

TOWN PLANNING BOARD

Minutes of 640th Meeting of the Metro Planning Committee held at 9:00 a.m. on 29.11.2019

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

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

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

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

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

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

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

Secretary

Absent with Apologies

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor Jonathan W.C. Wong

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
Mr Alvin C.H. Kan

Agenda Item 1

Confirmation of the Draft Minutes of the 639th MPC Meeting held on 15.11.2019

[Open Meeting]

1. The draft minutes of the 639th MPC meeting held on 15.11.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/K10/2 Application for Amendment to the Draft Ma Tau Kok Outline Zoning Plan No. S/K10/25, To Rezone the Application Site from “Other Specified Uses” annotated “Commercial Development with Public Vehicle Park” to “Residential (Group A) 4”, 128 Carpenter Road, Kowloon City, Kowloon
(MPC Paper No. Y/K10/2B)

3. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP), Wong Tung & Partners Ltd. (WT) and MVA Hong Kong Ltd. (MVA) were three of the consultants of the applicant. The following Members had declared interests on the item :

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

Mr Alex T.H. Lai - his firm having current business dealings with ARUP, WT and MVA; and

Mr Franklin Yu - having past business dealings with ARUP.

4. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. Mr Franklin Yu had not yet arrived at the meeting.

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

PlanD’s Representatives

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

Mr Mak Chung Hang - Senior Town Planner/Kowloon (STP/K)

TD's Representative

Mr Clyde C.Y. Tung - Senior Engineer /Kowloon (Sr Engr/Kln)

Applicant's Representatives

Ove Arup & Partners Hong Kong Ltd.

Ms Theresa W.S. Yeung] Applicant's representatives

Ms Natalie M.Y. Leung]

Ms Gigi M.C. Lo]

CTA Consultants Ltd.

Mr Kelvin C.W. Leung] Applicant's representative

Mr Reggie Lai] Applicant's representatives

Mr Jacky Yu]

6. The Chairman extended a welcome and reported that on 27.11.2019 (after the MPC paper had been issued), the applicant submitted a request for deferral of consideration of the application for two months, which was tabled at the meeting, in order to allow more time to address the comments of TD. The Chairman said that the Committee would consider the applicant's request for deferral first. He then invited the applicant to elaborate on the request for deferment.

7. Ms Theresa W.S. Yeung, the applicant's representative, requested the Committee to reschedule the consideration of the application to the next meeting on 13.12.2019, should the request for deferral for two months be not agreed by the Committee. The applicant's representative further explained that more time was required to address the comments from TD regarding arrangement to provide temporary public parking spaces during the demolition and construction stages of the proposed redevelopment. The applicant emphasized that such arrangement was neither a requirement under the lease nor a common practice for private redevelopment projects in Hong Kong. Even for public projects, such as the redevelopment of Middle Road Multi-storey Car Park, there was no arrangement to provide a temporary carpark during the demolition and construction stages. Such comment from TD was only

received by the applicant on 21.11.2019, and the applicant needed more time to liaise with TD.

8. In response to the Chairman's enquiry regarding the background of the application, Ms Johanna W.Y. Cheng, DPO/K, pointed out that the applicant was reminded of the need to tackle the interim public carparking requirement during the demolition and construction stages at a pre-submission meeting held in February 2018. After the submission of the application in August 2018, TD had repeatedly provided comments, which were relayed to the applicant, that the site was planned and developed as a public vehicle park to serve the local neighbourhood, and the applicant was required to provide practical measures to address demand for public parking spaces during the demolition and construction stages of the proposed redevelopment.

9. As the applicant's representatives had no further point to raise and there was no further question from Members regarding the request for deferral, the Chairman informed the applicant's representatives that the Committee would deliberate on the request for deferral in their absence and inform them of the Committee's decision after the deliberation session. The representatives from PlanD, TD and the applicant were invited to leave the meeting temporarily.

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

Deliberation Session

10. Mr Michael H.S. Law, Assistant Commissioner for Transport (Urban), TD clarified that his department had repeatedly advised the applicant throughout the application process regarding the requirement on temporary reprovisioning of public parking spaces during the demolition and construction stages.

11. In response to Members' enquiries on the procedures, the Chairman explained that should the Committee decide not to agree to the request for deferment, the Committee could proceed to consider the application at this meeting, or reschedule the consideration to the next meeting as requested by the applicant's representative in the presentation. The Secretary further explained the general practice in processing requests for deferment and

submission of further information as set out in the Town Planning Board Guidelines No. 33 and 32 respectively. The Committee on 12.4.2019 agreed to defer a decision for two months, at the request of the applicant, so as to allow more time for the applicant to submit further information to address departmental comments. The applicant's second request for deferment for another two months was agreed by the Committee on 6.9.2019 to allow more time for the applicant to respond to TD's comments. The current request was the third request for deferment, also for two months to address TD's comments.

12. A few Members considered that as there was grave public concern on the traffic congestion problem in the area, a sympathetic approach for deferment would allow more time for the applicant to better prepare before presenting the case to the Committee. Another Member pointed out that temporary reprovisioning of a large amount of public parking spaces could not be easily achieved within a short period of time, while the traffic demand in the area might change in view of the commissioning of the Shatin to Central Link in the near future.

13. The Vice-chairman and some other Members did not consider the applicant had provided strong justification for the third request for deferment as sufficient time had already been allowed for the applicant to address departmental comments. They also considered that the request for rescheduling consideration of the application to the next meeting was unnecessary as there would unlikely be any change in the circumstance within the next two weeks.

14. After deliberation, the Committee decided not to accede to the request for deferment and to proceed to consider the application at this meeting.

[Ms Sandy H.Y. Wong and Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

Presentation and Question Sessions

[Ms Johanna W.Y. Cheng, DPO/K, Mr Mak Chung Hang, STP/K and Mr Clyde C.Y. Tung, Sr Engr/Kln, TD and the applicant's representatives were invited to return to the meeting.]

15. The Chairman informed the applicant's representatives about the Committee's decision of not acceding to their request for deferral, and explained the procedure of the

meeting for consideration of the application.

16. The Secretary reported that Mr Ng Po Keung, a Kowloon City District Council (KCDC) member, had submitted a petition letter prior to the meeting objecting to the application. As the petition letter was submitted after the expiry of the statutory publication period, it would not be processed as public comment submitted under section 12A(9) of the Town Planning Ordinance. Members noted that the contents of the letter were similar to the comments made by Mr Ng submitted during the statutory publication period and covered in paragraph 10 of the Paper.

17. The Chairman invited PlanD's representative to brief Members on the background of the application.

18. With the aid of a PowerPoint, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed amendment to the draft Ma Tau Kok Outline Zoning Plan (OZP) No. S/K10/25 to rezone the application site from "Other Specified Uses" annotated "Commercial Development with Public Vehicle Park" ("OU(Commercial Development with Public Vehicle Park)") to "Residential (Group A) 4" ("R(A)4");
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Commissioner for Transport (C for T) had reservation on the application as the applicant had not provided practical measures to address the parking demand during the demolition and construction stages, which would aggravate the already acute illegal parking problem in Kowloon City. While the proposed high-rise development might not significantly affect the character of the townscape, the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD opined that the applicant might consider providing more appropriate transitions that respected variations in height, massing and land uses to the

immediate surrounding context. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the statutory publication periods, a total of 4,067 public comments were received from three Legislative Council (LegCo) members, 18 KCDC members, Kwun Tong DC member, Sham Shui Po DC member, Kowloon City District Kai Fong Welfare Association, Chairmen of various Owners' Incorporations of nearby buildings, trades/organisations operating in Kowloon City and individuals. Among the public comments received, 99 supported the application and 3,966 objected to the application and two provided views/had no comment. Major views were set out in paragraph 10 of the Paper; and

- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The site was planned and developed as a Public Vehicle Park (PVP) and a local shopping centre to serve the immediate neighbourhood since 1993. To cater for the parking demand, the applicant proposed the same parking number of PVP as the existing (i.e. 449) upon redevelopment. C for T had no comment on the traffic impact and PVP provision in the proposed rezoning. The proposal was considered in line with the Government's housing policy and not incompatible with the permissible plot ratio (PR) and building height (BH) of the "R(A)2" zone in the vicinity. However, C for T and the local community (including KCDC members) did not agree with the applicant's claim that the parking demand during the demolition and construction stages was minimal and could be absorbed by the carparks in the vicinity. The locals also had grave concern on the reduction of retail space at the site and the loss of the only local shopping centre in Kowloon City. The applicant claimed that there would be about 130,000m² of additional retail gross floor area (GFA) to be provided upon redevelopment in the area. In PlanD's rough checking, the applicant's projection was considered on the high-side. Regarding the local concern on the loss of the only venue in Kowloon City for holding community gatherings, the applicant had not provided any response to address the concern. The applicant proposed to

include various design measures (e.g. the internal pedestrian passage on G/F, internal driveway and building separation between residential blocks) for inclusion in the remarks of the proposed “R(A)4” zone. However, such scheme-based detailed design elements might not be appropriate to be stipulated as statutory planning controls under OZP. Regarding the public comments, comments of the concerned departments and the planning assessment above were relevant.

19. The Chairman then invited the applicant’s representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Theresa W.S. Yeung, the applicant’s representative, made the following points :

Increase in parking spaces

- (a) all of the existing 400 private car and 49 goods vehicle parking spaces would be reprovisioned. 45 additional parking spaces would be provided for the new retail portion. As a result, there would be a total of 494 parking spaces that could be used by the public, accounting for a net increase of 45 parking spaces;

Active retail facilities

- (b) in view of the estimated increase in retail GFA in Kowloon City area, the proposed development would make reference to the current commercial/retail mix and types of shops to serve the neighbourhood. More open building design would also be adopted to match with the existing character of the district with many street-front shops;

Optimise use of land

- (c) the proposed development would optimise the use of land by providing about 850 residential flats to accommodate a population of about 2,380, providing commercial uses on the lower floors, and reprovisioning the PVP with an increase of 45 parking spaces;

Improve wind /visual penetration and connect Carpenter Road Park

- (d) the more permeable built form of the proposed development would enhance

wind and visual penetration by providing a 15m-wide building separation between the two proposed residential towers, and improve pedestrian connectivity between Carpenter Road and Carpenter Road Park by providing an internal public passage on the G/F;

Improve vehicular access and pedestrian safety

- (e) a new 7.3m-wide internal driveway for at least six vehicle-length (not less than 36m) was proposed within the site to allow queuing space for vehicles entering the carpark as well as providing a pick-up/drop-off lay-by to improve the traffic condition on Carpenter Road. The new run-in/out arrangement would also improve pedestrian safety as compared with the existing situation; and

Reprovisioning of PVP

- (f) the requirement of temporary reprovisioning of public parking spaces during the demolition and construction stages was not stated in the lease of the site nor a common practice of similar redevelopment projects e.g. Middle Road and Murray Road Multi-storey Carparks. Since Sung Wong Toi station of the Shatin to Central Link, which was about 450m away from the site, was targeted to open by end 2021, the traffic condition of the district was expected to change. Also, another nearby proposed redevelopment project would provide about 300 public parking spaces. As such, a requirement for conducting a two-month parking demand review with mitigation measures to overcome identified shortage of parking spaces during the demolition and construction stages was proposed to be incorporated in the Notes or Explanatory Statement (ES) under the relevant zoning. Alternatively, the proposed development could be subject to planning permission by incorporating 'Flat' as a Column 2 use and a remark stipulating the provision of PVP could be included in the Notes of the proposed "R(A)4" zone, such that the short-term reprovisioning of parking spaces during the demolition and construction stages could be dealt with by imposing approval conditions under s.16 planning application.

20. As the presentations of the representatives from PlanD and the applicant were

completed, the Chairman invited questions from Members.

21. The Vice-chairman and some Members had the following questions on the application :

- (a) the provision of parking spaces as required under the Hong Kong Planning Standards and Guidelines (HKPSG) in the existing and proposed developments;
- (b) details of temporary reprovisioning of public parking spaces during the demolition and construction stages;
- (c) merits of the development proposal which would benefit the general public e.g. building design, urban design, provision of lay-by, pedestrian connectivity and the interface with Carpenter Road Park;
- (d) whether the existing development was the only gathering place or indoor cultural/performance venue in Kowloon City as stated in the public comments;
- (e) the latest programme of the Shatin to Central Link; and
- (f) the rationale for the rezoning application noting that 'Flat' is a Column 2 use in the current "OU" zoning.

22. In response, Ms Theresa W.S. Yeung, the applicant's representative, made the following points :

- (a) according to the requirements of the HKPSG, 175 out of the existing 400 private car parking spaces and 28 out of the existing 49 goods vehicle parking spaces were required for the existing retail facilities. Under the indicative scheme, all the existing PVP parking spaces would be reprovisioned, and additional 139 and 45 ancillary private car parking spaces would be provided for the residential and retail portions respectively

according to the requirements of the HKPSG;

- (b) the applicant had made genuine effort to condense the demolition process to 2 to 3 years, however, in-situ temporary reprovisioning of public parking spaces during the demolition stage would not be feasible. After the construction of the below-ground structures, phased development of the two residential towers might allow room for temporary reprovisioning of some PVP spaces. Furthermore, the applicant would carry out a 2-month parking review after the existing retail shops were vacated, in order to reflect the actual parking demand of the PVP for the area during construction stage. Other alternative options including off-site temporary car park by short term tenancy, converting street areas for on-street metered parking and providing double-deck parking spaces would be further explored. The redevelopment was anticipated to commence in 2026;
- (c) with regard to the merits of development proposal that would benefit the general public, the indicative scheme showed a more permeable building design, i.e. elevations and dispositions of the structural columns, which was subject to detailed architectural design. The proposed development offered a transformation from a 'shoe-box' to a permeable built form facilitating visual penetration and allowing pleasant connectivity and walking experience between Carpenter Road and Carpenter Road Park. Greenery and planters would be provided along the eastern and western boundaries of the site. A new internal driveway for at least six vehicle-length was proposed to allow queuing space for vehicles entering the carpark to improve the traffic condition. Provision of lay-by along the southern boundary of the site was not feasible due to the alignment of the existing lot boundary;
- (d) in response to the public comments on the provision of gathering place or indoor cultural/performance venue in Kowloon City, the current functions of Kowloon City Plaza would be upgraded to a modern standard. The proposed development would help alleviate the ever-increasing housing demand while achieving multiple planning merits to enhance the living

quality of the existing and future residents. Besides, suggestions on featuring cultural heritage of Kowloon City in the proposed development could be further discussed with the relevant government departments;

- (e) according to a paper on Progress Update of the Construction of the Shatin to Central Link for the Legislative Council Panel on Transport (LC Paper No. CB(4)75/19-20(01)), it was stated that as at 30.6.2019, the Tai Wai to Hung Hom section of the Shatin to Central Link was targeted for commission by end of 2021; and
- (f) although 'Flat' was a Column 2 use in the current "OU" zoning, the rezoning application was required to amend the existing building height restriction (BHR) of 36mPD.

23. In response to the public comments on the provision of gathering place or indoor cultural/performance venue in the district, Ms Johanna W.Y. Cheng, DPO/K, added that since there was no community hall nor indoor cultural/performance venue in the vicinity, Kowloon City Plaza often functioned as a venue for holding community gatherings.

24. The Chairman and some Members had the following questions to the representatives from PlanD and TD :

- (a) the applicant's proposal to incorporate 'Flat' as Column 2 use of the proposed "R(A)4" zone as well as the proposed uses and development intensity;
- (b) the existing and proposed non-domestic GFA;
- (c) increase in BH in relation to the air ventilation in the area;
- (d) pedestrian accessibility of Carpenter Road Park; and
- (e) overall traffic condition and parking demand of Kowloon City district, whether they would be changed in view of the commissioning of the Shatin to Central Link.

25. In response, Ms Johanna W.Y. Cheng, DPO/K, made the following points:
- (a) 'Flat' was a use fully in line with the planning intention in a residential zone and was a Column 1 use in typical "R(A)" zone. Should the rezoning application to facilitate long-term residential development be agreed, there was no strong reason to incorporate 'Flat' as Column 2 use of the proposed "R(A)4" zone for the purpose of addressing the interim carpark provision issue. The Site was sold by auction with a specific land sale condition for provision of a public vehicle park. The proposed rezoning without practical measures to address demand for public parking spaces during the demolition and construction stages would aggravate the already rampant illegal parking problem in the area. It was therefore considered pre-mature to rezone the site as proposed by the applicant. For the proposed residential use, it was considered not incompatible with the surrounding land uses. The proposed PR and BH were in line with that permissible under the "R(A)2" zone covering the Kowloon City area. As such, PlanD had no objection to the proposed long-term uses and development intensity;
 - (b) The applicant indicated that the total existing retail GFA was about 36,000m² within which only about 9,000m² were under active retail use. According to the proposed indicative scheme, the non-domestic GFA of the proposed development was about 8,881m²;
 - (c) the BHR of 36mPD reflecting the existing BH had been stipulated on the current "OU" zone since 2008. In the application, the applicant proposed a BHR of 100mPD. According to the Air Ventilation Assessment (AVA) Report submitted by the applicant, the wind environment under the proposed scheme would be facilitated by various design measures as mentioned in paragraph 18(e) above. CTP/UD&L, PlanD considered that the submission of a further AVA study should be required if alternative air ventilation related mitigation measures were to be adopted. The design measures and detailed assessments proposed by the applicant might be

stated in the ES and/or, subject to agreement at lease modification stage, included as lease conditions;

- (d) Carpenter Road Park could be accessible by pedestrians through Kowloon City Plaza and other entrances along the surrounding streets; and
- (e) with regard to the overall traffic condition and parking demand of Kowloon City district, C for T did not agree to the applicant's claim that the public car parking demand during the demolition and construction stages was minimal and could be absorbed by the existing PVPs (mainly the Lok Fu Estate Car Park) in the vicinity. C for T considered that the proposed closure of the existing PVP during the interim period while the site was being redeveloped might cause a severe shortage of public parking spaces in the area. However, the applicant had not demonstrated that they were able to provide practical measures to address such interim problem. As for the commission date of the Shatin to Central Link referred to by the applicant's representative in paragraph 22(e) above, it should be clarified that, in accordance with the paper for the LegCo Panel on Transport, the target commission date of end 2021 was subject to further review pending the assessment of the quality of works of the Hung Hom Station Extension.

26. In response to Members' enquiries on the overall traffic condition of Kowloon City district, Mr Clyde C.Y. Tung, Sr Engr/Kln, TD, pointed out that there was grave local concern on the keen parking demand and traffic congestion in the district. The existing on-street parking spaces in the vicinity of the site were mostly occupied in the weekends. Given the situation, the applicant was required to propose a solution to address the parking demand of the PVP during the demolition and construction stages, in order not to aggravate the illegal parking problem in the vicinity of the proposed development. He also opined that the parking demand at the proposed development might slightly decrease after the commencement of the Shatin to Central Link. Since the applicant had not provided information regarding changes in the transport mode of the area due to the commissioning of the Shatin to Central Link, TD reserved comment on that aspect. He further pointed out that in the case of Middle Road Multi-storey Carpark, as mentioned by the applicant, a traffic impact assessment had been conducted to demonstrate that the parking demand during the

demolition and construction stages could be absorbed by the nearby car parks, hence, no temporary reprovisioning was required.

27. With regard to TD's comment on the vehicular access arrangement of the existing car park, Ms Theresa W.S. Yeung, the applicant's representative, added that relocation of the existing gate of the car park entrance to allow more queuing space for vehicles was technically infeasible due to the narrow and downward ramp.

28. As the applicant's representatives had no further points to raise and there was no further question 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, TD and the applicant for attending the meeting. They left the meeting at this point.

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

Deliberation Session

29. The Chairman noted that concerned government departments had no in-principle objection to the uses and development intensity of the proposed development on the site, however, there was grave concern about the traffic condition in Kowloon City and the arrangement for temporary reprovisioning of public parking spaces as reflected in the public comments.

30. The Vice-chairman and some Members considered that the proposal for redevelopment of the site into a mixed use was acceptable. Meanwhile, they were concerned with the lack of interim arrangement on providing temporary parking spaces during the demolition and construction stages. The applicant had not provided sufficient information to demonstrate that provision of temporary parking spaces would be feasible by adopting a phased redevelopment programme mentioned by the applicant's representative during the presentation. The Vice-chairman and some other Members considered that the applicant had not made sufficient effort in exploring different options of the interim arrangement to minimise the possible adverse traffic impact on the area. Some Members also considered that there was scope for improving the scheme in terms of its overall design,

interface with Carpenter Road Park, pedestrian connectivity and pick-up/drop-off lay-by arrangement for the benefit of the public.

31. A Member opined that it was undesirable to defer the resolution of the temporary parking issue to s.16 planning application stage since the applicant had to demonstrate a viable option at the current stage. A Member expressed concern on the long-term planning and provision of parking spaces in the district.

32. Members generally had no in-principle objection to the uses and development intensity for the proposed development on the site. However, Members had general concern about the traffic condition in Kowloon City and considered that practical interim measures to address the demand for public parking spaces during the demolition and construction stages without aggravating the illegal parking problem in the area should be provided. Besides, there should be scope for further improvement in the design of the development proposal to achieve greater benefit to the general public.

33. After deliberation, the Committee decided not to agree to the application for the following reason :

the site was planned and implemented as a public vehicle park with commercial uses to serve the local neighbourhood. The proposed rezoning without practical measures to address demand for public parking spaces during the demolition and construction stages will aggravate illegal parking in Kowloon City. It is pre-mature to rezone the site as proposed by the applicant.

[Ms Sandy H.Y. Wong, Messrs Franklin Yu and Wilson Fung left the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/808 Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of Workshop A1, G/F, Kimberland Centre, 55 Wing Hong Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/808B)

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

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication periods, a total of six public comments were received from individuals objecting to 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 use at the Premises was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and compatible with the changing land use character of the area. Moreover, the proposed use was considered not incompatible with other uses of the same industrial building which mainly comprised industrial-related offices/trading firms on the upper floors. The proposed use in general complied with the Town Planning Board Guidelines No. 22D

in that it would not induce adverse fire safety, traffic and infrastructural impacts on the developments within the subject industrial building and the adjacent areas. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

35. Members had no question on the application.

Deliberation Session

36. 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 29.11.2021, 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 submission and implementation of fire safety measures before operation of the proposed use to the satisfaction of the Director of Fire Services or of the Town Planning Board; and
- (b) if the above planning condition (a) is not complied with before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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 Ms Katy C.W. Fung, 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/K5/812 Shop and Services in “Other Specified Uses” annotated “Business (2)”
Zone, Portion of Workshops B3 and B4, G/F, Block B, Hong Kong
Industrial Centre, 489-491 Castle Peak Road, Cheung Sha Wan,
Kowloon

(MPC Paper No. A/K5/812)

38. The Committee noted that the applicant’s representative requested on 18.11.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time that the applicant requested deferment of the application.

39. 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 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/464 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Development (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, 20-24 Kwai Wing Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/464A)

40. The Committee noted that two replacement pages (pages 14 and 15 of the Paper) were tabled at the meeting for Members’ reference.

Presentation and Question Sessions

41. 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 industrial development (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two 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 set out in paragraph 11 of the Paper. The proposed redevelopment 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 setbacks, greening proposals, communal escalator, staircase and universal accessible lift, 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.

42. Some Members raised the following questions :

- (a) details of the proposed building setbacks including whether they were proposed by the applicant and whether the applicant would be responsible for the management and maintenance of the setback area;
- (b) implementation mechanism of the proposed communal escalators and universal accessible lift, and whether the future maintenance responsibility would be borne by the future individual owners of sub-divided units;
- (c) concern on uncovered design of the proposed communal escalators; and
- (d) details of the proposed rating of BEAM Plus for green building.

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

- (a) While there was no setback requirement in the relevant Outline Zoning Plan or Outline Development Plan, the building setbacks were voluntarily proposed by the applicant along the northern and eastern portions of the Site to widen the existing building gap between the proposed development and the adjacent buildings. The proposed amenities within the setback area would be under the management and maintenance of the applicant;

- (b) with regard to the implementation of the proposed communal escalators and universal accessible lift, approval conditions in relation to their provision, management and maintenance would be imposed. There was no information from the applicant on whether the future maintenance responsibility would be borne by future individual owners;
- (c) with regard to the proposed uncovered escalator, an advisory clause would be incorporated to advise the applicant to note the comment of the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD to explore the possibility of a building design that would provide some weather protection over the escalator. In this connection, the applicant might further consider the proposal having regard to its possible GFA implication; and
- (d) no information regarding the proposed rating of BEAM Plus was provided by the applicant.

44. Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department, supplemented that relevant conditions on the provision, management and maintenance of the proposed communal escalators and the proposed universal accessible lift could be incorporated in the lease, should the proposed development require lease modification. In general, all owners including the individual owners of sub-divided units would be liable to comply with the relevant requirements under the lease.

Deliberation Session

45. A Member considered that the proposed building setbacks and improvement on pedestrian connectivity could be regarded as design merits for public benefit attributed to the proposed development, and expressed that suitable mechanism should be put in place to ensure the implementation of such proposals.

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 29.11.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the implementation of the traffic improvement measures identified in the submitted Traffic Impact Assessment, as proposed by the applicant at his own cost to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the provision, management and maintenance of the proposed communal escalators (operated from 7:00 to 20:00 for general public) and the proposed universal accessible lift/pedestrian route (of minimum 2m clear width) connecting Castle Peak Road – Kwai Chung (operated in 24-hour for general public) within the site, as proposed by the applicant at his own cost, to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (e) the submission of land contamination assessments 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;
- (f) the submission of Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (g) in relation to (f) above, the design and implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage

Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

47. 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 Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[The Vice-chairman left the meeting at this point.]

Hong Kong District

Agenda Item 7

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/H9/80)

48. The Secretary reported that the application site was located in Shau Kei Wan. Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. The following Members had declared interests on the item:

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.

49. The Committee noted that the applicant had requested deferment of consideration of the application. As the interests of Mr Daniel K.S. Lau and Ms Lilian S.K. Law were indirect, the Committee agreed that they could stay in the meeting.

50. The Committee noted that the applicant's representative requested on 15.11.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time that the applicant requested deferment of the application.

51. 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.

[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/K14/779 Shop and Services in “Other Specified Uses” annotated “Business” Zone,
Unit A, G/F, Yip Win Factory Building, 10 Tsun Yip Lane, Kwun Tong,
Kowloon
(MPC Paper No. A/K14/779)

Presentation and Question Sessions

52. 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) 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 comment on the application ;
- (d) during the first three weeks of the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use at the Premises was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and compatible with the changing land use character of the area. The proposed use at the Premises complied with 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 the adjacent areas. The aggregated commercial floor area would be about 155m², which was within the maximum permissible limit of 460m² for industrial building with a sprinkler system.

53. Members had no question on the application.

Deliberation Session

54. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission and implementation of fire safety measures within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 29.5.2020; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/122 Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” Zone, 5 and 8 Tung Yuen Street, Yau Tong, Kowloon
(MPC Paper No. A/K15/122A)

56. The Secretary reported that Korn Reach Investment Ltd. was the applicant which was a subsidiary of CK Hutchison Holdings Ltd. (CK Hutchison). Kenneth To & Associates Ltd. (KTA), Mott MacDonald Hong Kong Ltd. (MMHK) and C M Wong & Associates Ltd. (CMW) 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 CK Hutchison and MMHK;

- Mr Thomas O.S. Ho - having past business dealings with CMW and his firm having current business dealings with MMHK;

- Mr Franklin Yu - having past business dealings with MMHK and his firm having current business dealings with CMW; and

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

57. The Committee noted that the applicant had requested deferment of consideration of the application, and Messrs Alex T.H. Lai and Thomas O.S. Ho had tendered apologies for being unable to attend the meeting. Mr Franklin Yu had already left the meeting. As the interest of Mr Daniel K.S. Lau was indirect, the Committee agreed that he could stay in the meeting.

58. The Secretary reported that a replacement page (page 2 of the Paper) was tabled at the meeting for Members' reference.

59. The Committee noted that the applicant's representative requested on 22.11.2019 deferment of the consideration of the application for one month 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.

60. 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 one month was allowed for preparation of the submission of the further information. Since it was the second deferment and a total of three months had been allowed for the preparation of the further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 10

Any Other Business

61. There being no other business, the meeting closed at 12:25 p.m.