

TOWN PLANNING BOARD

**Minutes of 610th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 17.8.2018**

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Chief Traffic Engineer/Hong Kong
Transport Department
Mr Eddie S.K. Leung

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 Simon S.W. Wang

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

Secretary

Absent with Apologies

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Mr Thomas O.S. Ho

Ms Sandy H.Y. 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 609th MPC Meeting held on 3.8.2018

[Open Meeting]

1. The draft minutes of the 609th MPC meeting held on 3.8.2018 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

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

(MPC Paper No. Y/TW/12A)

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

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| Mr Thomas O.S. Ho | - his firm having past business dealings with BMT; |
| Mr Lincoln L.H. Huang
(<i>Vice-chairman</i>) |]]
] being a member of the Private Columbaria |
| Mr Sunny L.K. Ho |] Appeal Board;
] |
| Mr Alex T.H. Lai |] |
| 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 Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Messrs Alex T.H. Lai and Stanley T.S. Choi had not yet arrived to join the meeting. The Committee also noted that the applicant had requested deferment of consideration of the application. As the interests of Messrs Lincoln L.H.

Huang and Sunny L.K. Ho were indirect, and the properties owned by Professor John C.Y. Ng's spouse had no direct view of the site, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 13.7.2018 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 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 and technical assessments.

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

[Ms Katy C.W. Fung, 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/K20/128 Proposed Comprehensive Development for Residential and Commercial Uses, School, Social Welfare Facilities and Public Vehicle Park, with Minor Relaxation of Domestic Plot Ratio Restriction in “Comprehensive Development Area” Zone and an area shown as ‘Road’, Site bounded by Lai Hong Street, Fat Tseung Street West, Sham Mong Road and West Kowloon Corridor and a small strip of land on Lai Hong Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K20/128C)

7. The Secretary reported that the application was submitted by Wolver Hollow Company Limited, which was a joint-venture of Kerry Properties (Hong Kong) Limited (KPL) and Sun Hung Kai Properties Limited (SHK). Ronald Lu & Partners (RLP) and Ove Arup & Partners Hong Kong Limited (ARUP) were two of the consultants of the applicants. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho - having current business dealings with SHK and RLP;
- Mr Franklin Yu - having past business dealings with SHK and ARUP, and his spouse being an employee of SHK;
- Mr Alex T.H. Lai - his firm having current business dealings with KPL, SHK and ARUP; and
- Dr Lawrence W.C. Poon - his spouse being an ex-employee of KPL.

8. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting, and Messrs Franklin Yu and Alex T.H. Lai had yet to arrive to join the meeting. As the interest of Dr Lawrence W.C. Poon was indirect, the Committee agreed that he could stay in the meeting.

9. The Committee also noted that four replacement pages (pages 2, 17, 28 and 29 of Main Paper) were tabled for Members' consideration.

Presentation and Question Sessions

10. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed comprehensive development for residential and commercial uses, school, social welfare facilities and public vehicle park, with minor relaxation of domestic plot ratio (PR) restriction;
- (c) departmental comments – departmental comments were set out in paragraph 10 and Appendix VI of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication periods, a total of 113 public comments were received from members of the Sham Shu Po District Council, concern groups, property owners, local residents, nearby schools and individuals. There were 6 supporting, 28 objecting to and 79 expressing views on the application. Major views were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The proposed comprehensive development primarily for residential use with supporting commercial and community facilities was generally in line with the planning intention of the “Comprehensive Development Area” (“CDA”) zone. The site was in proximity to a cluster of high-rise and high-density residential neighbourhood and various government, institution or community (GIC) uses. The existing industrial use at the site was incompatible with the surrounding area and should be phased out. The proposed comprehensive development was considered compatible with the

existing developments and planned land uses in the area. A previous application for proposed comprehensive residential development with ancillary retail uses and public parking provisions with a domestic PR of 6.5 and non-domestic PR of 1.5 was approved by the Committee with conditions in 2000. The proposed PR relaxation involved the reshuffling of the distribution of domestic PR (from 6.5 to 7.5) and non-domestic PR (from 1.5 to 0.5) to provide 240 more flats compared with the previously approved scheme. The total achievable gross floor area (GFA) as envisaged under the Outline Zoning Plan (OZP) remained unchanged. The proposed relaxation of domestic PR was considered acceptable. Relevant departments had no objection to or no adverse comment on the application in terms of traffic, fire safety, environmental, sewerage, air ventilation, landscape and visual aspects. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

[Professor John C.Y. Ng, Messrs Alex T.H. Lai and Stanley T.S. Choi arrived to join the meeting during the presentation.]

Plot Ratio

11. Some Members raised the following questions:
 - (a) the applicants' justifications for the reduction in non-domestic PR;
 - (b) the general domestic PR restriction in the surrounding areas;
 - (c) whether the reduction in non-domestic PR would affect the provision of retail services and eating places serving the local residents; and
 - (d) whether the government land (GL) of about 3,000m² had been included in the PR/GFA calculation of the proposed development.

12. Ms Katy C.W. Fung, STP/TWK, made the following responses:

- (a) the applicants indicated that the proposed development with the increase in domestic PR was in line with Government's policy to increase housing supply. Compared with the previous scheme approved by the Committee, there would be an increase of 240 flats. Notwithstanding the reduction in non-domestic PR, street shops were proposed along the landscaped pedestrian passageway (i.e. existing Lai Fat Street). Public facilities including residential care home for the elderly, day care centre for the elderly, neighbourhood elderly centre and support centre for persons with autism, and an underground public car park would also be provided in response to the requests from the concerned government departments;
- (b) the development parameters on the subject OZP were stipulated in terms of either PR or GFA. The domestic/non-domestic PR restrictions on the OZP in the surrounding areas were generally 6.5/1.5 or 7.5/1.5;
- (c) the total non-domestic GFA was about 40,000m² providing retail services and eating places to serve the local residents in the surrounding residential developments; and
- (d) the GL within the site was included for site coverage and PR calculation and the two portions of private land owned by the applicants outside the site would be surrendered back to the Government. One portion in triangular shape near the Tack Ching Girls' Secondary School would be returned to the Education Bureau. Another portion was a strip of land at the corner of Fat Tseung Street West and Sham Mong Road, which would be formed as a footpath together with the adjoining GL.

13. The Chairman supplemented that according to the Notes of the OZP for the "CDA" zone, GIC or social welfare facilities, as required by the Government, might be disregarded from PR calculation.

Provision of GIC Facilities

14. Some Member raised the following questions on the provision of GIC facilities:
- (a) the types of existing and planned GIC facilities in the surrounding areas;
 - (b) the operation arrangement of the GIC facilities at the proposed development upon completion; and
 - (c) how to ensure the required GIC facilities would be provided at the proposed development.
15. Ms Katy C.W. Fung, STP/TWK, made the following responses:
- (a) the proposed public housing development at the North West Kowloon Reclamation Site 6 to the south of the site would provide various GIC facilities including integrated children and youth service centre, day activity centre cum hostel for severely mentally handicapped persons, special children care centre cum early education and training centre, integrated vocational rehabilitation service centre, hostel for moderately mentally handicapped persons, residential care home for the elderly, a library, indoor sports centre and a soccer pitch. There were also a multi-service centre for the elderly at Hoi Lai Estate and a community hall at Banyan Garden;
 - (b) the proposed social welfare facilities at the site would be constructed by the applicants at their own costs and handed over to the Government for future operation, management and maintenance; and
 - (c) approval conditions requiring the provision of the GIC and social welfare facilities as proposed by the applicants could be imposed and such requirements could be stipulated in land lease conditions during the land exchange process to ensure the applicants would implement the proposal to the satisfaction of the concerned departments.

Proposed Landscaped Pedestrian Passageway

16. Noting that the proposed 7m-wide landscaped pedestrian passageway would be operated and managed under different ownerships, some Members were concerned about the implementation and future management of the proposed landscaped pedestrian passageway. In response, Ms Katy C.W. Fung, STP/TWK, said that the proposed development would be divided into two phases for implementation under the phased development approach and the land exchange application would be proceeded separately. The applicants indicated that the proponent of the first-phase development would proceed with land exchange and closure of Lai Fat Street, as well as the implementation, management and maintenance of the landscaped pedestrian passageway, including the portion within the second phase. The portion of the landscaped pedestrian passageway within the second-phase development would then be carved out, surrendered to the Government upon demand and incorporated in the site area of the second phase when the second-phase proponent applied for land exchange. Upon execution of the land exchange of the second-phase site, each proponent would then take up the management and maintenance of the portion of landscaped pedestrian passageway within their own site.

Accessibility and Connectivity

17. Some Members queried the accessibility and connectivity of the site with the surrounding areas, i.e. the MTR Stations, other existing and planned residential developments, GIC facilities and public open spaces. In response, Ms Katy C.W. Fung, STP/TWK, said that the proposed landscaped pedestrian passageway with retail shops would provide a better walking environment connecting with the surrounding areas. The connectivity to the north mainly relied on the existing at-grade pedestrian crossings, and proposed elevated walkways at Hing Wah Street West and Tonkin Street West/Sham Mong Road intersections were under construction and they would improve the connectivity to the south.

18. In response to a Member's enquiry on the access to the public facilities of the proposed development, Ms Katy C.W. Fung, STP/TWK, said that the proposed social welfare facilities would be located on the ground floor with separate entrance and the proposed 7m-wide landscaped pedestrian passageway would be open to the public 24 hours a day. There were two entrances to the underground public car park from Lai Hong Street and Fat

Tseung Street West respectively.

Public Comments

19. Some Members noted the concerns of the public comments received and asked the following questions:

- (a) whether a traffic impact assessment (TIA) had been submitted;
- (b) the impact on the existing trees at the site;
- (c) the impact on the schools in the vicinity during the construction of the proposed development; and
- (d) whether there was provision of off-course betting centre at the proposed development.

20. Ms Katy C.W. Fung, STP/TWK, made the following responses:

- (a) a TIA has been submitted by the applicants in support of the application;
- (b) there was no existing tree at Site 1 and those in Site 2 were mainly along Sham Mong Road and Lai Hong Street. The applicants indicated that the existing trees in Site 2 were found with low value and not compatible with the layout design of the proposed development and therefore all the existing trees were proposed to be removed;
- (c) the applicants would implement appropriate mitigation measures during the construction period to minimise the adverse environmental impacts in compliance with relevant ordinances/regulations; and
- (d) the off-course betting centre was once proposed in the original scheme but had been removed from the current scheme by the applicants to address the public comment.

Other Issues

21. Noting that the previous application was first approved in 1998, a Member asked about the applicants' intention for implementation of the proposed development. In response, Ms Katy C.W. Fung, STP/TWK, said that since the approval of the previous application, the applicants had submitted applications for land exchange and extension of time for commencement of development under the last approved application No. A/K20/43. However, due to the different ownership on the site, the approved scheme was not implemented and the previous planning permission lapsed in 2008. The applicants had indicated their intention to develop the site together when PlanD conducted the Review of Sites Designated "CDA" on Statutory Plans in the Metro Area for the Years 2015/2017.

22. A Member asked about the demand for public parking spaces and whether planning permission would be required for conversion of some of the parking spaces from public to private use. In response, Ms Katy C.W. Fung, STP/TWK, said that the provision of public parking spaces was requested by the Transport Department (TD) as there would be a high demand for public parking spaces and such provision could address the illegal parking problem in the nearby areas. The conversion from public parking spaces to private parking spaces might require lease modification. An approval condition on the provision of a public vehicle park would be imposed, should the application be approved by the Committee.

Deliberation Session

Accessibility and Connectivity

23. Noting that the pedestrian linkage to the north of the site was not well connected, some Members were concerned about the connectivity of the site to the surrounding areas and MTR station. Mr Eddie S.K. Leung, Chief Traffic Engineer/Hong Kong, TD, said that the connectivity to the north of the site mainly relied on at-grade pedestrian crossing facilities and the accessibility of those crossing facilities were considered satisfactory in terms of traffic signal timing and the width of the sidewalk. Also, there was a walkway system within the existing private residential developments at Hing Wah Street West/Sham Mong Road linking to the MTR Lai Chi Kok Station. The Committee noted that the proposed footbridge at the public housing developments and the elevated walkways along Sham Mong

Road would be timely implemented to serve the local residents.

Land Matters

24. Some Members raised concerns on the management of the proposed landscaped pedestrian passageway as it would be taken up by two proponents and whether such public space would be accessible. The Chairman said that Lai Fat Street was no longer needed for vehicular traffic due to low usage and the applicants proposed to turn it into a landscaped pedestrian passageway connecting Fat Cheung Street and Lai Hong Street with retail shops on both sides and to be open 24 hours a day for public use. Subject to completion of the required procedures, the land proposed for the landscaped pedestrian passageway would be granted to the developers/proponents separately upon execution of the land exchange. The proponents would then have to manage their respective portion of the passageway according to the site boundary of the proposed development.

25. In responses to a Member's enquiry, Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department (LandsD), advised that the small triangular portion had been designated as a deferred possession area under the Government Land Allocation granted to the Education Bureau. Upon completion of the land exchange, the landowner would be required to return the concerned area in a good condition to the Government.

26. Mr Simon S.W. Wang, Assistant Director (Regional 1), LandsD, also advised that the concerned government departments would be further consulted on the land exchange application, under which the management issue of the proposed landscaped pedestrian passageway and the requirement of the site condition of the triangular portion of land falling within the adjoining "G/IC" zone could be further discussed.

Existing Trees

27. Some Members considered that one of the existing trees, numbered T03, was a mature tree and the applicants should be advised to preserve existing trees on the site as far as possible. The Chairman said that an approval condition on the submission and implementation of the landscape master plan would be imposed and whether the existing trees were to be removed, transplanted or retained could be considered under such condition.

The Committee noted that T03 was at the periphery of the site and there was room for the tree to be retained and agreed to advise the applicants to preserve Tree No. T03 as far as possible in the detailed design.

Provision of GIC Facilities

28. A Member said that there was a demand for non-subservent space from non-government organizations (NGOs) and social enterprise, and opined that a wider range of GIC facilities should be provided on the site to meet the need of local residents and the demand by NGOs/social enterprise. The Chairman remarked that an approval condition on the provision of social welfare facilities had been recommended in the Paper and there would be flexibility on the types of GIC facilities to be provided. Member's views on the provision of a wider range of GIC facilities would be reflected in the minutes of meeting.

29. Members in general had no objection to the proposed development as it was in line with the planning intention and compatible with the surrounding areas. Members also noted that sufficient retail services and eating places would be provided in the area serving the local residents and considered that the reduction in non-domestic PR was acceptable.

30. 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 17.8.2022, 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 Master Layout Plan to incorporate where appropriate the approval conditions (b) to (i) and (k) to (m) 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 provision of a landscaped pedestrian passageway of Lai Fat Street to be open 24 hours a day for public use, as proposed by the applicants, to the satisfaction of the Director of Planning or of the TPB;
- (d) the design and provision of ingress/egress point(s), vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the provision of a public vehicle park, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the provision of social welfare facilities, as proposed by the applicants, to the satisfaction of the Director of Social Welfare or of the TPB;
- (g) the provision of a kindergarten, as proposed by the applicants, to the satisfaction of the Secretary for Education or of the TPB;
- (h) the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) the submission of a land contamination assessment and implementation of the remediation actions identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (j) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (k) the implementation of the local sewerage upgrading/sewerage connection works identified in (j) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (l) the submission of a revised drainage impact assessment and implementation of mitigation measures identified therein if the existing

drain along Lai Fat Street is diverted to the satisfaction of the Director of Drainage Services or of the TPB;

- (m) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (n) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the TPB.”

31. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix VII of the Paper in addition to the following:

- “(l) the applicants should consider preserving the existing tree, numbered T03, on the site as far as possible in the detailed design.”

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/797 Shop and Services (Bank) in “Other Specified Uses” annotated
“Business (2)” Zone, Unit No. 2, G/F, Kowloon Plaza, 485 Castle Peak
Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/797)

32. The Secretary reported that the application was submitted by Multipurpose Investment Limited, which was a subsidiary of Sino Land Company Limited (Sino). Colliers International (Hong Kong) Limited (CIL) was the consultant of the applicant. Mr Alex T.H. Lai had declared an interest on the item as his firm was having current business dealings with Sino and CIL. The Committee agreed that Mr Alex T.H. Lai could stay in the meeting as he had no involvement in the application.

Presentation and Question Sessions

33. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the shop and services (bank);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during 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 applied use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and was compatible with the changing land use character of the Cheung Sha Wan Industrial/Business Area. The applied use was also considered not incompatible with other uses in the same industrial building. The applied use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic and infrastructural impacts and it was not subject to the aggregate limit on commercial floor area on the G/F of an industrial building. A previous application (No. A/K5/602) for the same use at the premises as an extension of the bank at the adjoining unit was approved by the Committee. Approval of the application was in line with the Committee's previous decision.

34. Noting that the planning approval for bank use at the adjoining unit had lapsed and the premises was now currently operated as a canteen, a Member asked whether there was planning approval for the canteen use. In response, Ms Katy C.W. Fung, STP/TWK, said that ‘Eating Place (Canteen only)’ was always permitted under the “OU(B)” zone and no planning approval was required. The Food and Environmental Hygiene Department also advised that the subject canteen was a licensed factory canteen and the license was valid until January 2019.

Deliberation Session

35. Mr Eddie S.K. Leung, Chief Traffic Engineer/Hong Kong, Transport Department, (TD) said that the applicant was advised to note the advisory clause suggested by TD which had been set out at Appendix III in the Paper.

36. 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 was subject to the following conditions:

- “(a) the submission and implementation of a proposal for fire safety measures, including the provision of fire service installations and water supplies for firefighting at the application premises and means of escape separated from the industrial portion of the subject industrial building, within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019; 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 on the same date be revoked without further notice.”

37. 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 Ms Katy C.W. Fung, STP/TWK for her attendance to answer Members’ enquiries. She left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/TY/135 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, New
Territories

(MPC Paper No. A/TY/135C)

38. The Secretary reported that the application was submitted by the Hongkong United Dockyards Limited, which was a joint-venture of CK Hutchison Holding Limited (CKHH) and Swire. The following Members had declared interests on the item:

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

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

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

40. The Committee noted that the applicant’s representative requested on 6.8.2018 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 fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted a revised Traffic Impact Assessment, replacement pages to the Environmental Assessment and responses to departmental comments.

41. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the fourth deferment and a total of eight months had been allowed for the preparation of the submission of further information, it was the last deferment and no further deferment would be granted.

Hong Kong District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/H6/87 Proposed Access Road for Residential Development at 4-4C Tai Hang Road and Public Pedestrian Link in "Green Belt", "Residential (Group A) 1" and "Residential (Group B)" Zones and an area shown as 'Road', 4-4C Tai Hang Road (Part) and Adjoining Government Land, Tai Hang Road, Hong Kong

(MPC Paper No. A/H6/87)

42. The Secretary reported that Kenneth To & Associates Limited (KTA) was one of the consultants of the applicant. The site was located in Tai Hang Road, Causeway Bay. The following Members had declared interests on the item:

- Mr Daniel K.S. Lau - his firm having current business dealings with KTA;

- Ms Jacinta K.C. Woo - self-occupying a flat in Tai Hang Road;
(*Secretary*)

- Mr Martin W.C. Kwan - his close relative owning a flat and a carparking
(*Chief Engineer (Works),* space in The Beverly Hill; and
Home Affairs
Department)

Ms Sandy H.Y. Wong - self-occupying a flat at Illumintion Terrace, Tai Hang.

43. The Committed noted that Ms Sandy H.Y. Wong had tendered an apology for being unable to attend the meeting and the applicant had requested deferment of consideration of the application. As Mr Daniel K.S. Lau had no involvement in the application, the property of Mr Martin W.C. Kwan's relative had no direct view of the site and the interest of Ms Jacinta K.C. Woo, as Secretary of the Board, was remote, the Committee agreed that they could stay in the meeting.

44. The Committee noted that the applicant's representative requested on 7.8.2018 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.

45. 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 8

Section 16 Application

[Open Meeting]

A/H9/79 Proposed Shop and Services (Footbridge) in an area shown as ‘Road’ and “Other Specified Uses” annotated “Business” and “Other Specified Uses” annotated “Business (1)” Zones, Above Tung Wong Road Connecting 3 and 5 A Kung Ngam Village Road, Shau Kei Wan, Hong Kong
(MPC Paper No. A/H9/79)

46. The Secretary reported that the application was submitted by Million Hope International Limited and Billion Field Enterprises Limited, which were subsidiaries of Hong Kong Sanatorium & Hospital (HKSH). MVA Hong Kong Limited (MVA), Ove Arup & Partners Hong Kong Limited (ARUP), Ronald Lu & Partners (Hong Kong) Limited (RLP) and Savills (Hong Kong) Limited (Savills) were four of the consultants of the applicants. The site was located in Shau Kei Wan. The following Members had declared interests on the item:

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|---|--|
| Mr Alex T.H. Lai | - his firm having current business dealings with HKSH, ARUP and Savills; |
| Mr Thomas O.S. Ho | - having current business dealings with MVA and RLP; |
| Mr Franklin Yu | - having past business dealings with MVA and ARUP; |
| Ms Jacinta K.C. Woo
(Secretary) | - owning a flat in Shau Kei Wan; and |
| Mr Simon S.W. Wang
(Assistant Director
(Regional 1), Lands
Department) | - his family members living at Ming Wah Dai Ha, Shau Kei Wan. |

47. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and the applicants had requested deferment of consideration of the application. As Messrs Alex T.H. Lai and Franklin Yu had no involvement in the application, and the property of Mr Simon S.W. Wang's family members had no direct view of the site and the interest of Ms Jacinta K.C. Woo, as Secretary of the Board, was remote, the Committee agreed that they could stay in the meeting.

48. The Committee noted that the applicants' representative requested on 7.8.2018 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.

49. 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.

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

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K12/41 Proposed Two Houses in “Government, Institution or Community”
Zone, Lots 1636 S.A and 1636 RP in S.D. 2, 57 Ngau Chi Wan Village,
Kowloon

(MPC Paper No. A/K12/41)

50. The Secretary reported that the site was located in Ngau Chi Wan Village, Choi Hung. Mr Martin W.C. Kwan, Chief Engineer (Works), Home Affairs Department (HAD) had declared an interest on the item as his close relative was owning a flat at Choi Fung Court in Choi Wan. The Committee agreed that as the property of Mr Martin W.C. Kwan’s relative had no direct view of the site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

51. 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 two houses;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Commissioner for Transport advised that if there was a development at the site and adjacent area, a public vehicle park might be required. However, as the required parking spaces could be provided within the future adjacent development to cater for the parking demand of the development itself, the land for the proposed public vehicle park as shown on the Outline Development Plan could be released for other use. The District Officer (Wong Tai Sin) of HAD had no adverse

comment on the application but advised that there was a demonstrated need for a community hall in the area with the increasing population as the concerned area did not have a community hall. Despite the strong community wish, there was currently no development programme for the planned community hall. The Director of Housing said that the site fell within an area which could be considered for public housing development. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the statutory publication period, one public comment from an individual objecting to the application was received. Major objection grounds were set out in paragraph 11 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 12 of the Paper. Although the proposed house development was considered not incompatible with the surroundings which were predominately village houses and government, institution or community (GIC) facilities with some temporary structures and would not have any significant environmental impacts, it was not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone. The proposed development did not comply with the Town Planning Board Guidelines No. 16 as the site was still required for GIC purposes. As the site was located in the central part of the “G/IC” zone, approval of the application would jeopardise the comprehensive planning for the “G/IC” zone and would affect the provision of GIC facilities in the district. There were previous applications at the site for the same proposed use which were rejected by the Committee and there was no ground to deviate from the previous decision of the Committee/the Town Planning Board. Although there was one similar application allowed by the Town Planning Appeal Board (TPAB), the concerned site was located at the corner of the subject “G/IC” zone and the decision was based on site-specific circumstances. Approval of the current application would set an undesirable precedent for other similar applications in the area. Regarding the adverse public comment,

the comments of government departments and planning assessments above were relevant.

52. Members raised the following questions:

- (a) the location of the nearby community halls and their service coverage;
- (b) noting that there would be increasing population in the area, the status and development progress of the planned residential developments and other existing residential developments in the area; and
- (c) the planning history of the subject “G/IC” zone.

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

- (a) the nearby community halls were in Choi Wan Estate and Fung Tak Estate which were both located more than 500m away from the site;
- (b) a proposed development at the “Comprehensive Development Area” (“CDA”) zone to the east of the site had been approved and it would have about 2,000 flats. The lease modification application was under processing and the general building plans had been approved. The area to the north of the site was private land and had been developed for residential uses including Bay View Garden, Fortune Garden and Wealth Garden; and
- (c) a Layout Plan for Ngau Chi Wan Village was prepared in the 1980s for resite of the southern part of the Village for the construction of the MTR Choi Hung Station, and to provide the planning and development framework for the northern part of the Village with a view to improving the environmental conditions. Although there was currently no programme for the development of the community hall, which was the designated GIC use at the site and its adjoining area, the concerned departments considered that a community hall was still needed to serve

the increasing population. A comprehensive planning for public housing development and other GIC facilities at the site could be explored.

54. A Member asked about the types of GIC facilities to be provided at the “CDA” site. In response, Ms Sandy S.K. Ng, STP/K, said that there would be a residential care home for the elderly and a kindergarten in the proposed development.

Land Resumption

55. Noting that the site was a piece of private land zoned “G/IC”, some Members asked how the Government would resume the site for development of the community hall. In response, Ms Sandy S.K. Ng, STP/K, said that if private land was involved, the Government could invoke the Lands Resumption Ordinance (Cap. 124) to resume private land for public purpose. The same would apply to the site under application No. A/K12/39 which was allowed by the TPAB in 2013.

Deliberation Session

56. In response to a Member’s enquiry, Mr Martin W.C. Kwan, Chief Engineer (Works), HAD, supplemented that there was a demonstrated need for a community hall in the area with a total population of around 53,100 and the locals were aware that a site had been reserved for the development of a community hall.

57. Members generally did not support the application as there was a need for the community hall. Some Members considered that the location of the site was in the central part of the “G/IC” zone and the approval of the application would jeopardize the comprehensive planning of the “G/IC” zone, and the implementation of the community hall within the “G/IC” zone should be taken forward as soon as possible.

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

- “(a) the proposed house development is not in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone which was intended primarily for the provision of government, institution or community (GIC) facilities serving the needs of the residents in the area/district, and it would frustrate the planning and development of the planned community hall;
- (b) the proposed development does not comply with the Town Planning Board Guidelines for “Application for Development/Redevelopment within “G/IC” Zone for Uses other than GIC Uses” in that the Site is still required for its designated GIC uses, and the proposed development would adversely affect the provision of GIC facilities in the area in the long term; and
- (c) approval of the application would set an undesirable precedent for other similar applications in the area.”

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

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/760 Shop and Services (Fast Food Shop) in “Other Specified Uses”
annotated “Business” Zone, Portion of Factory Unit 7 (Shop 7A), G/F, 1
Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/760)

Presentation and Question Sessions

59. 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 shop and services (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) no public comment was received during 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 applied use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was compatible with the changing land use character of the Kwun Tong Business Area. The applied use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts and it was not subject to the aggregate limit on commercial floor area as the applied use could be regarded as ancillary to or for the purpose of supporting the industrial activities and the routine

activities of the workers in the industrial or industrial-office buildings.

60. Members had no question on the application.

Deliberation Session

61. 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 was subject to the following conditions:

- “(a) the submission and implementation of a proposal for fire safety measures, including the provision of fire services installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building, within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019; 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 on the same date be revoked without further notice.”

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/761 Shop and Services (Fast Food Shop) in “Other Specified Uses” annotated “Business” Zone, Portion of G/F (Shop B1), Good Luck Industrial Building, 105 How Ming Street, Kwun Tong, Kowloon
(MPC Paper No.) A/K14/761

Presentation and Question Sessions

63. 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 shop and services (fast food shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication period, one public comment was received from a member of the Kwun Tong Central Area Committee supporting the application without providing any ground; 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 applied use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was compatible with the changing land use character of the Kwun Tong Business Area. The applied use complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts and it was not subject to the aggregate limit on commercial floor area as the applied use could be regarded as ancillary to

or for the purpose of supporting the industrial activities and the routine activities of the workers in the industrial or industrial-office buildings.

64. Members had no question on the application.

Deliberation Session

65. 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 was subject to the following conditions:

- “(a) the submission and implementation of a proposal for fire safety measures, including the provision of fire services installations and equipment at the application premises and means of escape separated from the industrial portion of the subject industrial building, within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 17.2.2019; 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 on the same date be revoked without further notice.”

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

Agenda Item 12

Any Other Business

67. There being no other business, the meeting closed at 11.25 a.m..