

## **TOWN PLANNING BOARD**

### **Minutes of 645<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 17.3.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr Franklin Yu

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

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  
Ms Fiona S.Y. Lung

Secretary

**Absent with Apologies**

Mr Lincoln L.H. Huang

Vice-chairman

Dr Frankie W.C. Yeung

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

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

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Yam

Chief Town Planner/Town Planning Board  
Ms April K.Y. Kun

Town Planner/Town Planning Board  
Mr Alvin C.H. Kan

**Agenda Item 1**

Matters Arising

[Open Meeting]

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

**Kowloon District**

**Agenda Item 2**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions only)]

Y/K9/12                      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 “Government, Institution or Community”, Hung Hom Inland Lots 238 s.F RP and 238 s.G, 37 Winslow Street, Hung Hom, Kowloon  
  
(MPC Paper No. Y/K9/12B)

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2.                      The Committee noted that the application was withdrawn by the applicant after the issue of the relevant Paper.

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

**Section 16 Application**

[Open Meeting]

A/K20/132                      Proposed Comprehensive Development for Residential and Commercial Uses, School, Social Welfare Facilities and Public Vehicle Park, with Minor Relaxation of Domestic Plot Ratio Restriction (Amendments to Approved Master Layout Plan) in “Comprehensive Development Area” Zone and areas shown as ‘Road’, Site bounded by Lai Hong Street, Fat Tseung Street, Sham Mong Road and West Kowloon Corridor and a small strip of land on Lai Hong Street, Cheung Sha Wan, Kowloon  
  
(MPC Paper No. A/K20/132A)

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3.                      The Secretary reported that Wolver Hollow Company Limited, the applicant, was a joint venture of Kerry Properties (HK) Ltd. (KPL) and Sun Hung Kai Properties Ltd (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), Ronald Lu & Partners (Hong Kong) Ltd. (RLP),

AECOM Asia Co. Ltd. (AECOM), LWK & Partners (Hong Kong) Ltd. (LWK) and Ove Arup & Partners Hong Kong Ltd. (ARUP) were five of the consultants of the applicant. The following Members had declared interests on the item:

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

4. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. Mr Franklin Yu and Dr Lawrence W.C. Poon had not yet arrived at the meeting. The Committee agreed that as the interest of Mr Stephen H.B. Yau was direct, he could stay in the meeting but should refrain from participating in the discussion.

5. The Committee noted that the applicant's representative requested on 15.1.2020 deferment of 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. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

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

applicant. The Committee agreed that the application should be submitted for its consideration within 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 second deferment and a total of four months had been allowed for the preparation of the further information, no further deferment would be granted unless under very special circumstances.

[Ms Caroline T.Y. Tang, 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/K3/582                      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, 107-111 (Odd Numbers Only), Tung Chau Street, Tai Kok Tsui, Kowloon  
(MPC Paper No. A/K3/582B)

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##### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments from the same individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 industrial buildings. The proposed design enhancements and public benefit components, including setbacks and landscape features, could be regarded as planning and design merits attributed to the proposed development. No insurmountable traffic and environmental impacts were anticipated. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

[Messrs Sunny L.K. Ho, Simon S.W. Wang and Dr Sunny C.W. Cheung arrived to join the meeting at this point.]

8. Some Members raised the following questions :

- (a) details of the proposed building setbacks including whether they were proposed by the applicant;
- (b) whether the applicant had any intent to surrender the setback areas to the Government and claim for bonus PR;
- (c) whether the building bulk under the application had taken into account the gross floor area (GFA) concession under the Buildings Ordinance (BO),

and what the consequence would be if the final building design exceeded the building height (BH) restriction; and

- (d) whether the proposed non-polluting industrial use was permitted within the “OU(B)” zone.

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

- (a) the proposed development would incorporate a setback of 3m from the lot boundary above 15m measuring from the mean street level abutting Maple Street in accordance with the requirement of the Outline Zoning Plan (OZP). A full-height setback of 1.59m from the lot boundary with landscape treatments on the ground level fronting Tung Chau Street, which would enhance the streetscape/pedestrian environment, was proposed by the applicant;
- (b) according to the applicant, the setback areas would be maintained by the applicant and bonus PR under Building (Planning) Regulations (B(P)R) 22 would not be claimed;
- (c) the applicant sought planning permission for minor relaxation of PR restriction from 12 to 14.4 without seeking for relaxation of BH restriction. Should the application be approved, the total PR of the proposed development should not exceed 14.4, and the BH should not exceed the BH restriction of 110mPD stipulated on the OZP. Relevant Government departments would check against the compliance with the approved scheme under planning permission in the processing of building plan submissions; and
- (d) the planning intention of the “OU(B)” zone was primarily for general business uses, and a mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses were always permitted in new “business” buildings. In that regard, the proposed non-polluting industrial use was always permitted

in the “OU(B)” zone.

### Deliberation Session

10. The Chairman remarked that the Town Planning Board (the Board) had regularly reviewed the land use zonings on statutory plans of traditional industrial areas and the definition of industrial use under the planning regime, taking into account the prevailing circumstances of the economy. Certain areas zoned “Industrial” had been rezoned to “OU(B)” to cater for a wider range of general business and non-polluting industrial uses. Besides, greater flexibility for uses such as ‘Art Studio’ had been allowed in industrial buildings.

11. Members in general considered that the proposed minor relaxation of PR under the subject application was in line with the policy on revitalisation of pre-1987 industrial buildings, and noted in particular that the applicant’s proposal to setback the building from Tung Chau Street voluntarily would enhance the pedestrian environment.

12. 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 17.3.2024, 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 design and provision of parking facilities and loading/unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment for the proposed development in condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB.”

13. 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 Caroline T.Y. Tang, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/TW/511 Proposed Wholesale Conversion of an Existing Industrial Building for Eating Place, Shop and Services, Office, Art Studio (excluding those involving direct provision of services or goods), Information Technology and Telecommunications Industries and Research, Design & Development Centre in "Industrial" Zone, Nos. 12-16 Fui Yiu Kok Street, Tsuen Wan, New Territories  
(MPC Paper No. A/TW/511A)

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14. The Secretary reported that the application site was located in Tsuen Wan. The following Members had declared interests on the item :

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

Mr Stanley T.S. Choi - his spouse being a director of a company owning properties in Tsuen Wan.

15. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting. As the property owned by Professor John C.Y. Ng's spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

16. The Committee noted that the applicant's representative requested on 11.2.2020 deferment of 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.

17. 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 second deferment and a total of four months had been allowed for the preparation of the further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 6**

#### **Section 16 Application**

[Open Meeting]

A/K5/815                      Proposed Hotel and Minor Relaxation of Maximum Plot Ratio  
Restriction in "Other Specified Uses" annotated "Business (1)" Zone,  
476 Castle Peak Road, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K5/815)

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18. The Secretary reported that Llewelyn-Davies Hong Kong Ltd. (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared interest on the item as he had past business dealings with LD.

19. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting.

20. The Committee noted that the applicant's representative requested on 3.2.2020 deferment of 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.

21. 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 Stephen C.Y. Chan, Senior Town Planner/Tsuen Wan & West Kowloon (STP/TWK), was invited to the meeting at this point.]

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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/457D)

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22. The Secretary reported that Mr Hung Hing Keung was one of the applicants. Lu Tang Lai Architects Ltd (LTL) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared interest on the item as his firm had current business dealings with Mr Hung Hing Keung and LTL. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting.

#### **Presentation and Question Sessions**

23. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK,

presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed offensive trades (lard boiling factory)
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, 35 public comments objecting to the application were received. 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 assessments made in paragraph 10 of the Paper. The proposed development was considered in line with the planning intention of the “Industrial” (“I”) zone to meet the demand from production-oriented industries and was not incompatible with the surrounding land uses within the established industrial area in southwest Kwai Chung. There would be no insurmountable environmental problems arising from the proposed development upon implementation of the recommended mitigation measures. Besides, the proposed development would not cause adverse traffic impact on the surrounding areas. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

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

24. Some Members raised the following questions :

- (a) background and past experience of the applicants in operating a lard boiling factory;
- (b) details of the proposed fully enclosed odour removal system including the

transportation of raw materials; and

- (c) details of environmental assessment (EA), licences required for the lard boiling factory and other licensed factories in operation in Hong Kong.

25. In response, Mr Stephen C.Y. Chan, STP/TWK, made the following points:

- (a) the applicants were the sole “current land owners” of the application site. No information regarding their past experience in operating a lard boiling factory was submitted by the applicants;
- (b) the workshops would be operated within enclosed compartments equipped with mechanical ventilation. The oil mist from frying of lard would be treated by a two-stage odour removal system which could achieve an odour removal efficiency of 99.9% before the emission was discharged to the open air at ambient temperature via a chimney located at 6m above the rooftop of the building. No unacceptable air quality impact was anticipated. Furthermore, the raw materials to the lard factory and the lard products/waste from the lard factory would be transported by enclosed lorries; and
- (c) an offensive trade licence should be obtained from the Food and Environmental Hygiene Department (FEHD) in accordance with the Offensive Trades Regulation (Cap. 132AX) in respect of offensive trade (lard boiling factory). Also, the lard factory would need to be operated with a Specified Process (SP) Licence if the processing capacity exceeds 250 kg per hour (expressed as the raw material) and comply with the requirements as stipulated in the Guidance Note on the Best Practicable Means for Rendering Works (Lard/Bone Boiling Factory) BPM 28/2 (08) which set out the requirements for prevention of emission of air pollutants. Thus, there were licensing mechanisms monitoring the operation to ensure that the relevant statutory environmental and hygienic requirements for offensive trades would be met. According to the available information, there were five lard boiling and tannery factories with Offensive Trade

Licences, and the lard boiling factories in Tai Tong Wu, Ngau Tam Mei and Fung Kat Heung had obtained SP Licence. According to the EA, the proposed development could achieve an odour removal efficiency of 99.9%, which should be of a higher standard than other similar factories currently operating in Hong Kong.

26. In response to a Member's enquiry, Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department (PEPO(MA), EPD) advised that according to the EA submitted by the applicants, with full enclosure and installation of odour removal system (comprising a first stage chemical scrubbing system, followed by a carbon column) with a proposed 99.9% odour removal efficiency, no adverse odour impact on the air sensitive receivers was anticipated. Details of odour monitoring plan, including specific requirements of the entrance gate, would be considered during the application process of the SP Licence to control the relevant emissions. As indicated in the EA, the applicant also committed to adjust the maximum throughput when necessary, in order to achieve the proposed odour removal efficiency.

27. Referring to the floor plans submitted by the applicants, a Member was concerned that there was no proper loading/unloading (L/UL) space on the ground floor and that there might be odour emission during the L/UL process.

28. Mr Stephen C.Y. Chan, STP/TWK, responded that the ground floor plan submitted by the applicants was indicative at the current stage given that an approval condition on the design/provision of vehicular access and loading/unloading spaces, among others, would be imposed, should the application be approved. Dr Sunny C.W. Cheung, PEPO(MA), EPD supplemented that in general installation of an entrance gate at the vehicular run-in/out would be a requirement in SP Licence.

#### Deliberation Session

29. A Member opined that there should be a strategic plan to consolidate offensive trades at appropriate locations in the territory to minimise the adverse impacts. The Chairman remarked that EPD had a strategic waste management and disposal plan as well as effective pollution control mechanism to ensure environmental impact arising from the

operation of offensive trades would be properly addressed and mitigated. As Kwai Chung became more urbanised, many offensive trades that used to operate in there were relocated. The “I” zone, in which the application site was located, was one of the few in the main urban area that were farther away from residential uses and other sensitive receivers.

30. Members in general agreed that the proposed lard boiling factory at the location within the established industrial area in southwest Kwai Chung, which was predominantly industrial in nature, was in line with the planning intention of the “I” zone and not incompatible with the surrounding land uses. There was also no insurmountable environmental problem anticipated from the proposed development.

31. 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 17.3.2024, 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 design and provision of parking facilities, loading/unloading spaces, vehicular access and manoeuvring of vehicles for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission and implementation of fire safety measures, including the provision of fire service installations and water supplies for firefighting and arrangement of Emergency Vehicular Access (EVA) before operation of the use to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of an updated Sewerage Impact Assessment (SIA) to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated SIA for the proposed development in condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB;

- (e) the submission of a detailed qualitative Landfill Gas Hazard Assessment and the implementation of the mitigation measures identified therein before operation of the use to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (f) the submission of a land contamination assessment and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

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/463B)

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

Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society, which had current business dealings with KTA; and

Mr Franklin Yu - having past business dealings with ALKF.

34. The Committed noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Messrs Daniel K.S. Lau and Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting

#### Presentation and Question Sessions

35. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, 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 non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, five public comments were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Other Specified Uses” annotated “Business” zone. The proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 Industrial Buildings. The proposed design enhancements and public

benefit components, including setback and greening proposals, could be regarded as planning and design merits attributed to the proposed development. No insurmountable traffic and environmental impacts were anticipated. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

36. Some Members raised the following questions :

- (a) whether the proposed development would be connected to the footbridge to the south of the site; and
- (b) planning and design merits of the proposed setback and greenery abutting Kwok Shui Road.

37. In response, Mr Stephen C.Y. Chan, STP/TWK, made the following points:

- (a) to the immediate south of the site was the Kwai Chung Castle Peak Road Sitting-out Area. There was no plan to connect the proposed development with the footbridge to the south of the site; and
- (b) the proposed development would incorporate a voluntary full-height setback of 2m from the northern boundary of the site abutting Kwok Shui Road, which would be used for the proposed pedestrian footpath and landscaped area. Various landscape treatments, including planting area and façade climbing plants were proposed, which would fulfil better environmental performance and comfort requirements for the users while minimising impact on the surrounding environment.

#### Deliberation Session

38. A Member considered that the proposed measures including the greenery and building setback demonstrated the applicant's effort in improving the building design. The landscaped area and vertical greening would also improve the street environment. However, there was scope to further improve pedestrian connectivity of the site, and the Government

should provide incentive to facilitate the provision of pedestrian links by private development.

39. In response, the Chairman remarked that there had been policy in place to encourage provision of pedestrian connection in private development. The 2016 Policy Address announced the implementation of a pilot scheme in Kowloon East to waive land premium for lease modification to encourage landowners to construct at their own cost footbridges or subways connecting their development with the public walkway systems. The Government had subsequently extended the scheme and approved a few applications for premium waiver for footbridges and subways in Kowloon Bay, Tsim Sha Tsui, Mongkok and Admiralty/Wan Chai. Those footbridges and subways served to improve the area-wide pedestrian network, and to create a safe, comfortable and convenient walking environment.

40. Members in general considered that the proposed minor relaxation of PR under the subject application had followed the policy on revitalisation of pre-1987 industrial buildings, and noted that the applicant's proposal to setback the building from Kwok Shui Road voluntarily would enhance the pedestrian environment.

41. 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 17.3.2024, 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 design and provision of parking facilities and loading/unloading spaces to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and implementation of traffic measures as proposed by the applicant prior to occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;

- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment in condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission of a land contamination assessment in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (f) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

### **Hong Kong District**

#### **Agenda Item 9**

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

[Open Meeting]

A/H24/25                      Proposed Eating Place in “Other Specified Uses” annotated “Pier and Associated Facilities” Zone, Portion of public viewing area and a corridor adjacent to Shop L on public viewing deck level (2/F) of Central Pier No.7 (Star Ferry), Hong Kong  
  
(MPC Paper No. A/H24/25)

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43. The Secretary reported that the application was submitted by The “Star” Ferry Co. Ltd. (Star Ferry), which was a subsidiary of Wharf (Holdings) Ltd. (Wharf). Mr Alex T.H.

Lai had declared interest on the item as his firm had current business dealings with Star Ferry and Wharf. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting.

44. The Committee noted that the applicant's representative requested on 15.1.2020 deferment of 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.

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

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting]

A/H9/80                      Proposed Hotel with Minor Relaxation of Plot Ratio Restriction and Building Height Restriction in "Other Specified Uses" annotated "Business" Zone, 8 A Kung Ngam Village Road, Shau Kei Wan, Hong Kong  
  
(MPC Paper No. A/H9/80A)

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46. The Secretary reported that the application site was located in Shau Kei Wan. Kenneth To & Associates Ltd. (KTA) and Z Design Ltd. 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 Z Design Ltd.;
- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society, which had current business dealings with KTA; and
- Ms Lilian S.K. Law - being a committee member of The Boys' & Girls' Clubs Association of Hong Kong which had a service unit in Shau Kei Wan.

47. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application, and the interest of Ms Lilian S.K. Law was indirect, the Committee agreed that they could stay in the meeting.

48. The Committee noted that the applicant's representative requested on 20.1.2020 deferment of 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. Since the last deferment, the applicant had submitted further information 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 second deferment and a total of four months had been allowed for the preparation of the further information, no further deferment would be granted unless

under very special circumstances.

[Mr William W.L. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Kowloon District**

#### **Agenda Item 11**

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

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/313            Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office Development in “Other Specified Uses” annotated “Business” Zone, 13 Sheung Yuet Road, Kowloon Bay, Kowloon  
(MPC Paper No. A/K13/313A)

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50.            The Secretary reported that the application site was located in Kowloon Bay. Townland Consultants Ltd. (Townland), LWK & Partners (Hong Kong) Ltd. (LWK), MVA Hong Kong Ltd. (MVA) and Jones Lang LaSalle Ltd. (JLL) were 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 Townland, LWK, MVA and JLL;
- Mr Thomas O.S. Ho        - having current business dealings with MVA and past business dealings with Townland;
- Mr Franklin Yu             - having past business dealings with MVA; and
- Mr Stephen H.B. Yau      - his organisation having a property in Kowloon Bay.

51.            The Committed noted that Messrs Alex T.H. Lai and Thomas O.S. Ho had tendered apologies for being unable to attend the meeting. As Mr Franklin Yu had no involvement in the application, and the property of Mr Stephen H.B. Yau’s organisation had

no direct view of the application site, the Committee agreed that they could stay in the meeting.

52. The Committee noted that three replacement pages (pages 11 and 17 of the Paper and Appendix III) were tabled at the meeting for Members' reference.

### Presentation and Question Sessions

53. With the aid of a PowerPoint presentation, Mr William W.L. Chan, 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 office development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, three public comments objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments made in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 Industrial Buildings. No insurmountable traffic impact was anticipated. However, the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD pointed out that the proposed development would encroach into the 20% ‘building free zone’ for protection of the Ridgeline as viewed from the vantage point at Quarry Bay Park. The applicant failed to demonstrate that efforts had been made to

minimise the BH. Approval of the proposed minor relaxation of BH to 141.25mPD without strong justifications on the need for the relaxation in BH nor sufficient planning and design merits, would set an undesirable precedent for similar applications and the cumulative effect would jeopardise the BH profile and the urban design principle, and create an overall adverse visual impact on the Kowloon Bay Business Area (KBBA). Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

[Dr Lawrence W. C. Poon arrived to join the meeting at this point.]

54. Some Members raised the following questions :

- (a) details of the proposed measures in improving the pedestrian environment e.g. building setbacks, planters and vertical greening;
- (b) details of the proposed site coverage (SC) and the permissible maximum SC;
- (c) whether the proposed minor relaxation in BH from 120mPD to 141.25mPD was resulted from the proposed increase in floor-to-floor height;
- (d) location of the vantage point for the view of the Ridgeline;
- (e) details and the implementation of the potential connection at 1/F to the future footbridge system; and
- (f) whether the applicant had submitted a scheme complying with the BH restriction of 120mPD under the Outline Zoning Plan (OZP), and whether there was any similar application for minor relaxation of PR and BH restriction in the “OU(B)” zone in KBBA.

55. In response, Mr William W.L. Chan, STP/K, made the following points:

- (a) the 3m setback abutting Wang Chiu Road was to meet the requirement on the OZP, and the 3m setbacks along Sheung Yuet Road and Wang Tai Road were proposed with reference to the building setback requirements under the adopted Kowloon Bay Outline Development Plan (ODP) No. D/K17/2 for air ventilation, footpath widening and amenity purposes. The applicant did not intend to surrender the setback areas to the Government. Referring to the ground floor plan submitted by the applicant, planters would be provided at the setback area along Wang Chiu Road and Sheung Yuet Road, and vertical greening would be provided at the four columns facing Wang Tai Road;
- (b) the proposed SC above 15m was 55%, which was less than the maximum SC of 65% for non-domestic building over 55m in height in a Class C site under the Building (Planning) Regulations;
- (c) according to the applicant, the proposed BH of 141.25mPD would allow a smaller tower footprint (i.e. 55%) for a visually less bulky tower design and to enhance natural lighting in the office, and provide a floor-to-floor height of 4.2m for Grade A office. However, CTP/UD&L pointed out that the proposed development would encroach into the 20% ‘building free zone’ for protection of the Ridgeline. There was scope to reduce the BH of the proposed development by adjusting the building footprint;
- (d) the vantage point for the view of the Ridgeline was from Quarry Bay Park;
- (e) the proposed development had allowed for potential connection at 1/F to the future footbridge system, connecting to Centre Parc and Exchange Tower, as stipulated on the ODP. The implementation of the footbridge connections would be subject to further discussion with the Government and adjacent land owners; and
- (f) the applicant had submitted a scheme complying with the OZP (i.e. plot PR of 12 and BH of 120mPD). There was no similar application for minor relaxation of PR and BH restrictions in the “OU(B)” zone in KBBA which

was related to the policy initiatives of revitalisation of industrial buildings set out in Policy Address 2018 considered by the Committee.

### Deliberation Session

56. Members generally had no in-principle objection to the proposed use and relaxation in PR on the site. However, some Members considered that there should be scope to reduce the BH e.g. adjusting the building footprint, so as to avoid encroachment into the 20% ‘building-free zone’ for the protection of the Ridgeline, and to minimise the visual impact on the KBBA.

57. A Member considered that a quantitative air ventilation assessment might be required to justify the merit of the proposed scheme in terms of wind flow as claimed by the applicant to support the minor relaxation of BH. The same Member considered that more landscape area should be provided, for example, podium garden and stepped-height terrace design with landscape amenities.

58. A Member pointed out that the applicant’s proposed scheme generally complied with the requirements under the OZP and ODP but no significant additional measure was proposed. Another Member opined that the applicant failed to demonstrate sufficient effort in improving the urban design aspect and at-grade pedestrian environment along Wang Tai Road.

59. Members generally considered that the applicant failed to provide strong justification nor demonstrate sufficient planning and design merits under the proposed scheme in support of the relaxation in BH.

60. After deliberation, the Committee decided to reject the application. Members then went through the reasons for rejection as stated in paragraph 12 of the Paper and considered that they were appropriate. The reasons were :

- “(a) the applicant has not provided strong justifications for the proposed minor relaxation of building height restriction (BHR); and

- (b) the applicant fails to demonstrate that the proposed minor relaxation of BHR will not create adverse visual impact on the area.”

[The Chairman thanked Mr William W.L. Chan, STP/K, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting]

A/K13/316 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services and Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, No. 33 Tai Yip Street, Kwun Tong, Kowloon  
(MPC Paper No. A/K13/316)

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61. The Secretary reported that the application site was located in Kowloon Bay. Kenneth To & Associates Ltd. (KTA) and AIM group Ltd. (AIM) 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 AIM;
- Mr Stephen H.B. Yau - his organisation having a property in Kowloon Bay;  
and
- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society, which had current business dealings with KTA.

62. The Committee noted that the applicant had requested deferment of consideration of the application, and Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application, and the property of Mr Stephen H.B. Yau’s organisation had no direct view of the application site, the Committee agreed that they could stay in the meeting.

63. The Committee noted that the applicant's representative requested on 6.2.2020 deferment of 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.

64. 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.

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting]

A/K14/781 Proposed Wholesale Conversion of an Existing Industrial Building for 'Hotel (Youth Boarding House)' in "Other Specified Uses" annotated "Business" Zone, 86 Hung To Road, Kwun Tong, Kowloon  
(MPC Paper No. A/K14/781)

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65. The Committee noted that the application was withdrawn by the applicant after the issue of the relevant Paper.

**Agenda Item 14**

Any Other Business

66. There being no other business, the meeting closed at 11:00 a.m.