

## **TOWN PLANNING BOARD**

### **Minutes of 641<sup>st</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 13.12.2019**

#### **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

Mr Wilson Y.W. Fung

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

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

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

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  
Miss Fiona S.Y. Lung

Secretary

**Absent with Apologies**

Mr Sunny L.K. Ho

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Mr Stanley T.S. Choi

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y. M. Yam

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 640<sup>th</sup> MPC Meeting held on 29.11.2019

[Open Meeting]

1. The draft minutes of the 640<sup>th</sup> MPC meeting held on 29.11.2019 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Hong Kong District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/H5/5                      Application for Amendment to the Draft Wan Chai Outline Zoning Plan No. S/H5/28, To Rezone the Application Site from “Open Space”, “Residential (Group C)” and “Government, Institution or Community” to “Comprehensive Development Area”, 1, 1A, 2 and 3 Hillside Terrace, 55 Ship Street (Nam Koo Terrace), 1-5 Schooner Street, 53 Ship Street (Miu Kang Terrace) and adjoining Government Land, Wan Chai, Hong Kong  
  
(MPC Paper No. Y/H5/5B)

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3.                      The Secretary reported that the application site (the Site) was located in Wan Chai. The application was submitted by Yuba Company Limited, which was a subsidiary of Hopewell Holdings Limited (Hopewell). AECOM Asia Co. Limited (AECOM), Hopewell Construction Company Limited (HCCL) (a subsidiary of Hopewell), Hyder Consulting Limited (Hyder), WMKY Limited (WMKY) and WSP (Asia) Limited (WSP) were five of the consultants of the applicant. The following Members had declared interests on the item:

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|---------------------|---|--|
| Mr Thomas O.S. Ho   | - | his firm having current business dealings with AECOM;  |
| Mr Alex T.H. Lai    | - | his firm having current business dealings with Hopewell, AECOM, HCCL, Hyder, WMKY and WSP; and |
| Mr Stephen H.B. Yau | - | his office was locating at Southorn Centre, Wan Chai.  |

4.                      The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the office of Mr Stephen H.B. Yau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

5. The following representatives from the Planning Department (PlanD), the Development Bureau (DEVB) and the applicant were invited to the meeting at this point:

Mr Anthony K.O. Luk	-	District Planning Officer/Hong Kong (DPO/HK), PlanD
Mr Sunny K.Y. Tang	-	Town Planner/HK (TP/HK), PlanD
Mr José H.S. Yam	-	Commissioner for Heritage (C for H), DEVB
Ms Joey C.Y. Lee	-	Assistant Secretary (Heritage Conservation) <sup>3</sup> , Commissioner for Heritage's Office (CHO), DEVB
Mr William W.K. Lo	-	Engineer (Heritage Conservation), CHO, DEVB
Ms Susanna L.K. Siu	-	Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO), DEVB
Ms Fiona Y.C. Tsang	-	Curator (Historical Buildings) <sup>1</sup> , AMO, DEVB
Mr Albert Yeung	]	
	]	
Mr Alan Tam	]	
	]	
Ms Pearl Hui	]	
	]	
Ms Vanessa Tsang	]	
	]	
Mr Remus Woo	]	
	]	Applicant's representatives
Mr Yufeng Lin	]	
	]	
Ms Taylor Hung	]	
	]	
Mr Antony Wong	]	
	]	
Mr James Kwok	]	
	]	
Mr Fernando Coutinho	]	

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representative to brief Members on the background of the application.

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

- (a) background to the application;
- (b) the application was for proposed rezoning of the Site from "Open Space" ("O"), "Residential (Group C)" ("R(C)") and "Government, Institution or Community" ("G/IC") to "Comprehensive Development Area" ("CDA") for a development which comprised residential and commercial uses and preservation of Nam Koo Terrace (NKT), a Grade 1 historic building. The proposed indicative scheme comprised a 21-storey residential building including 17-storey residential use above a 3-storey podium with one level of open space/covered landscape area at the podium roof level. The Site was not accessible by any vehicular access and no internal transport facilities including carparking spaces and loading/unloading (L/UL) facilities were provided in the indicative scheme. The applicant proposed to restore, preserve and maintain NKT at no cost to the Government and it would be operated for non-profit making purpose to benefit the public (e.g. for holding wedding ceremony/providing guided tours to the public). A total of about 1,700 m<sup>2</sup> of open space (including NKT) and 592 m<sup>2</sup> of covered landscape area underneath the residential tower would be provided in the form of public open space in private development (POSPD);
- (c) departmental comments – departmental comments were set out in paragraph 11 and Appendix II of the Paper. CHO and AMO considered the proposed preservation approach for NKT was commensurate with the heritage value of NKT. To properly manage NKT in the course of the development as well as its future use, the applicant should submit a Conservation Management Plan (CMP) including a detailed conservation proposal for NKT prior to commencement of any works and implement the

works in accordance with the CMP. The Commissioner for Transport (C for T) had no in-principle objection to the application and noted that it was impractical to provide vehicular access to the Site due to site constraints and the additional carparking and L/UL demand arising from the rezoning proposal could be served by existing carparking spaces in nearby developments and L/UL facilities in the vicinity. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD commented that the proposed scheme was not entirely out-of-context with the nearby developments and the views to the ridgeline was preserved. Consideration should be given to providing more direct barrier-free connection between the Site and the proposed public open space under Hopewell Centre II (HCII) for access to Queen's Road East (QRE). While CTP/UD&L, PlanD had no objection to the conclusion in the Air Ventilation Assessment that there was slight improvement in the air ventilation performance under the proposed indicative scheme when compared with the Outline Zoning Plan (OZP) compliant scheme, she considered that measures to enhance the low level permeability should be explored at the subsequent planning application stage. The Chief Architect/Central Management Division 2, Architectural Services Department considered that the proposed development was undesirable from vehicular traffic connectivity and visual impact points of view. The development might not be compatible with developments in the adjacent "R(C)" zone with building height (BH) restriction of 12 storeys. Other concerned departments had no objection to or no adverse comments on the application;

- (d) during the first three weeks of the statutory publication periods, 2,514 public comments were received, of which 2,236 were supporting comments from management office/incorporated owners (IOs) of nearby buildings and individuals, and 278 were opposing comments/concerns from a Legislative Councilor, two Wan Chai District Council (WCDC) Members, the Conservancy Association, Central and Western Concern Group, Kennedy Road Protection Group, management office/IOs of nearby buildings and individuals. Major views were set out in paragraph 12 of the Paper; and

- (e) the PlanD's views – PlanD had no in-principle objection to the application based on the assessments set out in paragraph 13 of the Paper. Although the proposed open-air open space provision in the indicative scheme (1,700 m<sup>2</sup>) could not fully compensate the affected “O” zone (2,030 m<sup>2</sup>), the covered landscape area serving as sheltered sitting out areas might contribute to the overall enjoyment of the open-air open space and thus compensated part of the “O” zone lost. In addition, the proposed development could bring about early implementation of the planned open space and the preservation of a Grade 1 historic building, i.e. NKT. The proposed POSPD was generally in line with the POSPD Design and Management Guidelines (POSPD Guidelines). The proposed plot ratio (PR) of 5.16 in the indicative scheme comprised the gross floor area (GFA) of existing building of NKT (PR 0.16) and that of the proposed residential cum retail development (PR 5), which was generally in line with the PR restriction of the “R(C)” zone in Sau Wa Fong. Having considered that the proposed development was located at the upper platform of 34mPD where the NKT was situated and the needs for preserving NKT and providing open space to compensate the affected “O” area, a higher BH would be required to accommodate the permissible GFA. The proposed BH in terms of mPD was considered not incompatible with the surrounding developments. CHO and AMO supported the applicant's intention to preserve the privately-owned NKT in-situ and considered that the proposal was commensurate with the heritage value of NKT. With regard to the impact of the proposed development on NKT, the applicant had agreed to prepare a CMP to properly manage NKT, both physically and visually, to the satisfaction of AMO. Due to site constraints and noting that the additional carparking and L/UL demands arising from the rezoning proposal could be served by the existing carparking spaces and L/UL facilities in the vicinity, C for T had no objection to the application. Regarding the public comments, comments of the concerned departments and the planning assessment above were relevant.

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



8. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Pearl Hui, the applicant's representative, made the following main points:

- (a) background of the proposed development (including the development objectives, site conditions/constraints and development parameters);
- (b) design and planning merits of the proposed development, including:
  - (i) early implementation of the proposed public open space at no cost to the Government, and without net loss in open space area comparing with the area currently zoned "O" on the OZP;
  - (ii) facilitating a better integration of public open space as the proposed open space would be provided at the same level of 34mPD within the Site. Sheltered sitting out area under the residential tower and barrier-free access (BFA) to the open space would be provided;
  - (iii) further enhancing the open space networks, heritage resources and facilitating the urban renewal progress in Wan Chai;
  - (iv) preventing further decay of NKT and improving the environmental and hygienic conditions of the area;
  - (v) improving the visual permeability of NKT, in contrast to piecemeal development, where NKT might be blocked by Miu Kang Terrace (MKT) if MKT was to be redeveloped into a 12-storey residential building allowable under the OZP. Under the current proposal, the MKT site would be developed with a maximum BH of 34mPD to serve as an extension of the proposed public open space;
  - (vi) enhancing walkability and connectivity of the proposed public open space by the provision of accesses from Schooner Street and footbridge linkage with the HCII; enhancing Ship Street steps linking

Kennedy Road and connecting with the public pedestrian passageway of Wan Chai linking up with the Wan Chai MTR station; and

- (vii) landuse compatibility with the surrounding commercial/residential developments. The proposed development intensity at PR 5 (excluding NKT) was the same as that of the surrounding “R(C)” sites, and the BH of 90.25mPD of the proposed residential tower was similar to BH of the nearby St. Francis Canossian College and was lower than that of the surrounding “R(A)” zone with BH restriction of 120mPD.

[Mr Wilson Y.W. Fung arrived to join the meeting at this point.]

9. As a concluding remark, Ms Hui said that the proposed development was in line with the Government’s policy objective of ‘single site, multiple use’ for optimising the use of limited land resources, with the preservation-cum-development approach adopted which was in line with the Government’s heritage conservation policy. On the other hand, the rezoning proposal would help increase the housing supply while the environment and accessibility/connectivity of the area could be enhanced. The proposed “CDA” zone would ensure control on the future implementation through the subsequent section 16 planning application. Ms Hui ended her presentation by showing a 3-minute video on an animated illustration on NKT and the adjoining open space upon completion of the development project.

10. As the presentations of the representatives from PlanD and the applicant were completed, the Chairman invited questions from Members.

*Basic Information of the Proposed Development*

11. In response to some Members’ enquiries, Mr Anthony K.O. Luk, DPO/HK, made the following main points:

- (a) according to the Buildings Department’s comments, subject to the widening of Ship Street to not less than 4.5m wide and that Ship Street remained an

unleased government land under Building (Planning) Regulations, the Site might be accepted as a “Class A” site;

- (b) the area of the “O” zone under the current OZP was about 2,030 m<sup>2</sup>. Under the applicant’s indicative scheme, a total of about 1,700 m<sup>2</sup> of open-air open space (including the site area of NKT) and 592 m<sup>2</sup> of covered landscape area underneath the proposed residential tower would be provided (i.e. a total of 2,292 m<sup>2</sup> of open space);
- (c) under the rezoning proposal, the proposed total and domestic GFA were 12,523.5 m<sup>2</sup> and 11,843.5 m<sup>2</sup> respectively. In comparison, under the current zonings of the OZP, while there was no development restriction under “O” and “G/IC” (covering an area of 55m<sup>2</sup>) zones, the PR restriction for “R(C)” zone (where MKT was located) was 5. As the site area for the “R(C)” zone was roughly about 300m<sup>2</sup> only, the domestic GFA for a proposed development under the current OZP would be about 1,500 m<sup>2</sup>; and
- (d) there would be BFA from QRE to Schooner Street, and from where there would be a lift linking Schooner Street and Kennedy Road via the park of HCII. Therefore, there would be BFA to the proposed public open space to and from both QRE and Kennedy Road.

12. In response to the Members’ enquiries, Mr Albert Yeung, the applicant’s representative, said that other than two government slopes, the applicant was the owner of all private lots within the Site. With regard to the staircase at Ship Street next to the application site, the applicant would widen it under the HCII development but the installation of escalator to facilitate pedestrian circulation would not be possible as the slope profile was too steep.

#### Preservation of NKT

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

- (a) whether there was any approval/monitoring mechanism with regard to the

adaptive re-use of NKT;

- (b) whether there was any restriction to safeguard against transferring the future maintenance responsibility of NKT to future individual owners of the development;
- (c) what measures had been taken by the applicant to preserve the historic ambience and landscape setting of the area and to enhance the public enjoyment of the public open space (e.g. provision of more sitting area); and CHO's views on the proposed scheme in preserving the historic ambience;
- (d) whether there was monitoring mechanism over the detailed design of the future development to facilitate public enjoyment of the area; and
- (e) noting that the current proposed rezoning from "O" to "CDA" to facilitate a residential development might involve a substantial financial incentive to the applicant, whether there were any guidelines that the Government made reference to when considering giving policy support to individual projects involving preservation of historical building.

14. In response, Mr José H. S. Yam, C for H, DEVB, made the following main points:

- (a) the key aspect of considering private preservation-cum-development projects was whether the historic buildings could be well preserved and be appreciated by the general public;
- (b) while the Government would encourage the applicant to open up more areas of the historic building for public appreciation and provide guided tours to the public, the proposed future use of the building would be up to the applicant's consideration and decision;
- (c) since NKT was under private ownership, it was the owner's responsibility to bear the maintenance cost. However, owners of privately-owned

historic buildings were eligible to apply for subsidy under the Financial Assistance for Maintenance Scheme on Built Heritage administered by CHO to carry out maintenance works. Any restriction on transfer of maintenance liability of NKT to future individual owners could be dealt with in the future land lease;

- (d) under the rezoning proposal, the existing MKT would be demolished and the future building at the site would have a building height of 34mPD to serve as an extension of the public open space in front of the main entrance of NKT. It could facilitate the public in appreciating the front façade of NKT, which was currently blocked by MKT. Besides, the staircase at Ship Street would be widened by the applicant under the adjoining HCII project and allow the public to view NKT from the side more easily. Hence, the ambience of the area could indeed be enhanced. In addition, the applicant had agreed to formulate a CMP which would provide details in preserving NKT and the implication on the ambience could be further explored and monitored at the detailed design stage; and
- (e) when considering the offer of policy support to the proposed development, it was noted that the applicant had submitted a development scheme involving the preservation of NKT. Preservation of NKT was welcome as it was in a dilapidated condition. Besides, while NKT was under private ownership, the applicant had agreed to operate NKT on a non-profit making basis and allow public access to the interior of the building. The design of an open space in front of NKT could facilitate the public to appreciate the front façade of NKT. There were precedent cases where the Government successfully preserved privately-owned historic buildings by devising appropriate economic incentives, including compensating the owner's loss of development rights due to preservation of historic buildings. The current NKT case had adopted a similar approach, where the inclusion of GFA of NKT in the PR calculation (resulting in an increase of PR 0.16) was supported, on the premise to compensate the owner's loss in GFA for the purpose of the in-situ preservation of the historic building.

15. With respect to the monitoring mechanism on the implementation of the future developments, Mr Anthony K.O. Luk, DPO/HK, made the following main points:

- (a) the proposed “CDA” zone would necessitate the preparation and submission of a Master Layout Plan (MLP) for the approval of the Town Planning Board (the Board) for any future development at the Site. Technical assessments including landscape proposal would need to be submitted by the applicant for departmental comments and the Board’s consideration; and
- (b) other than the requirements set out under the POSPD Guidelines in controlling the activities to be conducted within the open space subjecting to waiver application, the Guidelines also required the information regarding the POSPD (including opening hours and boundaries) be made known to the public by placing notices at major entrance/access points of the open space.

16. In response to the landscaping design, Mr Remus Woo, the applicant’s representative, said that the landscape proposal was prepared in accordance with the Government’s relevant technical documents. As most of the trees within the Site were located on slope, transplantation would be difficult and the survival rate of the transplanted trees would be low. Apart from proposing a compensatory planting ratio of over 1:1, in order to preserve the original ambience and landscape setting, growing areas for the trees would be within the future open space instead of within planters such that the trees could grow under a more natural environment.

17. With regard to the future operation of NKT, Mr Albert Yeung, the applicant’s representative, supplemented with the following main points:

- (a) as indicated in the application submission, NKT would be operated on a non-profit making basis. It was also pointed out in the applicant’s previous consultation with the WCDC that the use of NKT for a wedding venue was at a conceptual stage only. While the applicant would provide guided tours for NKT, NKT would not be operated for profit-making

purpose; and

- (b) the applicant was aware of the future maintenance responsibility of the public open space and NKT. The applicant currently had no plan to dispose of the future development to individual owners, and hence the maintenance responsibility of NKT would be borne by the applicant.

POSPD

18. Some Members raised the following questions:

- (a) the implementation progress of the area zoned “O” since it was rezoned by the Board in 1994;
- (b) the controlling mechanism for the provision of POSPD;
- (c) views of the WCDC when the applicant consulted them previously; and
- (d) DPO’s views on the impact on public enjoyment of the open space given the current design and that a POSPD approach was adopted in lieu of the original intention to develop the public open space as government projects.

19. In response, Mr Anthony K.O. Luk, DPO/HK, made the following main points:

- (a) since the rezoning of the area to “O”, the land exchange proposal eventually had not materialised because of the then land administration policy. The Leisure and Cultural Services Department (LCSD) had no plan to resume the private land for the development of public open space, while the applicant had indicated that he would not surrender the subject land to the Government;
- (b) the POSPD Guidelines as promulgated by DEVB set out requirements with regard to the design and management of individual projects. The management responsibilities of POSPD and NKT would need to be set out

in the relevant contractual document with the Government, namely the lease. In addition, activities permissible in POSPD were broadly classified into ‘always permissible activities’, ‘non-commercial or charitable activities’ and ‘commercial activities’. For ‘commercial activities’, waiver application to the Lands Department would be required on a case-by-case basis;

- (c) when the applicant consulted the WCDC in 2015, the WCDC generally welcomed the preservation of NKT, despite that comments over the design, use and accessibility of NKT were also received;
- (d) among the fulfilment of other requirements, the proposed POSPD generally complied with the POSPD Guidelines given that it would be open to the public for 17 hours (i.e. 0600 – 2300) while the minimum opening hours set out in the Guidelines was 13 hours. For reference, some open space sites under the management of LCSD did not open for 24 hours a day; and
- (e) according to the Hong Kong Planning Standards and Guidelines, only open-air open space in general should be countable for open space provision, while covered areas (e.g. pavilions) if supporting the main recreation use might also be counted. Although the proposed open-air open space provision in the indicative scheme could not fully compensate the affected “O” zone, taking into account the merits of the proposed development, the current arrangement could be considered appropriate.

### Others

20. In response to a Member’s enquiries, Ms Taylor Hung, the applicant’s representative, briefed Members on the methodology adopted for the air ventilation assessment (AVA). Ms Hung also introduced the air ventilation conditions of the area under north-easterly and south-westerly wind. For the prevailing easterly wind during summer times, there would be slight improvement in air ventilation when comparing with the baseline scheme adopted in the AVA but the extent was not significant. However, in overall term, the proposed development would not cause negative impacts on air ventilation of the



area and the 5m void under the proposed residential building would be sufficient to drive air ventilation over the surrounding developments.

21. In response to some Members' enquiries, Ms Pearl Hui, the applicant's representative, replied that since there was no vehicular access to the Site, refuse would be first transported to QRE for further disposal. The existing residential developments at MKT and Sau Wa Fong were adopting the same arrangement. On the other hand, the applicant would further explore the provision of community facilities within the Site to serve the future visitors.

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

22. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives from PlanD, DEVB and the applicant for attending the meeting. They left the meeting at this point.

### Deliberation Session

23. Members generally supported the proposed rezoning of the Site to "CDA" given the zoning history of the Site and that the rezoning proposal could facilitate the early implementation of the planned public open space together with the preservation of NKT. The "CDA" zoning would necessitate the preparation and submission of a MLP through the planning application system for the Board's consideration to ensure that the proposed development would be commensurate with the heritage value of NKT and would not cause adverse impacts on the surrounding area. Furthermore, Members had no adverse comments with regard to the proposed development intensity of the indicative scheme. However, considering that the development potential of the Site through the rezoning would be much increased as compared with that which could be achieved under the current zonings, Members were of the view that the proposed scheme could be further enhanced to create greater benefits to the general public. Members then focused the discussion on the aspects that could be explored by the applicant to improve the proposed scheme.

POSPD

24. The Chairman remarked that the proposed public open space under the proposed scheme could form part of the overall open space networks of the Wan Chai area. Some Members considered that the covered landscape area might not be complementary to the public open space and if only the open-air open space was counted, it could not compensate for the area of “O” zone lost. Members in general considered that more open-air open space should be provided.

25. A Member added that the original planning intention was to develop the area as a public open space by the Government with minimum restrictions on public access. Under the current proposal, the area would be developed as a POSPD with limited opening hours which was considered inferior to the original initiation. Other Members considered that the quality of the open space should be improved to encourage usage by the public. Some considered that the current layout and design of the public open space would discourage the public in using the part of the open space at the back of the residential building and the landscape design should be further improved to facilitate public enjoyment and better preserve the original ambience of the area. The applicant should provide more details of ancillary facilities to be provided in the future MLP submission stage, and consider providing supporting facilities (e.g. toilets and refreshment kiosks) within NKT.

Accessibility

26. Noting that the proposed pedestrian connection to and from QRE and Kennedy Road with the Site would rely on the lifts to be provided by HCII which fell outside the application site, Members were concerned that the arrangement might not be guaranteed in the future because there could be a change in future ownership of HCII. Besides, although the applicant had indicated that installation of escalators was not possible at Ship Street, considering the strategic location of Ship Street being next to the Site, improvement of which could greatly improve the accessibility of the Site. The current arrangement under the indicative scheme was not considered satisfactory in terms of enhancing the accessibility and connectivity of the Site with the surrounding areas. The applicant should further explore different options to improve the accessibility.

Community Facilities

27. Although the loss in the area of “G/IC” zone was not substantial (55m<sup>2</sup>), Members considered that community/social welfare facilities should be provided within the Site as compensation. Replacing the proposed shop under the indicative scheme with community/social welfare facilities could be an option.

Air Ventilation

28. A Member remarked that the AVA assessment conducted by the applicant only indicated a minimal improvement to air ventilation in comparison with the OZP compliant scheme. Since the area was to be rezoned to “CDA”, should the Committee agree to the application, the applicant should be requested to adopt more measures to help further improve the air ventilation of the wider area.

Others

29. The Vice-chairman commented that the applicant should provide details of the proposed guided tours for NKT while another Member said that safeguards against transferring future maintenance responsibility of the POSPD and NKT to individual owners by the current lot owner should be carefully monitored.

30. Summarising up, the Chairman said that while Members were in support of the proposed rezoning of the Site to “CDA”, more effort should be made by the applicant to improve the design of public open space in terms of both quality and quantity, the accessibility of the Site, the provision of community/social welfare facilities, and the air ventilation of the surrounding area.

31. After deliberation, the Committee decided to agree to the application by rezoning the application site to “Comprehensive Development Area” with stipulation of appropriate development restrictions and requirements on the OZP (OZP). The Planning Department would work out the appropriate amendments to the OZP to be set out in the Notes and Explanatory Statement for the Committee’s agreement prior to gazetting the proposed amendments under the Town Planning Ordinance.

**Kowloon District**

**Agenda Item 4**

Section 12A Application

[Open Meeting]

Y/K15/4                      Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/25, Proposed Amendments to the Remarks in the Notes of the “Comprehensive Development Area” Zone, Various Lots at Yau Tong Bay and adjoining Government Land, Yau Tong, Kowloon  
(MPC Paper No. Y/K15/4)

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32.            The Secretary reported that the application was submitted by Main Wealth Development Limited, a joint venture of owners of Yau Tong Marine Lots (YTMLs) including Sun Hung Kai Properties Limited (SHK), Henderson Land Development Company Limited (HLD), Hang Lung Group Limited (HLG), Swire Properties Limited (Swire), Wheelock Properties (HK) Limited (Wheelock), Central Development Limited, Moreland Limited and Fu Fai Enterprises Limited. Ove Arup & Partners Hong Kong Limited (ARUP) was the consultant of the applicant. The following Members had declared interests on the item:

- |                   |   |  |
|-------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with SHK, Swire, Wheelock and ARUP, and his firm having current business dealings with Swire; |
| Mr Alex T.H. Lai  | - | his firm having current business dealings with SHK, HLD, HLG, Swire, Wheelock and ARUP; and                                    |
| Mr Franklin Yu    | - | having past business dealings with ARUP, and his spouse being an employee of SHK.  |

33.            The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the interest of Mr Franklin Yu was direct, the Committee agreed that he could stay in the meeting but should

refrain from participating in the discussion.

34. The Secretary reported that a replacement page (page 1 of the Paper) was tabled at the meeting for Members' reference.

35. The Committee noted that the applicant's representative requested on 2.12.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Transport Department. It was the first time that the applicant requested deferment of the application.

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

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 5**

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

[Open Meeting]

A/K3/582 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 107-111 (Odd Numbers Only), Tung Chau Street, Tai Kok Tsui, Kowloon  
(MPC Paper No. A/K3/582A)

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37. The Committee noted that the applicant's representative requested on 27.11.2019 deferment of the consideration of the application for one month in order to allow time for preparation of further information to address departmental comments. The application was originally scheduled for consideration by the Committee on 6.9.2019. Since the application site was the subject of one of the amendment items under the draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/31 and adverse representations were received during the exhibition of the OZP, the Committee agreed on 6.9.2019 to defer making a decision on the application as recommended by the Planning Department, and that the application should be submitted for the Committee's consideration after the Chief Executive in Council (CE in C) considered the draft OZP and the representations. Subsequently, the draft Mong Kok OZP was approved by the CE in C on 8.10.2019. With the further information received from the applicant on 15.10.2019 and 23.10.2019, the application was scheduled for consideration by the Committee at this meeting. It was the first time that the applicant requested deferment of the application since the deferral recommended by PlanD.

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

**Agenda Item 6**

**Section 16 Application**

[Open Meeting]

A/KC/463 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, Kwai Chung Town Lot No. 49 and Ext. RP, 45-51 Kwok Shui Road, Kwai Chung, New Territories  
(MPC Paper No. A/KC/463A)

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39. The Secretary reported that Kenneth To & Associates Limited (KTA), Andrew Lee King Fun Associates Architects Limited (ALKF) and AIM Group Limited (AIM) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA;
- Mr Alex T.H. Lai - his firm having current business dealings with AIM; and
- Mr Franklin Yu - having past business dealings with ALKF.

40. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Alex T.H. Lai had tendered apology for being unable to attend the meeting. As Messrs Daniel K.S. Lau and Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

41. The Committee noted that the applicant’s representative requested on 5.12.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting]

A/KC/465                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Development in "Industrial" Zone, No. 22 Yip Shing Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/465A)

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43. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared interest on the item as he had past business dealings with LD.

44. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Thomas O.S. Ho had tendered apology for being unable to attend the meeting.

45. The Committee noted that the applicant's representative requested on 26.11.2019 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.

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/KC/466 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Information Technology And Telecommunications Industries (Proposed Data Centre Development) in "Other Specified Uses" annotated "Business" Zone, Nos. 2-16 Lam Tin Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/466)

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47. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP), Andrew Lee King Fun Associates Architects Limited (ALKF) and Aurecon Hong Kong Limited (Aurecon) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho	-	having current business dealings with ARUP;
Mr Alex T.H. Lai	-	his firm having current business dealings with ARUP and Aurecon; and

Mr Franklin Yu - having past business dealings with ARUP and ALKF.

48. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

49. The Committee noted that the applicant's representative requested on 25.11.2019 deferment of the consideration of the application for one month in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

**Agenda Item 9**

**Section 16 Application**

[Open Meeting]

A/KC/467                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, 132-134 Tai Lin Pai Road, Kwai Chung, New Territories  
(MPC Paper No. A/KC/467)

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51.                      The Secretary reported that BMT Hong Kong Limited (BMT) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared interest on the item as his firm had past business dealings with BMT.

52.                      The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Thomas O.S. Ho had tendered apology for being unable to attend the meeting.

53.                      The Committee noted that the applicant’s representative requested on 25.11.2019 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.

54.                      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 10**

**Section 16 Application**

[Open Meeting]

A/TW/508 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Development (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, 18-20 Pun Shan Street, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/508)

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55. The Committee noted that the application was rescheduled.

[Mr K.S. Ng, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

**Agenda Item 11**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/509 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Development (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, 8-14 Sha Tsui Road, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/509A)

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56. The Secretary reported that the application site (the Site) was located in Tsuen Wan. Kenneth To & Associates Limited (KTA), SYW & Associates Limited (SYW) and Mott MacDonald Hong Kong Limited (MMHK) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society

- which had current business dealings with KTA;
- Mr Thomas O.S. Ho - his firm having current business dealings with MMHK;
- Mr Alex T.H. Lai - his firm having current business dealings with SYW and MMHK;
- 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.

57. The Committee noted that Messrs Thomas O.S. Ho, Alex T.H. Lai and Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application and the property of Professor John C.Y. Ng'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 K.S. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial development (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III 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, two public comments from an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The proposed non-building areas (NBAs) were generally in line with the setback requirements stated in the Explanatory Statement (ES) of the Outline Zoning Plan (OZP) to cater for the traffic and pedestrian movement needs in the Chai Wan Kok Industrial/Business Area. The Development Bureau gave policy support to the current application and the proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 Industrial Buildings. On technical aspects, concerned departments had no objection to or no adverse comment on the application. The Chief Town Planner/Urban Design and Landscape, PlanD advised that the proposed open-air space and NBAs would benefit the pedestrians and would enhance the street level environment particularly along Sha Tsui Road which fronted onto a flyover. Besides, the proposed landscape would enhance the landscape quality of the public realm since the proposed landscape was abutting the junction of Pun Shan Street and Sha Tsui Street. With regard to sustainability building design, the applicant indicated that not less than 20% greenery coverage for the whole development could be achieved. Other green building designs would be adopted for meeting the requirements of Leadership in Energy and Environmental Design (LEED) Certification. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

59. In response to a Member's enquiry, Mr K.S. Ng, STP/TWK, briefed Members on the eligibility criteria for industrial buildings to apply for the minor relaxation of development intensity, and made the following responses to other Members' enquiries:

- (a) the proposed setbacks were not statutory requirements under the OZP. The requirements were stipulated on the Tsuen Wan Central Outline Development Plan and were stated in the ES of the OZP;

- (b) the vehicular access to and from Sha Tsui Road would overlap with part of the proposed open-air space to be open for public use; and
- (c) the applicant proposed to apply for the LEED Certification (Gold rating) for the proposed development but did not mention about application for certification under Building Environmental Assessment Method Plus (BEAM Plus).

### Deliberation Session

60. Some Members considered that the design of the open-air space was not satisfactory. The proposed vehicular access would pass through part of the open-air space and would cause potential pedestrian safety issue. The current design did not encourage the public to use the area and should be enhanced to further improve the street environment. Some Members suggested that the area occupied by the vehicular access should be minimised and if possible, shifting the ingress/egress further to the west to align with the proposed entrance/exit to the car park. Provisions of shopfronts and refreshment kiosks along/within the open space could help bring about street activities and increase the vibrancy of the area. A Member considered that the applicant should be encouraged to apply for BEAM Plus certification instead of LEED as it might be more appropriate to follow the local criteria (i.e. BEAM Plus) in evaluating the green building measures of the proposed development.

61. As regards the shifting of the proposed vehicular access, Mr Michael H.S. Law, Assistant Commissioner for Transport (Urban), commented that from traffic point of view, vehicular ingress and egress points should not be close to the adjacent road junction. If the ingress and egress points were to be shifted eastward, the manoeuvring of large vehicles would be more difficult. In that connection, he considered the current design for vehicular access appropriate.

62. After discussion, Members agreed that an advisory clause should be added to advise the applicant to note Members' suggestions on the possible design improvements regarding the proposed open-air space of the development scheme.

63. 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 13.12.2023, 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 parking facilities, loading/unloading spaces, vehicular access and internal driveway for the proposed redevelopment to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment for the proposed development in condition (d) above to the satisfaction of the Director of Drainage Services or of the TPB.”

64. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper with an additional advisory clause (d) as proposed during the meeting as follows:

- “(d) the applicant should consider adopting the suggestions made by Members of the Town Planning Board as recorded in the minutes of meeting in improving the design and layout of the open-air space of the development scheme.”



[The Chairman thanked Mr K.S. Ng, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Professor John C.Y. Ng left the meeting at this point.]

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/TW/511                      Proposed Wholesale Conversion of an Existing Industrial Building for Eating Place, Shop and Services, Office, Art Studio (excluding those involving direct provision of services or goods), Information Technology and Telecommunications Industries and Research, Design & Development Centre in "Industrial" Zone, Nos. 12-16 Fui Yiu Kok Street, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/511)

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65.            The Secretary reported that the application site (the Site) was located in Tsuen Wan. The following Members had declared interests on the item:

- |                        |   |   |
|------------------------|---|---|
| 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.  |

66.            The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Stanley T.S. Choi had tendered apology for being unable to attend the meeting and Professor John C.Y. Ng had already left the meeting.

67.            The Committee noted that the applicant's representative requested on 25.11.2019 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.

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

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

### **Hong Kong District**

#### **Agenda Item 13**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/151                      Proposed Office, Shop and Services and Eating Place in "Residential (Group A)" Zone and an area shown as 'Road', 16-94 Pan Hoi Street and 983-987A King's Road, Quarry Bay, Hong Kong  
(MPC Paper No. A/H21/151A)

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69. The Secretary reported that the application site (the Site) was located in Quarry Bay. The application was submitted by Wealth First Limited, which was a joint-venture of Henderson Land Development Company Limited (HLD) and Swire Properties Limited (Swire), with Jones Lang LaSalle Limited (JLL), MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) as three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Wilson Y.W. Fung            -            co-owning with spouse a flat in Quarry Bay;

- Mr Thomas O.S. Ho - having current business dealings with Swire, MVA and RLP, and his firm having current business dealings with Swire and MVA; and owning a flat in Quarry Bay;
- Mr Alex T.H. Lai - his firm having current business dealings with HLD, Swire, JLL, MVA and RLP; and
- Mr Simon S.W. Wang - co-owning with spouse a flat in Quarry Bay.  
*(Assistant Director  
(Regional 1), Lands  
Department)*

70. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the properties of Messrs Wilson Y.W. Fung and Simon S.W. Wang had no direct view of the Site, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed office, shop and services and eating place;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix II of the Paper. The District Officer (Eastern), Home Affairs Department (DO(E), HAD) advised that there was local concerns about the potential issues and problems that might arise from the development. Other 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 17 public comments were received including 14 opposing comments from two DC members, Incorporated Owners of Kam Hoi Mansion Phase 2 and

individuals; and three comments from individuals providing views similar to those raised in the opposing comments. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment set out in paragraph 11 of the Paper. Although the proposed office development with shop and services/eating places on the lower floors was considered not incompatible with the surrounding developments and did not exceed the maximum building height (BH) of 120mPD as stipulated on the Outline Zoning Plan, and concerned departments had no adverse technical comments, the proposed development was not fully in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone. According to the land requirement and supply analysis undertaken under “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” in 2016, there were projected long-term shortfall of Grade A office floorspace in Central Business District (CBD) and surplus of Grade A office floorspace at non-CBD areas. Moreover, the redevelopment of the Site for the proposed commercial use instead of residential use would result in a loss of about 366 flats currently provided at the Site. There seemed no strong planning justifications for a departure from the planning intention of the “R(A)” zone. In addition, there were no precedent cases for planning applications within “R(A)” zone in the Quarry Bay area since the promulgation of policy to address the pressing housing need. For similar applications that were approved by the Town Planning Board (the Board) in other areas of Hong Kong Island, each of those applications had its unique planning background and context. As the Site fell within a larger “R(A)” zone and there were other “R(A)” zones located in the vicinity, approval of the subject application might set an undesirable precedent for similar applications resulting in cumulative loss of residential land. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

72. In response to some Members' enquiries, Mr T.W. Ng, replied that the ground

settlement issue was a concern expressed by the locals as the proposed development would involve the construction of seven levels of basement. Relevant government departments consulted had no information with regard to the possible ground settlement issue. For the precedent similar cases approved by the Board as mentioned by the applicant, they were not located in the Quarry Bay area. Although there were existing commercial developments in the vicinity (e.g. in area fronting King's Road), they were located within commercial zones. If the Site was to be developed into a residential development, the estimated maximum number of flats that could be provided would be about 1,200.

### Deliberation Session

73. Members generally considered that the proposed office development was not in line with the planning intention of "R(A)" zone which was for high-density residential developments. Although the proposed office use and development intensity might not be incompatible with the surrounding developments, the applicant had failed to demonstrate that there were sufficient justifications to deviate from the planning intention of the "R(A)" zone.

74. 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 applicant fails to demonstrate that there are sufficient justifications to deviate from the planning intention of the “R(A)” zone; and
- (b) approval of the application would set an undesirable precedent for similar applications in the same and other “R(A)” zones in the vicinity. The cumulative effect of approving such similar applications would aggravate the shortfall in the supply of housing land.”

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

**Agenda Item 14**

**Section 16 Application**

[Open Meeting]

A/H6/89                      Proposed Office, Eating Place and Shop and Services uses in  
   “Commercial (1)” Zone and area shown as ‘Road’, 281 Gloucester Road,  
   Causeway Bay, Hong Kong  
  
   (MPC Paper No. A/H6/89)

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75.            The Secretary reported that the application site (the Site) was located in Causeway Bay. The application was submitted by Excelsior Hotel (BVI) Limited (Excelsior), with Jardines Group Companies (JG) and Hongkong Land Limited (HKL) as affiliated companies of Excelsior. MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Wilson Y.W. Fung        -     being an ex-employee of JG;
  
- Mr Thomas O.S. Ho         -     having current business dealings with HKL, MVA and RLP, and his firm having current business dealings with MVA;
  
- Mr Alex T.H. Lai            -     his firm having current business dealings with JG, HKL, MVA and RLP; and
  
- Ms Sandy H.Y. Wong        -     being an ex-employee of Maxim’s Group Companies, a subsidiary company of JG, and self-occupying a flat in Causeway Bay.

76.            The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the interests of Mr Wilson Y.W. Fung and Ms Sandy H.Y. Wong in respect of their ex-employment were remote/indirect, and as the property of Ms Wong had no direct view of the Site, the Committee agreed that they could stay in the meeting.

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

5.12.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

78. 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 William W.L. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

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

### **Kowloon District**

#### **Agenda Item 15**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/235	Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, No. 21 Luk Hop Street, San Po Kong, Kowloon  (MPC Paper No. A/K11/235)
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79. The Secretary reported that the application site (the Site) was located in San Po

Kong. The application was submitted by Broad Reach Company Limited, which was a subsidiary of New World Development Company Limited (NWD). Kenneth To & Associates Limited (KTA), Mott MacDonald Hong Kong Limited (MMHK) and Archiplus International (HK) Limited (AI) were three of the consultants of the applicant. The following Members had declared interests on the item:

- |                      |   |   |
|----------------------|---|---|
| Mr Daniel K.S. Lau   | - | being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA; |
| Mr Thomas O.S. Ho    | - | his firm having current business dealings with MMHK;  |
| Mr Alex T.H. Lai     | - | his firm having current business dealings with NWD, MMHK and AI; and  |
| Mr Stanley T.S. Choi | - | his spouse being a director of a company which owned a property in Wong Tai Sin.  |

80. The Committee noted that Messrs Thomas O.S. Ho, Alex T.H. Lai and Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

81. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);
- (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 periods, a total of seven public comments were received including two supporting comments from Lead On Industrial Building Management Office; and five opposing comments from the chairman of Galaxy Factory Building Owners' Corporation, Incorporated Owners of Lee King Industrial Building and individuals. Major views were set out in paragraph 10 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed uses were in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the transformation taking place in San Po Kong Business Area (SPKBA). The Development Bureau gave policy support to the application and the proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 industrial buildings. On technical aspects, concerned departments had no objection to or no adverse comment on the application. In addition to the requirement of a 1.5m-wide non-building area from the lot boundary abutting Luk Hop Street as set out in the Explanatory Statement of the Outline Zoning Plan, the applicant proposed to further recess the building from the street frontage to achieve a total setback of 3.4m with the provision of landscape planters. That could enhance the pedestrian environment along Luk Hop Street, the wind environment within SPKBA and the overall streetscape. On the sustainability building design aspect, the applicant indicated that the building setback requirement in Sustainable Building Design Guideline had been complied with and a greening ratio of about 35.8% could be achieved. Regarding green building design, the proposed building had obtained Building Environmental Assessment Method Plus (BEAM+) Gold Rating, Leadership in Energy and Environmental Design (LEED) Gold Rating and WELL Gold Rating. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

82. Members had no question on the application.

### Deliberation Session

83. 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 13.12.2023, 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 submission of a revised traffic impact assessment, and implementation of the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of an updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment for the proposed development in condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Mr William W.L. Chan, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr Wilson Y. W. Fung returned to join the meeting at this point.]

## **Agenda Item 16**

### **Section 16 Application**

[Open Meeting]

A/K11/236                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, Nos. 20-24 Tai Yau Street, San Po Kong, Kowloon  
(MPC Paper No. A/K11/236)

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85.                      The Secretary reported that the application site (the Site) was located in San Po Kong. Mr Stanley T.S. Choi had declared an interest on the item as his spouse was a director of a company which owned a property in Wong Tai Sin.

86.                      The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Stanley T.S. Choi had tendered apology for being unable to attend the meeting.

87.                      The Committee noted that the applicant's representative requested on 27.11.2019 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.

88.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and

could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

### **Agenda Item 17**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/774                      Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services, and Eating Place Uses in "Other Specified Uses" annotated "Business" Zone, 7 Lai Yip Street, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/774)

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89.            The Secretary reported that Andrew Lee King Fun Associates Architects Limited (ALKF) was one of the consultants of the applicant. Mr Franklin Yu had declared an interest on the item as he had past business dealings with ALKF. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

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

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) and building height (BH) restrictions for permitted office, shop and services, and eating place uses;

- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III 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 ten public comments were received including seven opposing comments from a Kwun Tong District Council (KTDC) member, owners of International Trade Tower and two individuals; and three comments providing views from the owners of adjoining Chen Yip Industrial Building. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed uses were in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the transformation taking place in Kwun Tong Business Area (KTBA). The proposed scheme had incorporated full-height setbacks on both Hang Yip Street and Lai Yip Street in accordance with the Kwun Tong (Western Part) Outline Development Plan’s requirements and the Head of Energizing Kowloon East Office, Development Bureau (DEVB), advised that the setbacks would improve the pedestrian environment and promote walkability. DEVB gave policy support to the current application and the proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 industrial buildings (IBs). On technical aspects, concerned departments had no objection to or no adverse comment on the application. The increase in BH was proposed for accommodating the proposed 20% increase in PR as well as the communal sky garden. The current scheme generally met the criteria for considering application for minor relaxation of BH restriction as stated in the Explanatory Statement of the Outline Zoning Plan (OZP). On the sustainability building design aspect, the proposed scheme had complied with the building setback and site coverage of greenery requirements. The Chief Architect/Central Management Division 2, Architectural Services Department and the Chief Town Planner/Urban Design and Landscape, PlanD commented that the

proposed development might not be incompatible with the planned stepped BH profile for KTBA. The proposed relaxation of BH restriction by 25.9% might be considered generally proportionate to the increase in PR under application and for accommodating the communal sky garden. While an application (No. A/K14/763) for minor relaxation of BH restriction to 125.9mPD at the same street block was approved by the Committee, the proposed BH for the proposed development at 125.9mPD might still allow a stepped BH profile. In view of the above, the proposed minor relaxation of BH restriction was considered not unacceptable. Regarding the adverse public comments on the potential adverse visual, environmental and traffic impacts, the comments of government departments and the planning assessments above were relevant. For the concerns of owners of the adjoining IB on any adverse impacts during the construction stage of the Site, the applicant would appoint an Authorized Person to carry out the demolition works in accordance with the relevant prevailing building regulations.

91. Noting that there was another application (No. A/K14/763) previously approved by the Committee in the vicinity of the application site within the same "OU(B)" zone (with BH restriction also relaxed from 100mPD to 125.9mPD), a Member enquired on the original intention of setting a BH restriction of 100mPD for the subject "OU(B)" zone under the OZP. Ms Jessie K.P. Kwan, STP/K, explained that the BH restriction was imposed to reflect the stepped BH concept of the area and it was assessed that a BH at 100mPD was sufficient to accommodate a building with PR 12 (i.e. the current PR restriction under the OZP). For the current application, the proposed PR was 14.4 and a higher BH was required to accommodate the increased PR. Taking into account that (1) the Site was a Class A site with a maximum site coverage of 60% allowable under the Building (Planning) Regulations; (2) the need to provide a refuge floor as required under the Code of Practice for Fire Safety in Buildings 2011 in that the proposed development exceeded 25 storeys in height; and (3) the proposed floor-to-floor height by the applicant was generally in line with the average floor-to-floor heights of other recently completed commercial buildings in the area, the extent of relaxation sought for BH was considered appropriate.

92. In response to a Member's enquiry regarding the quality of the open space within

the KTBA, Ms Jessie K.P. Kwan, STP/K, said that the nearest open spaces to the Site would be the Hoi Bun Road Park (renovation work being carried out) and the Kwun Tong Promenade. Tsun Yip Street Playground and Tsui Ping River Garden were also renovated recently. Other open spaces could be found in areas to the north of Kwun Tong Road.

[Mr Paul Y.K. Au left the meeting at this point.]

### Deliberation Session

93. Members in general considered that the proposed relaxation of PR and BH restriction not unacceptable. A Member expressed concern on the implications of approving similar applications within the area rendering the statutory BH restriction of 100mPD ineffective. The Chairman remarked that each application would be considered on a case-by-case basis and the Committee would consider each case based on individual merits and constraints.

94. Another Member opined that the applicant could consider providing more landscape greening at different floors of the building.

95. 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 13.12.2023, 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 submission of an updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment in condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised traffic impact assessment including a traffic management plan for the vehicular access arrangement, and implementation

of the traffic management plan and the mitigation measures, if any, identified in the revised traffic impact assessment, to the satisfaction of the Commissioner for Transport or of the TPB; and

- (d) the provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.”

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

### **Agenda Item 18**

#### **Section 16 Application**

[Open Meeting]

A/K15/121 Proposed Residential Development in “Comprehensive Development Area (4)” Zone and an area shown as ‘Road’, Yau Tong Marine Lots 58, 59, 60, 61 and 62, and adjoining Government Land, 18 Tung Yuen Street, Yau Tong, Kowloon  
(MPC Paper No. A/K15/121A)

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97. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. The following Members had declared interests on the item:

- |                   |   |  |
|-------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with ARUP;              |
| Mr Alex T.H. Lai  | - | his firm having current business dealings with ARUP; and |
| Mr Franklin Yu    | - | having past business dealings with ARUP.                 |



98. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

99. The Committee noted that the applicant's representative requested on 6.12.2019 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.

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

### **Agenda Item 19**

#### **Any Other Business**

101. There being no other business, the meeting closed at 12:55 p.m..