

## **TOWN PLANNING BOARD**

### **Minutes of 593<sup>rd</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 24.11.2017**

#### **Present**

Director of Planning Mr Raymond K.W. Lee	Chairman
Dr Wilton W.T. Fok	
Mr Dominic K.K. Lam	
Mr Patrick H.T. Lau	
Mr Stephen H.B. Yau	
Dr Frankie W.C. Yeung	
Dr Lawrence W.C. Poon	
Mr K.K. Cheung	
Mr Wilson Y.W. Fung	
Professor T.S. Liu	
Ms Sandy H.Y. Wong	

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr Wilson W.S. Pang

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

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr C.F. Wong

Assistant Director (Regional 1), Lands Department  
Mr Simon S.W. Wang

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

## **Absent with Apologies**

Mr Lincoln L.H. Huang Vice-chairman

Mr Sunny L.K. Ho

Mr Thomas O.S. Ho

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  
Miss Kirstie Y.L. Law**

### **Agenda Item 1**

Confirmation of the Draft Minutes of the 592<sup>nd</sup> MPC Meeting held on 10.11.2017

[Open Meeting]

1. The draft minutes of the 592<sup>nd</sup> MPC meeting held on 10.11.2017 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 16 Application

[Open Meeting]

A/K5/782      Proposed Shop and Services, Eating Place, Office and School (Cookery-related) in “Residential (Group A) 7” Zone, 58 Castle Peak Road, Kowloon

(MPC Paper No. A/K5/782)

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3. The Secretary reported that Kenneth To & Associates Ltd. (KTA) and Rocco Design Architects Ltd. (Rocco) were two of the consultants of the applicant. The following Members have declared interests on this item:

Mr Patrick H.T. Lau      - having current business dealings with KTA and Rocco; and

Mr Dominic K.K. Lam - having past business dealings with Rocco.

4. The Committee noted that the applicant had requested deferment of consideration of the application. Messrs Patrick H.T. Lau and Dominic K.K. Lam had yet to arrive to join the meeting.

5. The Committee noted that the applicant's representative requested on 7.11.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from government departments. It was the first time that the applicant requested deferment of the application.

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 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 Esther M.Y. Tang, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/790              Proposed Shop and Services in "Other Specified Uses" annotated  
                          "Business (3)" Zone, Factory No. 8, G/F, Elite Industrial Centre, 883  
                          Cheung Sha Wan Road, Kowloon  
                          (MPC Paper No. A/K5/790)

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7. The Secretary reported that RHL Surveyors Ltd. (RHL) was one of the consultants of the applicant. The following Members have declared interests on this item:

Dr Lawrence W.C. Poon  
Mr Wilson Y.W. Fung  
Ms Sandy H.Y. Wong

} personally knowing the Managing Director of RHL.

8. The Committee noted that Ms Sandy H.Y. Wong had yet to arrive to join the meeting. As Dr Lawrence W.C. Poon and Mr Wilson Y.W. Fung had no discussion or involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

9. With the aid of a PowerPoint presentation, Ms Esther M.Y. Tang, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services;

[Mr Wilton W.T. Fok arrived to join the meeting at this point.]

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed shop and services use was considered generally in line with the planning intention for the “Other Specified Uses” annotated “Business (3)” zone and was not incompatible with the uses of the subject industrial

building. It complied with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that it would not significantly induce adverse fire safety, traffic and infrastructural impacts on the developments within the subject building and the adjacent area. Relevant government departments including the Fire Services Department, Buildings Department, Transport Department and Drainage Services Department had no objection to or no adverse comment on the application. The aggregate commercial area on the ground floor, including the proposed use of the application, was within the maximum permissible limit of 460m<sup>2</sup> for industrial buildings with a sprinkler system.

10. Members had no question on the application.

#### Deliberation Session

11. 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 24.11.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and water supplies for firefighting in the subject premises and a means of escape separated from the industrial portion, before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Ms Esther M.Y. Tang, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting]

A/TY/135              Proposed Temporary Asphalt Plant for a Period of 5 Years in "Industrial" Zone, Tsing Yi Town Lot 108 RP (Part), Sai Tso Wan Road, Tsing Yi  
                          (MPC Paper No. A/TY/135B)

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13.         The Secretary reported that the application was submitted by Hongkong United Dockyards Limited, which was a joint venture of CK Hutchison Holdings Limited (CKH) and Swire Pacific Limited (Swire). The following Members have declared interests on the item:

Mr K.K. Cheung              - his firm having current business dealings with Swire and CKH;

Mr Patrick H.T. Lau              - having current business dealings with CKH and past business dealings with Swire; and

Mr Thomas O.S. Ho              - having current business dealings with Swire.

14.         The Committee noted that the applicant had requested deferment of consideration of the application. Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting and Mr Patrick H.T. Lau had yet to arrive to join the meeting. Since Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

15.         The Committee noted that the applicant's representative requested on 16.11.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from relevant government

departments. It was the second time that the applicant requested deferment of the application. Since last deferment, the applicant had submitted further information including responses to departmental comments as well as revised technical assessment reports.

16. 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 preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

### **Hong Kong District**

#### **Agenda Item 6**

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

[Open Meeting]

A/H6/82              Proposed Access Road for Residential Development at 4-4C Tai Hang Road in "Green Belt" Zone and an area shown as 'Road', Inland Lot 7426 (Part) and Adjoining Government Land, Tai Hang Road, Hong Kong  

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(MPC Paper No. A/H6/82C)

17. The Secretary reported that the application site was located at Tai Hang Road, Tai Hang. Townland Consultants Ltd. (Townland), MVA Hong Kong Ltd. (MVA), Mott Connell Ltd. (MCL) and Landes Ltd. (Landes) were four of the consultants of the applicant. The following Members had declared interests on this item:

- Mr Patrick H.T. Lau - having current business dealings with MVA and Landes and past business dealings with Townland;
- Mr Thomas O.S. Ho - his firm having current business dealings with MVA and MCL and past business dealings with Townland;
- Mr K.K. Cheung - his firm having current business dealings with Townland and MVA;
- Mr Franklin Yu - having past business dealings with MVA and MCL;
- Ms Sandy H.Y. Wong - self-occupying a flat in Tai Hang;
- Ms Jacinta K.C. Woo - self-occupying a flat in Tai Hang Road; and
- Mr Martin W.C. Kwan - his close relative owning property at the Beverly Hill.

18. The Committee noted that the applicant had requested deferment of consideration of the application. Messrs Thomas O.S. Ho and Franklin Yu had tendered apologies for being unable to attend the meeting and Ms Sandy H.Y. Wong and Mr Patrick H.T. Lau had yet to arrive to join the meeting. The Committee agreed that as Mr K.K. Cheung had no involvement in the application, and as the concerned properties of Mr Martin W.C. Kwan did not have a direct view of the application site, he could stay in the meeting. As the interests of Ms Jacinta K.C. Woo, the Secretary, was remote, she could stay in the meeting.

19. The Committee noted that the applicant's representative requested on 6.11.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address the comments from government departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant submitted further information on the proposed development including responses to departmental and public comments, revised access road layout as well as revised technical assessments.

20. 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 fourth deferment and a total of seven months had been allowed for preparation of submission of further information, it would be the last deferment and no further deferment would be granted.

[Ms Sandy S.K. Ng, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

## **Kowloon District**

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/229              Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Unit B, G/F, Wang Fai Industrial Building, 29 Luk Hop Street, San Po Kong, Kowloon  
(MPC Paper No. A/K11/229)

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

21. 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 proposed shop and services;

[Mr Dominic K.K. Lam arrived to join the meeting at this point]

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed shop and services use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and was not incompatible with the uses of the subject building. It complied with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and adjacent area. Relevant government departments including Fire Services Department (FSD), Buildings Department, Transport Department and Drainage Services Department had no objection to or no adverse comment on the application. The aggregate commercial area on the ground floor, including the proposed use of the application, was within the maximum permissible limit of 460m<sup>2</sup> for industrial buildings with a sprinkler system.

22. Members had no question on the application.

#### Deliberation Session

[Ms Sandy H.Y. Wong and Mr Patrick H.T. Lau arrived to join the meeting at this point.]

23. In response to a Member's enquiry, the Chairman said that planning applications within “Industrial” (“I”) and “OU(B)” zones would be assessed with reference to relevant

Town Planning Board (TPB) Guidelines. As announced in the latest Policy Address, a review would be conducted on relevant policies relating to the uses in industrial buildings. Subject to the findings of the review, relevant TPB guidelines would be reviewed where necessary.

24. On request of the Chairman, the Secretary supplemented that fire safety was the major concern for uses within industrial buildings in areas zoned "I" or "OU(B)". In considering whether the user restriction could be further relaxed to accommodate the changing development needs of the society, views from FSD and other relevant government departments would be sought.

25. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the TPB. The permission should be valid until 24.11.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of the proposal of the fire safety measures, including the provision of fire service installations and equipment at the application premises and means of escape completely separated from the industrial portion in the subject industrial building before operation of the use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition is not complied with before the operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

**Agenda Item 8**

Any Other Business

27. There being no other business, the meeting closed at 9.20 a.m..