

TOWN PLANNING BOARD

Minutes of 592nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 10.11.2017

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

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

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Wilson W.S. Pang

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr Tony W.H. Cheung

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

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

Secretary

Absent with Apologies

Mr Patrick H.T. Lau

Mr K.K. Cheung

Mr Thomas O.S. Ho

Mr Franklin Yu

In Attendance

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

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

Town Planner/Town Planning Board
Miss Karmin Tong

Agenda Item 1

Confirmation of the Draft Minutes of the 591st MPC Meeting held on 27.10.2017

[Open Meeting]

1. The draft minutes of the 591st MPC meeting held on 27.10.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TW/11 Application for Amendment to the Approved Tsuen Wan Outline Zoning Plan No. S/TW/33, To Rezone the Application Site from “Comprehensive Development Area (5)” to “Other Specified Uses” annotated “Business (2)”, 145-159 Yeung Uk Road, Tsuen Wan
(MPC Paper No. Y/TW/11)

3. The Secretary reported that the application was submitted by Top Merchant Investments Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Patrick H.T. Lau - having current business dealings with SHK, LD and AECOM;
- Mr Thomas O.S. Ho - having current business dealings with SHK and past business dealings with AECOM;
- Mr Franklin Yu - having past business dealings with SHK and AECOM, and his spouse was an employee of SHK;
- Mr K.K. Cheung - his firm having current business dealings with SHK;
- Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business Accountants Association which had obtained sponsorship from SHK before; and
- Ms Sandy H.Y. Wong - personally knowing the Director of Top Merchant Investments Limited.

4. The Committee noted that Mr Patrick H.T. Lau, Mr. Thomas O.S. Ho, Mr Franklin Yu and Mr K.K. Cheung had tendered apologies for being unable to attend the meeting. Since the interest of Mr Wilson Y.W. Fung was indirect and Ms Sandy H.Y. Wong had no discussion on or involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- Mr Lawrence Y.C. Chau - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK);

Ms Katy C.W. Fung - Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK); and

Top Merchant Investments Limited

Mr Peter Yan

Mr Godwin Lui

Mr Marc Tsui

Llewelyn-Davies Hong Kong Limited

Mr Dickson Hui

Ms Winnie Wu

Mr Frankie Tsang

} Applicant's representatives

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application.

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

7. Mr. Lawrence Y.C. Chau, DPO/TWK, drew Members' attention that a replacement page (Appendix Ih of the Paper) was tabled at the meeting for Members' reference. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed rezoning of the application site from "Comprehensive Development Area (5)" ("CDA(5)") to "Other Specified Uses" annotated "Business (2)" ("OU(B)2") on the Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33 to facilitate a data centre development. Under the proposed "OU(B)2" zone, development would be subject to a maximum plot ratio (PR) of 5, site coverage of 60% and building height

restriction of 11 storeys and 'Information Technology and Telecommunications Industries (Data Centre only)' would be an always permitted use;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Government Chief Information Officer, Innovation and Technology Bureau supported the application on innovation and technology and economic development grounds and considered that stand-alone sites would allow development of high-tier data centres to meet the more stringent requirements of the financial services sector. The District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department advised that the proposed data centre and parking facilities did not comply with the lease conditions and lease modification would be required. The Commissioner for Transport had no in-principle objection to the application, but indicated that a revised Traffic Impact Assessment report should be submitted, should there be variation on the assumptions adopted. The District Officer (Tsuen Wan), Home Affairs Department relayed that some members of the Community Building, Planning and Development Committee of the Tsuen Wan District Council had raised concerns on the parking space provision of the proposed development. Other concerned government departments had no objection to or no adverse comment on the application;

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

- (d) during the first three weeks of the statutory publication periods, one public comment was received from an individual objecting to the application. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. To take forward the recommendation of the 2009 Area Assessments of Industrial Land in the Territory (the 2009 Area Assessments), the whole northern part of the Tsuen Wan East Industrial Area (TWEIA), including

the application site, was rezoned from “Industrial” (“I”) to a number of “CDA” subzones on the OZP in 2010 with the intention for comprehensive development/redevelopment of the area primarily for residential use with provision of commercial, open space and other supporting facilities. The proposed “OU(B)2” would defeat the planning intention of the “CDA(5)” zone and was considered incompatible with the planned/newly completed developments within the same street block and adjoining “CDA” zones which were under transformation for residential use. Approval of the application would set an undesirable precedent for similar applications in the surrounding “CDA” zones and the cumulative impact of approving such applications would undermine the restructuring of the area and the comprehensive development/redevelopment of the “CDA” zones. Moreover, approval of the application would also result in a permanent loss of land available for residential development which would affect the supply of housing land in meeting the pressing housing demand.

8. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Peter Yan and Ms Winnie Wu, the applicant’s representatives, made the following main points:

- (a) there was a surging demand for data centre services. With its robust telecommunication infrastructure and reliable power supply, Hong Kong was a suitable location for developing data centres. The subject site was an ideal location for data centre as there was a major telecommunication trunk running underground. The proposed data centre development would create greater synergy and further strengthen the role of Tsuen Wan as a data centre hub and enhance Hong Kong’s data infrastructure competitiveness and bring about greater economic benefits to other related industries;
- (b) it was very difficult to amalgamate the “CDA” sites for comprehensive development as they were under multiple and fragmented ownership. As the subject site was under single ownership, it would facilitate timely implementation of the proposed en-bloc high-tier data centre to meet the

market demand for such floor space. Single ownership was an important consideration for en-bloc data centre development as it would allow greater flexibility for the lot owner to cater for specific accommodation requirements and provide a more secured and controlled environment tailored for the use. The proposed development would also expedite land use restructuring and upgrading of TWEIA;

- (c) the proposed rezoning would not affect the supply of housing land. In fact, the proposed development would free up infrastructure capacity for residential use. The site, if developed at a PR of 5, was expected to provide about 170 flats. By assuming a 20% increase in PR (from PR 5 to 6) for the remaining portion of the subject “CDA(5)” zone and the adjoining “CDA(3)”, “CDA(4)” and “CDA(6)” zones in the area, an estimated additional 630 flats could be provided;
- (d) no industrial/residential interface problem was anticipated as data centre was not a polluting use and had relatively low pedestrian and traffic generation. The co-location of the en-bloc high-tier data centre (Mega Plus Data Centre) and the residential developments of Lohas Park in Tseung Kwan O was an example to illustrate land use compatibility;
- (e) approval of the application would not set an undesirable precedent as the proposed “OU(B)2” zoning was unique for the site with the intention for data centre use only; and

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

- (f) since all the consulted government departments had no objection to the application, there was no need for a further review of the “CDA” subzones should the Committee decide to agree to the application as recommended in paragraph 12.2 of the Paper.

9. As the presentations of PlanD’s representative and the applicant’s representatives were completed, the Chairman invited questions from Members.

Supply and Demand for Data Centre Use

10. Some Members raised the following questions:
- (a) the supply and demand for industrial floor space in TWEIA, and the demand for data centre floor space; and
 - (b) government policy on facilitating information technology-related industries/data centre development and information on the number of high-tier data centres under construction or application in Hong Kong.
11. Mr Lawrence Y.C. Chau, DPO/TWK, made the following responses:
- (a) according to the findings of the 2014 Area Assessments, the vacancy rate of Tsuen Wan East (i.e. covering the “CDA(2)” to “CDA(6)” zones in the northern part of TWEIA) was about 13.49%. There was no additional information in hand on the demand for data centre floor space;
 - (b) the Government had introduced a number of policy measures, including exempting waiver fees for changing the use of parts of eligible industrial buildings for data centre use and accepting lease modifications tailor-made for high-tier data centres on industrial lots to promote information technology and high-technology development. Under the town planning regime, data centre, subsumed under the broad use term ‘Information Technology and Telecommunications Industries’, was generally a Column 1 use, which was always permitted, in “I” and “OU(B)” zones on the OZP; and
 - (c) there was no information in hand on the actual number of data centre developments under application or construction in Hong Kong. However, according to the Legislative Council brief on ‘Measures to facilitate the Development of Data Centres’ issued in March 2016, as at end-February 2016, there was one completed application for lease modification for

redevelopment of an industrial lot for high-tier data centre use involving a total gross floor area of 9,126m². In the local context, there was a case in Chai Wan Kok Industrial Area in Tsuen Wan where lease modification application and general building plans were received for the redevelopment of an existing industrial building into an en-bloc high-tier data centre.

Land Use and Site Suitability

12. Some Members raised the following questions:
- (a) clarifications on the PR of the proposed data centre, information on the latest status of two “Open Space” (“O”) sites in the vicinity of the site, and whether there was provision for planning application for data centre development under the current “CDA(5)” zone; and
 - (b) any planning applications for residential use pertaining to the “CDA” zones in TWEIA.
13. Mr Lawrence Y.C. Chau, DPO/TWK, made the following responses:
- (a) the proposed data centre was subject to a maximum PR of 5 which was the same as the maximum total PR permissible under the proposed “OU(B)2” zone, while other “OU(B)” zone on the OZP had a PR restriction of 9.5. One of the “O” sites in the vicinity was under construction, while the other site was currently occupied by a petrol filling station. Under the “CDA(5)” zone, data centre use, which was regarded as ‘Information Technology and Telecommunications Industries’, was a Column 2 use and planning application could be submitted to the Town Planning Board; and
 - (b) so far, no planning application had been received for residential use at the adjacent “CDA(4)” to “CDA(6)” zones. The “CDA(2)” zone to the northeast of the site had been developed for Home Ownership Scheme development, while there was a planning application (No. A/TW/452) approved at the adjoining “CDA(3)” zone for proposed comprehensive

residential development with approved Master Layout Plan.

14. Some Members further raised the following questions:

- (a) the rationale for not submitting a s.16 planning application to take forward the data centre development under the current “CDA(5)” zone; and
- (b) whether the proposed data centre could be developed in other locations.

15. Mr Peter Yan and Ms Winnie Wu, the applicant’s representatives, made the following responses:

- (a) as development/redevelopment within the “CDA(5)” zone was restricted to a maximum PR of 5.0, of which a minimum PR of 4.5 should be for domestic use, the applicant could not propose a data centre with a PR of 5 by way of planning application; and
- (b) the site, with single ownership and a relatively large floor plate and well-served by telecommunication infrastructure and reliable power supply, was ideal for development of an en-bloc high-tier data centre and would help create greater synergy in Tsuen Wan as a data centre hub.

16. In response to a Member’s enquiry on other sites reserved for data centre development, Mr Lawrence Y.C. Chau, DPO/TWK, supplemented that the Government had set aside about three hectares of land in Tseung Kwan O for establishing high-tier data centres. One of the sites had been tendered and developed into the Mega Plus Data Centre.

Land Use Compatibility and Potential Impacts

17. Some Members raised the following questions:

- (a) how to ensure the compatibility of the proposed data centre with the surrounding uses;

- (b) any studies to demonstrate that the proposed data centre would not cause adverse impact on the surrounding residential use; and
- (c) any potential environmental impact associated with the electricity generator system.

18. Mr Peter Yan and Ms Winnie Wu, the applicant's representatives, made the following responses:

- (a) drawing on the example of the successful co-location of data centre development and residential development in Tseung Kwan O, it was anticipated that the proposed development at the subject site would not be subject to industrial/residential interface problem. In fact, the submitted Environmental Assessment (EA), which had adopted the assumption that the adjoining "CDA(5)" zone had been implemented for residential use, concluded that there would be no insurmountable environmental problems associated with the proposed data centre development. Besides, the proposed development would be subject to control under the lease and its design and operation would have to comply with the requirements of the Environmental Protection Department (EPD) in terms of air and noise emissions, sewage disposal, etc. EPD had no objection to the application. Moreover, the building design would also take into account visual compatibility with the surrounding developments; and
- (b) the electricity generators were for emergency use only. Their designs would need to comply with EPD's requirements and international standards. Moreover, the air quality impact assessment in the submitted EA had already taken into account the fume emission generated by the emergency generators and the assessment was acceptable to EPD.

Others

19. Some Members raised the following questions:

- (a) the mode of operation of the proposed data centre, including the estimated employment opportunities, anticipated working pattern of staff and provision of supporting commercial or associated training facilities;
- (b) the operator of the telecommunication trunk passing through Tsuen Wan and whether the expansion of CLP's planned power supply capacity in the Tsuen Wan district was intended to cater solely for data centre developments or for the entire district; and
- (c) as constant power supply was a basic requirement of data centre, any contingency plans in case of power failure.

20. Mr Peter Yan, the applicant's representative, made the following responses:

- (a) the proposed development was expected to attract multiple tenants, but there were no committed tenants/users at the moment. The applicant would provide the basic building infrastructures, and the internal layout and design of the data halls would depend on the operational needs of the future tenants. The actual operation of data centres was not expected to generate a large number of jobs. However, such developments could create a synergy effect and serve as a catalyst for attracting other industries or information communication technology-related companies to set up at the locality. That in turn might foster more employment opportunities and trigger the provision of other supporting facilities, such as F&B outlets or convenience stores in the area. There was no plan to provide associated training facilities within the site. In general, data centre would operate round-the-clock and staff would be on rotating work shifts;
- (b) the telecommunication trunk passing through Tsuen Wan was provided by China Telecom Corporation Limited. Although the planned power supply capacity expansion was for the entire district of Tsuen Wan, it was expected that there would be spare power capacity in Tsuen Wan due to various factors, such as changes in land use planning or developments/uses that were not yet implemented; and

- (c) dual-feed electricity supply would be offered for the data centre to ensure uninterrupted power supply.

21. As the applicant's representatives had no further points to make and Members had no questions to raise, 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 the applicant of the Committee's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

22. Members generally agreed that the development of high-tier data centres would be beneficial to Hong Kong's overall competitiveness and economic development, and should be supported. Members noted that the Government was keen in promoting data centre development and appropriate policy measures were in place to encourage conversion, in whole or in part, of industrial buildings or development of industrial lots in "OU(B)" and "I" zones into data centres. It was also noted that the northern part of TWEIA, including the subject site, was rezoned to "CDA(2)", "CDA(3)", "CDA(4)", "CDA(5)" and "CDA(6)" in 2010 on the recommendations of the 2009 Area Assessments with the intention to phase out industrial use and facilitate comprehensive development for residential use. Taking into consideration the planning context and merits of the subject application, some Members made the following points :

- (a) since the designation of "CDA" zonings for the northern part of TWEIA, the area had been under transformation with two residential developments approved in the vicinity. The current "CDA(5)" zoning was considered appropriate for the site. The proposed rezoning to "OU(B)2" would affect the integrity of the "CDA(5)" zone;
- (b) commercial/industrial buildings were available in the open market for data centre development. The Government would also earmark and make available land for data centres through land disposal arrangements as seen

in the open tender of a site in Tseung Kwan O for data centre development by the private sector. It was considered that there were other alternative sites suitable for data centre development;

- (c) approval of the application would set an undesirable precedent for other similar applications, in particular the adjoining “CDA” sites in TWEIA, for non-residential use, hence defeating the intention to phase out industrial use to facilitate comprehensive residential development; and
- (d) the applicant had not provided sufficient information to demonstrate that the proposed data centre would help boost the local economy, create employment opportunities, and contribute to enhancing the vibrancy of the area and benefitting the general public at large.

23. The Chairman summarised Members’ views that in general they did not support the application as the proposed rezoning was not conducive to the overall transformation and land use restructuring of TWEIA. Noting the general concerns on the implementation of “CDA” sites, the Chairman remarked that multiple ownership and difficulties in site amalgamation were often key factors of impediment. Nevertheless, there was an established mechanism to conduct periodic reviews to monitor the progress of “CDA” sites. A Member suggested that sufficient incentives to encourage private sector to develop “CDA” sites should be considered in future “CDA” reviews.

24. Members then went through the rejection reasons as stated in paragraph 12.1 of the Paper and generally agreed that it had reflected Members’ views as expressed at the meeting.

25. After further deliberation, the Committee decided not to agree to the application for the following reasons :

- “(a) the “Comprehensive Development Area (5)” (“CDA(5)”) zone for the Site is considered appropriate as the planning intention is for comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities, open space and other supporting

facilities so as to facilitate the land use restructuring and upgrading of Tsuen Wan East Industrial Area and address the industrial/residential interface problem;

- (b) the approval of the application will result in a permanent loss of land available for residential development, which will affect the supply of housing land in meeting the pressing housing demand over the territory; and
- (c) the approval of the application will set an undesirable precedent for similar applications and the cumulative impact of approving similar applications will defeat the planning intention of comprehensive development/redevelopment of the “CDA” zones in rezoning the northern part of the Tsuen Wan East Industrial Area.”

[The meeting was adjourned for a 5-minute break.]

Agenda Item 4

Section 16 Application

[Open Meeting]

A/DPA/TW-CLHFS/5 Proposed Low-density Residential Development, Land Filling and Excavation of Land in “Unspecified Use” Zone, Lots 385, 386 RP, 387, 388, 389, 392, 394, 395, 396, 400 and 404 (Part) in D.D. 433 and Adjoining Government Land, Route Twisk, Chuen Lung, Tsuen Wan
(MPC Paper No. A/DPA/TW-CLHFS/5C)

26. The Committee noted that the applicant’s representative requested on 23.10.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address comments from Government departments and the public. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted various technical assessments to address departmental comments.

27. 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 eight months had been allowed for preparation of the submission of further information, this was the last deferment and no further deferment would be granted.

[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 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K3/577 Proposed Flat, Shop and Services in “Residential (Group E)1” Zone and an area shown as ‘Road’, 25-29 Kok Cheung Street and Adjoining Government Land, Tai Kok Tsui, Kowloon
(MPC Paper No. A/K3/577)

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

Mr Patrick H.T. Lau - having current business dealings with HLD and KTA;

- Mr Franklin Yu - having past business dealings with HLD and WSP;
- Dr Wilton W.T. Fok - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; and
- Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business Accountants Association which had obtained sponsorship from HLD before.

29. The Committee noted that Mr Patrick H.T. Lau and Mr Franklin Yu had tendered apologies for being unable to attend the meeting. Since the interests of Dr Wilton W.T. Fok and Mr Wilson Y.W. Fung were indirect, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

30. 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 flat and shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of two public comments were received from individuals raising concerns 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 application based on the assessments set out in paragraph 11 of the Paper. The proposed residential development with shop and services use on the lower floors was in line with the planning intention of “Residential (Group E)” zone and was compatible with the surrounding residential and office uses. Since there was no programme for the proposed extension of Fuk Chak Street, the Commissioner for Transport had no objection to the application and the inclusion of the land shown as ‘Road’ into the development proposal for a 24-hour public pedestrian walkway. The proposal of including part of the area shown as ‘Road’ under private ownership for plot ratio (PR) calculation was not in conflict with the Government lease. The maximum PR of 9, the 5m wide non-building area along the northern boundary of the site and the building height of 80mPD complied with the requirements as stipulated on the Outline Zoning Plan (OZP). Concerned departments had no objection to or no adverse comment on the application. Relevant approval conditions were also recommended to address the technical concerns of relevant departments. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

31. In response to a Member's enquiry, Ms Caroline T.Y. Tang, STP/TWK, reaffirmed that the proposed development under application had complied with the restrictions and requirements as stipulated under the OZP.

Deliberation Session

32. 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 10.11.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design, provision and maintenance of the 24-hour public pedestrian walkway at the Fuk Chak Street Extension including adjoining government land as appropriate at the applicant’s own cost, as proposed by the applicant, to the satisfaction of the Director of Highways or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of the internal transport facilities and vehicular access arrangement to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission of a revised Noise Impact Assessment and implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB; and
- (g) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/TY/134 Proposed Temporary Concrete Batching Plant for a Period of 5 Years in “Other Specified Uses” annotated “Boatyard and Marine-oriented Industrial Uses” Zone, Tsing Yi Town Lots 14 and 15 and Adjoining Government Land, Tam Kon Shan Road, Tsing Yi, New Territories
(MPC Paper No. A/TY/134C)

34. The Secretary reported that LLA Consultancy Limited (LLA) and BMT Asia Pacific Limited (BMT) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having past business dealings with LLA and BMT; and

Mr Thomas O.S. Ho - his firm having past business dealings with BMT and was involving in concrete business.

35. The Committee noted that Mr Patrick H.T. Lau and Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting.

36. The Committee noted that the applicant’s representative requested on 23.10.2017 deferment of the consideration of the application for two months so as to allow time for preparation of further information to address departmental comments and concerns on barging operation and marine traffic safety. It was the fourth time that the applicant requested deferment of the application. The applicant had made nine further information submissions to address departmental comments since the first deferment.

37. 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 eight months had been allowed for preparation of the submission of further information, this was the last deferment and no further deferment would be granted.

[Mr Derek P.K. Tse, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Hong Kong District

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H10/92 Proposed Public Utility Installation (Aboveground Gas Governor Kiosk)
in an area shown as 'Road', Government Land to the north of Baguio
Villa, Victoria Road, Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/92)

38. The Secretary reported that the site was located in Pok Fu Lam area and the application was submitted by the Hong Kong and China Gas Company Limited (Towngas) which was partly owned by Henderson Land Development Company Limited (HLD). The following Members had declared interests on the item :

Mr Patrick H.T. Lau - having current business dealings with HLD;

Mr K.K. Cheung - his firm having current business dealings with
Towngas;

- Mr Franklin Yu - having past business dealings with HLD;
- Dr Wilton W.T. Fok - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before, and his company locating at Cyberport was covered by the Pok Fu Lam Outline Zoning Plan; and
- Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business Accountants Association which had obtained sponsorship from HLD before.

39. The Committee noted that Mr Patrick H.T. Lau, Mr K.K. Cheung and Mr Franklin Yu had tendered apologies for being unable to attend the meeting. Since the interests of Mr Wilson Y.W. Fung and Dr Wilton W.T. Fok were indirect and Dr Wilton W.T. Fok's company did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

40. With the aid of a PowerPoint presentation, Mr Derek P.K. Tse, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public utility installation (aboveground gas governor kiosk);
- (c) departmental comments – departmental comments were set out in paragraph 7 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 periods, one public comment was received from a Member of the Southern District Council

objecting to the application. Major grounds of objection were set out in paragraph 8 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 9 of the Paper. The proposed gas governor kiosk was proposed as part of the applicant's effort to replace all medium pressure ductile iron gas pipes in Hong Kong to enhance public safety. Given the small scale and nature of the proposed facility, no significant environmental or visual impact on the surrounding areas was envisaged. Regarding the public comment, the application had been made available for public inspection in accordance with the provisions of the Town Planning Ordinance and the concerned government departments had no objection to or no adverse comment on the application.

41. Members had no question on the application.

Deliberation Session

42. 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 10.11.2021, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

43. 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 Derek P.K. Tse, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/751 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” Zone, Portion of G/F, Camel Paint Building Block III, 60 Hoi
Yuen Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/751)

Presentation and Question Sessions

44. 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 shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comments on the application;
- (d) during the first three weeks of the statutory publication period, one public comment stating no comment was received from a Member of Kwun Tong Central Area Committee; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was compatible with the changing land use character of the area. The proposed use complied with the Town Planning Board Guidelines No. 22D

in that it would not induce adverse fire safety and environmental impacts on the developments within the subject building and in the adjacent areas. Relevant government departments had no objection to or no adverse comment on the application. The aggregate commercial area on G/F, including the proposed use, would be about 453.46m², which was within the maximum permissible limit of 460m² for industrial buildings protected with a sprinkler system.

45. Members had no question on the application.

Deliberation Session

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 10.11.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

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

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.]

Agenda Item 9

Any Other Business

48. There being no other business, the meeting closed at 12:05 p.m..