

TOWN PLANNING BOARD

Minutes of 617th Meeting of the Metro Planning Committee held at 9:00 a.m. on 7.12.2018

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Professor John C.Y. Ng

Chief Traffic Engineer/Kowloon,
Transport Department
Mr C.H. Chan

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

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

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

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

Secretary

Absent with Apologies

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Mr Stanley T.S. Choi

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Kevin C.P. Ng

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

Agenda Item 1

Confirmation of the Draft Minutes of the 616th MPC Meeting held on 16.11.2018

[Open Meeting]

1. The draft minutes of the 616th MPC meeting held on 16.11.2018 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/KC/11 Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/29, To Rezone the Application Site from “Industrial” to “Other Specified Uses” annotated “Funeral Parlour and Green Funeral Facility”, 13-15 Wing Kei Road and 20-22 Wing Lap Street, Kwai Chung, New Territories
(MPC Paper No. Y/KC/11C)

[Withdrawn]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K3/579 Proposed Flat, Shop and Services and Public Vehicle Park (Excluding Container Vehicle) Use and Minor Relaxation of Plot Ratio Restrictions in “Residential (Group E)” Zone and an area shown as ‘Road’, Nos. 25-29 Kok Cheung Street, Tai Kok Tsui, Kowloon
(MPC Paper No. A/K3/579)

3. The Secretary reported that the application was submitted by the Asia Turbo Development Limited, which was a subsidiary of the Henderson Land Development Company Limited (HLD). Kenneth To & Associates Limited (KTA) and WSP (Asia) Limited (WSP) were two of the consultants of the applicant. The application site was located in Mong Kok. The following Members had declared interests on the item:

Mr Alex T.H. Lai - his firm having current business dealings with HLD and WSP;

- Mr Franklin Yu - having past business dealings with HLD and WSP;
- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which had current business dealings with KTA; and
- Mr Stanley T.S. Choi - his spouse was a director of a company which owned properties in Mong Kok.

4. The Committee noted that Messrs Alex T.H. Lai and Stanley T.S. Choi had tendered apologies for being unable to attend the meeting, and Messrs Franklin Yu and Daniel K.S. Lau had not yet arrived to join the meeting.

5. The Secretary reported that the Planning Department (PlanD) recommended deferment of the consideration of the application as the building height restriction of the application site was the subject of one of the amendment items under the draft Mong Kong Outline Zoning Plan (OZP) No. S/K3/31 and adverse representations were received during the exhibition period of the draft OZP. According to the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Board Ordinance (TPB PG-No. 33), a decision on the current application should be deferred until the Chief Executive in Council (CE in C) considered the draft OZP and the representations.

6. After deliberation, the Committee decided to defer a decision on the application as recommended by PlanD. The Committee agreed that the application should be submitted for its consideration after CE in C considered the draft OZP and the representations.

[Mr Stephen H.B. Yau arrived to join the meeting at this point.]

[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 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K4/69 Proposed Minor Relaxation of Building Height Restriction (from 70mPD to 90.8mPD) for Permitted Education Institution (University Indoor Sports Centre, Auditorium and Laboratory Building Complex) in “Government, Institution or Community (4)” Zone, 83 Tat Chee Avenue, Kowloon Tong, Kowloon

(MPC Paper No. A/K4/69B)

7. The Secretary reported that the application was submitted by the City University of Hong Kong (CityU). Andrew Lee King Fun & Associates Architects Limited (ALKF) was one of the consultants of the applicant. The following Members had declared interests on the item:

- Dr Lawrence W.C. Poon - being a senior lecturer at CityU and living in its quarters in Kowloon Tong;

- Ms Sandy H.Y. Wong - being a part-time lecturer at CityU;

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

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

8. The Committee noted that Dr Lawrence W.C. Poon and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting, and Mr Franklin Yu had not yet arrived to join the meeting. As the interest of Ms Sandy H.Y. Wong was direct, the Committee agreed that she should leave the meeting temporarily for the item.

[Ms Sandy H.Y. Wong left the meeting temporarily at this point.]

Presentation and Question Sessions

9. 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 minor relaxation of building height restriction (BHR) (from 70mPD to 90.8mPD) for permitted education institution (university indoor sports centre, auditorium and laboratory building complex);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Education (SED) supported the application and had given policy support to the proposed development. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, 21 public comments were received from Sham Shui Po District Council Members and individuals. There were 15 comments supporting the application while six objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Government, Institution or Community” (“G/IC”) zone. The proposed development was not incompatible with the surrounding areas and it would maintain the stepped height profile of CityU development from the tallest building, the Lau Ming Wai Academic Building (LAU Building) to the lower building in the southwest. The proposed minor relaxation of BHR was generally in line with the criteria stipulated in the Explanatory Statement of the Outline Zoning Plan (OZP) for consideration of minor relaxation of BHR and was considered acceptable. Regarding the adverse

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

[Mr Daniel K.S. Lau arrived to join the meeting during the presentation.]

10. Some Members raised the following questions:
 - (a) why the existing building height (BH) of the LAU Building exceeded the BHR of the subject 'G/IC(4)' zone and the justification for the BHR of 119.5mPD;
 - (b) the factors for consideration in the determination of shortfall of academic spaces;
 - (c) whether the proposed increase in the academic spaces was in line with the planning intention of the "G/IC" zone for the provision of government, intuition or community facilities to be used by the public; and
 - (d) whether the increase in BH of about 29% could be considered as minor.

11. Ms Katy C.W. Fung, STP/TWK, made the following responses:
 - (a) in 2001, a review on the BH covering the eastern part of the Shek Kip Mei area including the CityU campus was conducted in view of the relocation of the Kai Tak Airport to Chek Lap Kok. The western part of the Shek Kip Mei area was mostly public housing developments and was not included in the BH review. After review, a maximum BHR of 70mPD was incorporated for the main campus of CityU. The BH of LAU Building was in line with the Master Layout Plan under lease which was approved prior to imposition of the BHR on the OZP and its BH was subsequently reflected as BHR on the OZP;
 - (b) the applicant did not submit any justification for the shortfall of academic spaces, but according to the CityU's 2015-2020 Strategic Plan for future development, it was stated that new facilities and spaces would be required

to support the teaching and research activities. SED supported the project to alleviate CityU's estimated academic space shortfall of 33,600m² in net operation floor area;

- (c) according to the Notes of the OZP, the planning intention of "G/IC" zone was primarily for the provision of government, intuition or community facilities serving the needs of the local residents and/or a wider district, region or the territory. The proposed development was a Column 1 use and in line with the planning intention of "G/IC" zone; and
- (d) there were similar applications for minor relaxation of BHR within "G/IC" zones on the Shek Kip Mei OZP. For example, application No. A/K4/41 was approved in 2002 for minor relaxation of BHR from 46mPD to 58.46mPD (+12.46m / 27%) for extension of a school building in Tak Nga Secondary School within "G/IC(2)" zone. The BH increase in terms of percentage was similar to the subject application.

[Mr Franklin Yu arrived to join the meeting during the question and answer session.]

Deliberation Session

12. The Chairman said that whether the proposed increase in BH could be considered as minor would depend on the planning context of individual cases. The proposed minor relaxation under the current application in terms of percentage was similar to other approved applications in the area.

13. A Member expressed concerns that if the existing BH of the LAU Building was taken as a benchmark for future developments, the overall BH would be raised in the area. The Chairman and a Member said that although the proposed increase in BH was about 29% and the BH of the proposed development (90.8mPD) would exceed the BHR (70mPD) on the OZP, the overall stepped-height profile from the northeast to northwest for the areas could be maintained and the building complex of CityU was considered compatible with the surrounding areas. Further relaxation of the BHR under the OZP could be either handled through planning application under section 16 of the Town Planning Ordinance based on the individual merits of each case, or if considered appropriate, comprehensive review of BHRs

on the entire OZP.

14. Another Member remarked that the proposed development would enhance the community linkage by providing quality public space in the “G/IC” site for public enjoyment, noting that the campus of tertiary educational institution was generally accessible to the public.

15. Members generally considered that the proposed minor relaxation of BHR was acceptable and could improve site utilization to meet the development needs of CityU.

16. 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 7.12.2022, 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 fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in approval condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB.”

17. 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.]

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

Agenda Item 6
Section 16 Application

[Open Meeting]

A/TWW/116 Proposed House Development at Plot Ratio of 0.75 in “Residential (Group C)” and “Village Type Development” Zones, Lot 162RP (Part) in D.D. 399 and Adjoining Government Land, Ting Kau, Tsuen Wan West, New Territories
(MPC Paper No. A/TWW/116A)

18. The Committee noted that the applicant’s representative requested on 19.11.2018 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 received in August and September 2018. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had not submitted any further information and required more time to prepare further information.

19. 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 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.

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

[The Vice-chairman arrived to join the meeting at this point.]

Hong Kong District

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/277 Massage Establishment in “Residential (Group A) 2” Zone, Room 1-2,
7/F, Goodview Centre, 12 Wu Pak Street, Aberdeen, Hong Kong
(MPC Paper No. A/H15/277)

Presentation and Question Sessions

20. With the aid of a PowerPoint presentation, Mr Vincent W.Y. Wong, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the massage establishment;
- (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, seven public comments were received from a Southern District Council Member and individuals objecting to the application. Major 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. Although the subject premises was located within an area zoned “Residential (Group A)”, the existing non-domestic building was mainly used for offices, shop and services and tutorial schools and there were retail shops on the ground floor/podium of nearby residential and commercial

buildings. The applied use was considered not incompatible with the other non-domestic uses within the same building and surrounding developments and complied with the Town Planning Board Guidelines for Application for Commercial Bathhouse and Massage Establishment (TPB PG-No. 14B). Concerned government departments had no objection to or no adverse comment on the application. The subject premises was within an existing non-domestic building and there was no residential use within the subject building, the applied use would not cause inconvenience and disturbance to any residents. Regarding the adverse public comment, the comments of government departments and planning assessments above were relevant.

21. The Vice-Chairman and Members raised the following questions:

- (a) the nearest residential development from the subject premises;
- (b) noting there were schools and religious institutions in the same building, the type of schools and religious institutions, target students/users, nature of their operations, and frequency and type of religious activities held;
- (c) the number of massage establishments, and similar approved applications in non-domestic building in the vicinity; and
- (d) the background of the applicant and whether the applicant had experience in operating massage establishment.

22. Mr Vincent W.Y. Wong, STP/HK, made the following responses:

- (a) apart from the commercial building across Tung Sing Road, the subject site was surrounded by residential buildings;
- (b) there were tutorial schools, dance schools, language institutes and religious institutions including BASIC Foundation (基督為本基金) and Christian & Missionary Alliance Gracious Rock Church (宣道會恩石堂) operating in

the subject building. He did not have further information about the age profile of students attending the schools nor activities carried out in the religious institutions at hand;

- (c) according to the Commissioner of Police (C of P), there was no registered massage establishment in the immediate surrounding area. There was also no similar application approved in non-domestic building in Aberdeen. He had no information on massage establishment approved in other areas; and

- (d) the applicant was the operator but not the current landowner of the premises. According to C of P, the applicant had clear criminal record. There was no information provided by the applicant on whether she had previous experience in operating massage establishment prior to the operation of the premises under application.

23. In response to Members' enquiry on the assessments criteria under TPB PG-No. 14B, Mr Vincent W.Y. Wong, STP/HK, said that as the subject building was a non-domestic building with mainly shops and services, and office use, the applied use was considered compatible with other non-domestic uses in the same building. With reference to the public concerns on lift capacity, sewage and waste disposal of the subject building, relevant government departments were consulted and they had no objection to or adverse comment on the application. In this regard, the applied use was considered in compliance with the criterion (c) on compatibility and criterion (d) on consideration of public views of the TPB PG-No. 14B.

24. A Member said that as there were tutorial schools in the same building, the compatibility of the massage establishment was questionable. Mr Vincent W.Y. Wong, STP/HK, pointed out that the applied use would not share the same floor with any of the tutorial schools in the subject building.

Deliberation Session

Compatibility

25. The Vice-chairman and Members considered that there were insufficient information on the operation detail of the applied use, schools and religious institutions in the subject building, and they raised concern about the application in terms of its compatibility with other non-domestic uses in the same building.

26. A Member enquired whether consideration should be given to the compatibility of uses in the same building or in the vicinity. By making reference to criterion (c) of TPB PG-No. 14B, the Vice-chairman said that the proposed use should be compatible with other uses within the same building and consideration would normally be given only to the uses permitted in the Occupation Permit issued by the Building Authority for the building.

Licensing Requirement

27. Some Members said that the possible use of advertisement signage/LED light on the window might cause nuisance to the surrounding residents. Another Member asked whether there was authority to monitor the operation of the massage establishment upon approval. The Committee noted that the applicant would be required to apply to C of P for a massage establishment license and the licensing requirements would take into account the layout of premises, signage, operation hours, provision of fire service installations, etc..

28. The Chairman said that if Members considered that there was insufficient information on the operation details of the proposed use and other non-domestic uses in the same building, background of the applicant and detailed licensing requirements, a decision on the application might be deferred. The Committee agreed.

29. After further deliberation, the Committee decided to defer a decision on the application, pending submission of further information by the applicant and the Planning Department.

[The Chairman thanked Mr Vincent W.Y. Wong, STP/HK, for his attendance to answer

Members' enquiries. He left the meeting at this point.]

[Ms Johanna W.Y. Cheng, District Planning Officer/Kowloon (DPO/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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)

30. 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:

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| 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. |

31. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Secretary reported that four replacement pages (pages 16 to 19 of the Paper) revising the approval conditions were dispatched to Members before the meeting.

Presentation and Question Sessions

32. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, DPO/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed comprehensive residential and commercial (eating place, shop and services) development (Amendments to Approved Master Layout Plan (MLP));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Kowloon West advised that in order to ensure the planning intention of “Comprehensive Development Area” (“CDA”) zone would not be undermined, the right-of-way (ROW) issue had to be resolved. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, four public comments were received from the Incorporated Owners of Freder Centre and individuals. There were two comments providing comments/expressing views while two objecting to the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The subject application was an amendment to the MLP under application No. A/K10/256 approved in 2016. The MLP comprised two portions and the revised MLP mainly involved the reduction in flat number, population and private open space provision, change in number of ancillary car parking spaces, provision of public car park and change in layout and phasing in Portion 1 of the approved scheme (at 5 Mok Cheong Street) while the main development parameters (i.e. maximum gross floor area/plot ratio and building height) for the whole CDA and Portion 1 remained

unchanged and no amendment was proposed to Portion 2. The proposed development was in line with the planning intention of the “CDA” zone and the amendments proposed in Portion 1 were generally minor and considered acceptable. The design measures proposed in the approved scheme would be retained and 45 public car parking spaces would be provided to serve the area. Relevant government departments had no objection to or no adverse comment on the application. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

33. Noting that the provision standard of private open space was 1m² per person, a Member asked whether the requirements recommended under “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” (Hong Kong 2030+) would be implemented. In response, Ms Johanna W.Y. Cheng, DPO/K, said that the ratio of private open space provision of the subject application was in line with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). The recommended requirement under the Hong Kong 2030+ was a long-term target and would mainly be applicable to the provision of public open space.

34. In response to a Member’s enquiry on the justification for the reduction in number of flats, Ms Johanna W.Y. Cheng, DPO/K, said that according to the applicant, the supply of large sized flats had been decreasing in the last four years and the flat size of nearby new residential developments mainly ranged from 16 to 33m². In this regard, the applicant considered that there was a need to enhance the range of housing options in the district to provide greater choices. The same Member enquired about the consideration on further changes in the number of flats in future, Ms Cheng said that if there was further amendment to an approved scheme, it would be assessed based on the Town Planning Board Guidelines No. 36B to determine whether the amendment was classified as Class A or Class B, or a fresh planning application under section 16 of the Town Planning Ordinance would be required.

35. Some Members raised the following questions regarding the layout design of the proposed development:

- (a) noting that building design was different from the previous approved scheme, whether the architect had been changed;
- (b) the urban design merits of the proposed development as compared with the approved scheme; and
- (c) whether the site boundary of each portion would be fenced off and whether the connectivity of the passageway would be affected;

36. Ms Johanna W.Y. Cheng, DPO/K, made the following responses:

- (a) the current applicant was the land owner of Portion 1 and the previous approved application was submitted by a different applicant. She had no information on the architect of the previous application at hand;
- (b) the urban design features under the current application were similar to the approved scheme in terms of the provision of three public at-grade pedestrian passageways in northeast-southwest direction connecting Mok Cheong Street and Sung Wong Toi Road, and a pedestrian passageway in a northwest-southeast direction through the middle of the “CDA” site. Although the width of the pedestrian passageway in the northwestern boundary would be slightly reduced from 3m to 2.5m, as shown in Drawing A-25 of the Paper, the sense of openness at pedestrian level would be enhanced due to the proposed setback of the podium. A minimum 15m-wide building separation running in a northeast-southwest direction between the towers in Portions 1 and 2 for pedestrian and wind corridors would be maintained; and
- (c) with reference to Drawing A-17 of the Paper, the pedestrian passageway abutting the southeastern boundary fell entirely within Portion 2 and part of it would be abutting the commercial podium in Portion 1 which might have

shopfront facing the pedestrian passageway on the ground floor. However, there was no detailed information on whether there would be fences/boundary walls along the site boundary of each portion. Nonetheless, if the application was approved, it would be subject to a condition on submission and implementation of a landscape master plan. The barrier-free and other landscape and urban design requirements could be considered under the condition.

37. Noting that the “CDA” site was divided into two portions and to be implemented by different applicants, a Member was concerned about the possible conflict between the two applicants during the implementation stage. The Chairman explained that although the site would be controlled by different leases and implemented separately, the entire “CDA” site was governed by one MLP and each applicant should take into account the design and layout of the other portion for compliance with the approval condition on the submission and implementation of the MLP. If the application was approved, a revised MLP incorporating the scheme under the subject application should be submitted.

Deliberation Session

38. Regarding the concerns on the design and possible fencing along the site boundaries, the Chairman supplemented that the applicants would be advised to integrate the design of each portion as far as possible to maintain the connectivity and openness of the pedestrian passageways. The ROW issue could be resolved by the Lands Department at the lease modification stage.

39. A Member said that although the number of flat and provision of private open space were reduced, the proposed development was considered a planning gain as the development parameters would remain unchanged with better urban design due to the podium setback and improvement in pedestrian connectivity. Members in general had no objection to the proposed development.

40. 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 7.12.2022, 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 to incorporate the approval conditions as stipulated in conditions (b) to (j) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised 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, to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission of an updated Drainage Impact Assessment and implementation of the drainage facilities identified therein to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission of an updated Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the implementation of the local sewerage upgrading/sewerage connection works identified in the SIA to the satisfaction of the Director of Drainage Services or of the TPB;
- (g) the submission of an updated Noise Impact Assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (h) the design and provision of ingress/egress point, vehicular access, parking spaces, loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;

- (i) the provision of public car parking spaces within the site and proposed traffic measures on Mok Cheong Street to the satisfaction of the Commissioner for Transport or of the TPB; and
- (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.

41. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper and revised advisory clause (c) as follows:

“(c) to note the comments of the District Lands Officer/Kowloon West, LandsD that the proposed comprehensive development comprising residential, shop and services etc. will constitute a breach of lease conditions governing the lots; to ensure the planning intention of the “Comprehensive Development Area” (“CDA”) zone will not be undermined, the right-of-way issues must be resolved; and the applicant has to apply to LandsD for a lease modification to implement the development at Portion 1. However, there is no guarantee that the lease modification application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by LandsD;”

[The Chairman thanked Ms Johanna W.Y. Cheng, DPO/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

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

42. The Secretary reported that the application was submitted by China Coast Community Limited. The application site was located in Kowloon Tong. The following Members have declared interests on the item:

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

43. The Committee noted that Mr Alex T.H. Lai, Dr Lawrence W.C. Poon and Mr Stanley T.S. Choi’s had tendered apologies for being unable to attend the meeting and the applicant had requested deferment of consideration of the application.

44. The Committee noted that the applicant’s representative requested on 23.11.2018 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 10

Any Other Business

46. There being no other business, the meeting closed at 10:45 a.m..