

TOWN PLANNING BOARD

**Minutes of 606th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 15.6.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Ms Lilian S.K. Law

Assistant Commissioner for Transport (Urban)
Transport Department
Mr Peter P.C. Wong

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

Principal Environmental Protection Officer (Metro Assessment)
Environmental Protection Department
Mr Tony W.H. Cheung

Assistant Director (Regional 1), Lands Department
Mr Denis K.N. Li

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

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairman

Mr Wilson Y.W. Fung

Professor T.S. Liu

Mr Daniel K.S. Lau

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

In Attendance

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

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

Assistant Town Planner/Town Planning Board
Miss Winsome W.S. Lee

Agenda Item 1

Confirmation of the Draft Minutes of the 605th MPC Meeting held on 1.6.2018

[Open Meeting]

1. The draft minutes of the 605th MPC meeting held on 1.6.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/498 Renewal of Planning Approval for Temporary Information Technology and Telecommunications Industries (Data Centre) for a Period of 3 Years in “Comprehensive Development Area (3)” Zone, 1/F (Portion) and 3/F, Asia Tone i-Centre, 1 Wang Wo Tsai Street, Tsuen Wan, New Territories (MPC Paper No. A/TW/498)

3. The Secretary reported that the application was submitted by MapletreeLog PF (HKSAR) Limited (MPL) and the site was located in Tsuen Wan. The following Members had declared interests on the item:

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

Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and

Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

4. The Committee noted that Professor John C.Y. Ng had tendered an apology for being unable to attend the meeting. As Mr Alex T.H. Lai had no involvement in the application and the properties owned by the company of Mr Stanley T.S. Choi’s spouse did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

5. 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 renewal of planning approval for temporary information technology and telecommunications industries (ITTI) (data centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 12 of the Paper. The subject industrial building formed part of an approved application No. A/TW/452 for a proposed comprehensive residential development. However, the development would take time to materialise and there was no objection to utilize the existing industrial premises for other compatible uses in the interim. The approval of the application on a temporary basis would not jeopardize the long-term planning intention of the site. The existing temporary ITTI (data centre) use was first approved in June 2011 and the latest approval under application No. A/TW/472 would be valid until 17.7.2018. Other floors, i.e. 2/F, 4/F to 6/F, of the subject building were currently used for data centre. The temporary use was compatible with other uses within the subject building and all relevant departments had no objection to or no adverse comment on the application. The application also complied with the relevant assessment criteria on the Town Planning Board Guidelines No. 34B in that there had been no material change in planning circumstances since the previous approval, all approval conditions under previous application had been complied with and the proposed renewal of a period of three years sought was reasonable.

[Messrs Denis K.N. Li and Sunny L.K. Ho arrived to join the meeting during the presentation.]

6. Noting that there were data centres on other floors of the subject building, a Member asked about the validity period of other planning approvals granted for data centre in the same building. In response, Mr K.S. Ng, STP/TWK, said that the 2/F was subject to a temporary planning approval (No. A/TW/493) for three years until January 2021 whilst the 4/F to 6/F had been converted for data centre when the subject building fell within an area zoned “Industrial” (“I”) on the previous Outline Zoning Plan.

7. Another Member asked about the ownership and current progress of the redevelopment of the surrounding “Comprehensive Development Area” (“CDA”) sites. In response, Mr K.S. Ng, STP/TWK, said that the subject building was under single ownership while the surrounding sites involved both single and multiple ownerships. Lease modifications of a site within the “CDA(3)” zone was under processing.

Deliberation Session

8. Noting that the subject building was under single ownership and the entire building was currently used for data centre under various planning approvals, a Member asked whether the planning approval should be granted to individual floors or the entire building. The Chairman said that the data centre on 4/F to 6/F was a use in existence at the time when the subject building fell within an area zoned “I” before the area was rezoned to “CDA(3)” in 2010. Under the “I” zone, ‘data centre’ was always permitted and no planning approval was required. Temporary approval was granted to other individual premises with different expiry periods.

9. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 18.7.2018 to 17.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire service installations and water supplies for fire-fighting proposals in the application premises within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 18.1.2019;

- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be on the same date to be revoked without further notice.”

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

[Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/499 Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Other Specified Uses” annotated “Business” Zone, Workshop No. 52, G/F, Wing Fung Industrial Building, 40-50 Sha Tsui Road, Tsuen Wan, New Territories
(MPC Paper No. A/TW/499)

11. The Secretary reported that 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.

12. The Committee noted that Professor John C.Y. Ng had tendered an apology for being unable to attend the meeting. As the properties owned by the company of Mr Stanley T.S. Choi’s spouse did not have direct view of the site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

13. 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 renewal of planning approval for temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. The current application was the same as the previously approved application in terms of area/boundary, applied use, development parameters and layout as well as the period of planning permission. The applied use was considered generally in line with the planning intention for the “Other Specified Uses” annotated “Business” zone and was not incompatible with the uses of the subject industrial building. The applied use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic, environmental and infrastructural impacts on the developments within the subject building and the adjacent areas, and the aggregate commercial floor area on the G/F, including the application premises, would amount to 122.44m², which was within the permissible limit of 460m². The application also complied with the Town Planning Board Guidelines No. 34B in that there was no adverse planning implication, all approval conditions under the previous application had

been complied with and the proposed renewal of a period of three years sought was reasonable. Approval of the application was in line with the Committee's previous decision.

14. Members had no question on the application.

Deliberation Session

15. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 4.7.2018 to 3.7.2021, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of the fire safety measures including provision of separate means of escape and fire service installations and equipment within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.1.2019; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall be on the same date to be revoked without further notice.”

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

[Ms Esther M.Y. Tang, STP/TWK, was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K4/68 Proposed Redevelopment including School, Religious Institution (Church) and Flat, with Relaxation of Building Height Restriction in “Government, Institution or Community” and “Open Space” Zones, 5, 7 and 11 Tong Yam Street, Shek Kip Mei, Kowloon
(MPC Paper No. A/K4/68)

17. The Secretary reported that the site was located in Shek Kip Mei. Dr Lawrence W.C. Poon, who was working in the City University of Hong Kong and living in its quarters in Kowloon Tong, had declared an interest on the item. The Committee agreed that Dr Lawrence W.C. Poon could stay in the meeting as his quarters did not have a direct view of the site.

18. The Secretary reported that the Hong Kong Association for Democracy and People’s Livelihood submitted a letter prior to the meeting objecting to the application. The Committee noted that the content of the letter was similar to a written submission submitted by the same association within the statutory publication period and had been incorporated in the Paper.

Presentation and Question Sessions

19. 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 redevelopment including school, religious institution (church) and flat, with relaxation of building height restriction;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner of Transport (C of T) had reservation on the application as there was insufficient information

provided in the Traffic Impact Assessment to demonstrate that the proposed development would have no adverse traffic impact on the surrounding areas. The Secretary for Education (SED) raised objection to the application as the school building should be free-standing and purpose-built with adequate ancillary facilities under the Hong Kong Planning Standards and Guidelines (HKPSG). According to the District Officer (Sham Shui Po) of the Home Affairs Department, the Community Affairs Committee of the Sham Shui Po District Council objected to the application on the grounds set out in paragraph 9.1.12 of the Paper. 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 period, a total of 26 public comments were received from the principal of United Christian College, a political party (Hong Kong Association for Democracy and People's Livelihood), a school and church nearby, a District Council member, local concern groups and individuals. There were four supporting the application while 22 objecting to/expressing concerns on the application. Major views and objection grounds 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 assessments set out in paragraph 11 of the Paper. The proposed redevelopment proposal with over 50% of the gross floor area for residential use did not comply with the Town Planning Board Guidelines No. 16 as the major use of the site was not dedicated to government, institution or community (GIC) and other public uses. The proposed total plot ratio (PR) of 10.98 was considered excessive which was even greater than the maximum PR under the “Residential (Group A)” zone. The proposed relaxation of building height (BH) restriction from 8 storeys to 42 storeys (+425%) at the northern portion could not be regarded as minor. The proposed redevelopment proposal was considered incompatible with the character of the neighbourhood which was characterized by low-rise GIC uses, open space and medium-rise

residential developments. Approval of the application would set an undesirable precedent for other similar applications within the “Government, Institution or Community” (“G/IC”) zone, the cumulative effect of which would result in adverse visual and traffic impacts in the area. C for T had reservation on and SED objected to the application based on the reasons set out above. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

20. A Member raised the following questions:

- (a) whether there was any requirement for free-standing school building;
- (b) whether there was any justification from the applicant for redeveloping the site for private residential use; and
- (c) whether the proposed BH exceeded the ridgeline of the adjacent green knoll.

21. Ms Esther M.Y. Tang, STP/TWK, made the following responses:

- (a) SED considered that the concerned school building should be free-standing and purpose-built with adequate facilities according to HKPSG. Each case would be considered individually;
- (b) the applicant did not provide justification for redeveloping the site for private residential use, other than the development parameters of the redevelopment proposal; and
- (c) no visual impact assessment and photomontage was submitted by the applicant to assess the visual impacts on the ridgeline of the nearby Beacon Hill.

22. In response to the Chairman's enquiry on the status and the number of classrooms of the existing school and whether there was any proposed transitional arrangement if the application was approved, Ms Esther M.Y. Tang, STP/TWK said that the school was in operation and there were 24 classes, 28 classrooms, and about 780 students at the school. The applicant did not provide details on the transitional arrangement in the submission.

23. A Member asked about the land status of the site. In response, Ms Esther M.Y. Tang, STP/TWK, said that the site was held under two land leases by private treaty grant, one for the purpose of a church and the other for a 30-classroom secondary school.

Deliberation Session

24. Members generally did not support the application as the proposed PR and BH were excessive and not compatible with the surrounding low-rise GIC developments. Some Members considered that the development potential of "G/IC" sites could be optimised and multiple uses could be considered in view of the land shortage, and a comprehensive planning of "G/IC" sites might be required to explore better land utilization for provision of GIC facilities. The Chairman said that while the government is actively considering "single site, multiple use" as mentioned in the Policy Address, the subject application should be considered in accordance with the provision of the statutory plan currently in force.

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

- “(a) the proposed development predominantly for residential use is not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone under the Shek Kip Mei Outline Zoning Plan (OZP). It also does not comply with the Town Planning Board Guidelines No. 16 in that the major portion of the proposed development is not dedicated to government, institution or community or other public uses, the scale and intensity of the proposed development is not in keeping with that of the adjacent areas, and the applicant fails to demonstrate that the proposed development will not cause adverse traffic impact on the surrounding areas;

- (b) the proposed relaxation of building height (BH) restriction from 8 storeys to 42 storeys is not minor and there is no provision under the OZP for the Town Planning Board to consider the proposed relaxation of BH restriction which is considered not minor; and
- (c) approval of the application will set an undesirable precedent for other similar applications within the “G/IC” zone. The cumulative effect of approving such applications would result in adverse visual and traffic impacts in the area.”

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

Hong Kong District

Agenda Item 6

Section 16 Application

[Open Meeting]

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

26. The Secretary reported that Kenneth To & Associates Limited (KTA) was one of the consultants of the applicants. Mr Daniel K.S. Lau had declared an interest on the item as his firm was having current business dealings with KTA.

27. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Daniel K.S. Lau had tendered an apology for being unable to attend the meeting.

28. The Committee noted that the applicants' representative requested on 7.6.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments from the Transport Department. It was the first time that the applicants requested deferment of the application.

29. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation of the submission of further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 7

Section 16 Application

[Open Meeting]

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

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

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

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

31. The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Alex T.H. Lai, Thomas O.S. Ho and Franklin Yu had no involvement in the application and the office of Mr Stephen H.B. Yau did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

32. The Committee noted that the applicant's representative requested on 8.6.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

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

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

- (d) during the first three weeks of the statutory publication period, a total of five public comments were received from individuals, one supporting and four objecting to/expressing concerns on the application. Major views and objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed scheme with higher SC and a lower building height (BH) would bring advantages to the visual amenity including a 3m setback from Mount Davis Road and a terraced podium. The proposed minor relaxation of SC from 20% to 35% did not exceed the maximum permissible level in the general guideline adopted by the Town Planning Board (the Board) (i.e. 50% for the Residential Density Zone 3 for the site). The proposed relaxation was solely for design flexibility, with other development parameters including plot ratio (PR) and BH not exceeding the stated restrictions in the Outline Zoning Plan (OZP). The resultant SC did not exceed the level permissible under the Building (Planning) Regulations (i.e. 46% for the domestic portion of the proposed development). In this regard, the application met the planning criteria set out by the Board for the SC relaxation. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

37. Some Members raised the following questions:

- (a) the ownership of the existing development;
- (b) when the requirement of 3m setback was stipulated and whether the existing development complied with such requirement;

- (c) whether the existing and proposed BH were in compliance with the OZP; and
- (d) whether demolishing the existing development which was completed in 2007 was in compliance with green building principles or the Environmental Impact Assessment Ordinance (EIAO).

38. Mr Derek P.K. Tse, STP/HK, made the following responses:

- (a) the existing development was under single ownership and it was a rental property;
- (b) the requirement for a 3m setback was stipulated in the Outline Development Plan which was not a statutory plan. The 3m setback was not implemented in the existing development as there was no such requirement under the land lease. The applicant proposed to implement the 3m setback in the redevelopment;
- (c) the existing BH of 13 storeys was in compliance with the BH restriction on the OZP which was stipulated in 2001. The proposed BH of five storeys under application was lower than the BH restriction on the OZP; and
- (d) the applicant intended to re-use the material of the demolished building. The proposed redevelopment was not a designated project under the EIAO.

Deliberation Session

39. Mr Tony W.H. Cheung, Principal Environmental Protection Officer (Metro Assessment) of the Environmental Protection Department confirmed that the proposed development was not a designated project under EIAO and a statutory Environmental Impact Assessment study was not required. Notwithstanding this, he suggested that the applicant should be encouraged to re-use/recycle the material of the demolished building as far as

possible.

40. Some Members raised concerns on the proposed development was not environmentally friendly as it would involve demolition of an existing building that was only completed in 2007.

41. In view of the housing shortage, a few Members were concerned that the proposed development would result in a reduction in housing units compared with the existing development. However, some other Members considered that the total gross floor area upon redevelopment would remain unchanged and the reduction in the number of flats in the proposed development was not significant.

42. Some Members considered that the proposed relaxation of SC was in line with the guideline set out by the Board and would result in a lower BH, a 3m setback from Mount Davis Road and a terraced podium design. However, these could not be considered as planning merits. On the other hand, the environmental concerns arising from demolition and reduced housing stock should be considered. Some other Members considered that the lower BH and terraced podium design were more compatible with the surrounding low-rise developments.

43. The Chairman said that the general guideline on the relaxation of maximum domestic SC adopted by the Board in 2000 was to allow design flexibility to cater for site constraint and innovative design. The application was in compliance with the general guideline and a 3m setback and lower BH were proposed compared with the existing development. If the proposed development was approved by the Committee, the applicant would be required to apply to the Lands Department for a lease modification to implement the proposal.

44. Although the demolition of such a new building was not desirable, a Member considered that it was more appropriate for the Committee to focus on land use aspects. The Member said that the application was in line with the guideline adopted by the Board and in compliance with relevant ordinance and regulations, there was no strong reason to reject the application.

45. A Member raised concern that the Government should take action to avoid demolition of relatively new building as it was considered not environmentally friendly and more cases similar in nature should not be encouraged. After further discussion, a majority of Members were in support of the application.

46. 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 15.6.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the provision of a setback of not less than 3m from Mount Davis Road, as proposed by the applicant, to the satisfaction of the Director of Planning or of the TPB;
- (b) the design and provision of vehicular ingress and egress points, parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the design and provision of an emergency vehicular access, water supplies for firefighting and implementation of fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (d) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

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

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting]

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

48. The Secretary reported that the application was submitted by Max Hon Knight Properties and Investments Limited (MHK). Townland Consultants Limited (Townland), AIM Group Limited (AIM) and ACLA Limited (ACLA) were three of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Alex T.H. Lai - his firm having current business dealings with MHK, Townland, AIM and ACLC; and
- Mr Thomas O.S. Ho - having past business dealings with Townland.

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

50. The Committee noted that the applicant’s representative requested on 30.5.2018 deferment of the consideration of the application for two months in order to allow time to prepare further information to address the comments from relevant government departments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K18/326

Proposed Minor Relaxation of Plot Ratio Restriction from 0.6 to 0.6873 and Minor Relaxation of Building Height Restriction from 3 to 4 Storeys to Allow for One Storey of Basement for Two Car Parking Spaces and Ancillary Plant Room Use for the Permitted House Development in "Residential (Group C)1" Zone, 147 Waterloo Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/326A)

52. The Secretary reported that the site was located in Kowloon Tong. The following Members had declared interests on the item:

- Dr Lawrence W.C. Poon - working in the City University of Hong Kong and living in its quarters in Kowloon Tong; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Kowloon Tong.

53. The Committee noted that the applicant had requested deferment of consideration of the application. As the quarters of Dr Lawrence W.C. Poon and the properties owned by the company of Mr Stanley T.S. Choi's spouse did not have direct view of the site, the Committee agreed that they could stay in the meeting.

54. The Committee noted that the applicant's representative requested on 5.6.2018 deferment of the consideration of the application for one month in order to allow time to prepare further information to address the comments from relevant government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, a landscape proposal, revised development scheme and layout plans to address comments from the Environmental Protection Department, the Transport Department and the Urban Design and Landscape Section of the Planning Department.

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/231 Place of Recreation, Sports or Culture (Sports Training Ground) in
 "Other Specified Uses" annotated "Business" Zone, Units D and E, G/F,
 Prince Industrial Building, 706 Prince Edward Road East, San Po Kong,
 Kowloon
 (MPC Paper No. A/K11/231)

[Withdrawn]

[Mr Tom C.K. Yip, District Planning Officer/Kowloon (DPO/K) and Ms Jessie K.P. Kwan and Mr Chesterfield K.K. Lee, Senior Town Planners/Kowloon (STPs/K), were invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/119 Proposed Comprehensive Residential Development in “Comprehensive Development Area (3)” Zone and an area shown as ‘Road’, Yau Tong Inland Lots 4 S.B and 9, Yau Tong Marine Lot 57, and Adjoining Government Land, Tung Yuen Street, Yau Tong, Kowloon
(MPC Paper No. A/K15/119D)

56. The Secretary reported that the application was submitted by Charm Smart Development Limited, Glory Mission Development Limited, Hoover (China) Limited and Lucken Limited which were subsidiaries of Yuexiu Property Company Limited (Yuexiu). MAA Engineering Consultants (HK) Limited (MAA), T.K. Tsui & Associates Limited (TKT), Ove Arup & Partners Hong Kong Limited (ARUP) and Woo Chow Wong & Partners (H.K.) Limited (WCWP) were four of the consultants of the applicants. The following Members had declared interests on the item:

- Mr Alex T.H. Lai - his firm having current business dealings with Yuexiu, MAA, TKT, ARUP and WCWP; and
- Mr Franklin Yu - having past business dealings with ARUP.

57. The Committee agreed that Messrs Alex T.H. Lai and Franklin Yu could stay in the meeting as they had no involvement in the application.

Presentation and Question Sessions

58. 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 comprehensive residential development;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix III of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 37 public comments were received from a Kwun Tong District Council Member, the current tenant of the site, recycling industry operators and individuals. There were 19 supporting, 15 objecting to and three expressing views on the application. Major views and objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed comprehensive residential development with the provision of a public waterfront promenade (PWP) was in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. The area surrounding the five “CDA” sites including the site was mainly zoned “Residential (Group E)” (“R(E)”) with the intention of redeveloping for residential use and phasing out industrial uses. The proposed comprehensive development was considered compatible with the planned land use of the area and would facilitate the planning intention of gradual transformation of the area for residential use. It was also in compliance with the development restrictions on the Outline Zoning Plan and the endorsed Planning Brief regarding the major development parameters, provision of PWP and local open space, greenery coverage and setback. Regarding the Task Force on Harbourfront Commission’s concerns on the width of the PWP and design integration with the neighbouring PWP, the proposed scheme had met the requirements stipulated on the Planning Brief for the provision of a 15m-wide PWP which was the same as those in the approved schemes for “CDA(1)” and

“CDA(5)” sites. Relevant government departments had no objection to or no adverse comment on the application on environmental, traffic, sewerage, drainage, water supply, land contamination, geotechnical, air ventilation, landscape and visual aspects. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

CDA Developments

59. Some Members raised the following questions:

- (a) the development progress of the surrounding “CDA” sites including the Kwun Tong Wholesale Fish Market at “CDA(2)” site and the current use at “CDA(4)” site;
- (b) whether there was commercial use at the proposed development and its visual impact on Kowloon ridgelines; and
- (c) whether there was provision of on-site recycling facilities.

60. Mr Tom C.K. Yip, DPO/K, made the following responses:

- (a) planning approvals had been granted to the “CDA(1)” and “CDA(5)” sites for residential development and the relevant lease modification was being processed and construction was underway respectively. The Kwun Tong Wholesale Fish Market had been operating at the “CDA(2)” site since 1988. The Civil Engineering and Development Department had commissioned a study for relocating a number of existing wholesale markets, including the Kwun Tong Wholesale Fish Market, to Tsing Yi and the study was expected to be completed in 2020. The “CDA(4)” site was currently occupied by three concrete batching plants and there was no proposal from the land owners for redevelopment;

- (b) under the application, no commercial use was proposed at the site. However, commercial uses would be provided in other “CDA” sites along the PWP. Some parts of the Kowloon ridgelines had already been breached by the existing high-rise developments in the surrounding areas. In this regard, the breach of the ridgelines would not be a major concern in the consideration of the subject application and the applicant had demonstrated that there would be no adverse visual impact; and
- (c) there was no information provided by the applicant on whether there would be any on-site recycling facilities.

Public Waterfront Promenade

61. Some Members raised concerns on the following aspects:

- (a) the future management and operation of the proposed PWP along the “CDA” sites; and
- (b) the connectivity with Yau Tong Bay.

62. Mr Tom C.K. Yip, DPO/K, made the following responses:

- (a) the Government would take up the management of the proposed PWP and open it for 24 hours for public enjoyment after the five “CDA” sites were fully redeveloped. In the interim, individual developers would be responsible for the maintenance and management of the parts of the promenade fronting their development. The proposed PWP at the site would be open for 13 hours (i.e. from 8:00 to 21:00) every day, as proposed by the applicant. It was anticipated that there would be limited number of visitors before opening of the adjacent portion of PWP. Such arrangement for opening the PWP for certain hours within a day was also adopted for the short section of PWP in the approval of “CDA(1)” site, and the arrangement was considered acceptable during the transitional period. However, the portion of PWP at “CDA(5)” site would be open

for 24 hours every day to enhance its connectivity with Sam Ka Tsuen of Lei Yue Mun; and

- (b) the proposed PWP along the five “CDA” sites and another PWP at Yau Tong Bay would be separated by a “R(E)” site which was intended for residential development and an “Other Specified Uses” site which was currently occupied by Yau Tong Sewage Pumping Station. The potential for linking the two sections of PWPs would be explored at the detailed design stage of the future developments at the “R(E)” site.

Government, Institution or Community (GIC) Facilities

63. Noting that there was no requirement under the Planning Brief for the provision of GIC facilities at the site, some Members enquired about the location and type of planned and existing GIC facilities, especially elderly service, social welfare facilities and kindergarten in the district. In response, Mr Tom C.K. Yip, DPO/K, said that there was adequate provision of district and local open space in accordance with the Hong Kong Planning Standards and Guidelines. For the shortfall in primary and secondary classrooms, the provision was assessed on a district basis and there was no shortfall within the Kwun Tong District as a whole. For elderly service, social welfare facilities and kindergarten, they were premises-based and some of which had been incorporated into the future developments as appropriate e.g. in Lei Yue Mun Estate, Yau Lei Estate, Pik Wan Road and Yau Tong Bay development. PlanD would continue to liaise with relevant departments on the provision of premises-based facilities to meet the needs of the residents. Mr Yip supplemented that a “Government, Institution or Community” site at Lei Yue Mun Path had also been reserved for a social welfare complex.

64. Noting that premise-based GIC facilities were mainly provided in the public housing sites, some Members considered that there might be a need for provision of kindergarten in private developments. In response, Mr Tom C.K. Yip, DPO/K, said that there was adequate provision of kindergarten in the district and kindergarten could be provided at podium level of residential development. In this regard, there would be opportunities for provision of kindergarten at the Yau Tong Bay development as there was allowance for non-domestic gross floor area within the “CDA” zone.

Deliberation Session

65. Members in general had no objection to the proposed comprehensive development as it would help phase out the industrial use in the area. Some Members considered that some GIC uses should be provided in private developments. In this regard, Members noted that there would be more opportunities for provision of social welfare facilities at the larger “CDA(4)” site.

66. Some Members also suggested that the developer should be encouraged to adopt green building design including provision of on-site recycling facilities. After discussion, the Committee agreed that an advisory clause to encourage the applicant to incorporate green building design in the proposed development including the provision of on-site recycling facilities should be included.

67. After deliberation, the Committee decided to approve the application and the Master Layout Plan (MLP) under sections 4A and 16 of the Town Planning Ordinance, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.6.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised MLP, taking into account the approval conditions (b) to (l) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a revised Landscape Master Plan, including tree preservation proposal, to the satisfaction of the Director of Planning or of the TPB;

- (d) the submission of a revised Environmental Assessment to address the potential air quality and noise impacts and industrial/residential interface problems, and the implementation of the environmental mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the submission of a revised Land Contamination Assessment and the implementation of the mitigation measures proposed therein prior to the commencement of the construction works for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the implementation of the sewerage facilities identified in the submitted Sewerage Impact Assessment Report to the satisfaction of the Director of Drainage Services or of the TPB;
- (g) the submission of a revised Traffic Impact Assessment and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (h) the design and provision of vehicular access, parking spaces, and loading/unloading facilities and ancillary carpark provisions should be provided to corresponding phase(s) of the development to the satisfaction of the Commissioner for Transport or of the TPB;
- (i) the design and provision of setback along Tung Yuen Street and Yan Yue Wai, as proposed by the applicant, to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (j) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (k) the design and provision of the public waterfront promenade, and to be maintained and managed by the applicant before surrendering to the

Government, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB; and

- (l) the public waterfront promenade should be opened from 8:00 to 21:00 every day, as proposed by the applicant, before surrendering to the Government, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB.”

68. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper in addition to the following:

- “(l) the applicant should consider adopting green building design in the proposed development including the provision of on-site recycling facilities.”

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

[Mr Thomas O.S. Ho left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K22/20 Proposed Comprehensive Development for Office, Shop and Services, Eating Place and Public Transport Terminus in “Comprehensive Development Area (1)” and “Open Space” Zones, New Kowloon Inland Lot 6556, Muk Yuen Street, Kai Tak, Kowloon
(MPC Paper No. A/K22/20B)

69. The Secretary reported that the application was submitted by Rich Union Development Limited, which was a subsidiary of Nan Fung Development Limited (NFD). Ove Arup & Partners Hong Kong Limited (ARUP), Ronald Lu & Partners (HK) Limited (RLP) and Urbis Limited (Urbis) were three 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 NFD, RLP and Urbis; |
| Mr Alex T.H. Lai | - his firm having current business dealings with ARUP; and |
| Mr Franklin Yu | - having past business dealings with ARUP and Urbis. |

70. The Committee noted that Mr Thomas O.S. Ho had already left the meeting and agreed that Messrs Alex T.H. Lai and Franklin Yu could stay in the meeting as they had no involvement in the application.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed comprehensive development for office, shop and services, eating place and public transport terminus;
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of 32 public comments were received from the Owners' Committee of The Latitude, the Central and Western Concern Group, Alliance for a Beautiful Hong Kong and individuals. There were 18 supporting, ten objecting to and four expressing views on the application. Major views and objection grounds were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development with low-rise structures in the west and a high-rise iconic commercial tower in the east was in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone and in compliance with the development restrictions on the Outline Zoning Plan (OZP) and the endorsed Planning Brief. Relevant government departments had no objection to or no adverse comment on the application on environmental, traffic, sewerage, drainage, air ventilation, landscape, and visual aspects. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

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

72. Some Members raised the following questions:

- (a) noting that a public passageway of 8m-wide would be provided in the underground shopping street (USS), what the proposed use of the USS was;
- (b) whether the design was in compliance with the building height (BH) restriction on the OZP and compatible with the ambience of the Kai Tak River; and
- (c) what the response was to an adverse public comment that the design was not in compliance with the result of public consultation.

73. Mr Tom C.K. Yip, DPO/K, made the following responses:

- (a) a 20m-wide USS including a 8m-wide public passageway would be provided and the USS was mainly for commercial use;
- (b) the design of the proposed development was in compliance with the maximum BH of 200mPD for the eastern portion and 40mPD for the

western portion as stipulated on the OZP. A stepped BH profile descending towards Kai Tak River with the high, medium and low portions of the development at BHs of 200mPD, 80mPD and 40mPD respectively was proposed; and

- (c) as stipulated in the Explanatory Statement of the OZP, the planning intention was to provide a landmark building at the site which was located near the Kai Tak Station. This design concept was in line with the public views received in the consultation conducted under the Review Study of the Kai Tak Development.

Deliberation Session

74. A Member was concerned on whether provision had been made in the USS for art shows, cultural activities or performance for public enjoyment. Members noted that there was no requirement for such uses at the site. Nevertheless, provision would be made for such uses at a site zoned “Other Specified Uses” annotated “Arts and Performance Related Uses” located to the west of the site.

75. Some Members suggested that green building design should be adopted to minimize the glare effect caused by the proposed development. Members noted that the applicant would be required to comply with the 30% greening requirement under the Planning Brief and obtain the BEAM Plus gold rating as required under the land lease.

76. After deliberation, the Committee decided to approve the application and the Master Layout Plan (MLP) under sections 4A and 16 of the Town Planning Ordinance, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 15.6.2022, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of a revised MLP, taking into account the approval conditions (b) to (h) below to the satisfaction of the Director of Planning or of the TPB;

- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of vehicular access, parking spaces, loading/unloading facilities and the public transport terminus to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and provision of 24-hour public passageways in the proposed development to connect with the surrounding developments, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the submission of a revised Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the implementation of sewerage facilities identified in the revised SIA to the satisfaction of the Director of Drainage Services or of the TPB; and
- (h) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Mr Tom C.K. Yip, DPO/K and Mr Chesterfield K.K. Lee, STP/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 14

Any Other Business

78. There being no other business, the meeting closed at 12:15 p.m..