinance (MMTO) as pointed by a public comment; and

- (b) whether the low wall proposed to be demolished formed part of the MMTC, which was a Declared Monument.

18. Mr Jerry J. Austin, STP/HK, made the following responses:

- (a) HAB had confirmed that the proposed youth hostel did not violate the MMTO; and
- (b) the low wall did not form part of the MMTC.

*Public Accessibility*

19. Some Members raised the following questions:

- (a) whether the Heritage Bazaar, the viewing platforms, the facilities on the first and second floors, and the access to Ping On Lane would be open to the public; and
- (b) whether the safety aspect on the shared use of the Heritage Bazaar and the car parking and loading/unloading facilities on the ground floor of the proposed youth hostel had been taken into account in the design.

20. Mr Jerry J. Austin, STP/HK, made the following responses:

- (a) the Heritage Bazaar and the access to Ping On Lane were open to the public while the viewing platforms could be accessed through guided tours. The facilities on the first and second floors would be open for public use subject to arrangements with the management office of the youth hostel; and
- (b) according to the applicant, the car park and loading/unloading bay would be of infrequent use, mainly for move-in and move-out of the residents, and the use would be regulated by a booking system. There would be bollards at the entrance to the Heritage Bazaar.

*Design Aspect*

21. Some Members raised the following questions:
- (a) whether the proposed youth hostel had reached the maximum permissible building height (BH) and whether there was provision for relaxation of the BH restriction;
  - (b) whether there were common areas on the upper floors;
  - (c) whether the design of the transformer room and the column of the current scheme were different as compared with the indicative scheme submitted under the previous s.12A application; and
  - (d) how the current scheme had addressed Members' concerns on the design aspect in considering the s.12A application.

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

22. Mr Jerry J. Austin, STP/HK, made the following responses:
- (a) the current scheme had reached the maximum BH stipulated in the OZP. A minor relaxation clause on BH restriction had already been included in the Notes. Should the applicant wish to apply for minor relaxation of BH restriction, the application would be processed under the planning application system;
  - (b) there were pantry and sitting areas for common use from 3/F to 12/F;
  - (c) the design of the transformer room and column of the current scheme was the same as that presented in the indicative scheme under the s.12A application; and

- (d) new design elements were incorporated in the current application, including opening of the viewing platforms for guided tours, provision of access to Ping On Lane via the viewing platform on the mezzanine floor, provision of landscaping elements, use of white ceramic tiles to minimise the visual impacts, use of granite for paving of the Heritage Bazaar to tally with the paving of the MMTC.

### Deliberation Session

23. Members generally supported the application as new design elements had been incorporated in the current proposal to address concerns raised by Members previously. The design of the current scheme had demonstrated that the proposed development was compatible with the MMTC, and the proposed youth hostel had provided the co-living concept and allowed public access to the facilities. Notwithstanding that, a Member considered that the visual coherence with the MMTC could be further enhanced at the detailed design stage. Regarding the public comments on the application, more efforts could be made to better inform the public of the proposed development.

24. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 3.8.2022, 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 landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (b) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

25. 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 Mr Jerry J. Austin, STP/HK, Mr Vincent H.K. Lee, SA(A&M), LCSD and Ms Janny W.Y. Lui (MS(A&M), LCSD, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Mr Alex T.H. Lai arrived to join the meeting at this point.]

## **Agenda Item 6**

### **Section 16 Application**

[Open Meeting]

A/H6/86                      Place of Recreation, Sports or Culture in an area shown as 'Road',  
Government land at Moreton Terrace, Causeway Bay, Hong Kong  
(MPC Paper No. A/H6/86)

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

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

Mr Martin W.C. Kwan       -   close relative owning a flat in Causeway Bay; and

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

27.            The Committee noted that Ms Sandy H.Y. Wong had tendered an apology for being unable to attend the meeting. As the interest of Ms Jacinta K.C. Woo, as Secretary, was remote and the property owned by the close relative of Mr Martin W.C. Kwan did not have a direct view of the application site, the Committee agreed that they could stay in the meeting.

28.            The Committee also noted that the applicant requested on 27.7.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

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

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Kowloon District**

#### **Agenda Item 7**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/758            Proposed Shop and Services in "Other Specified Uses" annotated  
"Business" Zone, G/F (Part), Camel Paint Building Block III, 60 Hoi  
Yuen Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/758)

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

30. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, 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' (about 341 m<sup>2</sup> in total) and proposed 'shop and services (bank and/or local provisions store)' (about 511 m<sup>2</sup>);

- (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
- (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 uses were considered generally in line with the planning intention and compatible with the changing land use character of the area. The proposed uses also complied with the Town Planning Board Guidelines No. 22D in that they would not induce adverse fire safety and environmental impacts on the developments within the subject building and the adjacent areas, and the aggregate commercial gross floor area on the ground floor was within the maximum permissible limit of the industrial building with sprinkler system.

31. Members had no question on the application.

#### Deliberation Session

32. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 3.8.2020, 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 a proposal for fire safety measures, including the provision of fire services installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the



TPB by 3.2.2019; 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.”

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/759 Proposed Religious Institution (Temple) in “Green Belt” Zone, Government land to the northeast of Lin Tak Road and southeast of Tseung Kwan O Tunnel Toll Plaza, Lam Tin, Kowloon  
(MPC Paper No. A/K14/759)

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

34. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed religious institution (temple);
- (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) had reservation on the application as adverse impact on the existing landscape resources was anticipated and mitigation measures were not provided in the application. Other 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
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 11 of the Paper. Although the Site fell within an area zoned “Green Belt” (“GB”) and CTP/UD&L, PlanD, had some reservations on the application, the scale of the proposed development was small and it was anticipated that the temple would not cause any adverse impacts on traffic, environment, drainage and planned infrastructure of the surrounding area. To address the concern on landscape issue, an approved condition on the submission and implementation of a landscape proposal was suggested.

#### *The Previous Application*

35. Some Members raised the following questions:

- (a) noting that a planning permission for temple at a nearby location had already been granted under another application submitted by the same applicant in the same “GB” zone, what measures the Government could take to ensure that only one temple would be developed in the area;
- (b) criteria adopted by the Home Affairs Bureau (HAB) in granting policy support for such applications; and
- (c) whether there was any restriction on the number of planning applications that could be submitted if the applicant continued to change the location of the temple.

36. Ms Jessie K.P. Kwan, STP/K, made the following responses:

- (a) as the subject site fell on government land, the applicant would have to

apply to the Lands Department (LandsD) for short-term tenancy (STT) for the temple development. In processing the STT application, it would ensure that only one site would be granted to the applicant for the temple development. According to the applicant, he would return the STT site under the previous approved application to the Government;

- (b) HAB did not provide information on the criteria for granting policy support. Each application would be considered on a case-by-case basis; and
- (c) there was no restriction on the number of applications that could be submitted by the same applicant under the Town Planning Ordinance.

*The Existing Temple*

37. Some Members raised the following questions:

- (a) what the planned use of the existing temple site was;
- (b) whether the existing temple was covered by a planning permission or a STT;
- (c) whether the existing temple would be demolished after it was moved to the current application site; and
- (d) whether the applicant was responsible for reinstating the existing temple site after its relocation.

38. Ms Jessie K.P. Kwan, STP/K, made the following responses:

- (a) the existing temple site was located on a slope within an area zoned “Residential (Group A)” on the Outline Zoning Plan. There was no intended development at the site;

- (b) the existing temple was neither covered by a planning permission nor STT;
- (c) according to LandsD, the existing temple was an illegal structure occupying government land. The applicant indicated that should the current application be approved, he would demolish the existing temple; and
- (d) there was no information on whether there would be requirement for reinstatement of the existing temple site. The matter would be followed up by LandsD.

39. A Member enquired how an emergency vehicular access (EVA) would be provided and whether the applicant would be required to submit building plans for the proposed temple. In response, Ms Jessie K.P. Kwan, STP/K, said that the applicant would be required to submit building plans for approval of the Building Authority and the EVA arrangement would also be handled at the building plans submission stage.

40. In response to the Vice-chairman's enquiries, Ms Jessie Kwan said that the applicant was a charitable organisation under section 88 of the Inland Revenue Ordinance. The applicant did not have other temples in Kwun Tong District and according to the records of LandsD, the existing temple was constructed in 1999 and before that, the site was occupied by a shrine.

41. In response to a Member's concern on whether there would be a claim to preserve the existing temple based on its historical background, Ms Jessie Kwan said that no public comment proposing to preserve the existing temple was received during the publication period of the current planning application.

#### Deliberation Session

42. In response to a Member's concerns on how to ensure that the applicant would remove the illegal structures of the existing temple and reinstate the site should the current application be approved, the Chairman said that enforcement of illegal structures occupying

government land should be considered separately. LandsD would take enforcement actions against illegal structures on government land, as appropriate.

43. Mr Simon S.W. Wang, Assistant Director (Regional 1), LandsD, supplemented that LandsD would post a notice requesting the occupant to remove the illegal structures. Should the occupier refuse to remove the illegal structures on government land, LandsD might consider taking enforcement action to clear the illegal structure on the site.

44. The Committee noted the historical background of the existing temple and LandsD would terminate the STT of the site under the previous approved application before a new STT would be granted. Members generally had no objection to the current planning application. Noting that some existing trees would be affected by the proposed temple, a Member said that compensatory tree planting should be provided by the applicant and agreed that an approval condition on landscape proposal should be included.

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 3.8.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of fire services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the submission of a Landfill Gas Hazard Assessment and the implementation of the protective measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB.”

46. 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 Jessie K.P. Kwan, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Mr Chesterfield K.K. Lee, District Planning Officer/ Kowloon (DPO/K) and Ms Cheryl H.L. Yeung, Town Planner/Kowloon (TP/K), were invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/326                      Proposed Minor Relaxation of Plot Ratio Restriction from 0.6 to 0.6862 and Minor Relaxation of Building Height Restriction from 3 to 4 Storeys to Allow for One Storey of Basement for Three Car Parking Spaces and Ancillary Plant Room Use for the Permitted House Development in "Residential (Group C)1" Zone, 147 Waterloo Road, Kowloon Tong, Kowloon  
(MPC Paper No. A/K18/326B)

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47.                      The Secretary reported that the application site was located in Kowloon Tong. The following Members had declared interests on the item:

Dr Lawrence W.C. Poon   -   working in the City University of Hong Kong and living in its quarters in Kowloon Tong; and

Mr Stanley T.S. Choi       -   his spouse being a director of a company which owned properties in Kowloon Tong.

48.                      The Committee noted that Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting. As the quarters resided by Dr Lawrence W.C. Poon did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

49. With the aid of a PowerPoint presentation, Ms Cheryl H.L. Yeung, TP/K, 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 0.6 to 0.6862 and minor relaxation of building height (BH) restriction from 3 to 4 storeys to allow for one storey of basement for two car parking spaces and ancillary plant room use for the permitted house development;
- (c) departmental comments – departmental comments were set out in paragraph 8 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 period, three public comments objecting to the application were received from the Kowloon Tong Redevelopment Concern Group and individuals. Major objection grounds were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 10 of the Paper. The proposed minor relaxation in PR was in line with the Government's existing practice that private land proposed for surrender for street widening could be included in the site area for PR calculation upon redevelopment, as reflected in the agreement signed in 1980. The proposed addition of a basement floor for car parking and ancillary plant room use, with the above ground portion of the building remaining at three storeys was in line with the general BH profile of the adjacent developments and would not deteriorate the garden estate character. Compensatory tree planting would be provided for felling of the tree abutting Somerset Road and the basement floor had been reduced to enlarge the planting area at-grade and to provide adequate growing space

for the retained tree. There was design merit of having more open area at-grade for landscaping purposes. The proposed development would not have adverse environmental, geotechnical, drainage, sewerage and electricity and gas safety impacts on the surrounding areas. All rejected previous applications involved uses which were considered not in line with the planning intention of the “Residential (Group C)1” zone. The 12 similar applications were approved for reasons that the additional basement floor would not cause significant impacts on the environment, drainage, traffic, visual and infrastructure. Regarding the adverse public comments, the planning assessments above were relevant.

50. Members had no question on the application.

#### Deliberation Session

51. The Committee noted that the proposed minor relaxation was for increase in the number of storeys from three to four storeys by including one basement floor for car parking and ancillary plant room while the number of storeys above the ground level would remain as three storeys.

52. Noting that part of the original lot of the Site was resumed by the Government for road widening and that an agreement was made between the Government and the lot owner that the Site upon redevelopment could include the resumed land in PR calculation, a Member was concerned whether it was common that similar agreements had been signed and if so, there could be many applications for minor relaxation of PR. Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department, said that from his personal experience, such agreement was not common and land resumption was usually settled by means of cash compensation.

53. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 3.8.2022, 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 design and provision of vehicular access, car parking spaces and loading/unloading space for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission and implementation of a landscape proposal including tree preservation proposal to the satisfaction of the Director of Planning or of the TPB; and
- (d) the submission of a Noise Impact Assessment and implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

[The Chairman thanked Mr Chesterfield K.K. Lee, DPO/K and Ms Cheryl H.L. Yeung, TP/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting]

A/K18/327 Proposed Place of Recreation, Sports or Culture (Swimming Pool Complex Redevelopment) in “Open Space” Zone, Kowloon Tsai Park (Portion), 13 Inverness Road, Kowloon Tong, Kowloon  
(MPC Paper No. A/K18/327)

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55. The Secretary reported that the application site was located in Kowloon Tong and the application was submitted by the Leisure and Cultural Services Department (LCSD).

ACLA Limited (ACLA), ESA Consulting Engineers Limited (ESA), MVA Hong Kong Limited (MVA) and P & T Architects and Engineers Limited (P & T) were four of the consultants of the applicant. The following Members had declared interests on the item:

- Dr Frankie W.C. Yeung - being the Chairman of the Chinese Traditional Performing Arts Panel of LCSD;
- Professor T.S. Liu - being a Museum Expert Advisor of LCSD;
- Mr Thomas O.S. Ho - having current business dealings with MVA;
- Mr Alex T.H. Lai - his firm having current business dealings with ACLA and ESA;
- Mr Franklin Yu - having past business dealings with MVA;
- Ms Jacinta K.C. Woo - her spouse being a Group Director of P & T;
- Dr Lawrence W.C. Poon - working in the City University of Hong Kong and living in its quarters in Kowloon Tong; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Kowloon Tong.

56. The Committee noted that Professor T.S. Liu and Messrs Thomas O.S. Ho and Stanley T.S. Choi had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. As the interest of Ms Jacinta K.C. Woo, as Secretary, was remote, Dr Frankie W.C. Yeung, Messrs Alex T.H. Lai and Franklin Yu had no involvement in the application, and the quarters resided by Dr Lawrence W.C. Poon did not have a direct view of the application site, the Committee agreed that they could stay in the meeting.

57. The Committee also noted that the applicant requested on 16.7.2018 deferment of the consideration of the application for two months in order to allow time for preparation of

further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 11**

Any Other Business

59. There being no other business, the meeting closed at 11:00 a.m..