

TOWN PLANNING BOARD

**Minutes of 613th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 5.10.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

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

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

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

Dr Frankie W.C. Yeung

Mr Franklin Yu

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
Ms Karmin Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 612th MPC Meeting held on 21.9.2018

[Open Meeting]

1. The draft minutes of the 612th MPC meeting held on 21.9.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

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

Hong Kong District

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H17/139 Proposed Social Welfare Facility (Child Care Centre) in “Residential (Group B)” Zone, Shops G106A & G107A, G/F, The Repulse Bay, 109 Repulse Bay Road, Repulse Bay, Hong Kong
(MPC Paper No. A/H17/139)

Presentation and Question Sessions

3. With the aid of a PowerPoint presentation, Mr Vincent W.Y. Wong, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed social welfare facility (child care centre);
- (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) 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 10 of the Paper. The proposed child care centre would serve the residential neighbourhood in the area and was in line with the planning intention of the “Residential (Group B)” zone. The proposed child care centre was small in scale and was not incompatible with the other commercial uses within the shopping arcade (i.e. The Repulse Bay Arcade). As advised by the Director of Social Welfare, the proposed child care centre would be subject to the

registration control and monitoring under the Child Care Services Ordinance (CCSO) and the Child Care Services Regulations (CCSR). It would unlikely cause any adverse impact on the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application.

[Mr Thomas O.S. Ho arrived to join the meeting at this point.]

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

- (a) the validity of the previous planning approval for tutorial school granted to the application premises and whether separate planning permission was required for the proposed child care centre;
- (b) the age group of the children to be served by the proposed child care centre;
- (c) information on the access and means of escape of the premises;
- (d) whether there was any mechanism to ensure the suitability of design and safety of the premises; and
- (e) any similar child care centres in the area and whether there was any standard/requirement on the provision of such facility.

5. Mr Vincent W.Y. Wong, STP/HK, made the following responses:

- (a) according to the Broad Use Terms promulgated by the Town Planning Board (TPB), 'tutorial school' was subsumed under 'School' use, while 'child care centre', meaning any premises at which more than 5 children who were under the age of 6 years were habitually received for the purposes of care and supervision during part of the day or for longer periods as defined under CCSO, was subsumed under 'Social Welfare Facility' use. Notwithstanding the previous planning approval for tutorial school covering the premises was still valid, separate planning permission

from the TPB was required for the child care centre under application;

- (b) according to the applicant's submission, the proposed child care centre aimed to serve children under 3 years old;
- (c) with reference to Drawing A-2 of the Paper and a PowerPoint slide showing the layout of The Repulse Bay Arcade, the premises was located on the G/F and could be accessed from the indoor drop-off area at the LG/F of the shopping arcade via an escalator. The applicant indicated that the proposed child care centre would only use the entrance facing the shopping arcade;
- (d) child care centres were subject to registration control and monitoring by the Social Welfare Department (SWD) under CCSO and CCSR. Matters pertaining to the design and structural/fire safety of the premises would be considered during the registration application stage and relevant government departments, including the Buildings Department and Fire Services Department, would be consulted accordingly; and
- (e) according to the Hong Kong Planning Standards and Guidelines, there was no set standard on the provision of child care centre. The existing and planned provisions of child care centre places in Southern District are 1,145 and 1,245 respectively. There was no information in hand on whether those facilities were public or privately operated.

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

Deliberation Session

6. Having regard to the potential impact on local traffic conditions during weekends, the Vice-chairman suggested and some other Members concurred that appropriate approval condition should be imposed to restrict the operation of the proposed child care centre on Saturdays and Sundays as proposed by the applicant. In reply to the Chairman's enquiry, Mr David C.V. Ngu, Chief Traffic Engineer/Kowloon, Transport Department, reaffirmed that

one of the considerations from the traffic aspect was the applicant's proposal to confine operating hours of the proposed child care centre to 8:00 a.m. to 6:00 p.m. from Mondays to Fridays. In response to another question from the Chairman on whether restriction on operating hours could be dealt with under the lease, Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department, advised that there might be difficulty in imposing such restriction as lease modification might not be required for the proposed development.

7. Some other Members opined that Members' views on the operation and safety aspect of the proposed child care centre should be conveyed to SWD for consideration, as such matters would be subject to control and monitoring through the registration/licensing mechanism under SWD's purview.

8. The Chairman concluded that Members generally had no objection to the application, and agreed to add an approval condition prohibiting operation on Saturdays and Sundays as proposed by the applicant.

9. 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 5.10.2022, 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) no operation on Saturdays and Sundays, as proposed by the applicant, is allowed within the premises;
- (b) the provision of fire service installations and water supplies for firefighting before the operation of the applied use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (c) if any of the above planning conditions (a) or (b) is not complied with, the approval hereby given should cease to have effect and should on the same date be revoked immediately without further notice.”

10. 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 Vincent W.Y. Wong, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Kowloon District

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K9/272 Proposed 'Public Vehicle Park (exclude Container Vehicles)' at basement level of proposed residential/commercial redevelopment under the authorized Urban Renewal Authority (URA) Bailey Street/Wing Kwong Street DP in "Residential (Group A)" Zone, Authorized URA Bailey Street/Wing Kwong Street Development Project (DP) Site at 107-109 Ma Tau Wai Road (odd nos.), 2-50 Wing Kwong Street (even nos.), 1-13 Wan Tat Street (odd nos.), 1-19 Wan Fat Street, 1-20 Wan Hing Street, 1-20 Wan Lok Street and 3-21 Bailey Street (odd nos.), Hung Hom, Kowloon and 4 private streets (Wan Tat Street, Wan Fat Street, Wan Hing Street and Wan Lok Street) and multiple alleyways
(MPC Paper No. A/K9/272)

11. The Secretary reported that the application was submitted by the Urban Renewal Authority (URA). The application site was located in Hung Hom. The following Members had declared interests on the item :

- Mr Raymond K.W. Lee (the Chairman)
as the Director of Planning - being a non-executive director of the URA Board and a member of the Planning, Development and Conservation Committee of URA;
- Mr Lincoln L.H. Huang (the Vice-Chairman) - being the Deputy Chairman of Appeal Board Panel of URA;
- Dr Lawrence W.C. Poon - being a non-executive director of the URA Board, a member of the Lands, Rehousing and Compensation Committee and the Planning, Development and Conservation Committee, and a director of the Board of the Urban Renewal Fund of URA;
- Mr Wilson Y.W. Fung]
Ms Lilian S.K. Law] - being a director of the Board of the Urban Renewal Fund of URA;
- Mr Stephen H.B. Yau - being a past member of the Wan Chai District Advisory Committee of URA;
- Mr Thomas O.S. Ho - having current business dealings with URA;
- Mr Alex T.H. Lai - his firm having current business dealings with URA;
- Mr Daniel K.S. Lau - being employee and Director (Development & Marketing) of Hong Kong Housing Society which was currently in discussion with URA on housing development issues; and
- Mr Stanley T.S. Choi - owning a flat in Hung Hom.

12. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee agreed that Messrs Raymond K.W. Lee (the Chairman), Lincoln L.H. Huang (the Vice-Chairman) and Thomas O.S. Ho and Dr Lawrence W.C. Poon could stay in the meeting but should refrain from participating in the discussion as their interests were direct. As the interests of Messrs Wilson Y.W. Fung and Stephen H.B. Yau and Ms Lilian S.K. Law were indirect, Messr Alex T.H. Lai and Daniel K.S. Lau had no direct involvement in the application and the property of Mr Stanley T.S. Choi had no direct view of the application site, the Committee also agreed that they could stay in the meeting.

13. The Committee noted that the applicant requested on 2.10.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments from the Transport Department. It was the first time that 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 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 5

Section 16 Application

[Open Meeting]

A/K10/259 Proposed Comprehensive Residential and Commercial (Eating Place, Shop and Services) Development (Amendments to Approved Master Layout Plan) in “Comprehensive Development Area (2)” Zone, 5 Mok Cheong Street (Kowloon Inland Lot (KIL) 7626), 7 Mok Cheong Street (KIL 7628) and 70-78 Sung Wong Toi Road (KIL 10578), Ma Tau Kok, Kowloon
(MPC Paper No. A/K10/259A)

15. The Secretary reported that the application was submitted by Max Hon Knight Properties and Investments Limited (MHK). Townland Consultants Limited (Townland), AIM Group Limited (AIM) and ACLA Limited (ACLA) 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 MHK, Townland, AIM and ACLA; and
- Mr Thomas O.S. Ho - having past business dealings with Townland.

16. The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Alex T.H. Lai and Thomas O.S. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

17. The Committee noted that the applicant’s representative requested on 20.9.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information in response to 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 responses to departmental comments, revised master layout plans, floor plans, section plans and revised technical assessments.

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 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

Any Other Business

19. There being no other business, the meeting closed at 9:30 a.m..