

TOWN PLANNING BOARD

**Minutes of 633rd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 16.8.2019**

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 Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

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

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

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

Assistant Director (R1), Lands Department
Ms Daisy W.C. Wong

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairman

Mr Thomas O.S. Ho

Miss Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

In Attendance

Assistant Director of Planning/Board
Ms April K.Y. Kun

Chief Town Planner/Town Planning Board
Mr Stephen K.S. Lee

Town Planner/Town Planning Board
Mr Ryan C.K. Ho

Agenda Item 1

Confirmation of the Draft Minutes of the 632nd MPC Meeting held on 2.8.2019

[Open Meeting]

1. The draft minutes of the 632nd MPC meeting held on 2.8.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

- (i) Section 16A Application No. A/K7/111-1
2. The Secretary reported that a letter from Carmel Secondary School (CSS) was received by the Town Planning Board (TPB) Secretariat in July 2019 requesting TPB to investigate why local consultation had not been carried out for a s.16A planning application No. A/K7/111-1 submitted by the Hong Kong Polytechnic University for amendments to an approved s.16 scheme for campus expansion.
3. Members noted that the subject s.16A application had been processed in accordance with the Town Planning Ordinance and relevant TPB Guidelines. Members agreed that the Secretary on behalf of TPB would give a reply to CSS accordingly.

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K4/2 Application for Amendment to the Approved Shek Kip Mei Outline Zoning Plan No. S/K4/29, To Rezone the Application Site from “Government, Institution or Community” and “Open Space” to “Government, Institution or Community (9)”, 5, 7 and 11 Tong Yam Street, Kowloon

(MPC Paper No. Y/K4/2)

Presentation and Question Sessions

4. The Secretary reported that the application site was located in Shek Kip Mei. Dr Lawrence W.C. Poon had declared interest on the item for working in the City University of Hong Kong and living in its quarters in Kowloon Tong.

5. The Committee noted that the applicant had requested deferment of consideration of application and agreed that Dr Lawrence W.C. Poon could stay in the meeting as his staff quarters had no direct view of the application site.

6. The Committee noted that the applicant’s representative requested on 15.7.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

7. 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, and 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/K5/804 Religious Institution (Church) in “Residential (Group A) 8” Zone, 1/F and 2/F, Florence Plaza, 23 Cheung Wah Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/804A)

8. The Committee noted that a replacement page (Appendix IV of the Paper) for an additional advisory clause was tabled at the meeting for Members’ reference.

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 religious institution (church);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, four public comments were received from individuals, with three objecting to the

application and one raising concerns/views on the application. Major views were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. Although the application was not entirely in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone, the proposed church use was considered not incompatible with the existing shop and services and eating place uses on G/F of the non-domestic podium of the composite residential and commercial building in the surrounding area. The church was also served by an independent entrance with internal lifts and staircase. Concerned departments had no objection to or adverse comment on the application. The Director of Fire Services had no objection to the application subject to imposition of an approval condition requiring the provision of fire service installations and water supplies for firefighting. Regarding the public comments on traffic, fire safety and public hygiene concerns, the Commissioner for Transport, the Director of Fire Services and the Director of Food and Environmental Hygiene had no adverse comment on the application.

10. Some Members raised the following questions:

- (a) whether the church had already been in operation and any fire service installations had been provided at the Premises;
- (b) whether the church had to comply with other requirements if the planning permission was granted; and
- (c) whether there were similar churches in the area and whether planning permission had been granted for such uses.

11. In response, Ms Katy C.W. Fung, STP/TWK, made the following points:

- (a) the church had already been in operation but no information was available

regarding whether fire service installations had been provided;

- (b) should the application be approved, the applicant would have to comply with other requirements, such as to fulfill the requirements under the Buildings Ordinance (BO); and
- (c) there were six similar applications for religious institution within the “R(A)” zone on the Cheung Sha Wan Outline Zoning Plan. Five of them were approved with or without conditions, whilst the remaining one was rejected mainly on the consideration that there was no separate entrance serving the concerned premises and approval of such application would set an undesirable precedent for other similar applications. In addition, there were a few churches within the same zone in the area currently in operation without a valid planning permission.

12. In response to a Member’s question on planning enforcement, the Chairman said that the Planning Authority had no enforcement power in the urban area. Enforcement against uses non-conforming with OZP would be taken by the Buildings Department (BD), the Lands Department (LandsD) and/or the various licensing authorities under their respective jurisdiction.

13. A Member noted that the application premises was previously used as a restaurant and asked if there was any concern on pedestrian flow with a change on the use of the application premises. Ms Katy C.W. Fung, STP/TWK, said that the applicant had submitted a Traffic Review Report (the Report), which had analysis on pedestrian flow, in support of the application. The Commissioner for Transport (C for T) had no in-principle objection to the application in this regard.

14. A Member asked whether there were standards or criteria to assess the appropriateness of provision of church in residential zones. In response, Ms Katy C.W. Fung, STP/TWK, said that the main planning considerations for such use were the compatibility of the church with the uses in the subject building and the surrounding development; the availability of separate entrance for the premises concerned; and the potential traffic and noise impacts, if any.

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

Deliberation Session

15. Some Members expressed concerns on the number of churches that had not obtained the relevant planning permission before operation. They suggested that the current monitoring mechanism on non-conforming uses should be strengthened to put such uses under proper control.

16. In response, the Chairman made the following points:

- (a) under the current planning framework, ‘religious institution’ use was always permitted in the “Commercial” and “Government, Institution or Community” zones, in which buildings were generally designed to accommodate higher pedestrian flow with adequate means of escape. But in “R(A)” and “Industrial” zones, planning permission was required for such use. The Town Planning Board (TPB) would consider each case on its individual merits and might approve the application with or without conditions;
- (b) buildings works were governed by the BO. The Building Authority would reject general building works which contravened the statutory plan, including cases where the required planning permission was not available, under section 16(1)(d) of BO; and
- (c) the Planning Department would refer suspected UDs to relevant government departments including BD and LandsD for follow up action, as appropriate.

17. 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 provision of fire service installations and water supplies for firefighting

within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 16.2.2020; and

- (b) if the above planning condition 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.”

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/805 Proposed Shop and Services in “Other Specified Uses” annotated
“Business (2)” Zone, Portion of Workshop C4, G/F, Block C, Hong
Kong Industrial Centre, 489-491 Castle Peak Road, Kowloon
(MPC Paper No. A/K5/805A)

19. The Secretary reported that the application was submitted by RHL Surveyors Ltd (RHL). Mr Wilson Y.W. Fung, Dr Lawrence W.C. Poon and Ms Sandy H.Y. Wong had declared interests on the item for personally knowing the managing director of RHL.

20. The Committee noted that Ms Sandy H.Y. Wong had tendered apologies for being unable to attend the meeting. As Mr Wilson Y.W. Fung and Dr Lawrence W.C. Poon had no direct involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

21. 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 shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or adverse comment on the application;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed use was considered generally in line with the planning intention of the “Other Specified Use” annotated “Business” zone and was compatible with the changing land use character of the area. The proposed use also 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 gross floor area on the ground floor was within the maximum permissible limit of the industrial building with sprinkler system.

22. Members had no question on the application.

Deliberation Session

23. 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 16.8.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and a means of escape separated from the industrial portion before operation of the proposed use to the

satisfaction of the Director of Fire Services or of the TPB; and

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

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

Agenda Item 6 & Item 7

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/806 Proposed Shop and Services in “Other Specified Uses” annotated “Business (3)” Zone, Portion of Factory No. 6, G/F, Elite Industrial Centre, 883 Cheung Sha Wan Road, Kowloon
(MPC Paper No. A/K5/806A)

A/K5/807 Proposed Shop and Services (Fast Food Counter and Local Provisions Store) in “Other Specified Uses” annotated “Business (3)” Zone, Portion of Factory No.6, G/F, Elite Industrial Centre, 883 Cheung Sha Wan Road, Kowloon
(MPC Paper No. A/K5/807A)

25. As the two section 16 applications for shop and services uses were similar in nature and the application premises were located adjacent to each other and within the same building zoned “Other Specified Uses” annotated “Business (3)” (“OU(B)3”), the Committee agreed that two applications could be considered together.

26. The Secretary reported that K&K Chartered Architect & Associates (KKCAA) was one of the consultants of the applicants. Mr Alex T.H. Lai had declared interest on the item as his firm was having current business dealings with KKCAA. As Mr Alex T.H. Lai had no direct involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services (A/K5/806) and shop and services (fast food counter and local provisions store) (A/K5/807);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers. Concerned government departments had no objection to or adverse comment on the applications;
- (d) during the first three weeks of the statutory publication period, nine public comments from individuals were received on application No. A/K5/806, with seven objecting to the application and two providing comments on the application. Major grounds were set out in paragraph 10 of the Paper. No public comment on application No. A/K5/807 was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessment made in paragraph 11 of the Paper. The proposed uses were considered generally in line with the planning intention of the “OU(B)” zone and were compatible with the changing land use character of the area. The proposed uses also 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 gross floor area on the ground floor was within the maximum permissible limit (not applicable to application No. A/K5/807) of the industrial building with sprinkler system. Regarding the public comments on application No. A/K5/806 related to pedestrian safety and hygiene concerns, the Commissioner for Transport and the Director of Food and Environmental Hygiene had no adverse comment on the application.

As for the rental increase in industrial building, it was a market-driven decision of the owners.

28. A Member enquired about the definition of fast food shop and expressed concern regarding the potential adverse impact of the proposed fast food shop on pedestrian circulation. Ms Katy C.W. Fung, STP/TWK, said that fast food shop meant any premises used for the selling of quick meals mainly for consumption off the premises. Instead of applying for a restaurant licence, applicants for fast food shops would require a food factory licence from the Food and Environmental Hygiene Department. As customers would not normally stay long for food at a fast food shop, significant adverse impact arising from the proposed use on pedestrian circulation of the area was not anticipated.

Deliberation Session

29. Regarding a Member's queries on the increase in pedestrian flow generated from fast food shop and width of footpath adjoining the application premises, Members noted that the width of the concerned footpath was wider than 2m as shown on Drawing A-3 of the Paper. Some Members observed that customers usually queued up for food and the time they stayed in a fast food shop was short so it would not constitute a significant concern in pedestrian flow. Fast food shops provided an alternative to those who chose for lower price and faster service. A Member opined that opportunity should be taken in future to widen the footpath where possible.

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

30. 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 16.8.2021, 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. Each of the permissions was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures, including the provision of fire service installations and a means of escape separated from the industrial portion before operation of the proposed use to the

satisfaction of the Director of Fire Services or of the TPB; and

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

31. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix IV 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 8

Section 16 Application

[Open Meeting]

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

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

Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which was currently having business dealings with KTA;

Mr Franklin Yu - having past business dealings with ALKF; and

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

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

34. The Committee noted that the applicant's representative requested on 29.7.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/505 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Building Redevelopment in “Industrial” Zone, 14-18 Ma Kok Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/505A)

36. The Secretary reported that the application site was located in Tsuen Wan. Kenneth To & Associates Ltd. (KTA) and Associated Architects Ltd. (AAL) were two of the consultants of the applicant. The following Members had declared interests on the item :

- Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which was currently having business dealings with KTA;
- Mr Stanley T.S. Choi - his spouse being a director of a company owning properties in Tsuen Wan;
- Prof. John C.Y. Ng - his spouse owning a flat at Discovery Park in Tsuen Wan; and
- Mr Alex T.H. Lai - his firm having current business dealings with AAL.

37. The Committee noted that Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. Since the property owned by Prof. John C.Y. Ng’s spouse did not have a direct view on the site and Messrs Daniel K.S. Lau and Alex T.H. Lai had no direct involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

38. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted industrial redevelopment;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Development Bureau (DEVB) had given policy support to the application for relaxation of PR restriction. Other concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from the Incorporated Owners of an adjoining industrial building objecting to the application. The major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The proposed redevelopment was generally in line with the planning intention of the “Industrial” (“I”) zone and the proposed building height (BH) of about 85mPD complied with the BH restriction of 100mPD under the outline zoning plan. DEVB gave policy support to the application for the proposed minor relaxation of PR by 20%. The application had incorporated a 7.5m setback from the centreline of the street to improve the walking environment. The Chief Town Planning/Urban Design and Landscape (CTP/UD&L), PlanD considered that the proposed development might bring some improvements to the pedestrian environment. In support of the application, a Traffic Impact Assessment was submitted to demonstrate the proposed development would not cause adverse traffic

impact on the surrounding areas. Concerned departments had no objection to or adverse comment on the application. Relevant approval conditions on transport facilities, fire services installations, sewerage impact assessment and upgrading works could be imposed. Regarding the public comment on traffic concerns, the Commissioner for Transport had no adverse comment on the application.

39. In responses to a Member's enquiry on the year of completion of the industrial building (IB) under application, Mr Ng Kar Shu, STP/TWK, said that the existing 8-storey IB was developed in 1977 and 1980 in two phases.

40. Some Members raised the following questions:

- (a) whether the proposed setback from the Ma Kok Street was required under the outline zoning plan (OZP);
- (b) should the application be approved, whether the applicant had to apply for lease modification and pay land premium for the proposed industrial development, and any further planning permission would be required if the redeveloped IB was for 'modern industrial use';
- (c) whether the strong public objection to the application on traffic ground was well founded, given that the applicant had submitted TIA in support of the application and the Commissioner for Transport had no objection to the application; and
- (d) whether a footpath was provided along Tsuen Yip Street.

41. In response, Mr Ng Kar Shu, STP/TWK, made the following points:

- (a) the proposed setback was not required under the OZP but proposed by the applicant, with reference to the Sustainable Building Design Guidelines (SBD Guidelines), for better pedestrian environment;

- (b) according to the Lands Department (LandsD), if the proposed industrial development comprised ‘modern industrial uses’ other than conventional ‘industrial/godown uses’, such uses would contravene the lease restriction and the applicant had to apply for lease modification. As ‘modern industrial uses’ were always permitted in the “I” zone, further planning permission was not required;
- (c) the commenter objected to the application mainly on the ground that approval of the application with an increase in PR would generate more traffic and aggravate the traffic congestion problem in the area. In fact, the existing traffic congestion problem was mainly due to on-street parking and loading/unloading activities. As sufficient parking and loading/unloading facilities meeting the high-end requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) would be provided within the proposed development, the traffic concern would have been addressed; and
- (d) there was currently no footpath along Tsuen Yip Street. According to the applicant’s submission, no pavement was proposed at Tsuen Yip Street.

Deliberation Session

42. Regarding a Member’s question related to the pedestrian environment along Tsuen Yip Street, Members noted that the Transport Department had no plan to provide pedestrian footpath at Tsuen Yip Street but the applicant would provide landscape planting along a section of Tsuen Yip Street for amenity.

43. In response to a Member’s question on whether approval of the application would have premium implication, Ms Daisy W.C. Wong, Assistant Director (Regional 1) of LandsD, said that there was no PR, gross floor area (GFA) or BH restrictions under the lease of the application site. Lease modification and land premium payment were not required if the proposed redevelopment involved only conventional industrial uses.

44. Members generally supported the proposed minor relaxation of PR to incentivize

redevelopment of pre-1987 IB but had concerns on the planning merits and building design of the proposed redevelopment pertaining to the pedestrian accessibility and connectivity of Tsuen Yip Street. Approval of the application might pre-empt future improvement works to enhance pedestrian flow in Tsuen Yip Street, noting particularly that the application site was a corner site. Members generally agreed that more information on provision of a pedestrian friendly environment along Tsuen Yip Street was required.

45. After deliberation, the Committee decided to defer a decision on the application, pending submission of further information from the applicant and relevant government departments on the pedestrian accessibility and connectivity of Tsuen Yip Street.

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/TWW/117 Proposed House Development at Plot Ratio of 0.75 in "Residential (Group C)" Zone, Lot 407 in D.D. 399 and Adjoining Government Land, Ting Kau, Tsuen Wan West, New Territories
(MPC Paper No. A/TWW/117C)

46. The Secretary reported that Ove Arup and Partner Hong Kong Limited (ARUP) and Vibro (H.K.) Ltd. (Vibro) 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 and Vibro;

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

Mr Franklin Yu - having past business dealings with ARUP.

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

48. The Committee noted that the applicant's representative requested on 1.8.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address further comments from government departments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information on sightline issue relating to the proposed ingress/egress point to address departmental comments.

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

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

Hong Kong District

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H10/94 Proposed Residential Institution (Student Hostel) in “Green Belt” and
“Residential (Group C)” Zones, Rural Building Lot No. 925, High West,
Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/94)

50. The Secretary reported that the application was submitted by The University of Hong Kong (HKU). The following Members had declared interests on the item :

Mr Wilson Y.W. Fung - being the Chairman of the Accounting Advisory Board of School of Business, HKU;

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

Prof. John C.Y. Ng - being the Adjunct Professor of the Department of Urban Planning and Design, HKU; and

Ms. Lilian S.K. Law - being the Adjunct Professor of the Department of Social Work and Social Administration, HKU.

51. As the interests of Mr Wilson Y.W. Fung was remote, and Mr Alex T.H. Lai, Prof. John C.Y. Ng and Ms Lilian S.K. Law had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

52. With the aid of a PowerPoint presentation, Mr Mann Chow, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed residential institution (student hostel);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Secretary for Education (SED) and University Grants Committee (UGC) supported the application for a student hostel development. Other concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, including one comment raising grave concern, and one objecting to the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed student hostel was residential in nature, which was generally in line with the planning intention of the “Residential (Group C)” zone. The proposed development was considered not incompatible with the existing University Hall (the exterior declared as monument) at the site and the surrounding developments which were medium-rise residential developments of 15 to 23 storeys and low-rise government, institution and community developments of 1 to 3 storeys. Concerned departments had no objection to or adverse comment on the application. Relevant approval conditions on heritage, water supplies and geotechnical aspects could be imposed. Regarding the public comments, relevant government departments had no adverse comment on the traffic, landscaping and visual aspects on the application, and sports facilities were available across the campus of HKU.

53. In response to Members’ enquires on the necessity and standard of provision of the additional student hostel spaces as well as the transportation arrangement, Mr Mann Chow, STP/HK, made the following points:

- (a) the additional provision was to meet the shortfall of about 930 units of student quarters in HKU even when the approved student hostels in Wong Chuk Hang and Mui Fong Street were in place;
- (b) the average size of the proposed hostel units was about 8m² and all units were single rooms; and
- (c) transport facilities including shuttle bus stop were proposed at Development Site B, to provide shuttle bus services to the campus for students and staff to be accommodated in the proposed hostel.

Deliberation Session

54. Members exchanged views on whether single rooms should be provided in terms of optimal use of land, healthy social life of students, potential nuisance/disturbance, etc. Noting that the proposed development was on private lot owned by HKU, Members generally agreed that it should be up to the university to decide the type of hostel units to be provided based on its own consideration, and had no objection to the proposed student hostel, which was to address the general shortfall of student hostel places in the university.

55. 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 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a detailed monitoring proposal for the declared monuments in the vicinity of the proposed development prior to the implementation of works to the satisfaction of the Executive Secretary of the Antiquities and Monuments Office or of the TPB;
- (b) the submission of a waterworks impact assessment report and implementation of a monitoring plan and any mitigation measures identified in the assessment report to the satisfaction of the Director of Water Supplies or of the TPB; and

- (c) the submission of a Geotechnical Planning Review Report and implementation of the necessary geotechnical remedial works identified therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

56. 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 Mann Chow, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H19/79 Proposed Holiday Camp (Open Deck Extension and Boat Storage Area) in “Government, Institution or Community” Zone, Strip of Government Land to the North of the Hong Kong Federation of Youth Groups Stanley Holiday Camp, Stanley Bay, Hong Kong
(MPC Paper No. A/H19/79A)

57. The Secretary reported that the application was submitted by The Hong Kong Federation of Youth Groups (HKFYG) and Mr Alex T.H. Lai had declared interests on the item for his firm was having current business dealings with HKFYG. As Mr Alex T.H. Lai had no direct involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

58. 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 proposed holiday camp (open deck extension and boat storage area);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Home Affairs Bureau (HAB) had given policy support to the application for proposed extension of HKFYG Stanley Holiday Camp. Other concerned government departments had no objection to or adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from individuals, including one supporting and one objecting. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. The proposed extension was in line with the planning intention of the “Government, Institution or Community” zone. In view of its small scale, the applied use was considered not incompatible with the surrounding area, which was mainly low-rise Government, Institution and Community developments. Concerned departments had no objection to or adverse comment on the application.

59. Some Members enquired the following:

- (a) whether the deck and the adjoining area would continue to be opened for public access or the application site would be fenced off;
- (b) the reduced area of the existing beach if the application was approved;
- (c) the land status of the application site;
- (d) the type of boat that would be stored at the application site and the location of the high-water mark (HWM); and

- (e) the major concerns of the Chief Town Planning/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) in relation to the long frontage of the open deck which was about 30.5m.

60. In responses, Mr Vincent W.Y. Wong, STP/HK, made the following points:

- (a) according to the applicant's submission, the concerned open deck, which formed an extension of an approved holiday camp, would be mainly used by the campers at the holiday camp. The existing public access across/leading to the application site would remain opened;
- (b) the application site was a shingle beach and did not form part of any gazetted public beach. The public mainly used the adjacent St. Stephen's Beach for swimming and water sports activities;
- (c) the application site was on unleased and unallocated government land. Application to the Lands Department (LandsD) for land grant was required to implement the proposal; and
- (d) the proposed boat storage was for storage of kayaks and related equipment. The HMW was along the northern end of the proposed open deck.

Deliberation Session

61. Members discussed the necessity and appropriateness of providing an open deck cum storage space at the application site. Some Members had queries on the large size of the proposed structure and made the following points:

- (a) there might be other alternatives, such as use of outdoor racks similar to those in the training centre adjoining the application site, for storage. The applicant failed to demonstrate the need of using the waterfront space, which was of high landscape and scenic values, for storage purpose;
- (b) the proposed elongated and bulky structure along the coastline was

considered visually intrusive. There was insufficient information to justify the seemingly massive structure;

- (c) part of the natural beach would be covered up by the proposed structure and approval of the application would reduce the beach area for public enjoyment; and
- (d) no information had been provided by the applicant to explain why boats could not be stored within the proposed holiday camp, which was previously approved by the Committee at the adjoining government land. The applicant should exhaust the use of space within the holiday camp building or other inland area before extending the coverage and taking up part of the natural beach. Boat storage should be planned as an integral part of the holiday camp development in the outset.

62. Members noted that there was limited space available for the proposed storage as the adjoining government land had already been allocated to the Hong Kong Sea Cadet Corps Jubilee Centre. With respect to the approved holiday camp redevelopment, Members noted that general building plans for the redevelopment scheme had been approved by the Building Authority in December 2017. According to the approved scheme, no floor space had been reserved for storage of kayaks in the holiday camp. A Member pointed out that apart from boat storage, the open deck extension was required for canoeing practice, and hence the Committee should take into account user friendliness in terms of maintenance and training and give favourable consideration to the application.

63. Although Members generally supported the use of the site for water sports, some Members had reservations on using a large part of the beach area for boat storage area and the applicant should have considered the provision of storage space for water sports equipment in the approved holiday camp scheme. Besides, it appeared that outdoor storage space could still be made available in area next to the approved holiday camp building. Those Members considered that the application should be rejected.

64. Some Members considered that the applicant should endeavour to reduce the scale of the proposal; refine the design of the proposed structure; and ensure that the proposal

could blend in with the surrounding natural environment. Those Members considered that more information should be provided to justify the proposed development.

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

65. Members then discussed whether the application should be rejected or deferred for a decision pending the applicant to provide more information. A vote was then taken. Majority of the Members voted for rejecting the application.

66. After deliberation, the Committee decided to reject the application for the following reason:

“the proposed development is not in keeping with the natural character of the application site and the surrounding area. No strong planning justification has been given in the submission in support of the proposed development.”

[The Chairman thanked Mr Vincent W.Y. Wong (STP/HK) for his attendance to answer Members' enquiries. He left the meeting at this point.]

[The meeting was adjourned for a short break of 5 minutes.]

[Meses Johanna W.Y. Cheng, District Planning Officer/Kowloon (DPO/K), and Winnie W.Y. Leung, Town Planner/Kowloon (TP/K), were invited to the meeting at this point.]

Kowloon District

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K22/25 Proposed Social Welfare Facilities in “Residential (Group B) 5” Zone,
Kai Tak Area 4A Site 2, Kowloon
(MPC Paper No. A/K22/25)

67. The Secretary reported that the application was submitted by the Social Welfare Department (SWD) and Mr Alex T.H. Lai had declared interests on the item for his firm was having current business dealings with SWD. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

68. 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 social welfare facilities;
- (c) departmental comments – no objection from concerned government departments was received;
- (d) during the first three weeks of the statutory publication period, 15 public comments from individuals were received, with 14 objecting to the application and one providing views on the application. The major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment made in paragraph 10 of the Paper. While the proposed welfare facilities were not entirely in line with the

planning intention of the “Residential (Group B)5” (“R(B)5”) zone, it would help meet the demand for various welfare facilities from the population in Kai Tak Development and the territory. The proposed welfare facilities were considered not incompatible with the surrounding residential developments and the private residential development with retail use to be developed on the application site as they were facilities for serving the needs of the neighbourhood and the district. It was stated in the planning intention for “R(B)” zone that retail belt/frontage should be provided along the side of the site abutting waterfront promenade or pedestrian street to enhance vibrancy and the applicant confirmed that it would be possible to accommodate all proposed welfare facilities alongside the retail use. The application was in line with the government’s overall policy of increasing provision of welfare facilities, which was in the public interest. Concerned departments had no objection to or adverse comment on the application. The proposed welfare facilities would not result in any increase in total permissible gross floor area (GFA) for the Site and would not induce major increase in population. Detailed design of the welfare facilities would be controlled through relevant ordinances and regulations, building plan submission and land sale conditions. Regarding the public comment, the proposed welfare facilities were to serve the neighbourhood and the district at large and considered not incompatible with the surrounding residential developments. The relevant government departments had no adverse comment on the proposed social welfare facilities.

69. Some Members raised the following questions:
- (a) how to determine the amount of social welfare facilities to be provided in the development;
 - (b) whether the social welfare facilities were exempted from GFA calculation; and
 - (c) the funding arrangement of the proposed social welfare facilities.

70. In response, Ms Johanna W.Y. CHENG, DPO/K, made the following main points:

- (a) the social welfare facilities proposed by SWD was about 10% of the total permissible GFA as agreed between relevant bureaux to facilitate provision of more welfare facilities in private developments;
- (b) the application site was within a “R(B)” zone, where planning permission from the Town Planning Board (TPB) was required for ‘social welfare facilities’ use. When stipulating the permissible development intensities for individual sites in Kai Tak Development, no provision had been made for exemption of social welfare facilities from GFA calculation. As such, the provision of social welfare facilities at the site would result in reduction in GFA for residential development; and
- (c) SWD advised that established practice would be followed to finance the cost of design, construction, operation and maintenance of the proposed welfare facilities by Lotteries Fund.

Deliberation Session

71. The Chairman said that the government endeavoured to provide more social welfare facilities to serve the community and there were similar applications approved by the TPB in the Kai Tak development area. As long as the required social welfare facilities could be identified at the early plan-making stage, they would be included into the technical assessment and be catered for by means of GFA exemption under the OZP as appropriate. For the subject case, the facilities were identified after the plan-making process and there was no provision to exempt social welfare facilities from the total permissible GFA.

72. Members generally supported the application as it was in line with the Government’s policy to increase provision of welfare facilities and the proposal was generally compatible with the surrounding residential developments. Noting that there were public objections to the application, some Members considered that more publicity was required to promote general acceptance of provision of social welfare facilities in local

communities for building a more inclusive society. A Member opined that the provision of social welfare facilities should be duly considered at the early planning stage for better land use planning.

73. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

[The Chairman thanked Mses Johanna W.Y. CHENG, DPO/K, and Winnie W.Y. Leung, TP/K, for their attendance to answer Members' enquiries. They left the meeting at this point.]

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/234 Proposed Shop and Services in "Other Specified Uses" annotated "Business" Zone, Workshop on G/F, Sheung Hei Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/234)

74. The Secretary reported that the application site was located in San Po Kong and On Tak Enterprise Co. Ltd. (OTE) was the consultant of the applicant. The following Members had declared interests on this item :

Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Wong Tai Sin; and

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

75. The Committee noted that Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

76. With the aid of a PowerPoint presentation, Ms Sandy S.K. Ng, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or 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 based on the assessment made in paragraph 11 of the Paper. The applied use was 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 San Po Kong Business Area. The application complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts on the subject building and the adjacent areas. Concerned departments had no objection to or adverse comment on the application. Should the application be approved, the aggregate commercial floor areas on the G/F of the subject building would be within the maximum permissible limit of 460m². The Director of Fire Services had no

objection to the application subject to imposition of an approval condition requiring the submission and implementation of the proposal for fire safety measures.

77. Members had no question on the application.

Deliberation Session

78. 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 16.8.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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

Agenda Item 15

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/312 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” Zone, Unit No. 16, G/F, Kowloon Bay Industrial Centre, 15
Wang Hoi Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/312)

80. The Secretary reported that Centaline Surveyors Ltd. (CSL) (Subsidiary of Centaline Group) was the consultant of the applicant. The following Members had declared interests on this item :

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

Mr Wilson Y.W. Fung being the Chairman of the Hong Kong Dance Company which had obtained sponsorship from Centaline Property Agency Ltd. (Subsidiary of Centaline Group) before.

81. The Committee noted that Mr Alex T.H. Lai had already left the meeting. As Mr Wilson Y.W. Fung had no direct involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

82. With the aid of a PowerPoint presentation, Ms Sandy S.K. Ng, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph

9 of the Paper. Concerned government departments had no objection to or adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, one public comment from the Incorporated Owners (IO) was received objecting to the application. The main concern of the IO was set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The applied use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was compatible with the surrounding areas and other development in the subject building. The application complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts on the subject building and the adjacent areas. Concerned departments had no objection to or adverse comment on the application. Should the application be approved, the aggregate commercial floor areas on the G/F of the subject building would be within the maximum permissible limit of 460m². The Director of Fire Services had no objection to the application subject to imposition of an approval condition requiring the submission and implementation of the proposal for fire safety measures. Regarding the public comment on possible sewerage impact, the Buildings Department and Drainage Services Department had no objection to/comment on the application.

83. Members had no question on the application.

Deliberation Session

84. 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 16.8.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the

permission was renewed. The permission was subject to the following conditions :

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

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

[The Chairman thanked Ms 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 16

Further Consideration of Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/766 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services & Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 41 King Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/766A)

86. The Secretary reported that Ove Arup and Partner Hong Kong Limited (ARUP) and Lu Tang Lai Architects Ltd. (LTL) 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 and LTL;
- Mr Thomas O.S. Ho - having current business dealings with ARUP; and
- Mr. Franklin Yu - having past business dealings with ARUP.

87. The Committee noted that Messrs Thomas O.S. Ho and Franklin Yu had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

88. 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 – during the consideration of the application on 31.5.2019, the Committee decided to defer making a decision on the application as Members considered that there was inadequate information to demonstrate strong justification as well as planning merits for the proposed minor relaxation of building height (BH) restriction. The applicant was requested to provide further information (FI) for the Committee’s consideration;
- (b) on 26.6.2019, 4.7.2019 and 23.7.2019, the applicant submitted FI in response to the Committee’s concerns. Details of the applicant’s FI were set out in paragraph 2 of the Paper;
- (c) departmental comments – departmental comments were set out in paragraph 4 of the Paper. The Head of Energizing Kowloon East Office considered that the setback and greenery proposals would improve the pedestrian environment and promote walkability. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD)

commented that the design measures as proposed would promote visual interest and enhance the streetscape along King Yip Street and the adjoining back lane. Other concerned government departments had no objection to or adverse comment on the application;

- (d) during the first three weeks of the statutory publication period of FI, three public comments was received, including two objecting comments from a member of Kwun Tung District Council (KTDC) and the owners of adjoining building, and an individual expressing concern. Major views were set out in paragraph 5 of the Paper; and
- (e) PlanD's views – PlanD maintained its previous view of having no objection to the application based on the assessments set out in paragraph 6 of the Paper. The proportional increase in BH to accommodate 20% increase in plot ratio (PR) under the application was not unreasonable and the proposed BH was also comparable to the surrounding development. Regarding the public comments on the potential adverse traffic and visual impacts, the Commissioner for Transport and CTP/UD&L, PlanD had no objection to the application respectively.

89. In response to some Members' enquires relating to the assessments submitted to supplement the proposed scheme, bonus PR, implementation of the proposed measures and details of the revitalisation of Tsui Ping River, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) no quantitative assessment was submitted by the applicant to justify the planning and design merits of the proposed development in enhancing wind permeability, solar shading and energy efficiency, etc;
- (b) as the application site was less than two hectares, there was no requirement for submission of air ventilation assessment according to the Joint Housing, Planning and Lands Bureau – Environment, Transport and Works Bureau Technical Circular No. 1/06 on Air Ventilation Assessments;

- (c) the bonus PR that might be approved by the Building Authority (BA) had not been reflected in the development proposal and would be subject to approval by BA;
- (d) the proposed design elements and greenery measures in the scheme under application would be reflected and further assessed in the building plans submission stage; and
- (e) the Tsui Ping River Revitalisation Project was to enhance the connectivity and walkability of the existing nullah by provision of walkways and landscaped decks. The water quality of Tsui Ping River was not suitable to be used directly for leisure and recreational purposes.

Deliberation Session

90. A Member considered that there were improvements to the proposed scheme in terms of building design and greenery features, but had concerns on the effectiveness of the proposed measures to improve the environment as the applicant had not provided any quantitative assessment. Another Member supported the proposed development but raised concern on the mechanism to ensure the implementation of the proposed measures.

91. As regards the two Members' concerns, Members noted that the proposed features had to be shown on building plans to reflect the scheme under application. Requirements on provisions of setback and greenery proposal would also be incorporated in the lease where appropriate.

92. 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 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) submission of sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;

- (b) implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment for the proposed development in condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) submission of a revised traffic impact assessment, including a traffic management plan for the vehicular access arrangement, and implementation of the traffic management proposal and the mitigation measures, if any, identified in the revised traffic impact assessment, to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.”

93. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix F-VII of the Paper.

Agenda Item 17

Further Consideration of Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/771 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services & Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 32 Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/771A)

94. The Secretary reported that Ove Arup and Partner Hong Kong Limited (ARUP) and WSP Hong Kong Ltd. (WSP) 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 and WSP;
- Mr Thomas O.S. Ho - having current business dealings with ARUP; and
- Mr. Franklin Yu - having past business dealings with ARUP and WSP.

95. The Committee noted that Messrs Thomas O.S. Ho and Franklin Yu had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

96. 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 – during the consideration of the application on 31.5.2019, the Committee decided to defer making a decision on the application as Members considered that there was inadequate information to demonstrate strong justification as well as planning merits for the proposed minor relaxation of building height (BH) restriction. The applicant was requested to provide further information (FI) for the Committee’s consideration;
- (b) on 26.6.2019, 5.7.2019 and 1.8.2019, the applicant submitted FI in response to the Committee’s concerns. Details of the applicant’s FI were set out in paragraph 2 of the Paper;
- (c) departmental comments – departmental comments were set out in paragraph 4 of the Paper. The Head of Energizing Kowloon East Office (Head of EKEO) considered that the setback would improve the pedestrian environment and promote walkability. The Chief Town Planner/Urban

Design and Landscape, Planning Department (CTP/UD&L, PlanD) noted that there were setbacks along Hung To Road and that back lane would be open for public use. Given the relatively small site, any potential improvement on the surrounding wind environment due to site coverage adjustment/tower disposition would likely be minor. Other concerned government departments had no objection to or adverse comment on the application;

- (d) during the first three weeks of the statutory publication period of FI, two comments were received, including an objecting comment from a Kwun Tong District Council (KTDC) member and a concern raised by an individual. Major views and objection grounds were set out in paragraph 5 of the Paper; and
- (e) PlanD's views – PlanD maintained its previous view of having no objection to the application based on the assessments set out in paragraph 6 of the Paper. The proportional increase in BH to accommodate 20% increase in plot ratio (PR) under the application was not unreasonable and the proposed BH was also comparable to the surrounding development. Regarding the public comments on adverse traffic and visual impacts, the Commissioner for Transport and CTP/UD&L, PlanD had no objection to the application respectively. For the public concern on any amendments to the approved development schemes in the detailed design stage, the relevant considerations were set out in Town Planning Board Guideline No. 36B for Class A and Class B Amendments to Approved Development Proposals.

97. In response to some Members and the Chairman's enquires on the rating of BEAM Plus New Buildings that the applicant would target to achieve by the proposal, the design merits and opportunities for further improvement of the current proposed scheme, as well as the possible precedent effect of approving the application, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) there was no information in the submission on the rating of BEAM Plus New Buildings that the applicant targeted to achieve with the proposal;

- (b) the application site was the subject of a planning application No. A/K14/764, which was rejected by the Committee in March 2019. Compared with the previous scheme, the proposed BH of the current proposal had been reduced from 130.2mPD to 119.7mPD. The proposed building separation of a minimum 9.35m from the adjoining building, which was to fulfil the requirement for prescribed window under the Buildings Ordinance, would also generally provide a visual break along Hung To Road and enhance wind permeability from the southwest towards inland;
- (c) there was no further change to the proposed BH as well as building setback in the current proposal since the last consideration by the Committee in May 2019. As the application site was relatively small in size and the total set back area (about 12% of the site area) would be surrendered and open for public use for the purpose of footpath widening and amenity/streetscape enhancement, there was little room to further reduce the proposed building footprint on G/F; and
- (d) approval of the application would not set a precedent to other similar cases as each application would be considered by the Committee on its individual merits.

Deliberation Session

98. Members generally noted that the small site area and the required set back had imposed constraints on the design of the proposed development while the applicant had made effort in the building design to improve the local wind environment under the proposed scheme, although a Member considered that there might still be room to enhance the scheme.

99. A Member said that some guidelines to facilitate consideration of applications for minor relaxation of PR and BH restrictions of industrial building might encourage applicants to submit good design. Another Member said that it could be difficult to draw up specific prescriptive requirements on design matters, which were qualitative in nature. The Chairman stressed that the Committee's deliberation on the relevant planning applications as

recorded in the minutes had already revealed the Committee's endeavour on promotion of good urban design and emphasis on planning merits, while the degree and extent of planning gains had to be assessed case by case in respect of individual site particulars. Through the Committee's consideration and deliberation of relevant applications, experiences could be accumulated and perhaps some guiding principles could be evolved over time. The Chairman said and Members agreed that for future applications for minor relaxation of PR BH restrictions of industrial buildings, details including the consideration and decision of all similar cases, which had been considered by the Committee, should be included in the paper for Members' reference.

100. 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 16.8.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

101. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix F-VII of the Paper.

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

Agenda Item 18

Section 16 Application

[Open Meeting]

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

102. The Secretary reported that Ove Arup and Partner Hong Kong Limited (ARUP) was the consultant 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 ARUP;
and

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

103. The Committee noted that Messrs Thomas O.S. Ho and Franklin Yu had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting, and the applicant had requested deferment of consideration of the application.

104. The Committee noted that the applicant's representative requested on 2.8.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the

first time that the applicant requested deferment of the application.

105. 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 19

Any Other Business

106. There being no other business, the meeting closed at 1:30 p.m..