

## **TOWN PLANNING BOARD**

### **Minutes of 637<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 18.10.2019**

#### **Present**

Director of Planning Mr Raymond K.W. Lee	Chairman
Mr Lincoln L.H. Huang	Vice-chairman
Mr Stephen H.B. Yau	
Dr Lawrence W.C. Poon	
Mr Wilson Y.W. Fung	
Mr Alex T.H. Lai	
Professor T.S. Liu	
Ms Sandy H.Y. Wong	
Mr Franklin Yu	
Mr Stanley T.S. Choi	
Mr Daniel K.S. Lau	
Ms Lilian S.K. Law	
Professor John C.Y. Ng	
Professor Jonathan W.C. Wong	

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

Chief Engineer (Works), Home Affairs Department  
Mr Paul Y.K. Au

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

Assistant Director (R1), Lands Department  
Mr Simon S.W. Wang

Deputy Director of Planning/District Secretary  
Ms Lily Y.M. Yam

**Absent with Apologies**

Mr Thomas O.S. Ho

Dr Frankie W.C. Yeung

Mr Sunny L.K. Ho

**In Attendance**

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

Town Planner/Town Planning Board  
Mr Gary T. L. Lam

**Agenda Item 1**

Confirmation of the Draft Minutes of the 636<sup>th</sup> MPC Meeting held on 4.10.2019

[Open Meeting]

1. The draft minutes of the 636<sup>th</sup> MPC meeting held on 4.10.2019 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

## **Kowloon District**

### **Agenda Item 3**

#### **Section 12A Application**

[Open Meeting]

Y/K9/13              Application for Amendment to the Approved Hung Hom Outline Zoning Plan No. S/K9/26, To rezone the application site from “Residential (Group A) 4” to “Residential (Group A) 7”, 34-42B Baker Street, Hung Hom, Kowloon  

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(MPC Paper No. Y/K9/13)

1.              The Secretary reported that the application site was located in Hung Hom. Cham & Co. Solicitors (CCS) 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 CCS; and
Mr Stanley T.S. Choi	- owning a flat in Hung Hom.

2.              The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had not yet arrived to join the meeting. As the property of Mr Stanley T.S. Choi had no direct view of the application site, the Committee agreed that he could stay in the meeting.

3.              The Committee noted that the applicant's representative requested on 19.9.2019 deferment of the consideration of the application for three months in order to allow time for preparation of a Traffic Impact Assessment to address the comments from Transport Department. It was the first time that the applicant requested deferment of the application. The Committee noted that the Planning Department considered a deferment period of two months should be allowed instead of three months for the preparation of submission of further information.

4.              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, but only two months were allowed instead of three months. 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 the further information, and no further deferment would be granted unless under very special circumstances.

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

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 4**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K1/259      Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 3 Years in "Government, Institution or Community" Zone, B/F (Portion) and G/F (Portion), Hong Kong Scout Centre, 8 Austin Road, Tsim Sha Tsui, Kowloon  
(MPC Paper No. A/K1/259)

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5.      The Secretary reported that the application site was located in Tsim Sha Tsui (TST). The application was submitted by Scout Association of Hong Kong (SAHK). The following Members had declared interests on the item:

Mr Stephen H.B. Yau      - being a member of Executive Committee and Chairman of Children and Youth Service Development Sub-committee of the Friend of Scouting, SAHK; and

Mr Stanley T.S. Choi      - his spouse being a director of a company owning properties in Tsim Sha Tsui.

6. As the interest of Mr Stephen H.B. Yau was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As the property owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

[Mr Stephen H.B. Yau left the meeting temporarily at this point. Messrs Lincoln L.H. Huang (the Vice-chairman) and Alex T.H. Lai and Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the renewal of planning approval for temporary eating place (restaurant) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, eight public comments were received from TST Residents Concern Group, Designing Hong Kong and individuals objecting to or providing general comments on the application. Major grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 12 of the Paper. There had been no material change in the planning circumstances and

surrounding land uses. All approval conditions of the previous approval had also been complied with. The scale and nature of the temporary eating place would remain the same as the previous approval and the approval period of three years sought was the same as the previous approval, which was considered appropriate. Relevant government departments confirmed that there was no suitable government, institution or community (GIC) use to be accommodated at the premises. The application complied with relevant Town Planning Board Guidelines and relevant government departments had no objection to or no adverse comments on the application. Regarding the public comments, the comments of government departments and planning assessment above were relevant.

8. Some Members raised the following questions:
  - (a) the original use of the application premises and the existing uses on the floors at the Hong Kong Scout Centre (HKSC);
  - (b) the proportion of space used for eating places within the HKSC;
  - (c) whether there was any planning requirement on the minimum amount of floor space for canteen use;
  - (d) whether priority would be given to SAHK members to use the restaurant;
  - (e) percentage of usage by SAHK members compared with the total number of restaurant users in the past few years;
  - (f) the reasons of granting a shorter temporary approval period when the previous planning permission was granted;
  - (g) possible scenarios after three years if the renewal approval was granted; and

- (h) whether SAHK had applied for new premises for their operation in recent years.

9. In response, Ms Caroline Tang, STP/TWK, made the following main points:

- (a) except the premises under the current application, there were other ancillary eating places within the HKSC, including the lounge/café and catering facilities located on UG/F and 8/F respectively. Other main uses within the HKSC included a cross-boundary coach terminus on G/F, a car park on 1/F to 5/F (part), a telephone exchange on 5/F to 7/F, scout facilities on 8/F to 11/F and guestrooms on 14/F to 25/F. The existing uses on each floor were broadly the same as those when the building was completed in 1993. The application premises was designated as scout canteen in the approved building plans and the Occupation Permit of the HKSC issued by the Building Authority;
- (b) the applied restaurant use accounted for less than 5% of the total floor area among all the facilities of HKSC, excluding the cross-boundary coach terminus and the telephone exchange;
- (c) there was no specific requirement on the floor space for canteen use within the HKSC;
- (d) according to the applicant, priority would be given to SAHK members to use the restaurant;
- (e) no information was provided by the applicant on the usage of the restaurant by SAHK members in the past few years;
- (f) a shorter approval period of three years, instead of six years sought, was granted by the Committee for the previous application in order to review if there was possibility of accommodating other GIC uses at the premises in the future;

- (g) it was noted that the applicant intended to maintain the premises as an eating place to serve its members and the application was to allow operational flexibility for the restaurant to serve the public as well, and the rental received from the restaurant would be used to support Scout Movements for youth development in Hong Kong. While the Lands Department advised that there was no provision for the Government to take over the premises for other GIC uses under the lease, relevant government departments also confirmed that there was no suitable GIC uses to be accommodated at the premises;
- (h) upon expiration of the temporary approval, the applicant might further apply for renewal of planning permission to continue the operation of the restaurant. If the premises were to be reverted back to canteen use, planning approval would not be necessary as canteen was an ancillary use of the HKSC; and
- (i) there was another SAHK premises located in Wan Chai, which was recently redeveloped.

#### Deliberation Session

10. A Member pointed out that the renewal application for restaurant use had similar nature with the original canteen use and the restaurant could serve both SAHK members and nearby residents, while the rental received could support SAHK's service. The same Member considered that as there was no suitable GIC use for the premises, the renewal application could be approved. Another Member highlighted that there was no change in planning circumstances and the approval conditions under the previous application had been complied with.

11. A Member had no strong view on the application but considered that the floor spaces in the HKSC could be utilised for the operation of SAHK or other GIC uses. Another Member pointed out that if the renewal application was to be approved, a clear message should be conveyed to the applicant to make better use of the premises for GIC facilities. A Member concurred and stressed that SAHK members should have priority to

use the premises.

12. A Member did not support the renewal application as the applicant had not addressed the Committee's concern raised upon approving the previous application to explore the possibility of accommodating other GIC uses at the premises. Another Member considered it was not appropriate to rely on rental income to subsidise SAHK services. A Member further supplemented that it was more appropriate to make use of the premises for activities of SAHK, as the floor spaces for those activities were limited. A Member pointed out that the premises was located at a convenient location and was surprised that relevant government departments could not identify a suitable GIC use at the premises.

13. The Vice-chairman pointed out that it might take time for the applicant to explore suitable GIC use at the premises, and if the application was rejected, it was possible that the premises would be left vacant for a certain period. To encourage the applicant to explore the possibility of accommodating other GIC uses at the premises, a temporary approval could be granted but with a shorter approval period such as one year. The applicant should also be advised that the renewal was the last renewal and other alternative GIC uses should be explored for the application premises. Members generally agreed with the Vice-chairman's suggestion of granting a shorter approval period except one Member who considered that the application should be rejected as the applicant had not addressed the Committee's previous concern.

14. After deliberation, the Committee decided to approve the application on a temporary basis for a period of one year from 10.12.2019 to 9.12.2020, on the terms of the application as submitted to the Town Planning Board (TPB).

15. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper with the following additional clause:

"the applicant should explore the possibility of accommodating other government, institution or community uses at the application premises and no further renewal of approval would be given."

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

[Mr Wilson Y.W. Fung arrived to join the meeting and Mr Stephen H.B. Yau returned to join the meeting at this point.]

## **Agenda Item 5**

## Section 16 Application

[Open Meeting]

A/KC/457      Proposed Offensive Trades (Lard Boiling Factory) in “Industrial” Zone,  
Kwai Chung Town Lot 145, 7-11 Wing Kin Road (odd numbers), Kwai  
Chung, New Territories  
(MPC Paper No. A/KC/457C)

16. The Secretary reported that Hung Hing Keung was one of the applicants and Lu Tang Lai Architects Ltd. (LTL) was one the consultants of the applicants. The following Member had declared an interest on the item:

Mr Alex T.H. Lai - his firm having current business dealings with Hung Hing Keung and LTL.

17. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

18. The Committee noted that the applicant's representative requested on 30.9.2019 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from the Environmental Protection Department. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information, including responses to department comments and revised Environmental Assessment.

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 the further information. Since it was the fourth deferment and a total of five months had been allowed for the preparation of further information, this was the last deferment and no further deferment would be granted.

## **Agenda Item 6**

### Section 16 Application

[Open Meeting]

A/TW/510              Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Industrial Use in "Industrial" Zone, 24-32 Fui Yiu Kok Street, Tsuen Wan, New Territories  

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(MPC Paper No. A/TW/510)

20. The Secretary reported that Ove Arup and Partners Hong Kong Ltd. (ARUP) and R Lee Architects (HK) Ltd. (RLA) were the consultants of the applicant. The following Members had declared interests on the item:

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|-------------------|---|
| Mr Thomas O.S. Ho | - having current business dealings with ARUP;                     |
| Mr Franklin Yu    | - having past business dealings with ARUP;<br>and                 |
| Mr Alex T.H. Lai  | - his firm having current business dealings<br>with ARUP and RLA. |

21. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee noted that Mr Thomas O.S. Ho had tendered apologies

for being unable to attend the meeting and Mr Franklin Yu had not yet arrived to join the meeting. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

22. The Committee noted that the applicant's representative requested on 2.10.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time that the applicant requested deferment of the application.

23. 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.

### **Hong Kong District**

#### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting]

A/H1/102              Proposed Minor Relaxation of Gross Floor Area Restriction for Proposed Hotel, Office, Shop and Services, Eating Place and Place of Entertainment Uses in "Other Specified Uses" annotated "Commercial, Leisure and Tourism Related Uses" Zone, 18 Sai Ning Street, Kennedy Town, Hong Kong  
(MPC Paper No. A/H1/102A)

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24. The Secretary reported that the application was submitted by China Merchants

Properties Development Ltd. (CMPD). Llewelyn-Davies Hong Kong Ltd. (LD), Mott MacDonald Hong Kong Ltd. (MMHK) and MVA Hong Kong Ltd. (MVA) were three of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho - his company having current business dealings with MMHK and MVA and past business dealings with LD; and

Mr Alex T.H. Lai - his firm having current business dealings with CMPD, MMHK and MVA.

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

26. The Committee noted that the applicant's representative requested on 26.9.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the second time that the applicant requested deferment of the application.

27. The Secretary supplemented that the application site was the subject of adverse representations in respect of the Draft Kennedy Town & Mount Davis Outline Zoning Plan (OZP) No. S/H1/20. Submission of the OZP to the Chief Executive in Council (CE in C) for approval was subject to the Court's order of stay in relation to judicial review (JR). The relevant JR cases were heard by the Court of First Instance in May 2018 and judgment was awaited. 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 planning application on a site subject to outstanding adverse representation should be deferred until the CE in C had made a decision on the draft OZP.

28. After deliberation, the Committee decided to defer a decision on the application and agreed that the application should be submitted for its consideration after the CE in C's decision on the draft OZP had been made.

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

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/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/K14/773      Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Non-polluting Industrial Use (excluding Industrial Undertakings involving the Use/Storage of Dangerous Goods) and Eating Place (Canteen Only) Use in “Other Specified Uses” annotated “Business” Zone, 82 Hung To Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/773A)

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29.      The Secretary reported that Kenneth To & Associates Ltd. (KTA), T.K. Tsui & Associates Ltd. (TKTAL) and AIM Group Ltd. (AIM) were the consultants of the applicant. The following Members had declared interests on the item:

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|--------------------|---|
| Mr Daniel K.S. Lau | - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA; and |
| Mr Alex T.H. Lai   | - his firm having current business dealings with TKTAL and AIM.   |

30.      As Messrs Daniel K.S. Lau and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

### Presentation and Question Sessions

31. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) and building height (BH) restrictions for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods) and eating place (canteen only) use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Development, Development Bureau (DEVB) had given policy support to the application in principle from policy angle. Other concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, three public comments were received from a Kwun Tong District Council Member and an individual objecting to or raising concerns on the application. Major 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 assessment made in paragraph 11 of the Paper. The proposed uses were in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone for general business uses, including non-polluting industrial uses. DEVB gave policy support to the application. On technical aspects, concerned departments had no objection to or no adverse comment on the application in respect of the minor relaxation of PR restriction. Various design elements had been adopted to enhance the environmental quality of the urban environment. The proposed minor relaxation of BH restriction was considered generally proportionate to the 20% relaxation in PR under application and for

accommodating the refuge floor cum communal sky garden and might not be unreasonable. As the application site was located at the edge of the “OU(B)” cluster subject to BH restriction of 100mPD and that for the sites across Hung To Road was 130mPD, the proposed BH of 119.85mPD would still allow a stepped BH profile and was considered not unacceptable. Regarding the public comments received, the comments from concerned government departments and the planning assessments above were relevant.

32. Some Members raised the following questions:
- (a) whether the proposed ‘non-polluting industrial use’ would be compatible with the nearby sites being redeveloped for commercial developments or planned for commercial use;
  - (b) differences in definition between ‘non-polluting industrial use’ and ‘industrial’ uses;
  - (c) any setback requirements for the application site and any difference between the setback requirements and the proposed setback;
  - (d) any general criteria for Members’ reference in considering similar applications; and
  - (e) any similar applications involving redevelopment of existing Industrial Building (IB) for industrial use.

33. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) a number of commercial redevelopment or wholesale conversion were located in the same and adjacent cluster, including a nearby redevelopment for commercial/office use at King Yip Street which was recently approved by the Committee. Redevelopment for ‘non-polluting industrial use’ was permitted under Schedule II of the Notes of the “OU(B)” zone covering the

application site, which would be compatible with other permitted uses such as office within the zone;

- (b) ‘non-polluting industrial use’ meant any industrial use which did not involve activities that were detriment to the occupants of the building and amenity of the area by reason of noise, waste water discharge, vibration, smell, fume, smoke, soot, ash, dust or grit and other environment nuisances. Such definition was also clearly set out in the Definition of Terms used in statutory plans;
- (c) there was no setback requirement for the application site under the approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14/22 and the relevant departmental plan. The proposed setbacks on 1/F and above were proposed by the applicant;
- (d) a table showing relevant information of similar applications for minor relaxation of both PR and BH restrictions under the Revitalization of IB policy initiative was attached at Appendix V of the Paper for Members’ reference. The table provided information on major design parameters and design features of the applications, e.g. site area, setbacks and provision of greenery; and
- (e) there were two similar applications in San Po Kong and Tsuen Wan which proposed to redevelop existing IBs for industrial use, with one approved and one deferred by the Committee pending the provision of further information.

34. A Member suggested that other qualitative factors, e.g. visual impact and enhancement to pedestrian environment, etc., could also be included in the table for Members’ reference and consideration in the future.

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

### Deliberation Session

35. A Member raised concern on whether the proposed workshop use under the application was compatible with the nearby commercial and hotel developments. The Chairman said that both ‘non-polluting industrial use’ and ‘commercial’ uses were in line with the planning intention of the “OU(B)” zone.

36. Despite there was no setback requirements on both the statutory and departmental plans along this part of Hung To Road, Members noted that setbacks on 1/F and above were proposed by the applicant after taking into account various site constraints, including small site area and limited street frontage. Members also noted that there was only one similar application in Tsuen Wan which had provided setback despite there was no setback requirement. The application was currently scheduled for the Committee’s reconsideration. An approved similar application in Kwun Tong (No. A/K14/766) had provided further setbacks in addition to the requirements set out in the departmental plan, however, the site of that application was larger which allowed more design flexibility.

37. Some Members considered full height setbacks should be provided to further enhance the pedestrian environment, while some Members considered full height setback might not be achievable given the constraints of the application site. As there was no setback requirement on both the statutory and departmental plans for the application site, there was no basis to request for mandatory building setback. A Member pointed out that other developments along this part of Hung To Road had not provided any setback at street level and any setback of the proposed development alone would not achieve significant enhancement, while another Member considered that building setback in any case could create land pocket at street level and add interest to pedestrian experience. A Member considered that the design merits to enhance pedestrian environment at street level should be one of the major considerations for minor relaxation of BH restriction. Another Member opined that the application might not have strong planning and design merits.

38. Upon further discussion, Member generally agreed that the minor relaxation of PR under the current Revitalization of IB policy initiative could generally be supported but the applicant should provide further information on the planning and design merits of the proposal to justify the relaxed BH to facilitate Members’ consideration.

39. After deliberation, the Committee decided to defer a decision on the application, pending the applicant's submission of further information on the planning and design merits of the proposal.

[Mr Lincoln L.H. Huang (the Vice-chairman) and Dr Lawrence W.C. Poon left the meeting at this point.]

## **Agenda Item 9**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/123      Proposed Minor Relaxation of Building Height Restriction for Permitted Public Housing Development in “Residential (Group A)” Zone, Pik Wan Road Site B, Junction of Pik Wan Road and Ko Chiu Road, Yau Tong, Kowloon  
  
(MPC Paper No. A/K15/123)

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40. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). Kenneth To & Associates Ltd. (KTA) and Ove Arup and Partners Hong Kong Ltd. (ARUP) were the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Paul Y.K. Au<br><i>as the Chief Engineer (Works), Home Affairs Department</i> | - being an alternate representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidized Housing Committee of HKHA; |
| Mr Thomas O.S. Ho  | - having current business dealings with HKHA and ARUP;   |
| Mr Alex T.H. Lai   | - his firm having current business dealings with HKHA and ARUP;  |
| Dr Lawrence W.C. Poon  | - his spouse being an employee of the Housing Department (HD), which was the executive arm of HKHA, but not involved in planning                                       |

work;

- |                    |  |
|--------------------|--|
| Mr Franklin Yu     | - being a member of Building Committee of HKHA and have past business dealings with ARUP; and                                  |
| Mr Daniel K.S. Lau | - being an ex-Director (Development and Marketing) of Hong Kong Housing Society, which had current business dealings with KTA. |

41. The Committee noted that Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting and Mr Alex T.H. Lai and Dr Lawrence W.C. Poon had already left the meeting. As the interests of Messrs Paul Y.K. Au and Franklin Yu were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Messrs Paul Y.K. Au and Franklin Yu left the meeting temporarily at this point.]

#### Presentation and Question Sessions

42. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction for permitted public housing development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Director of Social Welfare supported the application, while the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that the proposed development with a higher BH would have visual impacts on the surroundings, but also recognised that the proposed relaxation in BH

restriction would enable optimisation of the development potential at the site for public housing units and social welfare uses, which might be considered a public benefit. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, five public comments were received from a Kwun Tong District Council Member and four individuals objecting to or raising concerns on the application. Major grounds were set out in paragraph 10 of the Paper; and
- (e) the PlanD's views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. The application was in line with the Government's overall policies of better utilisation of scarce land resources, expediting the production of public housing and increasing the provision of social welfare facilities. The proposed public housing development had its planning merits with the inclusion of social welfare facilities. Although the proposed development might largely be taller than the surrounding existing and planned development and might not be strictly in line with the BH profile, the Site was subject to various site constraints and that the proposed development had to cater for the design requirements for both the Residential Care Homes for the Elderly (RCHE) cum Day Care Unit (DCU) and residential units that might limit the scope of reducing the proposed BH. As such, the proposed minor relaxation of BH restriction might not be unreasonable. Concerned departments had no objection to or no adverse comment on the application in respect of the minor relaxation of PR restriction. Regarding public comments received, the comments from concerned government departments and the planning assessments above were relevant.

43. In response to a Member's questions, Ms Jessie K.P. Kwan, STP/K, said that based on the planned population of Kwun Tong District, even with the proposed RCHE at the application site, there would be a shortfall in RCHE of about 2,000 places. Regarding noise mitigation measures, although there was no noise barrier along the site boundary, 5 and 10 metres setback from both Ko Chiu Road and Pik Wan Road respectively would be provided

to reduce any possible adverse traffic emission and noise impacts. The applicant would also carry out environmental assessment in the detailed design stage to assess any adverse impacts and to provide mitigation measures, if needed, to ensure the development would comply with all relevant environmental regulations and standards. She further illustrated the location of the vehicle run-in/out and main pedestrian entrance at Ko Chiu Road, and explained that the future RCHE users could reach the Yau Tong MTR Station via a planned footbridge and other existing footbridges and crossings. In response to the Member's further enquiry, Ms Jessie K.P. Kwan said that due to safety concern, the current regulation stipulated that no part of a RCHE should be situated at a height more than 24 meters above ground floor.

44. A Member noted the public concerns regarding the adverse impact induced by the population increase and enquired the number of additional population if the application for minor relaxation of BH restriction was approved. Ms Jessie K.P. Kwan responded that, under the existing BH restriction of 150mPD, only about 1,500 residents could be accommodated in the proposed public housing development with the provision of RCHE cum DCU, while the number of residents could be increased to about 2,400 with the minor relaxation of BH restriction and fully utilise the site potential for supply of housing units. Other social welfare facilities and a General Out-patient Clinic would be provided at the adjoining planned development at Pik Wan Road Site A. Regarding the public concern about adverse traffic impacts, the Civil Engineering and Development Department (CEDD) had assessed the traffic impact of the proposed public housing development with the additional social welfare facilities and with the implementation of road network improvement by CEDD, no adverse traffic impact was anticipated. Relevant government departments would also review the level of service of public transport at a later stage.

#### Deliberation Session

45. Members generally supported the application as it could increase housing supply and allow the provision of social welfare facilities, and considered that the proposed BH was not incompatible with the existing and planned developments in the surrounding area.

46. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 18.10.2023, 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 building height of the proposed public housing development within the application site should not exceed 185mPD;
- (b) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the design and provision of the social welfare facilities to the satisfaction of the Director of Social Welfare or of the Town Planning Board; and
- (d) the design and provision of vehicular access and vehicle parking/loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board.”

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

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

[Messrs Paul Y.K. Au and Franklin Yu returned to join the meeting at this point.]

[Mr Chesterfield K.K. Lee, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

## **Agenda Item 10**

### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K22/26	Proposed Public Utility Installation (Aboveground Gas Governor Kiosks) in “Other Specified Uses” annotated “Amenity Area” Zone and an area shown as ‘Road’, <u>Locations 1 and 2</u> Government Land near Road D3A, Runway Area, Kai Tak Development <u>Location 3</u> Government Land near Muk Tai Street, Kai Tak Development (MPC Paper No. A/K22/26)
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48. The Secretary reported that the application was submitted by Hong Kong and China Gas Company Ltd. (HKCGC) which was a subsidiary of Henderson Land Development Company Ltd. (HLD). The following Member had declared an interest on the item:

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

49. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed public utility installations (aboveground gas governor kiosks);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. Project Manager (East), Civil Engineering and Development Department (PM(E), CEDD), Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD), Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) and Head of Energising Kowloon East Office (EKEO) advised that appropriate architectural/façade treatment

should be adopted for the kiosks, including making reference to the “Kai Tak Brand Identity Manual and Public Creatives Guideline”. Other concerned government departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, no public comment was received on the application; 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 kiosks were essential utilities to support developments in the Kai Tak Development (KTD). The proposed kiosks would only occupy small areas at the roadside planting areas, and would likely be partly concealed by the adjacent planting areas and would not obstruct pedestrian flow nor sightline of vehicles. In view of the small scale of installations, the kiosks would not have significant impacts on the environmental, traffic, visual and landscaping and gas safety aspects. Concerned government departments had no objection to or no adverse comment on the application. An approval condition was recommended to ensure the adoption of appropriate architectural/façade treatment. Two similar applications for the same use in KTD were approved by the Committee in 2017 and 2018. Approval of the subject application was in line with the previous decisions of the Committee.

51. In response to a Member’s question on whether the applicant had responded to the departmental comments on adoption of appropriate architectural/façade treatment for the kiosks, Mr Chesterfield K.K. Lee, STP/K, said that the applicant would take the comments into consideration and an approval condition was also recommended to ensure the adoption of appropriate architectural/façade treatment.

#### Deliberation Session

52. A Member supported the adoption of appropriate architectural/façade treatment for the kiosks to minimise the visual impact.

53. 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 18.10.2023, 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 condition :

“ the façade design and construction of the proposed aboveground gas governor kiosks to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.”

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

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

### **Agenda Item 11**

#### **Any Other Business**

55. There being no other business, the meeting closed at 12:00 noon.