

TOWN PLANNING BOARD

Minutes of 643rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 17.1.2020

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Professor T.S. Liu

Miss Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

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

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Ms Mable M.H. Chan

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

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

Secretary

Absent with Apologies

Dr Frankie W.C. Yeung

Mr Alex T.H. Lai

Mr Franklin Yu

In Attendance

Assistant Director of Planning/Board
Ms Lily Yam

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

Town Planner/Town Planning Board
Mr Ryan C.K. Ho

Agenda Item 1

Confirmation of the Draft Minutes of the 642nd MPC Meeting held on 3.1.2020

[Open Meeting]

1. The draft minutes of the 642nd MPC meeting held on 3.1.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K18/9 Application for Amendment to the Approved Kowloon Tong Outline Zoning Plan S/K18/21, To rezone the application site from “Residential (Group C) 1” and ‘Road’ to “Commercial (3)” and an area shown as ‘Road’, 3, 5 and 7 Kent Road and adjoining Government Land, Kowloon Tong, Kowloon
(MPC Paper No. Y/K18/9)

3. The Secretary reported that the application site was located in Kowloon Tong and 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-Director (Development and Marketing) of Hong Kong Housing Society

which had current business dealings with KTA;

Dr Lawrence W.C. Poon - working in the City University of Hong Kong and living in its quarters in Kowloon Tong; and

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

4. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Daniel K.S. Lau had no involvement in the application, and the quarters resided by Dr Lawrence W.C. Poon and the properties owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicant's representative requested on 6.1.2020 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.

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

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/K22/4

Application for Amendment to the Approved Kai Tak Outline Zoning Plan No. S/K22/6, To rezone the application sites from “Open Space” and “Open Space (2)” to four sub-areas of “Other Specified Uses” annotated “Waterfront Related Commercial, Recreational and Leisure Uses” zone, four pieces of Government Land at the waterfront of Kai Tak Development

(MPC Paper No. Y/K22/4)

7. The Committee noted that the applicant requested on 23.12.2019 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.

8. 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 three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Tsuen Wan and West Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting]

A/K5/813 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services, and Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 822 Lai Chi Kok Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/813)

9. The Secretary reported that the application was submitted by Glory View Properties Limited, a subsidiary of Hang Lung Group Limited (HLG). Ove Arup & Partners Hong Kong Limited (ARUP) was one 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 HLG and ARUP;

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

Mr Franklin Yu - having past business dealings with ARUP.

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

11. The Committee noted that the applicant’s representative requested on 30.12.2019 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.

12. 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 Ng Kar Shu, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) was invited to the meeting at this point.]

[Messrs Lincoln L.H. Huang and Stephen H.B. Yau and Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/508 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, 18-20 Pun Shan Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/508A)

Presentation and Question Sessions

13. The Secretary reported that the application site was located in Tsuen Wan. Kenneth To & Associates Ltd. (KTA) and Mott MacDonald Hong Kong Limited (MMHK) were two of the consultants of the applicant. The following Members had declared interests on the item :

- Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA;
- Mr Thomas O.S. Ho - his firm having current business dealings with MMHK;
- Mr Alex T.H. Lai - his firm having current business dealings with MMHK;
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and
- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

14. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Messrs Thomas O.S. Ho and Daniel K.S. Lau had no involvement in the application, and the properties owned by the company of Mr Stanley T.S. Choi's spouse and Professor John C.Y. Ng's spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

15. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods);
- (c) departmental comments – departmental comments were set out in paragraph 9 and Appendix III 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, four public comments from individuals 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 assessment made in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The proposed building setbacks were generally in line with the setback requirements stated in the Explanatory Statement (ES) of the Outline Zoning Plan (OZP) to cater for the traffic and pedestrian movement needs in the Chai Wan Kok Industrial/Business Area. The Development Bureau gave policy support to the current application and the proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 industrial buildings. On technical aspects, concerned departments had no objection to or no adverse comment on the application. The Chief Town Planner/Urban Design and Landscape, PlanD advised that the proposed setbacks and greenery provided on low zone would improve the pedestrian environment and visual amenity along the building frontage. Besides, the proposed separation of the pedestrian and vehicular accesses to the development would help reduce the potential pedestrian-vehicle conflicts. With regard to sustainable building design, the applicant indicated that not less than 20% greenery coverage for the whole development could be achieved. Other green building designs would be adopted for meeting the requirement of Building Environmental Assessment Method Plus (BEAM Plus) certification. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

16. Some Members raised the following questions:

- (a) details of the proposed rating of BEAM Plus for green building;

- (b) approving authority of the approval conditions imposed and the area of

responsibility between the Environmental Protection Department (EPD) and Drainage Services Department (DSD) with regard to approval condition relating to sewerage impact assessment;

- (c) the distance from the nearest residential development to the site, and any designated use for the “Government, Institution or Community” (“G/IC”) zone to the southwest of the site;
- (d) the pedestrian accessibility to the site, in particular the connection with the nearest MTR station;
- (e) details of two previously approved similar applications in the area, in particular the planning merit and public gain of the proposed redevelopments;
- (f) any long term planning intention for the subject industrial area, including phasing out the industrial activities; and
- (g) whether the proposed setback was on ground floor only and how the setback area could benefit the public.

17. Mr Ng Kar Shu, STP/TWK, made the following responses:

- (a) no information regarding the proposed rating of BEAM Plus was provided by the applicant;
- (b) in general, an approval condition should be fulfilled to the satisfaction of a government department, or of the Town Planning Board (the Board). Should dispute over the fulfillment of the approval condition arise at departmental level, the matter could be brought to the Board for a decision. Whilst EPD was responsible for the overall planning and design of sewerage treatment facilities, DSD was responsible for the implementation of local sewerage improvement works, including monitoring of sewerage connection work for any new development project;

- (c) the nearest residential development, namely, Summit Terrace, was located on an upper platform and more than 100m away from the site across Castle Peak Road - Tsuen Wan and Tuen Mun Road. CLP Power Hong Kong Limited Tsuen Wan Depot and Chai Wan Kok Cooked Food Market zoned "G/IC" were located to the southwest of the site;
- (d) with reference to Plan A-6 of the Paper, the application site was located at the northwest fringe of Chai Wan Kok Industrial/Business Area and the area was connected to Tusen Wan West Station and Tsuen Wan Station by the existing footbridge network, involving a 15-20 minutes walk. Bus services could also be found at the periphery of the industrial/business area along Castle Peak Road – Tsuen Wan;
- (e) as shown on Plan A-1 of the Paper, two similar applications (No. A/TW/505 and 509) in the area both for workshop uses were located at Tusen Wan West Industrial Area and Chai Wan Kok Industrial/Business Area respectively. Both of them involved full-height setbacks from the lot boundary for improvement of pedestrian environment, landscaping and greenery measures, and were in compliance with Sustainable Building Design Guidelines with incorporation of green building design measures;
- (f) the subject industrial area was rezoned from "Industrial" to "OU(B)" in 2016 to allow for general business uses to meet Hong Kong's changing social and economic needs. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses were always permitted in new 'business' buildings; and
- (g) apart from a full-height setback along Pun Shan Street with a width of 0.2m subject to detailed survey, the applicant also proposed a 2m and 3.5m-wide setback along Castle Peak Road – Tsuen Wan and the service lane to the west of the site respectively with landscape treatments to improve the streetscape. It was also anticipated that there would be increase in pedestrian flow through the transformation of the industrial area and the proposal would help enhance the pedestrian environment in the long term.

Deliberation Session

18. A Member considered that efforts had been made by the applicant to introduce building setback and greenery measures but there could be further enhancement on the pedestrian walking environment. The same Member said that the creation of small workshop unit was a concern and the applicant should clearly indicate the grading of the BEAM Plus intended to be achieved. There was also concern that there should be an overall planning for redevelopment of the larger industrial district instead of adopting a piece-meal approach of redevelopment of individual industrial buildings.

19. A Member shared the view that the revitalization of old industrial buildings was an opportunity for urban regeneration and there should be an overall planning in that respect. The public at large could not benefit from the proposed setback and greening on individual building as proposed by the applicant. Another two Members echoed and suggested that a master plan should be formulated to provide an overall integrated planning for the area, which should cover pedestrian connection, air ventilation, streetscape, cycling network, waterfront and open space connection, such that the revitalization of individual buildings could fit into the overall planning framework.

20. Another Member opined that the Committee should focus on the current application and not on the planning intention and overall planning for the area, which should be more appropriate to be discussed in another platform. Besides, the proposed small workshop units and the proposed rating of BEAM Plus were not the major considerations in assessing the application. A Member also agreed that there were difficulties for individual applicants to fulfil the planning vision of the entire area.

21. The Chairman supplemented that there was an overall planning framework for the Chai Wan Kok Industrial/Business Area, in particular, for meeting the traffic and pedestrian movement needs in the area, setbacks from the lot boundaries along the roads and/or between buildings for carriageway and footpath improvement and greening had been stipulated on the Tsuen Wan Central Outline Development Plan to guide future development. The Chairman advised that such information should be provided to the Committee as background information for future applications in the area.

22. For the government's policy on revitalization of industrial buildings, the Chairman explained that phase 1 of the policy had resulted in many wholesale conversion of the existing industrial buildings, whilst the current policy incentive under phase 2 was to encourage the redevelopment of pre-1987 industrial buildings without modern fire service installations by allowing the maximum permissible PR to be relaxed by 20% subject to obtaining planning permission from the Board. Based on the Committee's past assessments, favourable consideration would be given to those applications purely applying for PR relaxation as long as the technical assessments had confirmed the feasibility of the proposal. For those applications seeking relaxation of both PR and BH restrictions, the Committee would look into the planning merits of the design proposal and the public gain that could be provided. For the subject application, the applicant was only applying for PR relaxation and all concerned government departments had no adverse comment on the application. The Chairman also said that the Committee's experiences accumulated through processing relevant planning applications, including the recommendation related to an overall integrated and comprehensive development, would be useful reference where the effectiveness of the revitalization policy on industrial buildings was reviewed in future.

23. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.1.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the design and provision of parking facilities, loading/unloading spaces, vehicular and pedestrian access, and internal driveway for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (b) 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;
- (c) the submission of an updated Sewerage Impact Assessment for the

proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and

- (d) the implementation of the local sewerage improvement and upgrading/sewerage connection works identified in the Sewerage Impact Assessment for the proposed development in condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB.”

24. 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 Ng Kar Shu, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/TW/515 Proposed Comprehensive Residential Development and Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions (Amendments to Approved Scheme) in “Comprehensive Development Area (3)” Zone, Tsuen Wan Town Lots 126, 137, 160 and 363, and adjoining Government Land, Tsuen Wan, New Territories
(MPC Paper No. A/TW/515)

25. The Secretary reported that the application site was located in Tsuen Wan. The application was submitted by Tippon Investment Enterprises Limited (TIE), which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), Andrew Lee King Fun & Associates Architects Limited (ALKF) and AECOM Asia Company Limited (AECOM) were three of the consultants of the applicant. The following Members had declared interests on the item :

Mr Stephen H.B. Yau - having a relative who was an owner of SHK;

- Mr Thomas O.S. Ho - having current business dealings with SHK and AECOM and past business dealings with LD;
- Mr Franklin Yu - having past business dealings with SHK, ALKF and AECOM, and his spouse being an employee of SHK;
- Mr Alex T.H. Lai - his firm having current business dealings with SHK and AECOM;
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and
- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

26. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Franklin Yu and Alex T.H. Lai had tendered apologies for being unable to attend the meeting. The Committee also noted that the interests of Messrs Stephen H.B. Yau and Thomas O.S. Ho were direct, and agreed that they could stay in the meeting but should refrain from participating in the discussion. As the properties owned by the company of Mr Stanley T.S. Choi's spouse and Professor John C.Y. Ng's spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

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

27. The Committee noted that the applicant's representative requested on 30.12.2019 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.

28. 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 Jerry Austin, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point. Mr Stephen H.B. Yau returned to join the meeting at this point.]

Hong Kong District

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H20/192 Renewal of Planning Approval for Temporary Office for a Period of 3
Years in "Industrial" Zone, Workshop 2, 8/F, Block A, Ming Pao
Industrial Centre, 18 Ka Yip Street, Chai Wan, Hong Kong
(MPC Paper No. A/H20/192)

29. The Secretary reported that the application site was located in Chai Wan. RHL Surveyors Ltd. (RHL) was one of the consultants of the applicant. The following Members had declared interests on the item :

Dr Lawrence W.C. Poon]	personally knowing the Managing Director
Wilson Y.W. Fung]	of RHL; and
Ms Sandy H.Y. Wong]	

Mr Sunny L.K. Ho - owning and co-owning with spouse
properties in Chai Wan.

30. As Dr Lawrence W.C. Poon, Mr Wilson Y.W. Fung and Ms Sandy H.Y. Wong had no involvement in the application, and the properties owned by Mr Sunny L.K. Ho and

co-owned with his spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

31. With the aid of a PowerPoint presentation, Mr Jerry Austin, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary office under application No. A/H20/188 for a period of three years;
- (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 on the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 11 of the Paper. There had been no material change in the planning circumstances and surrounding land uses. The current application remained the same as the previously approved application in terms of the area/application boundary, applied use, development parameters and layout as well as the period of planning permission sought. All approval conditions of the previous approval had been complied with and the approval period sought was reasonable. The application complied with the Town Planning Board Guidelines No. 25D and 34B and relevant government departments had no objection to or no adverse comments on the application.

32. Members had no question on the application.

- Mr Alex T.H. Lai - his firm having current business dealings with Aedas; and
- Mr Sunny L.K. Ho - owning and co-owning with spouse properties in Chai Wan.

36. The Committee noted that the applicant had requested deferment of consideration of the application. The Committee also noted that Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As Mr Thomas O.S. Ho had no involvement in the application and the properties owned by Mr Sunny L.K. Ho and co-owned with his spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

37. The Committee noted that the applicant's representative requested on 31.12.2019 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.

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/441 Proposed Office, Shop and Services/Eating Place in “Residential (Group A)” Zone, 3-6 Glenealy, Central, Hong Kong
(MPC Paper No. A/H3/441B)

39. The Secretary reported that Kenneth To & Associates Limited (KTA) and Siu Yin Wai & Associates Limited (SYW) were two of the consultants of the applicant. The following Members had declared interests on the item :

Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA; and

Mr Alex T.H. Lai - his firm having current business dealings with SYW.

40. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

41. With the aid of a PowerPoint presentation, Mr Jerry Austin, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed office, shop and services/eating place;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The District Officer (Central and Western),

Home Affairs Department advised that the application was of considerable public concern in light of the adverse traffic, air ventilation and environmental impacts as well as the demand for residential land in the area. Regarding the proposed pedestrian enhancement scheme (PES), the relevant government departments including the Lands Department and Highways Department had yet to accept the proposal. Other 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 231 comments were received, including 142 supporting comments from the then Central & Western District Council (CWDC) member (Mr. Yeung Hok-ming) and individuals, and 89 opposing comments from Ms. Wong Kin Ching, a CWDC member, Central & Western Concern Group, and the incorporated owners of Glenealy Tower at 1 Glenealy and individuals. Major views were set out in paragraph 11 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 12 of the Paper. The site and its surrounding area were rezoned from “Commercial/Residential” (“C/R”) to “Residential (Group A)” (“R(A)”) in 2010 with the planning intention to maintain the residential nature of the area. While the proposed office development with shop and services/eating places on the lowest two floors was considered not incompatible with the surrounding developments, it was not fully in line with the planning intention of the “R(A)” zone. Approval of the application would set an undesirable precedent resulting in cumulative loss of residential land, as well as cumulative impacts on other aspects including traffic impact. The site zoned for residential use should be retained to meet the acute housing demand. The feasibility of the proposed PES was not yet demonstrated and the planning gain claimed by the applicant was yet to be proven. Since the previous application (No. A/H3/438) was rejected by the Town Planning Board (the Board) upon review on 11.1.2019, there had been no material change in planning circumstances of the site. There was no strong justification to deviate from the previous

decision of the Board. Furthermore, the site context and planning history of the current application were different from two previously approved similar applications (No. A/H3/402 and 432). Regarding the public comments, the comments of government departments and planning assessments above were relevant.

42. In response to a Member's query on the relationship between the appeal lodged by the applicant under the previous application (No. A/H3/438) and the current application, the Chairman said that the appeal would be heard by the Appeal Board Panel (Town Planning). The Committee should consider and make a decision based on its own merit.

43. The Chairman and two Members raised the following questions:

- (a) the percentage of the property titles in the adjoining development that had agreed to surrender its private rear lane for public passage, and whether the proposed landscape area on 1/F of the proposed development would be opened for public use;
- (b) context of the surrounding areas and the application site; and
- (c) comparison of the previously rejected development scheme under application No. A/H3/438 and the current proposal.

44. In response, Mr Jerry Austin, STP/HK, made the following main points:

- (a) the applicant claimed that support had been gained from the owner of 13 out of the 48 residential units of Fortune Court for surrendering their rear lane for public passage and the proposed landscape area on 1/F would be privately owned but public could have access to it;
- (b) the site was mainly bounded by residential developments and the adjoining street blocks were also predominantly residential in nature, while the Hong Kong Sheng Kung Hui Compound was located to the east of the site across Glenealy; and

- (c) with reference to Appendix II of the Paper, the major changes in the current proposal as compared with that of the previous application included the introduction of a new PES and increase in building height (BH). Furthermore, the gross floor area (GFA) for shop and services uses had been reduced in the current proposal.

Deliberation Session

45. A Member said that although there was a slight reduction in GFA for shop and services use in the current proposal, there was an increase in BH as compared with the previous scheme. Since the consideration of the previous scheme by the Board in January 2019, there was no material change in planning circumstances of the site. The planning considerations for the previous application regarding deviation from the planning intention and setting of undesirable precedent for similar applications remained valid. There was no justification to deviate from the previous decision of the Board in considering the current application.

46. Regarding the applicant's claim for compliance with Town Planning Board Guidelines No. 5 (TPB PG-No.5), the Secretary supplemented for Members' information that apart from the planning criteria set out in TPB PG-No.5, the Committee might take into account other relevant considerations including the planning intention of the site as stated in the outline zoning plan and implications of approving the application.

47. In response to the Vice-chairman's enquiry, the Secretary pointed out that the rejection reasons recommended by PlanD for the current application were more or less the same as those of the previous application rejected by the Board upon review.

48. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the planning intention of the “Residential (Group A)” (“R(A)”) zone is for high-density residential developments. The applicant fails to demonstrate strong justifications to deviate from the planning intention of the “R(A)” zone; and

- (b) approval of the application will set an undesirable precedent for similar applications in the same “R(A)” zone. The cumulative effect of approving such similar applications will aggravate the shortfall in the supply of housing land.”

[The Chairman thanked Mr Jerry Austin, 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 11

Further Consideration of Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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

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

Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA;
and

Mr Alex T.H. Lai - his firm having current business dealings with TKTAL and AIM.

50. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

51. 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 – during the consideration of the application on 18.10.2019, the Committee generally agreed that the minor relaxation of PR under the current revitalization of industrial building policy initiative could generally be supported but decided to defer making a decision on the application as Members considered that there was inadequate information to demonstrate strong justification as well as planning merits for the proposed minor relaxation of building height (BH) restriction. The applicant was requested to provide further information (FI) for the Committee's consideration;
- (b) the proposed minor relaxation of plot ratio (PR) and BH restrictions for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods) and eating place (canteen only);
- (c) departmental comments – departmental comments on the FI were set out in paragraph 4 of the Paper. The Head of Energizing Kowloon East Office (EKEO), Development Bureau (DEVB) considered that the setback and greenery proposals would enhance the pedestrian environment and promote walkability. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) commented that the design measures as proposed would contribute to streetscape enhancement.

Other concerned government departments had no objection to or adverse comment on the application;

- (d) during the first three weeks of the statutory publication period of FI, two public comments were received from a then member of Kwun Tung District Council (KTDC) and an individual. Major views were set out in paragraph 5 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment made in paragraph 6 of the Paper. The proportional increase in BH to accommodate a 20% increase in PR under the application was not unreasonable and the proposed BH was also comparable to the surrounding developments. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

52. Some Members raised the following questions:

- (a) whether the voluntary setback with a minimum width of 1.5m would apply to the adjoining lots if the application was approved;
- (b) the implementation mechanism of the proposed setback, and whether the area of voluntary setback would be surrendered to the Government and whether any structure could be erected at the setback area in future; and
- (c) the details of the management and maintenance responsibility of the setback area on G/F and open space on 3/F, and whether there was any restriction on transfer of maintenance liability to future individual owners.

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

- (a) the concerned setback on G/F (minimum 1.5m) and levels above (minimum 2.5m) proposed by the applicant was on a voluntary basis, taking into account the site constraints and design requirements, and would not be a

mandatory requirement applicable to developments at the adjoining lots as there was no such requirement on the statutory and administrative plans;

- (b) the proposed features and design measures of the proposal, if approved by the Committee, had to be shown on building plans, which would be examined by PlanD in accordance with the approved scheme; and
- (c) the setback area on the G/F would be open for pedestrian circulation and managed and maintained by the applicant, while the open space on 3/F would be privately owned for future workers' enjoyment.

Deliberation Session

54. A Member considered that there were improvements to the proposed scheme, in particular the voluntary setback at ground floor of the building, while there were concerns on the future implementation and maintenance of the improvement measures, in particular the proposed vertical greening. The same Member also raised concern on the small size of workshop units. The Chairman responded that relevant approval conditions were recommended to examine the proposals including the landscape treatment in details, and there were established mechanism under the Buildings Ordinance to ensure building facilities would be properly maintained.

55. Members noted that there was an indication from the applicant about application for certification under BEAM Plus.

56. A Member considered that some sort of incentives should be given to encourage future applicants to amalgamate fragmented private lots into larger sites for formulating better redevelopment schemes. Another Member expressed that through the Committee's consideration and deliberation of a number of similar applications, experiences had been accumulated and perhaps some guiding principles could be evolved soon, which would be helpful in the future assessment of such type of applications. A Member stressed that a better integration of Kwun Tong Business Area (KTBA) with the surrounding development such as Kwun Tong Promenade and Kai Tak Development, particular on pedestrian connectivity, should be duly considered.

57. The Chairman responded that phase 1 of the policy on revitalization of industrial buildings had resulted in many wholesale conversion of existing industrial buildings and phase 2 of the policy provided incentive for redevelopment of pre-1987 industrial buildings without modern fire service installations by allowing the maximum permissible PR to be relaxed by 20% subject to obtaining planning permission from the Board. Members' view on encouraging site amalgamation could be taken into account by the Administration when the effectiveness of the revitalization policy on industrial buildings was reviewed in future. Regarding detailed district planning improvement measures, the EKEO had been established to oversee and monitor the overall transformation of Kowloon East, covering the KTBA, the former Kai Tak Airport and the Kowloon Bay Business Area as well as San Po Kong Business Area, into another premier central business area. A master plan for the area had been prepared. As for redevelopment of individual industrial buildings, the Committee had accumulated experiences through processing relevant planning applications and some general principles had evolved that for those applications seeking BH relaxation in addition to PR relaxation, the Committee would look into the planning merits of the design proposals and the public gain that could be provided.

58. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.1.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of an updated sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of sewerage upgrading/ connection works identified in the updated sewerage impact assessment in condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised traffic impact assessment, and the implementation of the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the TPB;

- (d) the design and provision of vehicular access, vehicle parking/loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (e) the submission and implementation of edge planting and vertical greening on 1/F and 2/F of the proposed development to the satisfaction of the Director of Planning or of the TPB.”

59. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix F-VII of the Paper.

Agenda Item 12

Section 16 Application

[Open Meeting]

A/K14/777 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office Use in “Other Specified Uses” annotated “Business” Zone, 71 How Ming Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/777A)

60. The Secretary reported that Ronald Lu & Partners (Hong Kong) Ltd. (RLP) and Ove Arup & Partners Hong Kong Limited (ARUP) were two 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 RLP, and ARUP;
- Mr Alex T.H. Lai - his firm having current business dealings with RLP and ARUP; and
- Mr Franklin Yu - having past business dealings with ARUP.

61. The Committee noted that the applicant had requested deferral of consideration of the application and Messrs Alex T.H. Lai and Franklin Yu had tendered apologies for being

unable to attend the meeting. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

62. The Committee noted that the applicant's representative requested on 8.1.2020 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

[Messrs Thomas O.S. Ho and Stanley T.S. Choi left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/778 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods) and Proposed Shop and Services (Ancillary Showroom) in “Other Specified Uses” annotated “Business” Zone, 203 Wai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/778)

64. The Secretary reported that Ho & Partners Architects Engineer & Development Consultatns Ltd. (HPA) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item as his firm had past business dealings with HPA.

65. The Committee noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods) and proposed shop and services (Ancillary Showroom);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Secretary for Development, Development Bureau (DEVB) had given policy support to the application. 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, four public comments from a then member of Kwun Tong District Council (KTDC) and an 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 assessment made in paragraph 11 of the Paper. The proposed uses were in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the transformation taking place in Kwun Tong Business Area (KTBA). The proposed scheme had incorporated full-height setbacks along Wai Yip Street and the back alley in accordance with the requirements of the Kwun Tong (Western Part) Outline Development Plan. The Head of Energizing Kowloon East Office, DEVB, advised that the setbacks would improve the pedestrian environment and promote walkability. DEVB gave policy support to the current application as the proposed minor relaxation of PR generally followed the policy on revitalisation of pre-1987 industrial buildings (IBs). On technical aspects, concerned departments had no objection to or no adverse comment on the application. The Chief Town Planner/Urban Design and Landscape, PlanD advised that peripheral greening and landscape treatments on 3/F, 6/F, 10/F and R/F and glass canopy on 1/F along Wai Yip Street would improve the pedestrian environment and promote visual interest. With regard to sustainability building design, while building separation and greenery requirements were not applicable to the site, the applicant had demonstrated effort in building design improvement by introducing greenery provision. Regarding the adverse public comments, the comments of government departments and the planning assessments above were relevant.

67. A Member enquired whether the Fire Services Department (FSD) had any comment on the non-provision of refuge floor in the proposed scheme. In response, Ms Jessie K.P. Kwan, STP/K, explained that no refuge floor was required to be provided for a building not exceeding 25 storeys in height in accordance with the requirement under ‘Code of Practice for Fire Safety in Buildings’, and FSD’s detailed comments under the Buildings

Ordinance would be given at the building plan submission stage.

Deliberation Session

68. A Member remarked that while there was no objection to the application, it was noted that limited streetscape improvement could be achieved through redevelopment of a small site and the continuity of the footpath would be affected by the anticipated large amount of run-in/out along the street.

69. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 17.1.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of an updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment in condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised traffic impact assessment, and the implementation of the mitigation measures, if any, identified in the revised traffic impact assessment, to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) the design and provision of vehicular access, vehicle parking/loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.”

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

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

Agenda Item 14

Section 16 Application

[Open Meeting]

A/K14/780 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services and Eating Place Uses in "Other Specified Uses" annotated "Business" Zone, 107-109 Wai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/780)

71. The Secretary reported that Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. Mr Daniel K.S. Lau had declared an interest on the item for being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA.

72. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

73. The Committee noted that the applicant's representative requested on 7.1.2020 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.

74. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 15

Section 16 Application

[Open Meeting]

A/K22/27 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office, Shop and Services and Eating Place Uses in "Commercial (2)" Zone, 7 Kai Hing Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K22/27)

75. The Secretary reported that the application was submitted by Kerry D.G. Warehouse (Kowloon Bay) Ltd., which was a subsidiary of Kerry Properties Ltd. (KPL) and Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Alex T.H. Lai | - his firm having current business dealings with KPL; |
| Dr Lawrence W.C. Poon | - his spouse being an ex-employee of KPL;
and |
| Mr Daniel K.S. Lau | - being an ex-Director (Development and Marketing) of Hong Kong Housing Society which had current business dealings with KTA. |

76. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Alex T.H. Lai had tendered an apology for being unable to attend

the meeting. As Dr Lawrence W.C. Poon and Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

77. The Committee noted that the applicant's representative requested on 3.1.2020 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.

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

Agenda Item 16

Any Other Business

79. There being no other business, the meeting closed at 11:25 a.m..