

## **TOWN PLANNING BOARD**

### **Minutes of 611<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 7.9.2018**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Ms Lilian S.K. Law

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 (R1), 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

Dr Frankie W.C. Yeung

Mr Thomas O.S. Ho

Mr Daniel K.S. Lau

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

**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 Terence H.Y. Sit

**Agenda Item 1**

Confirmation of the Draft Minutes of the 610<sup>th</sup> MPC Meeting held on 17.8.2018

[Open Meeting]

1. The draft minutes of the 610<sup>th</sup> MPC meeting held on 17.8.2018 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/K5/798                      Shop and Services (Real Estate Agency) in “Other Specified Uses” annotated “Business (1)” Zone, Flat D1B (Portion), G/F, Garment Centre 576-586 Castle Peak Road, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K5/798)

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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 shop and services (real estate agency);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual providing view on the application was received. The 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 assessments set out in paragraph 11 of the Paper. The proposed use was considered generally in line with the planning intention and compatible with the changing land use character of the area. It also complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic and infrastructural impacts

on the developments within the subject building and the adjacent areas, and the aggregate commercial floor area on the ground floor was within the maximum permissible limit of the industrial building with sprinkler system. A previous application (No. A/K5/781) for the same use at the application premises was approved by the Committee in 2017 and there was no change in planning circumstances and the approval of the application was consistent with the previous decision of the Committee. Although the planning permission was revoked in 2018 due to non-compliance with the approval condition related to fire safety measures, the applicant had taken action to submit the proposal for fire safety measures. Sympathetic consideration could be given and a shorter compliance period was recommended to closely monitor the progress of compliance with approval conditions.

4. In response to a Member's enquiry, Ms Katy C.W. Fung, STP/TWK, said that the previous application was submitted by the same applicant as the current application. Another Member enquired how the planning approval conditions for this type of application could be enforced and Ms Katy C.W. Fung, STP/TWK, responded that PlanD would advise the Lands Department (LandsD) to incorporate relevant requirements into the waiver documents when the applicant applied for a short term waiver from LandsD.

#### Deliberation Session

5. In response to a Member's question, the Chairman invited the Secretary to brief Members on the Board's practice in handling revoked cases. The Secretary said that for application involving two consecutive revocations, sympathetic consideration might be given only if the applicant could demonstrate that reasonable actions had been taken to comply with the relevant approval conditions. Applications with three or more consecutive revocations would normally not be supported in accordance with the Board's established practice.

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

- “(a) the submission of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the application premises and a means of escape separated from the industrial portion within 3 months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 7.12.2018;
- (b) the implementation of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the application premises and a means of escape separated from the industrial portion within 6 months from the date of approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 7.3.2019; and
- (c) if the above planning conditions (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

7. 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 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/KC/454                      Proposed Minor Relaxation of Plot Ratio Restriction for the Permitted ‘Information Technology and Telecommunications Industries (Data Centre)’ Use in “Industrial” Zone, Cargo Consolidation Complex, 43 Container Port Road, Kwai Chung, New Territories  
(MPC Paper No. A/KC/454)

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8. The Secretary reported that the application was submitted by PCCW Solutions Limited, which was a subsidiary of PCCW Limited (PCCW). Mr Alex T.H. Lai had

declared an interest on this item as his firm was having current business dealings with PCCW. The Committee noted that Mr Alex T.H. Lai had not yet arrived to join the meeting.

9. The Committee noted that the applicant's representative requested on 24.8.2018 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.

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

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/TW/495                      Proposed Religious Institution in "Green Belt" Zone, Lot 1212 (Part) in D.D. 453 and Adjoining Government Land, Lo Wai, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/495A)

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11. The Secretary reported that the application site was located in Tsuen Wan. DrilTech Ground Engineering Limited (DrilTech) was one of the consultants of the applicant. The following Members had declared interests on this item:

Mr Alex T.H. Lai                      -                      his firm having current business dealings with DrilTech;

- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and
- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

12. The Committee noted that Professor John C.Y. Ng had tendered an apology for being unable to attend the meeting and Mr Alex T.H. Lai had not yet arrived to join the meeting. The Committee noted that the applicant's representative requested deferment of consideration of the application. As the properties owned by the company of Mr Stanley T.S. Choi's spouse did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

13. The Committee noted that the applicant's representative requested on 28.8.2018 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments and demonstrated efforts in preparing supplementary information in support 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 two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.



**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/TWW/114 Proposed Access Road for Residential Development at Lots 92, 382 RP & Extension (Ext.) to 382 and 440 RP in D.D. 399, Ting Kau, Tsuen Wan in “Green Belt” Zone and an area shown as ‘Road’, Government Land adjacent to Lots 92, 382 RP & Ext. to 382 and 440 RP in D.D. 399, Ting Kau, Tsuen Wan, New Territories  
(MPC Paper No. A/TWW/114B)

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15. The Secretary reported that Winfield Engineering (Hong Kong) Limited (Winfield) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on this item as his firm was having current business dealings with Winfield. The Committee noted that Mr Alex T.H. Lai had not yet arrived to join the meeting.

16. The Committee noted that the applicant’s representative requested on 21.8.2018 deferment of the consideration of the application for one month as the applicant needed more time to prepare further information in response to department comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised technical assessments to address departmental comments.

17. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that one month was allowed for preparation of the submission of further information. Since it was the third deferment and a total of five months had been allowed for preparation of the 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), was invited to the meeting at this point.]

**Hong Kong District**

**Agenda Item 7**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/438                      Proposed Office and Shop and Services/Eating Place in “Residential (Group A)” Zone, 3-6 Glenealy, Central, Hong Kong  
(MPC Paper No. A/H3/438A)

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18.            The Secretary reported that Kenneth To & Associates Limited (KTA) was one of the consultants of the applicant. Mr Daniel K.S. Lau had declared an interest on this item as his firm was having current business dealings with KTA. The Committee noted that Mr Daniel K.S. Lau had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

19.            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 office and shop and services/eating place use;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. District Officer (Central and Western), Home Affairs Department advised that the application was of considerable public concern in light of the adverse traffic, air ventilation and environmental impacts as well as the demand for residential land in the area. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of 100 comments were received, including 59 supporting comments from individuals and 41 opposing comments from a district council member,

Central & Western Concern Group, Designing Hong Kong and individuals. Major views were set out in paragraph 11 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 12 of the Paper. While the proposed office development with shop and services/eating places on the lowest four floors was considered not incompatible with the surrounding developments, it was not fully in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone. Moreover, redevelopment of the existing two residential buildings would result in a net loss of housing supply. The applicant had not demonstrated that the application site was not conducive to residential development. Having considered the predominant residential nature of the existing developments in the area, approval of the application would set an undesirable precedent for other residential sites in the same “R(A)” zone. Regarding the public comments, the planning assessments above were relevant.

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

20. Members had the following questions:

- (a) whether there were any differences in the maximum gross floor area (GFA) allowed for commercial and residential development at the site;
- (b) the nature of the developments in areas around Wyndham Street and Lan Kwai Fong; and
- (c) whether the Commissioner for Transport (C for T) had any adverse comments on the proposed vehicular ingress and egress arrangement.

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

- (a) there was no GFA restriction under the Outline Zoning Plan in respect of the subject application site. The development intensity should follow the

respective maximum permissible plot ratio (PR) for commercial development and residential development under Building (Planning) Regulations, which were 15 and in the range of 8 to 10 depending on the class of the site;

- (b) areas around Wyndham Street and Lan Kwai Fong were mainly commercial in nature and were occupied by office buildings with the lowest three floors used as retail shops/eating place. For areas around Glenealy and Arbuthnot Street, the use was mainly residential in nature.
- (c) C for T had no comments on the proposed vehicular ingress and egress arrangement of the proposed development.

22. A Member supplemented that there was a kindergarten across the street and serious traffic congestion was observed along Glenealy which was a very steep road.

#### Deliberation Session

23. In response to a Member's enquiry, the Secretary explained that it was not necessary for the applicant to be the current land owner in submitting a planning application. However, the applicant had to comply with the "Owner's Consent/Notification" requirements to demonstrate that reasonable steps had been taken to obtain the owner's consent and/or give notification to the owner.

24. A Member said that the site should be maintained for residential use since a residential community had already been established in the area. Another Member concurred and stressed that the site was zoned "R(A)" and the applicant did not provide justifications on why the site should be used for commercial rather than residential purpose. In addition, given that there was a pressing need for housing land supply, the Member did not agree with the application. Considering the possible traffic impacts and the incompatibility of commercial development with the immediate residential neighbourhood, another Member said that the application could not be supported.

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

- “(a) the proposed office development is not in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone which is for high-density residential developments. The approval of the application will result in a reduction of housing supply;
- (b) the applicant fails to demonstrate that the site is not conducive to residential development; and
- (c) approval of the application will set an undesirable precedent for similar applications in the same “R(A)” zone. The cumulative effect of approving such applications will aggravate the shortfall in the supply of housing land.”

[The Chairman thanked Mr Jerry J. Austin, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

### **Agenda Item 7A**

#### **Section 16 Application**

[Open Meeting]

A/H5/411 Proposed Office, Shop and Services, Eating Place, Exhibition Hall, Convention Hall, Educational Institution, Place of Entertainment and Place of Recreation Sports or Culture, and Minor Relaxation of Building Height Restriction in “Residential (Group A)” Zone, 46-56 Queen's Road East, 2-12 Anton Street and 1-11 Landale Street, Wan Chai, Hong Kong (MPC Paper No. A/H5/411A)

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26. The Secretary reported that the application site was located in Wan Chai. Ove Arup & Partners Hong Kong Limited (ARUP) and MVA Hong Kong Limited (MVA) were two of the consultants of the applicant. The following Members had declared interests on this item:

- Mr Alex T.H. Lai - his firm having current business dealings with ARUP;
- Mr Thomas O.S. Ho - having current business dealings with MVA;
- Mr Franklin Yu - having past business dealings with ARUP and MVA; and
- Mr Stephen H.B. Yau - his office was located at Southorn Centre, Wan Chai.

27. The Committee noted that Mr Thomas O.S. Ho and Mr Stephen H.B. Yau had tendered apologies for being unable to attend the meeting and Mr Franklin Yu had not yet arrived to join the meeting. The Committee noted that the applicant's representative requested deferment of consideration of the application. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

28. The Committee noted that the applicant's representative requested on 3.9.2018 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised floor plans and revised technical assessments in response to departmental and public comments.

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

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

[Mr Anthony K.O. Luk, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

**Agenda Item 8**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H5/412                      Proposed Commercial Development (including Eating Place, Shop and Services, Office and Commercial Bathhouse/Massage Establishment) in “Residential (Group A)” Zone, 153-167 Queen's Road East, Wan Chai, Hong Kong  
  
(MPC Paper No. A/H5/412A)

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30.            The Secretary reported that the application site was located in Wan Chai. The application was submitted by Eldridge Investments Limited which was a subsidiary of Hopewell Holdings Limited (Hopewell). AECOM Asia Limited (AECOM), WMKY Limited (WMKY) and Hyder Consulting Limited (Hyder) were three of the consultants of the applicant. The following Members had declared interests on this item:

Mr Alex T.H. Lai	-	his firm having current business dealings with Hopewell, AECOM, WMKY and Hyder;
Mr Thomas O.S. Ho	]	
	]	having past business dealings with AECOM; and
Mr Franklin Yu	]	
Mr Stephen H.B. Yau	-	his office was located at Southorn Centre, Wan Chai.

31.            The Committee noted that Mr Thomas O.S. Ho and Mr Stephen H.B. Yau had tendered apologies for being unable to attend the meeting. As Mr Alex T.H. Lai and Mr Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

32. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed commercial development (including eating place, shop and services, office and commercial bathhouse/massage establishment);
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that additional measures should be explored to soften the building edge and enhance visual appeal to the adjoining public realm, and to widen the public passageways with additional landscaping/greening measures to enhance the quality of the pedestrian environment. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 402 comments were received, including 386 supporting comments and 16 opposing comments. The opposing comments were submitted by a district council member, Incorporated Owners of Spring Garden Mansion, Incorporated Owners of Residential Buildings in close proximity to Hopewell Centre II at Kennedy Road with signatures of elected councillors and individuals. Major views were set out in paragraph 11 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 12 of the Paper. Part of the application site was the subject of a previous application (No. A/H5/400) for commercial uses approved by the Committee in 2015. As compared with the previous application, the current application was proposed to enlarge the application site by including two additional lots.



There was an increase in the total non-domestic gross floor area (GFA), while the plot ratio (PR), building height (BH), site coverage for both the podium and tower portions would be slightly decreased. The proposed development might warrant special consideration even though it was not in line with the planning intention of “Residential (Group A)” (“R(A)”) zone. For the current application, the applicant proposed to dedicate an area of about 207m<sup>2</sup> on G/F and about 68m<sup>2</sup> on B/F instead of 278.5m<sup>2</sup> on G/F in the previous approved application for pedestrian public passage and pedestrian tunnel. Similar to the previous approved application, there would be nil provision of carparking spaces at the application site as there were serious site constraints rendering the provision of parking facilities within the site technically infeasible and the carpark supply in the vicinity was able to meet the demand of the proposed development. The proposed development would need to share the loading/unloading (L/UL) facilities of the existing Hopewell Centre I. The Commissioner for Transport (C for T) had no objection to the above arrangements. Other relevant departments had no adverse comments on or no objection to the application. Regarding the adverse public comments, the planning assessments above were relevant.

### ***Provision of Carparking and Loading/Unloading Facilities***

33. Some Members raised the following questions and comments:
- (a) the rationale for accepting the proposed nil provision of carparking spaces and L/UL facilities at the application site, given that there had been an increase in site area as compared with the previous approved application;
  - (b) as compared with the previous approved application, there had been an increase of about 25% in commercial GFA, in which the GFA for eating place/shop and services uses had increased by 42%. Noting that these types of uses would induce a lot of L/UL activities, whether the nil provision of L/UL space within the application site would cause adverse traffic impact along Queen’s Road East (QRE);

- (c) whether the applicant's proposal to extend the existing lay-by outside the Hopewell Centre I to facilitate L/UL activities would be effective; and
- (d) whether the nil provision of carparking spaces and L/UL facilities at the application site implied that the applicant could gain additional GFA for other uses.

34. Mr Anthony K.O. Luk, STP/HK, made the following responses:

- (a) same as that in the previous approved application, nil provision of carparking spaces and shared use of the L/UL facilities with the Hopewell Centre I were proposed in the current application. C for T had no objection to the current proposal;
- (b) according to the applicant, there were serious site constraints rendering the provision of parking facilities within the site technically infeasible. Given that the depth of the application site as measured from QRE was about 15m only, the construction of a car ramp was technically infeasible. Because of the heavy traffic along QRE, additional vehicular ingress and egress point would easily create a tail back of traffic queue along QRE and this might adversely affect the traffic flow as well as pedestrian safety. Installation of car lift would be impractical as well. Moreover, a survey of the occupancy records of existing carparks conducted by the applicant revealed that, there would be surplus spaces in the Wu Chung House and the Avenue to absorb the future demand of the proposed development for carparking spaces;
- (c) the proposed development would connect with the existing Hopewell Centre I from 2/F to 5/F. According to the applicant, the Hopewell Centre I would allow the proposed development to use their L/UL facilities and this would help reduce the need to use the proposed lay-by at QRE for L/UL activities; and

- (d) underground carpark could be exempted from GFA calculation. It did not appear that the proposed development had gained additional GFA through the nil provision of carparking spaces.

35. Mr David C.V. Ngu, Chief Traffic Engineer/Kowloon, supplemented that apart from the above justifications provided by the applicant, the applicant's proposal included a connection with the existing subway leading to the nearby MTR station which was within walking distance and therefore the C for T had no objection to the application.

***Proposed Dedicated Areas***

36. The Vice-Chairman and some Members raised the following questions and comments:

- (a) the arrangement and future management of the proposed dedicated public passage and pedestrian subway including the proposed opening hours;
- (b) the arrangement and future management of the proposed lift linking the proposed pedestrian passageway;
- (c) whether the area to be used for the proposed extension of the lay-by at QRE was government land. While the Building Authority would assess the applicant's claim for bonus PR for public passage dedication during the building plan submission stage, whether the proposal was acceptable from the land use planning angle given that the extended lay-by would likely be used for the activities related to the proposed development and the dedicated area was in fact reprovisioning of the existing pavement; and
- (d) in general, the proposed dedicated areas would be better managed if the site was under one single ownership. Whether there would be any restriction on alienation except as a whole for the proposed development under lease.

37. Mr Anthony K.O. Luk, STP/HK, made the following responses:

- (a) the applicant did not indicate the proposed opening hours of the dedicated areas. However, for the portion of the dedicated area abutting QRE, it formed part of the continuous pavement along QRE and should be open to the public. The applicant would need to sort out with relevant departments on the future management (including opening hours) and maintenance responsibility of the pedestrian subway linking up with the Wan Chai MTR station. According to the traffic impact assessment submitted by the applicant, the effective width of the existing 3m wide pedestrian footpath was 1m only and this could not accommodate the projected pedestrian flow. Therefore, the applicant proposed to extend the existing lay-by outside the Hopewell Centre I towards the application site and provide a 4m setback to facilitate L/UL activities and public pedestrian passage respectively. The applicant would apply separately to the Building Authority for approval on the proposed dedicated areas together with the claim on bonus PR of 1.883. Concerned Government departments had no objection to the dedication of the G/F and B/F areas for public passage at this stage;
- (b) the proposed lift was to fulfil the barrier-free access requirements and it would also connect with the existing Hopewell Centre I from 2/F to 4/F. While the applicant did not specify the details on the intended functions of the lift, considering that the pedestrians getting through the application site would normally take the lift to and from B/F and G/F only, it did not seem there would be conflicts in usage even if the lift would be used for delivery of goods to shopping arcade at 2/F to 4/F. The applicant would liaise with relevant departments to sort out the future management and maintenance issues with regard to the dedicated areas including the pedestrian facilities therein; and
- (c) the concerned area proposed to be used for lay-by extension was government land.

38. With regard to lease requirements, Mr Simon S.W. Wang, Assistant Director (R1), Lands Department (LandsD), supplemented that referring to paragraph 10.1.1 of the

Paper, the leases of the application site were virtually unrestricted except for offensive trades. There was no restriction on alienation, such as alienation except as a whole, under lease while the applicant would need to apply to LandsD in respect of the proposed eating place use which was regarded as an offensive trade. Modification of lease would be processed for the dedicated areas approved by the Building Authority.

### ***Proposed Commercial Bathhouse/Massage Establishment***

39. The Vice-chairman noted that commercial bathhouse/massage establishment was an additional proposed use under the current application as compared with the previous application. He asked whether the applicant had provided any justification for this use and whether public comment on the proposed commercial bathhouse/massage establishment was received. Mr Anthony K.O. Luk, STP/HK, replied that no public comment specific to the proposed commercial bathhouse/massage establishment was received. According to the Notes of the OZP, commercial bathhouse/massage establishment was not a use always permitted within the subject “R(A)” zone. To allow flexibility for future operations, the applicant intended to seek the Committee’s approval on the proposed commercial bathhouse/massage establishment under the current application.

### ***Air Ventilation***

40. A Member noted there was public comment concerning the impacts of the proposed development on air ventilation. Given that the application site was surrounded by tall buildings and the fact that the maximum permissible development intensity under the Building (Planning) Regulations (B(P)R) for developing a residential building would result in a smaller bulk as compared with a commercial building, the Member queried how CTP/UD&L, PlanD would conclude that the proposed development would not have significant adverse air ventilation impact. Mr Anthony K.O. Luk, STP/HK, responded that an air ventilation assessment was carried out for Wan Chai area in early 2018 as part of the review on BH restrictions and according to the assessment, QRE, together with other public roads, were identified as air paths. Besides, maximum BH as allowed under the OZP had already been taken into account in the assessment. Comparing with the BH restriction of 110mPD under the OZP for the application site, the proposed BH under the current application was 90mPD only. Since the proposed development would not exceed the BH

restriction on the OZP and with the provision of building setback from QRE, adverse air ventilation impact was not anticipated.

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*Others*

41. A Member noted that there was an opposing public comment stating that the proposed development was in breach of the B(P)R, and asked for clarification. Mr Anthony K.O. Luk, STP/HK, responded that according to the comments of the Buildings Department, as set out in the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-108, the maximum bonus PR that could be granted in return for the dedication of area would be 20% of the permissible PR. In terms of floor area, the additional GFA as proposed to be claimed by the applicant was 1,171m<sup>2</sup>, which was equivalent to about 12.5% of the permissible PR. He supplemented that the applicant would need to apply separately to the Building Authority at the building plan submission stage for the approval of the bonus PR and relevant departments would be consulted.

42. Another Member enquired what the maximum development intensity would be, should the application site be developed for residential use instead. Mr Anthony K.O. Luk, STP/HK, replied that since there was no PR restriction for the site under the OZP, the scale of development should follow the permissible PR under the B(P)R. Taking into account that the application site was a Class A site under the B(P)R, the maximum PR allowed for residential development would be 8. Assuming an average flat size of about 50m<sup>2</sup>, about 100 flats could be produced. If the site was to be developed for commercial use, the maximum permissible PR under the B(P)R would be 15.

Deliberation Session

43. The Chairman remarked that the application site was subject to a previous approved planning application for similar commercial use. The current proposal involved expansion of the application site to include two more lots.

### ***Landuse Compatibility***

44. A Member was of the view that given the current pressing need for housing land supply and the fact that the site was zoned for residential use, strong justifications would be required for a deviation from the planning intention. The application site was accessible to public transport and could be linked up with the Avenue, a major residential development in the area, to create a residential cluster. Should more commercial uses be approved in the area, the cumulative effect would be that the whole area would gradually be transformed into a pure commercial area. The Chairman remarked that the current need for housing land supply was not much different from that in 2015 when the previous application was approved by the Committee. The Vice-Chairman and some Members considered that the application site was more suitable for commercial use as the surrounding development was commercial in nature. In addition, a Member considered that the proposed dedicated areas for public passageway would be better managed under commercial development than residential development.

### ***Provision of Carparking and Loading/Unloading Facilities***

45. Members generally considered that other than the applicant's indication of the Hopewell Centre I's agreement on sharing its L/UL facilities with the proposed development, there was no guarantee that the proposed arrangement would be implemented. A Member considered that the current arrangement would rely heavily on the cooperation with the Hopewell Centre I but there would be no guarantee that the proposed development would not be sold to other parties after completion.

46. Given the enlarged scale of development under the current application with increased GFA as compared with the previous approved application, some Members were concerned about the traffic impact on QRE and a Member considered that the nil provision of carparking spaces and L/UL facilities within the application site was unacceptable. A Member was of the view that it was the responsibility of the applicant to provide the required transport facilities within the site. Given that the site area was enlarged under the current application, there should be more room for the provision of such facilities but there was no detailed analysis on this aspect. Another Member remarked that should the carparks be provided above ground, only 50% GFA concession could be claimed and the applicant could

in fact save the relevant GFA freed up from the nil provision of carparking spaces. More detailed information was needed to ascertain the feasibility for nil provision of internal transport facilities on site. Some Members also considered that more information would be required to ascertain the effectiveness of the proposed extension of the existing lay-by at QRE to facilitate the L/UL activities for the proposed development.

### ***Proposed Dedicated Areas***

47. Members generally considered that there was insufficient information with regard to the proposed arrangement and future management of the public passage and pedestrian subway. Members were concerned that the future arrangement had direct implication on the feasibility of the proposed pedestrian connection. In particular, for the proposed accessible lift linking the proposed pedestrian subway to G/F, which would also serve to link up the upper floors of the proposed development, more details with regard to its intended function and barrier-free access arrangement during its maintenance would be required for Member's consideration.

48. For the bonus PR of 1.883 as claimed by the applicant in return for the dedicated areas for public passage, since portion of the dedicated area was necessitated by the use of the existing pedestrian footpath on government land for extension of the lay-by, some Members considered that more information was required to justify the claim for bonus PR.

### ***Proposed Commercial Bathhouse/Massage Establishment***

49. The Vice-chairman had reservation on the proposed commercial bathhouse/massage establishment since the existing establishments in Wan Chai were more concentrated in the areas to the north of Hennessy Road and approval of the commercial bathhouse/massage establishment at the application site might lead to a proliferation of such uses in the southern part of Wan Chai predominated by residential developments. Another Member agreed and considered that the use should be excluded and a fresh application should be required if, upon completion of the development, part of the premises were eventually proposed for commercial bathhouse/massage establishment use. Some Members considered the proposed use was not of great concern given that the surrounding area was mainly commercial in nature.



[Mr Wilson Y.W. Fung left the meeting at this point.]

50. Members then discussed whether the application should be rejected or deferred pending submission of more information by the applicant. Members generally considered that more information from the applicant was required on the following aspects:

- (a) more detailed analysis on the nil provision of internal transport facilities within the site, including the means to guarantee the shared use of the L/UL facilities with the Hopewell Centre I;
- (b) the arrangement and future management of the proposed pedestrian subway including the intended function of the proposed accessible lift and the barrier-free access arrangement during its maintenance;
- (c) more details on the effectiveness of the proposed extension of the existing lay-by at QRE; and
- (d) justification for claim of bonus PR for the dedication of areas for public passage.

51. After deliberation, the Committee decided to defer a decision on the application, pending submission of further information by the applicant.

[The Chairman thanked Mr Anthony K.O. Luk, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr Alex T.H. Lai left the meeting at the point.]

[Mr Chesterfield K.K. Lee, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

**Kowloon District**

**Agenda Item 9**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K22/21                      Proposed Public Utility Installation (Aboveground Gas Governor Kiosk)  
in an area shown as 'Road', Government Land near Concorde Road to  
the northwest of Kai Ching Estate, Kai Tak Development  
(MPC Paper No. A/K22/21)

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52.            The Secretary reported that the application was submitted by Hong Kong and China Gas Company Limited (HKCGC) which was a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on this item:

- |                  |   |   |
|------------------|---|---|
| Mr Alex T.H. Lai | - | his firm having current business dealings with HKCGC and HLD; and |
| Mr Franklin Yu   | - | having past business dealings with HLD.                           |

53.            The Committee noted that Mr Alex T.H. Lai had already left the meeting and agreed that Mr Franklin Yu could stay in the meeting as he had no involvement in the application.

**Presentation and Question Sessions**

54.            With the aid of a PowerPoint presentation, Mr Chesterfield K.K. Lee, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed public utility installation (aboveground gas governor kiosk);

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed aboveground gas governor kiosk was an essential utility which was to regulate the gas supply pressure from medium pressure to low pressure to serve the commercial and residential developments at the North Apron area of Kai Tak Development (KTD). The proposed kiosk would only occupy a small area and would not have significant impacts on the environmental, traffic, visual and landscape, gas and electricity safety, fire safety, drainage and water supplies aspects. In respect of site selection, the applicant had considered a number of factors including avoidance of obstruction to pedestrian and traffic flow, land use compatibility, impacts on landscape features and underground utilities installations, and the future operation and maintenance arrangements. Concerned government departments had no objection to or no adverse comment on the application. A similar application (No. A/K22/19) for the same use in KTD was approved by the Committee in 2017.

55. Members had no question on the application.

#### Deliberation Session

56. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 7.9.2022, 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.

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

[The Chairman thanked Mr Chesterfield K.K. Lee, STP/K, for his attendance. He left the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting]

A/K9/271 Proposed Hotel in “Residential (Group A) 4” Zone, 84 and 86 Wuhu Street, Hung Hom, Kowloon  
(MPC Paper No. A/K9/271)

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58. The Secretary reported that the application site was located in Hung Hom. Mr Stanley T.S. Choi had declared an interest on this item as he owned a flat in Hung Hom.

59. The Committee noted that the applicant’s representative requested deferment of consideration of the application. As the property of Mr Stanley T.S. Choi did not have a direct view of the application site, the Committee agreed that he could stay in the meeting.

60. The Committee noted that the applicant’s representative requested on 21.8.2018 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.

61. 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 further

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

**Agenda Item 11**

Any Other Business

62.           There being no other business, the meeting closed at 11:40 a.m..