

## **TOWN PLANNING BOARD**

### **Minutes of 646<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 20.3.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Chief Traffic Engineer/Hong Kong,  
Transport Department  
Mr M.K. Cheung

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

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

Secretary

**Absent with Apologies**

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Mr Franklin Yu

Mr Stanley T.S. Choi

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Mr Kepler S.Y. Yuen

Town Planner/Town Planning Board  
Ms Anita M.Y. Wong

**Agenda Item 1**

Confirmation of the Draft Minutes of the 644<sup>th</sup> MPC Meeting held on 6.3.2020

[Open Meeting]

1. The draft minutes of the 644<sup>th</sup> MPC meeting held on 6.3.2020 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 (Presentation and Question Sessions only)]

Y/K15/4                      Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/25, Proposed Amendments to the Remarks in the Notes of the “Comprehensive Development Area” Zone, Various Lots at Yau Tong Bay and Adjoining Government Land, Yau Tong, Kowloon  
(MPC Paper No. Y/K15/4A)

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3. The Secretary reported that the application was submitted by Main Wealth Development Ltd., a joint venture of owners of Yau Tong Marine Lots including Sun Hung Kai Properties Limited (SHK), Henderson Land Development Limited (HLD), Hang Lung Group Limited, (HLG), Swire Properties Limited, (Swire), Wheelock Properties (HK) Limited (Wheelock), Central Development Limited, Moreland Limited and Fu Fai Enterprises Limited. Ove Arup & Partners Hong Kong Limited (Arup) and MVA Hong

Kong Limited (MVA) are two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Stephen H.B. Yau - having a relative who was an owner of SHK;
- Mr Thomas O.S. Ho - having current business dealings with SHK, Swire, Wheelock, Arup and MVA, and his firm having current business dealings with Swire;
- Mr Alex T.H. Lai - his firm having current business dealings with SHK, HLD, HLG, Swire, Wheelock, Arup and MVA; and
- Mr Franklin Yu - having past business dealings with Arup and MVA, and his spouse being an employee of SHK.

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

[Mr Stephen H.B. Yau temporarily left the meeting at this point.]

#### Presentation and Question Sessions

5. The following representatives from the Planning Department (PlanD) and the applicant were invited to the meeting at this point.

- Ms Johanna W.Y. Cheng - District Planning Officer/Kowloon (DPO/K),  
PlanD

Ms Jessie K.P. Kwan - Senior Town Planner/Kowloon (STP/K),  
PlanD

*Main Wealth Development*

*Limited*

Mr Gregory Chan

Ms Amy Chan

Mr Charles Chiu

Ms Elaine Ho

Ms Gladys Leung

*Arup*

Ms Theresa Yeung

Ms Natalie Leung

Ms Minnie Law

Ms Lily Lau

*MVA*

Mr Alan Pun

Ms Charlotte Lo

Applicant's representatives

6. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheung, DPO/K, presented the application and covered the following aspects as detailed in the paper:

- (a) the background of the application;
- (b) the proposed amendment to the Remarks of the Notes of the "Comprehensive Development Area" ("CDA") zone at Yau Tong Bay of the approved Cha Kwo Ling, Yau Tong and Lei Yue Mun Outline Zoning Plan No. S/K15/25 so that the floor space that was constructed or intended for use solely as underground public vehicle park (PVP), as required by the Government, might be disregarded from plot ratio (PR) calculation;

- (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, a total of two public comments from the principal of a nearby school and an individual were received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD had no in-principle objection to the proposed amendment to the Remarks in the Notes of the “CDA” zone based on the considerations set out in paragraph 11 of the Paper. The proposed amendment to the Notes to allow flexibility for provision of PVP spaces to meet the local demand without affecting the maximum total PR permitted under the OZP was considered not contrary to the planning intention for a comprehensive development of the “CDA” zone. Moreover, as the Planning Brief (PB) for the “CDA” zone required that all parking facilities had to be provided at basement level, the Chief Town Planner/Urban Design and Landscape, PlanD and the Chief Architect/Central Management Division 2, Architectural Services Department (ArchSD) were of the view that any additional underground PVP would unlikely cause any significant change to the perceivable scale/massing of the future development at the application site. The Commissioner for Transport (C for T) supported the provision of a PVP within the “CDA” site and had no adverse comment on the traffic survey submitted by the applicant. The proposed amendment to the Notes was also in line with the current Government's policy to encourage the provision of underground PVP to meet such demand while minimising the impacts on overall building bulk. Concerned government departments had no objection to or adverse comments on the application. Regarding the public comments, comments of concerned departments and the planning assessments above were relevant.

7. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa Yeung, the applicant's

representative, made the following main points:

- (a) the site was the subject of a planning application (No. A/K15/112) approved by the Committee on 16.1.2015. Subsequently, during the Traffic and Transport Committee (T&TC) meeting of the Kwun Tong District Council (KTDC) on 5.6.2018, KTDC members requested the applicant to provide more public parking spaces to help alleviate the illegal on-street parking. Since then, the applicant had begun to explore ways to meet the local demand;
- (b) in 2010, with a view to providing a more sustainable environment, the Development Bureau recommended that underground car parks should be promoted where technically feasible as it would not add to the building bulk and would reduce the urban heat island effect and obstruction of natural breezeways;
- (c) to further encourage the provision of underground public car parking, the Buildings Department (BD) in 2017 had promulgated a revised Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2, where underground public car parks, provided that the car parking spaces were electric vehicle (EV) charging-enabling, could be fully disregarded from gross floor area (GFA) calculation. In the same year, PlanD, BD and Lands Department (LandsD) jointly promulgated a revised Joint Practice Note (JPN) No. 4, in which PlanD would follow BD's practice on exempting the GFA of underground public car parks, unless otherwise specified in the relevant town plans; and
- (d) the proposed amendments to the Notes of the "CDA" zone to allow underground PVP to be exempted from GFA calculation would not affect the building bulk of the development approved under application No. A/K15/112 and would align with the policy initiatives promulgated in PNAP APP-2 and JPN No. 4. It would also address the concerns raised by T&TC of KTDC. Should the subject application be agreed to, a

subsequent s.16 application would be submitted to the Committee for consideration.

[Mr Wilson Y.W. Fung and Ms Sandy H.Y. Wong arrived to join the meeting during the applicant's presentation.]

8. As the presentations of the representatives from PlanD and the applicant were completed, the Chairman invited questions from Members.

9. Some Members raised the following questions:

*PVP Requirement and GFA Exemption*

- (a) elaboration on the current requirement in the Notes of the "CDA" zone for calculating the GFA intended for car park use, and the applicant's proposal of exempting PVP from GFA calculation;
- (b) how the GFA for PVP was calculated, the criteria for the GFA to be exempted, whether the GFA exemption was only applicable to parking spaces that were EV charging-enabling, and whether GFA exemption be applicable if the provision of PVP exceeded that required by the government;
- (c) under what circumstances or considerations would PVP be required by the government;
- (d) whether the exemption of the PVP from GFA calculation would lead to private developers to provide less ancillary parking or relocate the PVP aboveground to underground and affect the building height of the approved development at the site;

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

*Proposed PVP and its Operation and Management*

- (e) the location of the proposed PVP and its ingress/egress, whether it would cause any adverse traffic impact, and whether the traffic network in the area would be able to cope with the possible increase in vehicular traffic due to the proposed PVP;
- (f) whether there would be any restrictions imposed on the use of the PVP and any estimation on the number of public car parking spaces required when the proposed development at the site was completed;
- (g) noting that the proposed PVP was to help address the illegal parking problem in the area, what types of vehicles were identified in the traffic study conducted by the applicant;
- (h) information on the future management of the PVP and whether requirements could be imposed in the OZP or other statutory documents to ensure that the PVP could serve the local community;
- (i) whether there were any requirements on the ownership status of PVP and whether there were any policy to control the parking fee;
- (j) the land premium calculation for the proposed PVP;

*Yau Tong Bay*

- (k) given that Yau Tong Bay was once used as ship building yard, the waterfront was a public asset and the site was also near the Cha Kwo Ling Tin Hau Temple, whether the comprehensive development at the site had taken into account the cultural heritage of the area, whether there were any activities to promote the vibrancy of the waterfront, and whether there was any potential for the provision of water-borne transportation; and
- (l) whether there was any future plan for reclamation of Yau Tong Bay.

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

*PVP Requirement and GFA Exemption*

- (a) currently in the Notes of the “CDA” zone, GFA for car park that was ancillary and directly related to the development may be disregarded, while any floor space for PVP shall be included for GFA calculation. The requirement for PVP to be GFA accountable was incorporated into the Notes of the “CDA” zone in 2014, following the government’s policy at that time that any floor space for PVP shall be included for GFA calculation. With the amendments to PNAP APP-2 and JPN No. 4 in 2017, underground PVP, provided that it met certain requirements, would be exempted from GFA calculation. The applicant’s proposal to amend the Notes of the “CDA” zone to exempt underground PVP from PR calculation was in line with the prevailing policy initiatives;
- (b) in calculating GFA of PVP, PlanD would generally follow BD’s practice, where the area for parking spaces and circulation area would be included. Whether the PVP could be exempted from GFA calculation would be considered by BD during the general building plans submission stage and it would be subject to the criteria set out in PNAP APP-2 and JPN No. 4. If the size of the PVP was considered excessive, it would be accountable for GFA. Should the total GFA of the development exceed the PR restriction under the OZP, PlanD would recommend disapproval of the general building plan submission;
- (c) generally speaking, the Transport Department (TD) would consider requiring developers to provide PVP taking into account the local context, such as the demand, supply, and whether there were illegal parking activities in the area;
- (d) it was considered unlikely that exempting PVP from GFA calculation would lead to reduction in the number of ancillary parking spaces as the

latter would be provided in accordance with the Hong Kong Planning Standards and Guidelines. Moreover, the PB for the subject “CDA” zone had stated that all car parking spaces were required to be located underground. Therefore, the proposed PVP would not affect the building height and the building mass of the future development aboveground. Both CTP/UD&L, PlanD and ArchSD had no adverse comment on the application;

*Proposed PVP, its Operation and Management*

- (e) according to the approved master layout plan (MLP) under application No. A/K15/112, the comprehensive residential and commercial development at the site would have a total of 6,556 flats with about 1,280 ancillary private car parking spaces for residential and commercial uses. A PVP with 22 private car parking spaces, 14 motorcycle parking spaces and 2 coach parking spaces were proposed to serve the public waterfront promenade (PWP) at the site. The currently proposed PVP, with up to 340 spaces for light vehicles (including private car, taxi and van-type light goods vehicle), 34 spaces for motorcycle and 27 spaces for heavy vehicles (including coach and all types of goods vehicle except container trucks/construction vehicles) was based on a traffic study conducted by the applicant. There was no restriction on the users of the PVP and the actual provision of public parking spaces would be subject to agreement with TD at the detailed design stage;
- (f) with regard to traffic impact, C for T considered that the traffic study submitted by the applicant had demonstrated that the number of parking spaces proposed at the PVP would induce very minimal traffic impact on the local road network;
- (g) it might not be appropriate to impose restrictions on the OZP regarding management or usage of the PVP. However, such requirements might be considered to be imposed in the lease conditions by LandsD. With regard to premium of the PVP, it would be calculated at the lease modification

stage;

*Yau Tong Bay*

- (h) the Cha Kwo Ling Tin Hau Temple was located next to Cha Kwo Ling Tsuen, where a study was currently being undertaken. Although the temple did not fall within the study boundary, its importance and cultural significance would be taken into account in the study;
- (i) as regards the promotion of the use of PWP and the provision of water-borne transport, there was currently no specific proposal as the site was still largely vacant and yet to be developed. However, Members' views would be passed to relevant bureaux/departments, including the Harbour Office under the Development Bureau and TD, for their consideration; and
- (j) as Yau Tong Bay was located within Victoria Harbour, it was subject to the Protection of the Harbour Ordinance (Cap. 531), where unless there was an overriding public need, reclamation within Victoria Harbour was not permitted.

11. In response, Ms Theresa Yeung, the applicant's representative, made the following main points:

- (a) given the size of the site, the proposed development at the site was to be developed in phases. It was proposed that the PVP would be provided in phase 1 of the development, which was largely located along Ko Fai Road, taking into account that it was located in proximity to the YTIA, where the illegal parking problem was concentrated. Moreover, there were a number of approved residential developments at the "CDA" sites near YTIA along Tung Yuen Street. It was envisaged that the demand for PVP would be higher in that area. Regarding the ingress/egress of the proposed PVP, it was still being formulated and details would be provided at the s.16 planning application stage;

- (b) provision of PVP for PWP was required under the PB. According to the scheme approved under application No. A/K15/112, a PVP with 22 private car parking spaces, 14 motorcycle parking spaces and 2 coach parking spaces was proposed to serve the PWP. The current proposal was to provide an additional PVP to meet the demands of the local community. The proposed additional PVP would be managed by the applicant;
- (c) as the current application was mainly related to the provision of underground PVP at the site, it would not affect the development aboveground. With reference to the MLP of the approved application, a 15-metre wide PWP with an area of not less than 24,700m<sup>2</sup> was provided in accordance with the Notes of the OZP and the PB, and two footbridges connecting MTR Yau Tong Station to the PWP were also provided. Three flights of public landing steps were proposed along the PWP to allow the public to make use of the water resource. Retail uses would also be provided to create a more interesting and vibrant waterfront;
- (d) there was no information available regarding the parking fee of the proposed PVP, but the fee to be charged would make reference to the market rates with a view to maximising the utilisation rate to help address the illegal parking problems in the area;
- (e) according to BD's PNAP APP-2, the GFA of underground public car parks were 100% disregarded, provided that the car parking spaces are EV charging-enabling; and
- (f) the types of illegal parking vehicles observed when the traffic study was conducted were mostly private cars with some heavy vehicles.

12. With regard to the provision of PVP, Mr M.K. Cheung, Chief Traffic Engineer/Hong Kong, TD, supplemented that just like the subject case, demand assessment could be carried out by the proponent and TD would consider whether the assessment was acceptable. TD would assess the traffic implications of the proposed PVP, including the

location of ingress/egress, at the s.16 planning application stage. As for the control of parking fees, Mr Cheung said that there was currently no policy to control the parking fees of PVP run by private operators.

13. In response to the Vice-chairman and a Member's enquiry regarding the amendment to the Notes of the "CDA" zone and whether it would lead to a precedent effect, Ms Johanna W.Y. Cheng, DPO/K, said that instead of adopting the applicant's proposed amendment, consideration could be given to deleting the relevant remarks in the Notes as JPN No. 4 had stated that PlanD would follow BD's practice in calculating GFA for underground PVP, unless otherwise specified in the relevant town plan. Should the Committee consider that the applicant's proposal was acceptable in principle, PlanD would further work out the suitable amendment to the Notes of the OZP and submit the proposal to the Committee for agreement. As there had been recent amendments to other OZPs to exempt underground PVP from GFA calculation, the proposed amendment to the Notes of the "CDA" zone that was in line with the prevailing policy would unlikely be regarded as setting a precedent.

14. In response to a Member's enquiry regarding the amount of fill that would be excavated for the proposed PVP, Ms Theresa Yeung, the applicant's representative, said that there was at present no information regarding the amount of fill to be excavated as it was subject to detailed design. Technical assessments would be conducted in the s.16 planning application stage and submitted for consideration by relevant government departments. Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department, said that generally speaking, the excavated fill would first be sorted at the site to see if there were any materials that could be recycled for use in construction. The remaining excavated fill would be disposed of at the public fill banks in Tuen Mun or Tseung Kwan O.

15. In response to a Member's enquiry regarding the dissenting lots at the application site, Ms Johanna W.Y. Cheng, DPO/K, explained that the application was submitted by a consortium which owned about 74% of the private lots within the application site. The dissenting lots (about 16% of the application site), which included two sand depots, an existing industrial building, an ice-making plant/cold store and Towngas pigging station, were private lots that did not join the applicant's consortium. The remaining 10% were

government land which included drainage reserves, a salt water pumping station and a maintenance depot.

16. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant for attending the meeting. They left the meeting at this point.

### Deliberation Session

17. Members noted that the proposed amendment to the Notes of the "CDA" zone was in line with the prevailing policy to encourage provision of PVP by exempting underground PVP that was required by the government from GFA calculation. As the site was zoned "CDA", the applicant would be required to submit a revised MLP for the Committee's consideration in order to take forward the provision of an additional PVP. Members also noted that lease modification was required for the applicant to implement the comprehensive development at the site, including the underground PVP.

18. A Member did not support the application as the provision of PVP was expected to be of large scale which might go beyond the actual demand as required by TD. Also, since there was no detail on the required number of public parking spaces, the amendment to the Notes should not be agreed to at the current stage.

19. Two Members generally supported the application as it was in line with the prevailing policy and it would be beneficial to the community and help address the illegal parking issue in the area.

20. Some Members had no in-principle objection to the application but had concern on the number of car parking spaces proposed, the utilisation rate of the PVP, the location of ingress/egress as well as the potential traffic impact in the area when the comprehensive development at the site was completed.

21. The Vice-chairman also supported the application but considered that the proposed amendment to the Notes of the OZP would need to be examined by PlanD in greater details. Members noted that Appendices II and III of the Paper were proposed amendments submitted by the applicant, rather than amendments proposed by PlanD.

22. After deliberation, the Committee decided to partially agree to the application, and PlanD would work out suitable amendments to the Outline Zoning Plan and Notes for the Committee's agreement prior to gazetting under the Ordinance.

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

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

#### **Agenda Item 4**

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

[Open Meeting]

A/KC/465                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Development in "Industrial" Zone, No. 22 Yip Shing Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/465B)

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

24. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting.

25. The Committee noted that the applicant's representative requested on 4.3.2020 deferment of consideration of the application for two months in order to allow time to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including response to departmental comments, revised traffic impact assessment and revised

plans and photomontages.

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

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/KC/467                      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, 132-134 Tai Lin Pai Road, Kwai Chung, New Territories  
(MPC Paper No. A/KC/467A)

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27. The Secretary reported that BMT Hong Kong Limited (BMT) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item as he had past business dealings with BMT.

28. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting.

29. The Committee noted that the applicant's representative requested on 2.3.2020 deferment of consideration of the application for two months in order to allow time

for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, revised traffic impact assessment and revised landscape master plans and photomontages.

30. 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 preparation of the further information, no further deferment would be granted unless under very special circumstances.

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

**Hong Kong District**

**Agenda Item 6**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/152                      Renewal of Planning Approval for Temporary Eating Place (Restaurant)  
for a Period of 3 Years in “Residential (Group B)” Zone, Flats L and M,  
G/F, Tai Chow House, 121 Quarry Bay Street, Hong Kong  
(MPC Paper No. A/H21/152)

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31.                      The Secretary reported that the application site was located in Quarry Bay. The following Members had declared an interest on the item:

Mr Thomas O.S. Ho	-	owning a flat in Quarry Bay area; and
Mr Wilson Y.W. Fung	}	co-owning with spouse a flat in Quarry Bay area.
Mr Simon S.W. Wang		

32.                      The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. As the properties co-owned by Messrs Wilson Y.W. Fung and Simon S.W. Wang with their spouses had no direct view of the application site, the Committee agreed that they could stay in the meeting.

**Presentation and Question Sessions**

33.                      With the aid of a PowerPoint presentation, Mr. T.W. Ng, STP/HK, 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 9 of the Paper;
- (d) during the statutory publication period, one public comment was received providing views on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the renewal of the planning approval for a further period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was considered not incompatible with the land uses of the surrounding residential developments. The application generally complied with the Town Planning Board Guidelines No. 34C in that there had been no change in the planning circumstances and the surrounding land uses since the last approval under application No. A/H21/146, the approval conditions had been complied with, and the approval period sought was the same as that of the previous approval. Concerned government departments had no objection to or adverse comment on the application. Regarding the public comment received, the comments of government departments and the planning assessments above were relevant.

34. Some Members raised the following questions:

- (a) whether the applicant of the current application was the same as the previous two approved applications (No. A/H21/139 and A/H21/146);
- (b) the aggregate approval period for the applied use; and
- (c) elaboration on the public comment received.

35. In response, Mr T.W. Ng made the following main points:

- (a) the applicant of the current application was the same as the previous two

applications, where each was approved on a temporary basis for a period of three years. Should the current application be approved, a total of nine years would have been approved for the applied use; and

- (b) the public comment received raised concerns on the blockage of sewer and drains. The Director of Food and Environmental Hygiene had advised that two complaints relating to the issue were received in 2017 and follow-up actions had been taken to address the problem. There had been no recent complaint received.

### Deliberation Session

36. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 26.4.2020 until 25.4.2023, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) except for emergency, the door leading to the internal corridor on G/F of Tai Chow House shall be restricted for use by restaurant staff only;
- (b) the existing fire service installations implemented at the premises should be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning conditions (a) or (b) is not complied with during the approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

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

[The Chairman thanked Mr T.W. Ng, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

**Agenda Item 7**

**Any Other Business**

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