

## **TOWN PLANNING BOARD**

### **Minutes of 651<sup>st</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 26.6.2020**

#### **Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

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

Professor Jonathan W.C. Wong

Dr Roger C.K. Chan

Mr C.H. Tse

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

Chief Engineer (Works), Home Affairs Department  
Mr Gavin C.T. Tse

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

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

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

Secretary

**Absent with Apologies**

Dr Frankie W.C. Yeung

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Caroline T.Y. Tang

Town Planner/Town Planning Board  
Mr Gary T.L. Lam

## **Opening Remarks**

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

## **Agenda Item 1**

### **Confirmation of the Draft Minutes of the 650<sup>th</sup> MPC Meeting held on 12.6.2020**

[Open Meeting]

2. The draft minutes of the 650<sup>th</sup> MPC meeting held on 12.6.2020 were confirmed without amendments.

## **Agenda Item 2**

### **Matters Arising**

[Open Meeting]

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

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/TW/14                      Application for Amendment to the Notes of the “Government, Institution or Community (2)” Zone on the Approved Tsuen Wan Outline Zoning Plan No. S/TW/33, to Relax the Maximum Gross Floor Area, Building Height and Site Coverage for the Application Site in “Government, Institution or Community (2)” Zone, Lot 1236 RP in D.D. 453 and Extension Thereto, Lo Wai, Tsuen Wan, New Territories  
(MPC Paper No. Y/TW/14A)

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4.                      The Secretary reported that the application site was located in Tsuen Wan. Kenneth To & Associates Limited (KTA), WSP (Asia) Limited (WSP) and BMT Hong Kong Limited (BMT) 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-employee of the Hong Kong Housing Society which had business dealings with KTA;
- Mr Thomas O.S. Ho                      -     his firm having past business dealings with BMT;
- Mr Alex T.H. Lai                         -     his former firm had business dealings with WSP;
- 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.

5.                      The Committee noted that the applicant had requested deferment of consideration of the application. Messrs Alex T.H. Lai and Stanley T.S. Choi had not yet arrived at the meeting. As Messrs Daniel K.S. Lau and Thomas O.S. Ho had no involvement in the

application and the property owned by 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.

6. The Committee noted that the applicant's representative requested on 5.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address further comments from the Water Supplies Department. 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.

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

#### **Agenda Item 4**

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

[Open Meeting]

A/K20/132

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

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8. The Secretary reported that Wolver Hollow Company Limited, which was one of the applicants, was a joint venture of Kerry Properties (HK) Limited (KPL) and Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Ronald Lu & Partners (Hong Kong) Limited (RLP), AECOM Asia Company Limited (AECOM), LWK & Partners (Hong Kong) Limited (LWK) and Ove Arup & Partners Hong Kong Limited (ARUP) were five of the consultants of the applicants. The following Members had declared interests on the item:

- |                   |   |  |
|-------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with SHK, RLP, AECOM and ARUP, and having past business dealings with LD; |
| Mr Alex T.H. Lai  | - | his former firm has business dealings with KPL, SHK, RLP, AECOM, ARUP and LWK; and                         |
| Mr Franklin Yu    | - | his spouse being an employee of SHK.   |

9. The Committee noted that the applicants had requested deferment of consideration of the application. Messrs Alex T.H. Lai and Franklin Yu had not yet arrived at the meeting. As the interest of Mr Thomas O.S. Ho was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

10. The Committee noted that the applicants' representative requested on 11.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the third time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental comments.

11. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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

applicants that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 5**

**Section 16 Application**

[Open Meeting]

A/K4/71 Proposed Residential Institution (Student Hostels) with Minor Relaxation of Building Height Restriction in “Government, Institution or Community (7)” Zone, Tat Hong Avenue, Shek Kip Mei, Kowloon  
(MPC Paper No. A/K4/71)

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12. The Secretary reported that the application was submitted by the Hong Kong Polytechnic University (HKPolyU). Kenneth To & Associates Limited (KTA) and MVA Hong Kong Limited (MVA) 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-employee of the Hong Kong Housing Society which had business dealings with KTA;           |
| Mr Alex T.H. Lai   | - | having current business dealings with HKPolyU and his former firm had business dealings with MVA; and |
| Mr Thomas O.S. Ho  | - | having current business dealings with MVA.  |

13. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Alex T.H. Lai had not yet arrived at the meeting. As Messrs Daniel K.S. Lau and Thomas O.S. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

14. The Committee noted that the applicant’s representative requested on 8.6.2020 deferment of consideration of the application for two months in order to allow time

for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

15. 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 submission of further information, and no further deferment would be granted unless under very special circumstances.

[Ms Katy C.W. Fung, Senior Town Planner/Tsuen Wan and 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/K5/815                      Proposed Hotel (Wholesale Conversion of Existing Commercial Building) with Minor Relaxation of Plot Ratio Restriction in "Other Specified Uses" annotated "Business (1)" Zone, 476 Castle Peak Road, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K5/815A)

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16. The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item for having past business dealings with LD. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

### **Presentation and Question Sessions**

17. 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 hotel (wholesale conversion of existing commercial building) with minor relaxation of plot ratio (PR) restriction;
- (c) departmental comments were set out in paragraph 9 and Appendix III of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 41 public comments were received, including 22 objecting comments from individuals and 19 comments expressing concerns from the Owner's Corporation of Federal Mansion, the Hong Kong China Gas Company Limited (HKCGCL) and individuals. 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 hotel development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the Town Planning Board Guidelines No. 22D in that it was not incompatible with the surrounding land uses. The proposed relaxation of PR restriction was considered minor in nature and the proposed PR to be relaxed from 14.539 to 14.92 was the same as that in the previous approved application No. A/K5/778. The proposed development would not result in adverse traffic, environmental, and infrastructural impacts on the surrounding area. Relevant government bureau/departments had no objection to or no adverse comment on the application. Since there were 13 similar applications approved for hotel development within the “OU(B)” zone in Cheung Sha Wan area, approval of the application was consistent with the previous decisions of the Committee. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr Alex T.H. Lai arrived to join the meeting during PlanD's presentation.]

18. Some Members raised the following questions:
- (a) the area of back-of-house facilities for the proposed hotel; and whether there was any control on the provision of such facilities;
  - (b) details and location of the additional gross floor area (GFA) involved in the conversion works; and whether the proposed minor relaxation of PR restriction was considered acceptable;
  - (c) the number of similar approvals for hotel development in the area and their implementation; the approval period of those similar approvals; and the supply of commercial/office buildings in the area;
  - (d) any possible adverse traffic impact generated by the proposed development;
  - (e) planning standard on the provision of hotel development under the Hong Kong Planning Standards and Guidelines (HKPSG); and
  - (f) noting that there was an intermediate pressure underground town gas transmission pipeline running along Castle Peak Road in the vicinity of the application site, what the concern raised by HKCGCL in the public comments was.
19. In response, Ms Katy C.W. Fung, STP/TWK, made the following main points:
- (a) the applicant had not provided information on the area of the back-of-house facilities. According to the relevant Practice Note for Authorized Persons and Registered Structural Engineers, only 5% of the total GFA used for those supporting facilities could be disregarded in GFA calculation under normal circumstances;

- (b) conversion works involving additional GFA included extending the floor spaces at the void area on 1/F; covering the platform/recessed areas near toilets on 1/F to 3/F; extending the recessed area along the façade facing Tsap Fai Street on 1/F to 3/F; and covering the air-conditioning platforms/recessed areas on 4/F to 21/F. PlanD recommended approval of the application as the conversion works only involved changes in internal floor space with no major change to its overall bulk and there was no adverse impact on the surroundings;
- (c) there were 13 similar applications covering 12 sites approved for hotel development within the “OU(B)” zone in Cheung Sha Wan area. Only three approved applications were still valid or had building plans approved. The remaining 10 applications were not implemented, with the planning permission lapsed. Planning permission for the similar approvals would normally be valid for four years. It was noticed that wholesale conversion of industrial buildings for commercial/office uses was common in the area zoned “OU(B)” and planning permission was not required for such conversion;
- (d) two parking spaces for private cars and one space for motorcycle, and one loading/unloading bay for coach, one bay for heavy goods vehicle and two bays for taxis would be provided within the proposed development in accordance with the requirements under the HKPSG. The proposed development would maintain its existing vehicular access at Tsap Fai Street. A Traffic Impact Assessment (TIA) had been submitted, which concluded that the proposed development would not generate adverse traffic impact on the surrounding areas and the Commissioner for Transport (C for T) had no objection to the application;
- (e) there was no planning standard on the provision of hotel rooms under the HKPSG. Relevant government bureaux/departments would be consulted on such applications on a case-by-case basis; and
- (f) the proposed hotel development involved wholesale conversion of an

existing commercial building. The Director of Electrical and Mechanical Services (DEMS) had considered the comment of HKCGCL and advised that a risk assessment was not required, while the applicant should liaise with HKCGCL in respect of the exact locations of the existing or planned gas pipes or gas installations within or in the vicinity of the application site and any required minimum set back distance away from them during the design and construction stages of development. An advisory clause was recommended to reflect DEMS's comment.

[Ms Sandy H.Y. Wong arrived to join the meeting during the question and answer session.]

### Deliberation Session

20. Members generally had no objection to the application. A Member opined that the traffic concern raised in the public comments was a general issue of the area rather than a problem particularly related to the proposed hotel development at the application site. Members also noted that a TIA had been submitted by the applicant and C for T had no adverse comment on the application, and the Transport Department would continue to monitor the traffic situation in the area.

[Mr Franklin Yu arrived to join the meeting during the deliberation.]

21. 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 26.6.2024, 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 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; and

- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/819                      Shop and Services (Fast Food Counter) in “Other Specified Uses” annotated “Business (2)” Zone, Units No. 1 (Portion) and 2 (Portion), G/F, Lai Cheong Factory Building, 479-479A Castle Peak Road, Cheung Sha Wan, Kowloon  
  
(MPC Paper No. A/K5/819)

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

23. 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 shop and services (fast food counter);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (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 was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and not incompatible with other uses in the same building. The applied use generally complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety, traffic and infrastructural impacts on the development within the subject building and the adjacent areas, and would not be counted up to the limit of the aggregated commercial floor area. Concerned government departments had no objection to or no adverse comment on the application. There was an approved application for temporary ‘shop and services’ use on G/F of the subject building for a period of four years, and its planning permission expired in 2015. There was no change in planning circumstances and approval of the application was consistent with the previous decision of the Committee.

24. Members had no question on the application.

#### Deliberation Session

25. 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 the proposal for fire safety measures within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 26.12.2020; and
- (b) if the above 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.”

26. 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 Katy C.W. Fung, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/TW/515 Proposed Comprehensive Residential Development and Minor Relaxation of 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/515A)

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27. The Secretary reported that the application site was located in Tsuen Wan. It was submitted by Tippon Investment Enterprises Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

- |                        |   |   |
|------------------------|---|---|
| Mr Thomas O.S. Ho      | - | having current business dealings with SHK and AECOM and past business dealings with LD; |
| Mr Alex T.H. Lai       | - | his former firm had business dealings with SHK and AECOM;                               |
| Mr Franklin Yu         | - | his spouse being an employee of SHK;  |
| 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.  |

28. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Stanley T.S. Choi had not yet arrived at the meeting. As the interests of Messrs Thomas O.S. Ho and Franklin Yu were direct, they could stay in the

meeting but should refrain from participating in the discussion. As Mr Alex T.H. Lai had no involvement in the application and the property owned by 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.

29. The Committee noted that the applicant's representative requested on 11.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental and public comments.

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

## **Agenda Item 9**

### **Section 16 Application**

[Open Meeting]

A/TY/142                      Proposed Temporary Asphalt Plant for a Period of 5 Years in "Other Specified Uses" annotated "Boatyard and Marine-oriented Industrial Uses" Zone, Tsing Yi Town Lot 143, Tam Kon Shan Road, Tsing Yi, New Territories  
  
(MPC Paper No. A/TY/142)

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



10.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

32. 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.

### **Hong Kong District**

#### **Agenda Item 10**

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

[Open Meeting]

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

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33. The Secretary reported that the application was located in Shau Kei Wan. Kenneth To & Associates Limited (KTA) and Z Design Limited 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-employee of the Hong Kong Housing Society which had business dealings with KTA; |
| Mr Alex T.H. Lai   | - | his former firm had business dealings with Z Design Limited; 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.

34. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Ms Lilian S.K. Law was indirect and Messrs Daniel K.S. Lau and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

35. The Committee noted that the applicant's representative requested on 12.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment to address departmental comments.

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

**Kowloon District**

**Agenda Item 11**

**Section 16 Application**

[Open Meeting]

A/K10/265                      Proposed Comprehensive Residential (Flat) and Commercial (Shop and Services) Development in “Comprehensive Development Area (3)” Zone, Kowloon Inland Lots 6342, 6344, 7427, 7629, 7630, 7631 and 7632, Mok Cheong Street and Sung Wong Toi Road, Ma Tau Kok, Kowloon  
  
(MPC Paper No. A/K10/265)

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37.            The Secretary reported that Kenneth To & Associates Limited (KTA) and Archiplus International Limited 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-employee of the Hong Kong Housing Society which had business dealings with KTA; and |
| Mr Alex T.H. Lai   | - | his former firm had business dealings with Archiplus International Limited.                     |

38.            The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Daniel K.S. Lau and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

39.            The Committee noted that the applicant’s representative requested on 11.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

40.            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 12**

### **Section 16 Application**

[Open Meeting]

A/K14/787                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (Excluding Industrial Undertakings Involving the Use/Storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 33 Hung To Road, Kwun Tong, Kowloon  
  
(MPC Paper No. A/K14/787)

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41.            The Committee noted that the applicant's representative requested on 15.6.2020 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

42.            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.

[Dr Lawrence W.C. Poon joined the meeting at this point.]

[Ms Johanna W.Y. Cheng, District Planning Officer/ Kowloon (DPO/K), and Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

### **Agenda Item 13**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/121            Proposed Residential Development with Shop and Services Use in  
"Comprehensive Development Area (4)" Zone and an area shown as  
'Road', Yau Tong Marine Lots 58, 59, 60, 61 and 62, and Adjoining  
Government Land, 18 Tung Yuen Street, Yau Tong, Kowloon  
(MPC Paper No. A/K15/121C)

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43.            The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) and Lu Tang Lai Architects Limited (LTL) 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 ARUP;<br>and          |
| Mr Alex T.H. Lai  | - | his former firm had business dealings with<br>ARUP and LTL. |

44.            As Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

45.            The Committee noted that two replacement pages (p.1 and 2 of Appendix III of the Paper) were tabled at the meeting for Members' reference and there were editorial errors in the numbering of paragraphs 10 to 14 of the Paper.

Presentation and Question Sessions

46. 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 residential development with shop and services use;
- (c) departmental comments were set out in paragraph 10 and Appendix III of the Paper;
- (d) during the first three weeks of the statutory publication periods, nine public comments were received, including two supporting comments from individuals, two opposing comments from the other lot owners of the application site (the Site) and five comments expressing concerns from individuals. Major views were set out in paragraph 11 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 12 of the Paper. The proposed residential development with the provision of a public waterfront promenade (PWP) and commercial use (the Proposed Scheme) was generally in line with the planning intention of “Comprehensive Development Area (4)” (“CDA(4)”) zone and complied with the development restrictions of the Outline Zoning Plan (OZP) and the main planning and design requirements of the approved planning brief (PB). The proposed development was considered compatible with the long-term planned land use of the area and would facilitate the gradual transformation of the area for residential use in the long run. While the Phase 1 development would be subject to possible industrial/residential (I/R) interface issue in the interim period in that the residential use would co-exist with the concrete batching plants (CBPs) within the Site, the Environmental Assessment (EA) as submitted by the applicant demonstrated that with incorporation of various mitigation measures/design,

the Proposed Scheme would meet the relevant air quality and noise standards and no insurmountable environmental issues were anticipated even during the interim period. The Director of Environmental Protection (DEP) had no objection to the application and suggested the imposition of relevant approval conditions. Other relevant technical assessments were submitted and the concerned government departments had no adverse comment on the application on traffic, sewerage/drainage, urban design, landscape and air ventilation aspects. The proposed phased development as shown on the submitted Master Layout Plan (MLP) was generally in line with the principles laid down in the Town Planning Board Guidelines No. 17A (TPB PG-No. 17A). Regarding the public comments, the applicant had complied with the “owner’s consent/notification” requirements as set out in the TPB PG-No. 31A, and the comments of government departments and planning assessments above were relevant.

#### *Proposed Phased Development*

47. Some Members raised the following questions:
- (a) the feasibility of the tentative implementation programme; and whether phased development was allowed;
  - (b) whether the development potential of Phase 2 would be deprived of if the Proposed Scheme was approved; and whether the “CDA(4)” zone was allowed to be developed for domestic use only;
  - (c) how the proposed commercial use in Phase 2 could be accessed by the public; and the mechanism to ensure the provision of the commercial use in Phase 2; and
  - (d) the reason for providing electrical and mechanical (E&M) facilities at the lower residential floors in Phase 1; the possible nuisance generated by such facilities; and whether those E&M facilities could be disregarded in gross floor area (GFA) calculation.

48. In response, Ms Johanna W.Y. Cheng, DPO/K, made the following main points:
- (a) according to the applicant, the proposed development was scheduled for completion in 2022, tentatively. The applicant claimed that Modular Integrated Construction method would be adopted to shorten the construction time of Phase 1, while the implementation programme of Phase 2 was indicative only and would be subject to the development programme of the lot owners of Phase 2. According the TPB PG-No. 17A, phased development could be allowed for “CDA” if the “CDA” site was not under single ownership and the relevant planning considerations had been complied with, including the comprehensiveness of the proposed development would not be adversely affected; and the resultant development should be self-contained in terms of layout design, provision of facilities and development potential. If the subject application was approved, the other lot owners could choose to either develop Phase 2 based on the approved scheme or submit a fresh application with an alternative scheme for consideration by the Committee;
  - (b) the development in each phase had to be self-contained in order to meet the relevant government requirements and regulations at the building plan submission and lease modification stages. According to the OZP and PB, the “CDA(4)” zone could be developed up to a maximum PR of 5;
  - (c) the proposed commercial use located on G/F of Phase 2 had frontages facing both Yan Yue Wai and the PWP, and could be accessed from the PWP. Except for the requirement for providing commercial facilities in the “CDA(5)” zone as stipulated in the PB, the provision of commercial facilities in the other “CDA” zones along the PWP, including the subject “CDA(4) zones, was encouraged to enhance vibrancy at the waterfront. If the developer of Phase 2 decided not to provide the commercial facilities in the approved scheme, a fresh application would be required for consideration by the Committee and strong justification should be provided for nil provision of such use; and



- (d) the E&M facilities were proposed on the lower residential floors (2/F to 9/F) in Phase 1 facing the existing CBPs in Phase 2 as one of the environmental mitigation measures. Details of the E&M facilities on those floors were not provided by the applicant. Although E&M facilities might be disregarded from GFA calculation under the Buildings Ordinance, excessive E&M facilities would be GFA accountable which would be scrutinised by the Buildings Department at the building plan submission stage.

[Mr Stanley T.S. Choi joined the meeting during the question and answer session.]

*Public Waterfront Promenade and Public Landing Steps*

49. Some Members raised the following questions:
- (a) any requirements in the PB for the provision of public landing steps (PLS); and possible nuisance arising from the operation of the PLS;
  - (b) whether there was any government document guiding the design of the PWP; and the mechanism to ensure the comprehensiveness of the PWP design;
  - (c) how the PWP could be accessed from the proposed residential development with the level of the private landscape area being raised;
  - (d) how the current scheme could facilitate public use of the PWP;
  - (e) the possible impact of storm surges during extreme weather on the PWP; and
  - (f) whether the management and maintenance (M&M) responsibility of the portion of PWP falling within government land at Yan Yue Wai would be borne by the developer of Phase 2.

50. In response, Ms Johanna W.Y. Cheng, DPO/K, made the following main points:
- (a) the provision of PLS was not a requirement in the PB but was proposed by the applicant to enhance of vibrancy of the PWP, and the M&M responsibility would be borne by the applicant. An approval condition was recommended on the design and provision of the PLS including its opening hours to ensure that the provision and operation of the PLS was to the satisfaction of relevant government departments;
  - (b) there was some general guidance on provision of the PWP in the PB and that design and materials of each section of the PWP should make reference to the completed sections for a compatible design. In that regard, the design of the PWP within the Site had taken into account the PWP design of the adjacent approved scheme in the “CDA(5)” zone and smooth transition of design between different sections had been proposed. Appropriate approval conditions on the design and provision, and opening hours of the PWP were recommended and relevant government departments, including PlanD, the Leisure and Cultural Services Department and the Harbour Office of Development Bureau, would provide comments on the detailed design of the PWP to ensure coherence of the PWP among the “CDA” sites;
  - (c) the residents of the proposed residential development (+6.5mPD) could access to the PWP (+4.4mPD to 4.6mPD) via staircases. According to the applicant, the level of the private landscape area within the proposed residential development was raised to take into account any possible storm surges during extreme weather;
  - (d) the PWP under Phase 1 was sandwiched by the sections of PWP under Phase 2 and that within the adjoining “CDA(3)” site and would be accessible from Yan Yue Wai or Shung Wo Path. Prior to the opening of those two sections of PWP, a temporary 1.5m-wide public pedestrian access connecting the PWP and Tung Yuen Street during the interim period

was proposed by the applicant within the Phase 1 site, which would be opened to public from 7am to 11pm;

- (e) there was no information on the estimated storm surges on the PWP at that specific location; and
- (f) the M&M responsibility of the PWP in Phase 2, including the portion within Yan Yue Wai, would be borne by the developer of Phase 2 before surrendering to the Government upon request.

*Industrial/Residential Interface and Environmental Nuisances*

51. The Chairman and some Members raised the following questions:

- (a) whether the residents of Phase 1 would be adversely affected by the environmental nuisances generated from the two existing CBPs within the Site during the interim period;
- (b) the number of existing CBPs in Yau Tong Industrial Area (YTIA); and the impact on concrete production if the CBPs were relocated elsewhere; and
- (c) the progress of relocating the Kwun Tong Wholesale Fish Market (KTWFM) in “CDA(2)” zone.

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

- (a) the EA submitted by the applicant had assessed the environmental impact during both the Interim Scenario (i.e. residential development in Phase 1 co-existing with the two CBPs) and the Ultimate Scenario (i.e. all CBPs within the Site were phased out). The applicant had proposed various mitigation measures in the Proposed Scheme to address the environmental issues in both the Interim Scenario and the Ultimate Scenario, and the relevant air quality and noise standards as stipulated under the relevant ordinances and/or regulations could be met. The DEP had no objection to

the application;

- (b) there were currently two CBPs within the Site and a third one located to the immediate north of “CDA(1)” site along the waterfront. Those CBPs accounted for about 30% of the total concrete supply in the territory. The government was studying the feasibility to identify a suitable site in Tseung Kwan O Area 137 for such use in the long term; and
- (c) the Civil Engineering and Development Department had commenced a Technical Study on Potential Sites for Relocation of Wholesale Markets and Other Industrial Uses to North West Tsing Yi, including the KTWFM, and the study was expected to be completed in Q3 2020. Potential impacts on the daily operation of the fish market upon relocation would be duly considered in the study.

*Others*

53. Some Members raised the following questions:

- (a) whether the opposing comments from the other lot owners of the Site were valid;
- (b) any requirement on flat size as stipulated in the PB and the average flat size of similar applications;
- (c) whether the building disposition had taken account of the prevailing wind; and
- (d) whether the ferry services at the Sam Ka Tsuen Ferry Pier would be enhanced to cater for the additional planned population in Yau Tong.

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

- (a) regarding the two opposing comments from the other lot owners of the Site

which said that the applicant had not obtained their consent for submission of the planning application, the applicant had complied with the requirements as set out in the TPB PG-No. 31A by publishing newspaper notices and posting site notices to demonstrate that reasonable steps had been taken to give necessary notification to the other current land owners;

- (b) there was no specific requirement on flat size for the Site in the PB. The average flat size of the two approved schemes for “CDA(1)” zone were about 70m<sup>2</sup> and about 42m<sup>2</sup> to 46m<sup>2</sup> respectively; and that under the approved schemes for “CDA(3)” zone and “CDA(5)” zone were about 55.5m<sup>2</sup> and 68m<sup>2</sup> respectively. For the current application, the average flat size was about 96m<sup>2</sup>;
- (c) a 20m-wide building separation between the two residential blocks had been proposed which generally aligned with the building disposition under the approved scheme of the “CDA(3)” zone for better air ventilation and visual permeability. The lower level of the south facing façade of Phase 1 was proposed for E&M facilities as an environmental mitigation measure in view of its interface with the CBPs on the Site; and
- (d) there were existing ferry services connecting Sam Ka Tsuen Ferry Pier and Sai Wan Ho. The Transport Department (TD) currently had no plan to enhance ferry services operating from that pier but they would monitor the demand for ferry services regularly and review such services as and when appropriate.

55. The Chairman enquired whether the suggestion of C for T on provision of vehicular access for Phase 2 at Yan Yue Wai would affect the site layout. In response, Ms Johanna W.Y. Cheng, DPO/K, said that in response to comments from TD, the applicant had demonstrated the feasibility for the future developer of Phase 2 to provide the access at Yan Yue Wai from traffic perspective, however, there was no information on possible changes in the layout if the alternative vehicular access was to be adopted. TD considered that the detailed design on the access arrangement for Phase 2 could be further examined under the relevant approval condition.

56. In response to the Chairman's enquiry on the acceptance of the submitted EA, Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department, confirmed that they had no adverse comment on the submitted EA.

#### Deliberation Session

57. The Chairman recapitulated the background of the "CDA" zones in YTIA to facilitate Members' discussion. Members noted that the five "CDA" zones in YTIA were previously covered by a large single "CDA" zone. There was no progress on its implementation in the earlier years mainly due to fragmented land ownership and active industrial uses in the surroundings. The "CDA" zone was subsequently sub-divided into five smaller "CDA" zones in 2014, taking into consideration the land ownership pattern and other relevant matters. Nevertheless, design constraints in relation to possible I/R interface issue for the "CDA" development remained to be a challenge for the applicant to overcome through adoption of suitable mitigation measures in submitting planning applications. For the subject application, Members also noted that the development of the PWP within the Site hinged on the development programme of Phase 2 and the adjacent "CDA" sites, while the approved residential development with commercial uses at the adjacent "CDA(5)" zone was currently under construction and targeted to be completed in 2023, and the approved residential development at the adjacent "CDA(3)" zone was currently undergoing lease modification in an advance stage.

[Mr Wilson Y.W. Fung arrived to join the meeting at this point.]

58. The majority of Members considered that as the applicant was unable to obtain agreement from other land owners to develop the whole site in one go, the phased development of the Site was not desirable as it would render the development of Phase 1 subject to various design constraints, including the I/R interface issue and the connectivity of the PWP.

59. A few Members considered that the application should not be approved as the phased development and the environmental mitigation measures proposed during the interim

period would result in a compromised site layout which would affect the comprehensiveness and building design of the development. In that regard, there was room for improvement in the MLP in particular the overall layout and connectivity of the PWP. Besides, the commercial use should not be proposed in Phase 2 only and the proposed location of the commercial use with short frontage at the PWP might not be able to enhance vibrancy of the PWP. The Site should be redeveloped in a comprehensive and holistic manner for a better layout and design. A Member opined that if the Site could be developed in one go, better design in private open space between the residential towers could be achieved and the connectivity of the PWP could be enhanced.

60. Some Members considered that given the long history and the difficulty in implementing the “CDA” sites in the area, despite that the layout was not the most desirable, the approval of the application would be an impetus to facilitate phasing out of industrial uses on the Site and hence supported the application. Whilst the MLP could be further enhanced, the current proposal was not unacceptable having regard to the various site constraints that needed to be addressed and the technical feasibility demonstrated in the technical assessments submitted by the applicant. Other Members supported the development proposal but raised concern on the poor connectivity and the design of the PWP during the interim period, and had reservation on the location of the commercial facilities. There was some concern on the possible impact of storm surges on the PWP, and the applicant was requested to review those issues at the detailed design stage.

61. Some Members raised concern that the implementation programme of the proposed development for completion in 2022 was far too optimistic. The applicant should give a more realistic implementation programme.

62. Apart from the development proposal submitted under the subject application, a few Members opined that relocation of the CBPs and the KTWFM should be carefully considered by relevant government bureaux/departments to ensure the continuous operation of those industries/businesses in appropriate locations. A Member suggested that the water transport serving the area could be further improved.

63. The Chairman concluded that more Members were in support of the application. With regard to Members’ concern on the design and layout of the proposed development, in

particular the PWP, appropriate approval conditions, including the submission of MLP and Landscape Master Plan and the design and provision of the PWP, would be imposed to control the design and implementation of the proposed development.

64. 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 26.6.2024, 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 and implementation of a revised Master Layout Plan, taking into account conditions (b) to (n) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (d) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (e) the submission of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (f) the implementation of the sewerage and drainage facilities identified in the revised Sewerage Impact Assessment in condition (d) above and the revised Drainage Impact Assessment in condition (e) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (g) the submission of a revised Environmental Assessment to address the potential air quality and noise impacts and industrial/residential interface



environmental problems, and the implementation of the environmental mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (h) the submission of a Land Contamination Assessment and the implementation of the mitigation measures proposed therein prior to the commencement of the construction works to the satisfaction of Director of Environmental Protection or of the TPB;
- (i) the submission of a revised Traffic Impact Assessment and implementation of traffic mitigation measures identified therein to the satisfaction of the Commissioner for Transport or of the TPB;
- (j) the design and provision of vehicular access, parking spaces, and loading/unloading facilities and ancillary carpark provisions should be provided to the satisfaction of the Commissioner for Transport or of the TPB;
- (k) the design and provision of a full height setback to allow a minimum width of 3.5m for footpath along Tung Yuen Street, as proposed by the applicant, to the satisfaction of the Commissioner for Transport and Director of Highways or of the TPB;
- (l) the design and provision of the Public Waterfront Promenade, including pedestrian access arrangement, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (m) the Public Waterfront Promenade should be opened 24 hours every day as proposed by the applicant, and maintained and managed by the applicant before surrendering to the Government, to the satisfaction of the Director of Leisure and Cultural Services or of the TPB; and
- (n) the design and provision of the public landing steps which should be opened from 9am to 6pm, as proposed by the applicant, to the satisfaction

of the Director of Civil Engineering and Development or of the TPB.”

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

[Mr Alex T.H. Lai left the meeting during the deliberation.]

[The Chairman thanked Ms Johanna W.Y. Cheng, DPO/K, and Ms Jessie K.P. Kwan, STP/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

#### **Agenda Item 14**

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

[Open Meeting]

A/K18/334 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Flat Use in “Residential (Group C) 5” Zone, 14 Cornwall Street, Kowloon Tong, Kowloon  
(MPC Paper No. A/K18/334)

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66. The Secretary reported that the application was located in Kowloon Tong. The following Members had declared interests on the item:

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

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

67. The Committee noted that the applicant had requested deferment of consideration of the application. As the residence of 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.

68. The Committee noted that the applicant’s representative requested on 19.6.2020 deferment of consideration of the application for two months in order to allow time

for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

69. 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**

##### **Any Other Business**

70. There being no other business, the meeting was closed at 11:40 a.m.