

TOWN PLANNING BOARD

Minutes of 622nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.2.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

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

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Michael H.S. Law

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

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 Sunny L.K. Ho

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board
Ms Karmin Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 621st MPC Meeting held on 1.2.2019

[Open Meeting]

1. The draft minutes of the 621st MPC meeting held on 1.2.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/TW/12 Application for Amendment to the Approved Tsuen Wan Outline Zoning Plan No. S/TW/33, To Rezone the Application Site from “Green Belt” to “Government, Institution or Community (10)”, Lots 613 RP (Part), 614 and 1229 in D.D. 453 and Adjoining Government Land, Lo Wai, Tsuen Wan, New Territories
(MPC Paper No. Y/TW/12B)

3. The Secretary reported that the application involved an existing columbarium namely Wing Shing Yuen and BMT Asia Pacific Limited (BMT) was one of the consultants of the applicant. The application site (the Site) was located in Tsuen Wan. The following Members had declared interests on the item:

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| Mr Thomas O.S. Ho | - | his firm having past business dealings with BMT; |
| Mr Lincoln L.H. Huang
(the Vice-chairman) | } | being a member of the Private Columbaria Appeal Board; |
| Mr Sunny L.K. Ho | | |
| 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. |

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Sunny L.K. Ho had tendered an apology for being unable to attend the meeting and Mr Thomas O.S. Ho had not yet arrived to join the meeting. As the interest of Mr Lincoln L.H. Huang was indirect and the properties owned by Professor John C.Y. Ng’s spouse and the company of Mr Stanley T.S. Choi’s spouse had no direct view of the Site, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 16.1.2019 deferment of the consideration of the application for two months in order to allow time to address further comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, a Fresh Water and Flushing Water Demand Assessment Report, sensitivity test on roads and junctions, clarification on the operation of the proposed columbarium and a revised Traffic Impact Assessment.

6. 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 three 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 the preparation of further information, this was the last deferment and no further deferment would be granted.

[Mr Thomas O.S. Ho arrived to join 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

7. The Committee noted that the application was rescheduled.

[Mr Louis K.H. Kau, District Planning Officer/Hong Kong (DPO/HK), Mr Ng Tak Wah, Senior Town Planner/Hong Kong (STP/HK), Miss Rosalind M.Y. Cheung, Principal Assistant Secretary (Harbour), Development Bureau (PAS(Harbour), DevB) and Mr Henry Lai, Assistant Secretary (Harbour)1 (AS (Harbour)1), DevB, were invited to the meeting at this point.]

Hong Kong District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/150 Proposed Hotel, Office, Shop and Services, Eating Place, Place of Recreation, Sports or Culture and Elevated Walkway with Minor Relaxation of Building Height Restriction in “Other Specified Uses (1)” annotated “Cultural and/or Commercial, Leisure and Tourism Related Uses” and “Other Specified Uses” annotated “Elevated Walkway” Zones, Inland Lots 8590 RP (Part) and 8723 RP (Part) and Adjoining Government Land, Hoi Yu Street, and a strip of Government Land connecting to Hoi Tai Street, Quarry Bay, Hong Kong
(MPC Paper No. A/H21/150)

8. The Secretary reported that the application site (the Site) was located in Quarry Bay, and Townland Consultants Limited (Townland) and MVA Asia Limited (MVA) were two of the consultants of the applicant. The following Members had declared interests on the item :

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| Mr Thomas O.S. Ho | - having past business dealings with Townland and current business dealings with MVA, and owning property in Quarry Bay; |
| Mr Alex T.H. Lai | - his firm having current business dealings with Townland and MVA; |

- Mr Franklin Yu - having past business dealings with MVA;
- Mr Martin W.C. Kwan - co-owning with spouse properties in Quarry Bay; and
(*Chief Engineer (Works), Home Affairs Department*)
- Mr Wilson Y.W. Fung
- Mr Simon S.W. Wang } co-owning with spouse a flat in Quarry Bay.
(*Assistant Director (Regional 1), Lands Department*)

9. The Committee noted that Messrs Alex T.H. Lai, Franklin Yu and Wilson Y.W. Fung had tendered apologies for being unable to attend the meeting. As Mr Thomas O.S. Ho had no involvement in the application, and the properties co-owned or owned by Messrs Thomas O.S. Ho, Martin W.C. Kwan and Simon S.W. Wang had no direct view of the Site, the Committee agreed that they could stay in the meeting.

10. The Committee noted that a replacement page (page 19) of the Paper, for rectifying an editorial error in paragraph 11.1, was tabled at the meeting for Members' reference.

11. The Secretary further reported that five petition letters from the Eastern District Council Member Dr Chiu Ka-yin Andrew and 陳寶琮 (a member of 鯽魚涌海濱關注組), New People's Party, the Democratic Alliance for Betterment and Progress of Hong Kong (DAB) (Eastern Branch), Business and Professionals Alliance for Hong Kong (Hong Kong East District Office), and Canossa School (Hong Kong) all raising objection to the application were received before the meeting. As the petition letters were submitted after the expiry of the statutory publication period, they should not be treated as submissions made under section 16(2H)(a) of the Town Planning Ordinance. Members noted that the views/concerns raised in the petition letters were similar to those public comments covered in the Paper.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed hotel, office, shop and services, eating place, place of recreation, sports or culture and elevated walkway with minor relaxation of building height restriction (BHR) from 35mPD to 39mPD – 41mPD;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Assistant Secretary (Harbour)1, DevB considered that the proposal was worthy of support as it was a major improvement to the original industrial building (IB) development and more compatible with the harbourfront setting. The District Officer (Eastern), Home Affairs Department advised that Eastern District Council (EDC) members had expressed grave concern on the application in relation to the building height, land exchange arrangement, traffic and visual impacts and the re-provisioning of the existing pet garden, while some EDC members welcomed DevB's effort in preventing the developer from proceeding with the IB development. Other consulted government 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 1,782 public comments were received, including one supporting comment from an individual, 56 comments from the Hong Kong and China Gas Company Limited, Swire Properties and locals providing views/raising concerns on the application, and 1,725 objecting comments from DAB Eastern Branch, Business and Professionals Alliance for Hong Kong (Hong Kong East District Office), EDC members, a member of the Harbourfront Commission (HC), Canossa School (Hong Kong), parents of Canossa School, an interest group (鰂魚涌海濱關注組), Incorporated Owners of nearby residential developments, nearby residents, locals and individuals.

Major views and objection grounds were set out in paragraph 11 of the Paper. The applicant had also briefed the HC on the proposal and its comments 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 12 of the Paper. The proposed development was generally in line with the planning intention and was not incompatible with the surrounding developments. The Chief Town Planner/Urban Design and Landscape, PlanD considered that the proposal had incorporated some design features, including building gaps and height variations, which would enhance visual permeability, add visual interest and break up the building mass and long continuous façade along the waterfront, and had no adverse comment on the application from the urban design and visual impact perspectives. The proposed relaxation of BHR was considered acceptable and the proposal had complied with the criteria for relaxation of building height as set out in the Explanatory Statement of the Outline Zoning Plan (OZP). The proposed development was also in line with harbour planning principles in that it would enhance vibrancy and enjoyment of the waterfront promenade as well as public access to the waterfront through the provision of the proposed pedestrian passageways and elevated walkway. The proposed development, as compared with the original IB development with approved general building plans (GBP), would result in an improved waterfront promenade and bring about public benefits through the early provision of the public open space (POS) adjoining the site and a continuous waterfront promenade for public use. No adverse traffic, environmental, drainage, visual, air ventilation and landscape impacts were anticipated and concerned departments had no objection to or no adverse comment on the application. Approval conditions had been recommended to address the technical requirements/concerns of relevant departments. As for the details of the elevated walkway and design, provision and implementation of relevant facilities, such matters would be further sorted out with concerned departments at the road gazettal and land exchange stages. Regarding the adverse public comments, the comments of government departments and

the planning assessments above were relevant.

The Site and its Surroundings

13. The Chairman and some Members raised the following questions:
- (a) background of the Site and the land use zonings of the Quarry Bay waterfront areas;
 - (b) the distance from the nearest residential cluster in the area; and
 - (c) the current opening hours of Quarry Bay Park.
14. Mr Louis K.H. Kau, DPO/HK, made the following responses:
- (a) the applicant's lots comprised Inland Lots 8590 RP (Part) and 8723 RP. A set of GBPs for the development of a 25-storey IB of about 80mPD and a PR of about 15 (i.e. a gross floor area (GFA) of about 37,158m²) was approved in 2001 when the lots were zoned "Industrial" on the then draft Quarry Bay OZP;
 - (b) in December 2001, the applicant submitted a rezoning request to rezone the applicant's lots and the adjoining waterfront areas at Hoi Yu Street and Quarry Bay Park to "Comprehensive Development Area", but the rezoning request was rejected by the Committee in 2003. While the Committee decided not to agree to the applicant's rezoning request, it agreed in principle that the waterfront area, which comprised a mix of proposed industrial, cargo handling area and government, institution or community uses, be reviewed for development of leisure and tourism-related uses with the provision of a continuous waterfront promenade. In 2003, the Committee agreed to the proposed amendments to the OZP to rezone the concerned area covering the applicant's lots and the adjoining land to "Other Specified Uses (1)" annotated "Cultural and/or Commercial, Leisure and Tourism Related Uses" ("OU(1)"), "OU(2)" annotated "Cultural and/or

Commercial, Leisure and Tourism Related Uses” and “Open Space” (“O”). These amendments were incorporated into the then OZP No. S/H21/18 gazetted in 2003 and the zonings had remained unchanged since then;

- (c) the nearest residential cluster was located at Hoi Chak Street (about 200-300m from the Site); and
- (d) the current facilities opening hours of Quarry Bay Park was from 7:00am to 11:00pm.

The Proposed Development

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

- (a) whether the OZP had stipulated any requirement on the provision of POS within the development and which areas within the proposed development would be accessible to the public;
- (b) whether there were mechanisms to ensure the provision of open space within the proposed development for public enjoyment;
- (c) noting the application involved proposed minor relaxation of BHR, what the planning gains and design merits of the proposed development were; and
- (d) whether the footbridge linkages connecting each of the proposed building blocks, as shown in Drawing A-13 of the Paper, would have any implication on air ventilation.

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

- (a) there was no stipulated requirement on the provision of POS for development(s) within the “OU(1)” zone on the OZP. Notwithstanding

that, the applicant proposed in the current application to open up the landscaped podium (about 3,780m²) on Level 1, which was a private open space, for public use and enjoyment at reasonable hours (i.e. at opening hours similar to those of the retail component of the proposed development). Moreover, a 12m-wide at-grade public passageway passing through the G/F of the development connecting Hoi Yu Street and the waterfront promenade, and another public passageway connecting the landscaped podium on Level 1 with the proposed elevated walkway were proposed. These public pedestrian passageways, circulation space and elevated walkway would be open to public at all times and equipped with barrier-free access;

- (b) should the application be approved, the applicant would need to implement the development in accordance with the proposed scheme as submitted, including the provision of a landscaped podium on Level 1. An approval condition in relation to the landscape aspect was recommended. The provision of a landscaped podium, including the requirement on the opening hours for public use, could be considered at the land exchange stage;
- (c) the proposed minor relaxation of BHR would allow for a varied building height profile for adding visual interest to the waterfront area and the provision of 15m-wide building gaps which would help enhance visual permeability and wind penetration. The BHR relaxation would also allow more GFA to be accommodated at the upper levels, thereby reducing the building footprints and enabling a more spacious landscaped environment at the podium levels for public use and enjoyment; and
- (d) the submitted Air Ventilation Assessment concluded that the proposed development scheme, even with the proposed footbridge linkages between building blocks, would not have adverse air ventilation impact.

The Design of the Waterfront Promenade

17. Some Members raised the following questions:
- (a) whether the existing waterfront promenade could be extended to connect with the areas further east so as to create a continuous waterfront promenade for public enjoyment; and
 - (b) with a view to enhancing the accessibility and user-friendliness of the waterfront promenade, whether there was a set of criteria for assessing the design proposal of the waterfront promenade.
18. Mr Louis K.H. Kau, DPO/HK, made the following responses:
- (a) the applicant proposed to design and implement the POS adjoining the Site, including the whole section of the waterfront promenade from the western end of Hoi Yu Street and the existing pet garden to the existing promenade at Quarry Bay Park waterfront (i.e. the areas demarcated by blue dotted line on Drawing A-9 of the Paper). If the application was approved and the proposal could be materialized, it would provide a continuous permanent waterfront promenade connecting to Sai Wan Ho;
 - (b) the proposed POS/waterfront promenade was not part of the Site. As a planning gain and in order to allow for better integration with the surrounding environment, the applicant proposed to design and construct the POS/waterfront promenade, the details of which would be subject to further liaison and agreement with the concerned departments, including the Leisure and Cultural Services Department (LCSD). The applicant would also be invited to consult the HC and EDC during the detailed design and implementation stage. Generally speaking, an inclusive design approach, particularly the integration of the proposed development with the POS/promenade, would be encouraged so as to facilitate the provision of an enhanced waterfront for public enjoyment;

The Proposed Elevated Walkway and Access to the Waterfront

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

- (a) other alternative accesses from the hinterland to waterfront areas apart from the proposed elevated walkway;
- (b) the distance from the Site to Java Road and the Quarry Bay MTR station and proximity of the proposed elevated walkway to Canossa School (Hong Kong);
- (c) whether the proposed elevated walkway would be covered and any access/landing points proposed along the walkway; and
- (d) whether planning permission was required for the proposed elevated walkway and any Government commitment to construct the walkway if the applicant had not proposed to take up its implementation under the current proposal.

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

- (a) the Site and the waterfront areas could be accessed from Java Road via Hoi Yu Street in the west or from Taikoo Shing Phase 4 and Quarry Bay Park via a footbridge in the east. The proposed elevated walkway would provide a more direct access for the public accessing the waterfront from the Taikoo Place area;
- (b) the Site was located within a walking distance of about 500m from the Quarry Bay MTR station, including a distance of about 350m from the Site to Hoi Tai Street via the proposed elevated walkway and about 150m from Hoi Tai Street to the MTR station via at-grade crossings. The Site could also be accessed from another exit of the Quarry Bay MTR Station (i.e. Model Lane exit) via Java Road and Hoi Yu Street with a walking distance

of about 500m. Based on the current alignment, the proposed elevated walkway would be segregated from Canossa School (Hong Kong) and Canossa College by an existing access road of about 15m wide;

- (c) while the applicant had not provided detailed design of the proposed elevated walkway, it was anticipated that it would be a covered pedestrian walkway. According to the current proposal, the applicant would adopt the alignment as shown on the OZP for the proposed elevated walkway. Notwithstanding that, the landing/access point(s) and exact alignment of the proposed elevated walkway would be subject to further review at the detailed design stage in discussion with the relevant government departments. Moreover, as the elevated walkway would need to be gazetted under the Roads (Works, Use and Compensation) Ordinance, these issues would be further sorted out at the road gazettal stage; and
- (d) the proposed elevated walkway fell within the “OU(Elevated Walkway)” zone on the OZP and planning permission was not required as such use was always permitted in the said zone. According to the comments of the Transport Department, the proposed elevated walkway was essential to improve the pedestrian accessibility of the Site and should be contingent upon the proposed development. As the proposed elevated walkway would be part of the proposed development, it would be constructed by the developer and its completion would dovetail with the development.

In-situ Land Exchange

21. Some Members raised the following questions:

- (a) elaboration on the rationale behind the in-situ land exchange for enabling the proposed waterfront development;
- (b) noting that a much larger site would be granted to the applicant upon in-situ land exchange, what the planning gains were for the community at large; and

- (c) since the in-situ land exchange was not on a 'like-for-like' basis in terms of land value, whether a payment of full market premium would be required.

22. The Chairman remarked that the proposed land exchange fell outside the ambit of the meeting. That said, it would provide useful information for Members to consider the application from a planning perspective. Against such background, Miss Rosalind M.Y. Cheung, PAS(Harbour), DevB, made the following responses:

- (a) the lots currently owned by the applicant comprised the pink area as shown on Plan A-2 of the Paper. In view of the grave public concerns over the land use and visual impact of the original approved IB development with the harbourfront setting, DevB approached the applicant to explore other alternative development options that would be in greater compatibility with the surrounding environment and better address the local public aspirations. In response, the applicant proposed an alternative proposal that had taken into consideration the current land use zonings of the waterfront areas;
- (b) with the intention to maintain the GFA of its original IB development, the applicant put forth an alternative proposal which aimed to make use of the whole adjacent area zoned "OU(1)" so that the original GFA could be spread over a larger site for bringing down the building height;
- (c) according to the applicant's latest proposal, there would be certain form of public gain. For instance, some facilities such as the elevated walkway and its connection to the harbourfront would be made accessible to the public round-the-clock and certain areas of the development such as the podium deck would also be opened for public use at reasonable hours;
- (d) in addition, the applicant had proposed to design and construct the POS/waterfront promenade, including the section of the waterfront promenade from the western end of Hoi Yu Street which comprised a portion of the private lots currently under the applicant's ownership (i.e. the pink area zoned "O" on the OZP as shown on Plan A-2 of the Paper), to

facilitate the provision of a continuous waterfront promenade along the Quarry Bay waterfront. According to the current plan, the Government would retain ownership of the whole POS, and the general direction was that LCSD would continue to manage and maintain the section of the promenade currently under their management and maintenance;

- (e) if the proposed in-situ land exchange could not be materialized, the applicant would likely exercise its right to proceed with the original IB development. As regards the “OU(1)” and “OU(2)” sites, they would likely be developed by other developers in accordance with the planning intention. Under this scenario, it might result in a bulky, 25-storey IB development that was incompatible with the harbourfront setting and blocking the promenade in the west, and similar commercial, leisure and tourism developments in the east. Such developments would be less desirable from a harbourfront enhancement perspective as there would then be even higher development intensity, affecting the permeability and accessibility of the waterfront. On the other hand, since there was currently no public programme to implement the elevated walkway, the current proposal would enable its early provision and improve the connectivity between the hinterland and the waterfront; and

- (f) should the current application be approved, DevB would further liaise with the applicant on the details of the in-situ land exchange and seek approval from the Executive Council accordingly. Should approval be given for the land exchange, the applicant would need to surrender the lots currently under his ownership and pay full market premium for the land to be re-granted by the Government.

Deliberation Session

23. Members generally had no in-principle objection to the application in terms of the proposed use and relaxation of BHR and considered that the proposed development would be more compatible with the waterfront setting as compared with the original approved IB development at the applicant’s lots and it would facilitate the provision of an

enhanced and continuous waterfront promenade for public enjoyment.

24. While it was generally agreed that the applicant's proposals such as the improvements to the waterfront promenade and provision of POS, barrier-free access, 24-hour public passageways and elevated walkway connecting the waterfront to the hinterland were considered as planning merits, the Vice-chairman and some Members shared the view that the design of the proposed development and facilities should be more user-friendly and more publicly accessible. It was considered that the proposed development should offer more planning gains for the benefit of the community at large and that the applicant should explore further enhancements to the development proposal to better serve public interests. A few Members opined that the requirements on provision of various facilities for public use and enjoyment, including opening hours and maintenance responsibility, should be clearly set out in the land exchange conditions.

25. Given the prominent location of the waterfront site, some Members were of the view that the design of the proposed development together with the landscaped podium on Level 1 and the public circulation space/system should be more inviting and better integrated with the waterfront promenade so as to encourage public access to and enjoyment of the waterfront. A Member opined that a larger area of the podium on Level 1 should be open for public use and that the public should have more opportunity to view the harbour from the proposed landscaped podium. Another Member expressed that the design quality of the landscaped podium and circulation space should not be overlooked and that suitable mitigation measures for the proposed elevated walkway should be explored at the detailed design stage so as to minimize impact on the nearby schools.

26. Members noted that the major features of the proposed development, such as the provision of the public passageways, elevated walkway and landscaped podium as well as the requirements in relation to the Sustainable Building Design Guidelines, could be incorporated into the land exchange conditions.

27. Members then went through the approval conditions as stated in paragraph 13.2 of the Paper and considered that they were appropriate. Members also agreed to add an advisory clause to advise the applicant to take into account the interface issue with the adjacent Canossa School (Hong Kong) and Canossa College in the design of the proposed

elevated walkway.

[Mr Thomas O.S. Ho left the meeting during the deliberation session.]

28. 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 22.2.2023, 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 ingress/egress points and public pedestrian circulation system to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of parking, loading/unloading and lay-bys facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a revised traffic impact assessment and the implementation of road improvement measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (e) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

29. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VIII of the Paper and the following additional advisory clause:

- “(j) to take into account the interface issue with the adjacent Canossa School (Hong Kong) and Canossa College in the design of the proposed elevated walkway.”

[The Chairman thanked Mr Louis K.H. Kau, DPO/HK, Mr Ng Tak Wah, STP/HK, Miss Rosalind M.Y. Cheung, PAS(Harbour), DevB and Mr Henry Lai, AS(Harbour)1, DevB for their attendance to answer Members' enquiries. They left the meeting at this point.]

[The meeting was adjourned for a break of 5 minutes.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H18/84 Proposed 'Field Study/Education/Visitor Center' (Extension of Academic Block) for Site A and Proposed 'Residential Institution' (Extension of Residential Block) for Site F and Ancillary Utility Installation for Private Project and Excavation of Land in "Site of Special Scientific Interest", "Green Belt" and "Other Specified Uses" annotated "Radio Communication Station" Zones, Along Cape d'Aguilar Road and the Swire Institute of Marine Science, Faculty of Science, The University of Hong Kong, Cape d'Aguilar Road, Shek O, Hong Kong
(MPC Paper No. A/H18/84)

30. The Secretary reported that the application was submitted by the University of Hong Kong (HKU). The following Members had declared interests on the item:

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| Mr Wilson Y.W. Fung | - | being the Chairman of the Accounting Advisory Board of School of Business, HKU; |
| Professor John C.Y. Ng | - | being an Adjunct Professor of the Department of Urban Planning and Design, HKU; and |
| Mr Alex T.H. Lai | - | his firm having current business dealings with HKU. |

31. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Wilson Y.W. Fung and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the interest of Professor John C.Y. Ng was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

32. The Committee noted that the applicant's representative requested on 4.2.2019 deferment of the consideration of the application for two months in order to allow time to get the consents from relevant telecommunication operators. It was the first time that the applicant requested deferment of the application.

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

[Mr Mann M.H. Chow, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

[Dr Lawrence W.C. Poon left the meeting temporarily at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/HK/12 Renewal of Planning Approval for Temporary ‘Public Vehicle Park (excluding container vehicle)’ for a Period of 3 Years for Letting of Surplus Monthly Vehicle Parking Spaces to Non-residents in “Residential (Group A)” Zone

(a) Car Park in Wah Fu (I) Estate, Pokfulam

(b) Car Park in Wah Fu (II) Estate, Pokfulam

(c) Car Park in Yue Fai Court, Aberdeen

(MPC Paper No. A/HK/12)

34. The Secretary reported that the application sites were located in Pokfulam and Aberdeen, and the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item :

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| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of
Planning</i> | - | being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer
(Works), Home Affairs
Department</i> | - | being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA; |
| Mr Thomas O.S. Ho | - | having current business dealings with HKHA; |
| Mr Alex T.H. Lai | - | his firm having current business dealings with HKHA; |
| Dr Lawrence W.C. Poon | - | his spouse being an employee of the Housing Department (HD), which was the executive arm of HKHA, but not involved in planning work; |
| Mr Franklin Yu | - | having past business dealings with HKHA; |

- Mr Daniel K.S. Lau - being an ex-employee and ex-Director (Development and Marketing) of Hong Kong Housing Society, which was in discussion with HD on housing development issues;
- Professor T.S. Liu - having current education programme with the Caritas Pokfulam Community Development Project Centre at Pokfulam Village; and
- Professor Jonathan W.C. Wong - having close relative living in Wah Fu Estate, Pokfulam.

35. The Committee noted that Messrs Alex T.H. Lai and Franklin Yu and Professor T.S. Liu had tendered apologies for being unable to attend the meeting, Mr Thomas O.S. Ho had already left the meeting, and Dr Lawrence W.C. Poon had left the meeting temporarily. As the interests of the Chairman and Mr Martin W.C. Kwan were direct, the Committee agreed that they should leave the meeting temporarily for the item. As the interest of Professor Jonathan W.C. Wong was indirect, and Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting. The Vice-chairman took over the chairmanship at this point.

[The Chairman and Mr Martin W.C. Kwan left the meeting temporarily at this point.]

Presentation and Question Sessions

36. With the aid of a PowerPoint presentation, Mr Mann M.H. Chow, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (letting of surplus monthly vehicle parking spaces to non-residents) under application No. A/HK/11 for a period of three years until 16.4.2022;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no

objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, a total of three public comments from individuals were received. Amongst them, one provided views on the application, while the remaining two expressed concerns on the redevelopment of Wah Fu Estate which were irrelevant to the application. 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There were surplus vehicle parking spaces in the subject housing estates/court, and the letting of the surplus parking spaces to non-residents would help utilize public resources more efficiently. The application was in line with the Town Planning Board Guidelines No. 34B in that there was neither material change in planning circumstances nor change in the land uses of the surrounding areas since the last approval, there was no adverse planning implication arising from the renewal application, and the approval period sought was reasonable. The Transport Department had no objection to the application and an approval condition was recommended to ensure that priority would be given to the residents in letting the vehicle parking spaces. Regarding the public comments, the assessments above were relevant. As regards the public concerns on the use of surplus parking spaces for elderly care facilities, the applicant indicated that the occupancy rate of and demand for the parking facilities would be reviewed continuously and the feasibility of converting the parking spaces to other uses would be explored.

37. In response to a Member's question, Mr Mann M.H. Chow, STP/HK, said that surplus monthly vehicle parking spaces were the parking spaces available for rental to non-residents after satisfying the demand of residents of the estates/court concerned.

Deliberation Session

38. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 17.4.2019 to 16.4.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“priority should be accorded to the respective residents of Wah Fu (I) Estate, Wah Fu (II) Estate and Yue Fai Court in the letting of the vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Vice-chairman thanked Mr Mann M.H. Chow, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr J.J. Austin, 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/HK/13 Renewal of Planning Approval for Temporary Public Vehicle Park (excluding Container Vehicle) for a Period of 3 Years for Letting of Surplus Monthly Vehicle Parking Spaces to Non-residents in “Residential (Group A)” and “Government, Institution or Community” Zones
- (a) Car Park in Model Housing Estate, North Point
 - (b) Car Park in Hong Tung Estate, Lei King Wan, Quarry Bay
 - (c) Car Park in Hing Wah (II) Estate, Chai Wan
 - (d) Car Park in Tsui Lok Estate, Chai Wan
 - (e) Car Park in Yue Wan Estate, Chai Wan
 - (f) Car Park in Shan Tsui Court, Chai Wan
- (MPC Paper No. A/HK/13)
-

40. The Secretary reported that the application sites (the Sites) were located in North Point, Quarry Bay and Chai Wan, and the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item :

- Mr Raymond K.W. Lee - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA, and co-owning with spouse and his spouse owning properties in Chai Wan;
*(the Chairman
as the Director of
Planning*
- Mr Martin W.C. Kwan - being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA, and co-owning with spouse properties in Quarry Bay;
*as the Chief Engineer
(Works), Home Affairs
Department*
- Mr Thomas O.S. Ho - having current business dealings with HKHA, and owning properties in North Point and Quarry Bay;
- Mr Alex T.H. Lai - his firm having current business dealings with HKHA;

- Dr Lawrence W.C. Poon - his spouse being an employee of the Housing Department (HD), which was the executive arm of HKHA, but not involved in planning work;
- Mr Franklin Yu - having past business dealings with HKHA;
- Mr Daniel K.S. Lau - being an ex-employee and ex-Director (Development and Marketing) of Hong Kong Housing Society, which was in discussion with HD on housing development issues;
- Mr Sunny L.K. Ho - owning and co-owning with spouse properties in Chai Wan;
- Mr Stephen H.B. Yau - owning a flat in North Point; and
- Mr Wilson Y.W. Fung
Mr Simon S.W. Wang
(Assistant Director
(Regional 1), Lands
Department)
- } co-owning with spouse a flat in Quarry Bay.

41. The Committee noted that Messrs Alex T.H. Lai, Franklin Yu, Sunny L.K. Ho and Wilson Y.W. Fung had tendered apologies for being unable to attend the meeting, Mr Thomas O.S. Ho had already left the meeting, and the Chairman, Mr Martin W.C. Kwan and Dr Lawrence W.C. Poon had left the meeting temporarily. As Mr Daniel K.S. Lau had no involvement in the application and the properties owned or co-owned by Messrs Stephen H.B. Yau and Simon S.W. Wang had no direct view of the Sites, the Committee agreed that they could stay in the meeting. The Vice-chairman continued to chair the meeting.

Presentation and Question Sessions

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

- (a) background to the application;

- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (letting of surplus monthly vehicle parking spaces to non-residents) under application No. A/HK/9 for a period of three years until 27.3.2022;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of three public comments from an Eastern District Council Member and two individuals were received. Amongst them, two supported/indicated no objection to the application, while the remaining comment provided views on the application. 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There were surplus vehicle parking spaces in the subject housing estates/court, and the letting of the surplus parking spaces to non-residents would help utilize resources more efficiently. The application was in line with the Town Planning Board Guidelines No. 34B in that there was neither material change in planning circumstances nor change in the land uses of the surrounding areas since the last approval, there was no adverse planning implication arising from the renewal application, and the approval period sought was reasonable. In order to address the concern of the Transport Department, approval conditions were recommended to ensure that priority would be given to the residents in letting the vehicle parking spaces, and that the applicant should monitor from time to time the demand from the residents and adjust the number of parking spaces to be let to non-residents as appropriate. Regarding the public comments, the assessments above were relevant. As regards the public concerns on the use of surplus parking spaces for elderly care facilities, the applicant indicated that the occupancy

rate of and demand for the parking facilities would be reviewed continuously and the feasibility of converting the parking spaces to other uses would be explored.

43. Members had no question on the application.

Deliberation Session

44. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 28.3.2019 to 27.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“priority should be accorded to the residents of Model Housing Estate, Hong Tung Estate, Hing Wah (II) Estate, Tsui Lok Estate, Yue Wan Estate and Shan Tsui Court in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Vice-chairman thanked Mr J.J. Austin, STP/HK for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms Sandy S.K. Ng, 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/K/18 Renewal of Planning Approval for Temporary ‘Public Vehicle Park (excluding Container Vehicle)’ (Vacant Car Parking Spaces only) for a Period of 3 Years in “Residential (Group A)” Zone

(a) Choi Hung Estate,
(b) Choi Wan (II) Estate,
(c) Fu Shan Estate, and
(d) Mei Tung Estate, Wong Tai Sin District

(MPC Paper No. A/K/18)

46. The Secretary reported that one of the application sites was located in Choi Wan (II) Estate in the Ngau Chi Wan area, and the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item :

- | | | |
|--|---|---|
| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of
Planning</i> | - | being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer
(Works), Home Affairs
Department</i> | - | being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA, and having close relative owning a flat at Choi Fung Court in Choi Wan; |
| Mr Thomas O.S. Ho | - | having current business dealings with HKHA; |
| Mr Alex T.H. Lai | - | his firm having current business dealings with HKHA; |

- Dr Lawrence W.C. Poon - his spouse being an employee of the Housing Department (HD), which was the executive arm of HKHA, but not involved in planning work;
- Mr Franklin Yu - having past business dealings with HKHA; and
- Mr Daniel K.S. Lau - being an ex-employee and ex-Director (Development and Marketing) of Hong Kong Housing Society, which was in discussion with HD on housing development issues.

47. The Committee noted that Messrs Franklin Yu and Alex T.H. Lai had tendered apologies for being unable to attend the meeting, Mr Thomas O.S. Ho had already left the meeting, and the Chairman, Mr Martin W.C. Kwan and Dr Lawrence W.C. Poon had left the meeting temporarily. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting. The Vice-chairman continued to chair the meeting.

48. The Committee also noted that a replacement page (Plan A-1) of the Paper, incorporating the dates of meeting of the previous and similar applications, was tabled at the meeting for Members' reference.

49. The Secretary further reported that a petition letter from the Office of Wu Chi Kin District Councillor raising objection to the application in relation to the letting of parking spaces at Choi Hung Estate to non-residents, and a letter from Choi Hung Estate Social Service Association Choi Hung Service Centre (彩虹邨服務聯會 彩虹服務中心) were received before the meeting. As both letters were submitted after the expiry of the statutory publication period, they should not be treated as submissions made under section 16(2H)(a) of the Town Planning Ordinance. Members noted that similar views had already been covered in the public comment submitted during the publication period.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ (vacant car parking spaces only) under application No. A/K/14 for a period of three years until 5.3.2022;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 27 public comments from Wong Tai Sin District Council Members, community organizations, mutual aid committees, residents association of Choi Hung Estate and individuals were received. Amongst them, one provided views, one provided no comment and the remaining 25 objected to the application. 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 on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There were surplus vehicle parking spaces in the subject housing estates, and the letting of the surplus parking spaces to non-residents would help utilize public resources more efficiently. The application was in line with the Town Planning Board Guidelines No. 34B in that there was no material change in planning circumstances since the last approval, there was no adverse planning implication arising from the renewal application, and no adverse comment from relevant government departments. The Commissioner for Transport (C for T) had no in-principle objection to the application and an approval condition was recommended to ensure that priority would be given to the residents in renting the monthly parking spaces and the number of parking spaces to be let to non-residents should be agreed with C for T. Regarding the adverse public comments, the assessments above were

relevant. As regards the concerns on inadequate parking space provision for residents, the use of surplus parking spaces for other uses and the high fees under the current charging system, the applicant indicated that the occupancy rate of and demand for the parking facilities would be reviewed continuously, the feasibility of converting the parking spaces to other uses would be explored, and the applicant would continue to liaise with the Estate Management Advisory Committee on the rationale of the car park charging system.

51. The Vice-chairman and some Members raised the following questions:

- (a) whether the parking spaces were let out on a monthly or yearly basis;
- (b) despite the applicant submitted that there were vacancies in parking spaces at the concerned estates, there were public comments raising concerns on inadequate parking space provision for residents. Elaboration on the existing rental mechanism and the rental fee charged for the parking spaces; and
- (c) whether a higher fee was charged for estates with higher parking space occupancy rates.

52. Ms Sandy S.K. Ng, STP/K, made the following responses:

- (a) the surplus parking spaces were let out on a monthly basis;
- (b) under the existing rental mechanism, residents of the concerned estates were accorded the priority in letting of parking spaces. Only surplus parking spaces after allocation to the residents would be let out to non-residents. According to information provided by the Housing Department, the monthly car park charges for private cars were different based on a three-tier occupancy classification (namely Tiers 1, 2 and 3 for occupancy rates at 90% or above, 50% to below 90%, and below 50% respectively). For Choi Hung Estate, from December 2017 to November

2018, the occupancy rate of monthly parking spaces let to residents only was about 57% with the Tier 2 charge rate adopted (at \$2,600 for covered parking space). After letting surplus parking spaces to non-residents, the occupancy rate was increased to 99% and the charge rate was thus adjusted to Tier 1 (at \$2,890 for covered parking space). Under the current pricing system, the charge for Tier 2 was discounted by about 10% as compared with Tier 1. Among the four estates under application, Choi Hung Estate and Fu Shan Estate had encountered adjustments in the charge rates from Tier 2 to Tier 1 after letting of surplus parking spaces to non-residents. The public concern was mainly related to the higher fees to be charged against the residents under Tier 1 of the charging system after letting of surplus parking spaces to the non-residents; and

- (c) full monthly parking charges would apply to estates with overall monthly parking occupancy rates at 90% or above. If the occupancy rate fell to a lower tier, a discount would apply and the charge rates would be reduced.

Deliberation Session

53. A Member generally agreed that letting of surplus vehicle parking spaces to non-residents would make better use of public resources, but raised concern on HKHA's current charging system. Another Member expressed support for the application and considered that the charging mechanism was a matter under the purview of HKHA.

54. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of three years from 6.3.2019 to 5.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“priority should be accorded to the residents of Choi Hung Estate, Choi Wan (II) Estate, Fu Shan Estate and Mei Tung Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

55. The Committee also agreed to advise the applicant to note the advisory clause as

set out at Appendix III of the Paper.

[The Vice-chairman thanked Ms Sandy S.K. Ng, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[The Chairman, Mr Martin W.C. Kwan and Dr Lawrence W.C. Poon returned to join the meeting at this point.]

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/328 Social Welfare Facility (Residential Care Home for the Elderly) with
Minor Relaxation of Plot Ratio Restriction in "Residential (Group C) 1"
Zone, 63 Cumberland Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/328)

56. The Secretary reported that the application site (the Site) was located in Kowloon Tong and the application was submitted by China Coast Community Limited (CCC). The following Members had declared interests on the item :

- | | | |
|-----------------------|---|---|
| Mr Alex T.H. Lai | - | his firm having current business dealings with CCC; |
| Dr Lawrence W.C. Poon | - | living in the City University of Hong Kong's quarters in Kowloon Tong; and |
| Mr Stanley T.S. Choi | - | his spouse is a director of a company which owned properties in Kowloon Tong. |

57. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend. As the residence of Dr Lawrence W.C. Poon and the properties owned by

the company of Mr Stanley T.S. Choi's spouse had no direct view of the Site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

58. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed social welfare facility (residential care home for the elderly (RCHE)) with minor relaxation of plot ratio (PR) restriction from 0.6 to 0.8;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of four public comments were received, including a supporting comment from Shang Sin Chun Tong (a religious institution at Rutland Quadrant), a comment from the MTR Corporation Limited raising concerns on the application, and two from individuals objecting to the application. Major views were set out in paragraph 9 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 10 of the Paper. In view that the site had been used as RCHE since the late 1970s, the non-domestic uses in the vicinity and similar approved application for RCHE in the area, the proposed redevelopment for continued operation of the existing RCHE was considered not incompatible with the surrounding land uses and might be tolerated if it was proposed at the development intensity permitted under the Outline Zoning Plan (OZP). In the current application, in support of the minor relaxation of PR from 0.6 to 0.8 (i.e.

increase by about 33%) for an addition of 6 bed spaces (i.e. from 39 to 45), the applicant claimed that compliance with relevant statutes and licensing requirements would lead to increase in operational floor area; increase in gross floor area/PR would only allow fulfilment of minimum statutory requirements; there was a need to maintain the current operational style while providing quality design standards; and to ensure financial viability. In this regard, the Social Welfare Department (SWD) advised that a licence was issued to the applicant on 1.4.2000 after the RCHE had complied with the licensing requirements upon its completion of the necessary rectification works, and that it did not request the applicant to resolve the issues by way of redevelopment. Moreover, no visual illustration was submitted to demonstrate how the increase in gross floor area/PR would provide design and planning merits. In addition, certain parts of the proposed building would encroach into the non-building areas on the Outline Development Plan with no apparent justifications. The applicant had not provided strong planning and design merits to justify the proposed relaxation of PR. All other applications for relaxation of PR in the planning area were rejected. Approval of the subject application without strong planning and design merits would set an undesirable precedent and the cumulative effect of approving such applications would have adverse impact on the existing character and might lead to excessive development in the area. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

59. In response to a Member's question, Mr Mak Chung Hang, STP/K, said that SWD would conduct inspection of the existing RCHE upon receipt of licence renewal application and identify areas/facilities requiring special attention or improvement for the applicant's reference. SWD had not indicated that compliance with the relevant recommendations was a mandatory requirement for licence renewal. For the proposed redevelopment, SWD had no in-principle objection to the proposed Schedule of Accommodation (SoA) and did not require the proposed facilities to be provided in accordance with the standard SoA. The applicant's justification that redevelopment of the existing RCHE was the only viable option to resolve all technical issues and requirements was unfounded.

Deliberation Session

60. Noting that redevelopment was not the only option to resolve the issues identified by SWD, a Member considered that there was no strong reason to support the application for proposed minor relaxation of PR restriction, and that approval of such application would set an undesirable precedent for other similar applications. Other Members agreed.

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

- “(a) there is no strong planning justifications in the development proposal for the proposed minor relaxation of plot ratio restriction; and
- (b) the approval of the application would set an undesirable precedent for similar application for minor relaxation of plot ratio restriction within the “Residential (Group C)1” zone. The cumulative effect of approving such applications would adversely affect the existing character and may lead to excessive development in the area.”

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/273 Eating Place (Restaurant) in “Other Specified Uses” annotated “Pier”
Zone, Shop K6, Lower Deck, Hung Hom (North) Ferry Pier,
Hung Hom, Kowloon
(MPC Paper No. A/K9/273A)

62. The Secretary reported that the application premises (the Premises) was located in Hung Hom and New World First Ferry Services Limited (a subsidiary of New World Development Company Limited (NWD)) was the consultant of the applicant. The following Members had declared interests on the item :

- Mr Alex T.H. Lai - his firm having past business dealings with Automall Limited which was a subsidiary company of NWD; and
- Mr Stanley T.S. Choi - owning a flat in Hung Hom.

63. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As the property of Mr Stanley T.S. Choi had no direct view of the Premises, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

64. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the eating place (restaurant);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of two public comments were received, including an objecting comment from the Hung Hom Area Committee of Kowloon City District Council and a comment from an individual providing views on the application. Major views and 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 assessments set out in paragraph 10 of the Paper. The applied use was not incompatible with the existing uses at the pier. The restaurant had been operating at the Pier for about 10 years and might continue to provide convenient and inexpensive food services to ferry passengers and nearby residents and workers. The Committee had previously granted planning permissions for fast food shop and eating place

(café) uses at the Premises and a nearby shop. As the Premises was separated from the main portion of the pier, the applied use would unlikely cause disruption to the pier operation and passenger circulation. No adverse traffic and environmental impacts were anticipated. Regarding the public comments, the comments of government departments and the planning assessments above were relevant. Should the application be approved, no approval condition was required as fire service requirements had been provided to the satisfaction of Director of Fire Services.

65. Members had no question on the application.

Deliberation Session

66. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission has no time clause on commencement as the 'Eating Place (Restaurant)' use under application had already been in operation at the Premises.

67. 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 Mak Chung Hang, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 12

Any Other Business

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