

TOWN PLANNING BOARD

Minutes of 654th Meeting of the Metro Planning Committee held at 9:00 a.m. on 1.9.2020

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

Miss Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Dr Roger C.K. Chan

Mr C.H. Tse

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Tony K.T. Yau

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

Mr Stanley T.S. Choi

Professor John C.Y. Ng

In Attendance

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

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

Town Planner/Town Planning Board
Miss Denise M.S. Ho

Opening Remarks

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

Agenda Item 1

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 2

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/TW/13 Application for Amendment to the Approved Tsuen Wan Outline Zoning Plan No. S/TW/33, To Rezone the Application Site from “Other Specified Uses” annotated “Sports and Recreation Club” to “Residential (Group B) 6”, Hilltop Country Club, Hilltop Road, Tsuen Wan, New Territories
(MPC Paper No. Y/TW/13B)

3. The Secretary reported that the application site was located in Tsuen Wan and the application was submitted by ENM Holdings Limited (ENM). Kenneth To & Associates Limited (KTA), Wong & Ouyang (HK) Limited (WOL), MVA Hong Kong Limited (MVA) and Mott MacDonald HK Limited (MMHK) were four of the consultants of the applicant. The following Members had declared interests on the item:

Mr Alex T.H. Lai - his former firm had business dealings with ENM, WOL, MVA and MMHK;

- Mr Thomas O.S. Ho - having current business dealings with MVA and MMHK;
- Mr Franklin Yu - having current business dealings with WOL;
- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which had business dealings with KTA;
- Professor John C.Y. Ng - his spouse owning a flat in Tseun Wan; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Tseun Wan.

4. The Committee noted that Professor John C.Y. Ng and Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting. As Messrs Alex T.H. Lai, Thomas O.S. Ho, Franklin Yu and Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

- Ms Katy C.W. Fung - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), PlanD
- Mr Ng Kar Shu - Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), PlanD
- Miss Cheryl H.L. Yeung - Town Planner/Tsuen Wan and West Kowloon (TP/TWK), PlanD
- Mr Michael K.H. Cheung - Engineer/Tsuen Wan 2, (Engr/TW), TD

ENM Holdings Limited

Mr David Charles Parker

Mr Derek Leung

Kenneth To & Associates Limited

Mr Kenneth To

Ms Gladys Ng

Knight Frank Hong Kong Limited

Mr Alnwick Chan

Mr Calvin Kan

CTA Consultants Limited

Mr Kelvin Leung

Wong & Ouyang (HK) Limited

Ms Margaret Wong

Mott MacDonald HK Limited

Mr Gary Chow

Mr Javin Lam

Landes Limited

Mr Ted Lam

*Ramboll Environ Hong Kong
Limited*

Mr Billy Fan

Applicant's representatives

6. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representative to brief Members on the background of the application. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, STP/TWK,

presented the applications and covered the following aspects as detailed in the Paper :

- (a) the background to the application;
- (b) the proposed rezoning of the application site (the Site) from “Other Specified Uses” annotated “Sports and Recreation Club” (“OU(SRC)”) to “Residential (Group B) 6” (“R(B)6”), subject to a maximum gross floor area (GFA) of 49,300m², maximum building height (BH) of 211mPD, 203mPD and 197mPD on three platforms and a non-building area (NBA);
- (c) departmental comments – department comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 224 public comments were received, with 99 supporting, 101 objecting, 16 providing comments/having reservation and eight having no comment on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD had no in-principle objection to the proposed amendment to the Plan based on the considerations set out in paragraph 11 of the Paper. The proposed residential use with a plot ratio (PR) of 1.622 at the Site was considered not incompatible with the surrounding land uses and generally in line with the PR restriction for “R(B)” zone in the Tsuen Wan area. Although the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) and the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that the proposed development might not be compatible with the adjacent developments, the stepped BH profile of the proposed development was responsive to the topography and the mountainous backdrop, and that the NBA along the eastern and southern boundaries of the Site would serve as a visual buffer between the Site and the existing low-rise village type development. In general, the potential visual impact of the proposed development at a maximum BH of 211mPD was considered not substantial in the wider context of the Tsuen Wan New Town. From landscape

planning perspective, given the proposed landscape mitigation measures and that the proposed development was designed in a way to respect the natural landscape and topography, the impact on the overall landscape character of the area was considered acceptable. Regarding the traffic impact, the Commissioner for Transport (C for T) had no objection to the application, having considered that the proposed development would not induce insurmountable traffic impact upon implementation of the proposed road widening/junction improvement works and traffic mitigation measures. Concerned government departments had no adverse comment on the application. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

7. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Ms Gladys Ng, the applicant's representative, made the following main points:

- (a) the Site was located in the well-developed Tsuen Wan New Town. In the 1950s, Tsuen Wan District was the textile centre for Hong Kong and attracted many entrepreneur and businessmen to stay there. The Hilltop Country Club (HCC), located about 15 km away from the Tsuen Wan town centre, was established in 1976 to provide a gathering place for the social elite, entrepreneur and businessmen;
- (b) with the maturity of the Tsuen Wan New Town in the past decades, there were many places in the town centre area providing similar facilities, the demand for the private club use had been diminished and thus the Site could be used for other alternative purposes;
- (c) the proposed residential use was compatible with the surroundings as shown in the photomontages from different vantage points including the Lung Mun Country Trail, Shing Mun Catchwater Jogging Trail, Shek Wai Kok Estate, Tsuen Wan Mass Transit Railway (MTR) Station and Yuen Yuen Institute (YYI);

- (d) to facilitate the proposed development, the applicant would undertake at its own cost to upgrade the existing pipeworks and construct new pipeworks for drainage, sewerage and water supplies as well as to carry out road widening and junction improvement works;
- (e) the proposed development would have a total GFA of 49,300m² and would adopt a stepped height profile with three maximum BHs of 211mPD, 203mPD and 197mPD. The future residential blocks would be built on the existing site platform with appropriate building separations, with a NBA in the southern part of the Site; and
- (f) the proposed residential development could contribute to housing land supply in the territory and was also in line with the recommendation by the Task Force on Land Supply.

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

Proposed Building Height, GFA and Flat Size

9. In response to Members questions on the nearby BH profile, Ms Katy C.W. Fung, DPO/TWK, said that to the immediate south of the Site was the “Village Type Development” (“V”) zone of 3 storeys, namely the Lavender Garden and Hermita Villa with BH of 131mPD and 127mPD respectively. To the west was a cluster of “Government, Institution or Community” (“G/IC”) zones including the Western Monastery and YYI with BH in the range of about 115 to 175mPD and 130 to 159mPD respectively. The highest point of the nearby Western Monastery was about 175mPD, which was about the same level of the platform of the Site.

10. In response to a Member’s question, Ms Katy C.W. Fung, DPO/TWK, said there was no similar development in the vicinity but, to further west of the Site within the same OZP and next to Tsuen Kam Road, there were two other sites zoned “R(B)” with PR of about 3 and BH of 213mPD to 256mPD. From district planning point of view, taking into consideration the development parameters of similar “R(B)” zones, the proposed PR of 1.622

(based on net site area) was considered acceptable and the visual impact assessment (VIA) submitted by the applicant had demonstrated that there was no substantial visual impact. She further pointed out that the proposed NBA of about 40 to 50m in width would offer a buffer to the village type development to its immediate south and there was a separation distance of over 100m from the nearby “G/IC” cluster. With reference to a Member’s question on whether approval of the subject application would attract applications for increasing BHs in the vicinity, Ms. Katy C.W. Fung responded that the “V” and “G/IC” zones in the vicinity had been well-developed and thus approval of the subject application would unlikely set a precedent.

11. Some Members raised the following enquiries:

- (a) the floor to floor height of the proposed residential blocks; and
- (b) whether there were any measures to address the visual impact.

12. Mr Kenneth To, the applicant’s representative, made the following main responses:

- (a) the floor to floor height of 3.15m was assumed for the proposed development which was similar to most private residential developments; and
- (b) since the application was first submitted in 2018, the applicant had discussed with relevant government departments and the proposal had been revised accordingly. The initial proposal was to develop more than 800 flats with smaller flat size. However, having considered TD’s concern on the traffic impact, the number of flats had been reduced. The GFA was substantially reduced from about 60,000m² to 49,300m² and the BH from 9 to 18 storeys to 8 to 12 storeys. With respect to visual impact, given the proposed total GFA of 49,300m², there was scope for further reducing the BH by 1 to 2 storeys (i.e. from 8 to 12 storeys to 7 to 10 storeys) as the proposed layout could be revised by shifting the building blocks towards the garden area without affecting the NBA and the slopes.

Road and Other Utility Upgrading Works

13. Some Members raised the following questions:
- (a) the walking distance and elevation from the junction of Lo Wai Road and Hilltop Road to the Site;
 - (b) whether the whole section of Hilltop Road would be widened with provision of pedestrian path;
 - (c) details of widening of Hilltop Road and Lo Wai Road and whether the construction works and maintenance works would be carried out by the applicant;
 - (d) traffic improvement works on Tsuen Kam Interchange;
 - (e) whether the traffic impact during the construction period was acceptable; and
 - (f) whether the construction/enhancement of pipeworks for utilities required for the proposed development would be carried out together with the road upgrading works and whether the cost for road upgrading and future maintenance would be borne by the applicant or deducted from land premium.
14. In response, Mr Kenneth To, the applicant's representative, made the following main points:
- (a) the walking distance from the junction of Lo Wai Road and Hilltop Road to the Site was about 600m and the elevation was about 100m;
 - (b) the whole section of Hilltop Road would be widened with provision of pedestrian pavement;

- (c) the applicant would carry out the Road gazette procedure and the road upgrading works. The part of Lo Wai Road near the junction of Hilltop Road would be widened to provide an additional lane for vehicles waiting to turn uphill onto Hilltop Road;
- (d) whilst the proposed development would only generate very limited traffic to the existing road network, it was suggested in the traffic impact assessment (TIA) to improve the Tsuen Kam Interchange by providing an exclusive left turn lane from Route Twisk so as to mitigate the existing traffic problem;
- (e) the TIA had taken into account the traffic during construction stage. A conceptual temporary traffic management scheme for the proposed upgrading works was initially accepted by TD; and
- (f) the construction/enhancement of pipeworks for utilities required for the proposed development would be carried out together with the road upgrading works. Under the current lease, the upper section of Hilltop Road from south-eastern part of the Site to the entrance of the Site was designated as a brown area and the land owner was required to undertake the construction and maintenance works. For the lower section of Hilltop Road from the junction of Lo Wai Road to the south-eastern part of the Site, the maintenance works was undertaken by the Highways Department. For future maintenance responsibility of Hilltop Road, it would be discussed during the lease modification stage if the rezoning application was agreed by the Committee. Regarding the land premium issue, it would be subject to future negotiation with the Lands Department (LandsD).

Traffic Management Plan

15. Some Members raised the following questions:
- (a) details of the current and the proposed temporary traffic management plan during Ching Ming and Chung Yeung periods and how they would be

implemented; and

- (b) whether the future residents of the proposed development would be allowed to drive on Lo Wai Road during the two festival periods and the duration of temporary road closure each year.

16. Mr Michael K.H. Cheung, Engr/TW, TD, responded as follows:

- (a) during the Ching Ming and Chung Yeung festivals and the shadow periods, the portion of Lo Wai Road leading to YYI would be temporarily closed except for franchised buses, taxis, public light buses, emergency vehicles and those with permits issued by TD. All public parking spaces along Lo Wai Road would also be closed. Police would be responsible for road closure enforcement to prevent drivers from entering Lo Wai Road without the said permit. Signage would be displayed at appropriate locations to notify drivers of the temporary road closure arrangement. Each year, TD would meet with the key stakeholders, including the representatives of YYI, operators of franchised buses and public light buses and district officer to discuss and agree on the details of the temporary traffic management plan. To facilitate visitors going to YYI during the two festival periods, additional shuttle bus and franchised bus services would be provided; and
- (b) the temporary closure of Lo Wai Road would be implemented for about 8 to 10 days each year, usually from 8:00 a.m. to 5:00 p.m.. Under the current proposal, the future residents of the proposed development would not be issued with a permit and thus they would not be able to drive on Lo Wai Road during the temporary road closure periods.

Statutory Procedures and Timeline for Development

17. In response to a Member enquiry, Ms Katy C.W. Fung, DPO/TWK, said if the Committee agreed to the rezoning application, PlanD would propose amendments to the Tsuen Wan Outline Zoning Plan (OZP) which would take about one year to complete the statutory procedures. In response to another Member's enquiry about the proposed

development restrictions to be included in the relevant OZP amendments, Ms Katy C.W. Fung, by referring to Drawing Z-4 of the Paper, said that the Site would be subject to a of maximum GFA of 49,300m², maximum BHs of 211mPD, 203mPD and 197mPD as well as a NBA requirement at the eastern and southern parts of the Site.

18. In response to a Member's question about the timeframe for the proposed development, Mr Kenneth To, the applicant's representative, said the overall development timeframe was about eight years including the amendment procedure of the OZP, lease modification, road gazette procedures and the construction works.

Consultation

19. In response to Members' enquiry about the consultation with the Tsuen Wan District Council (TWDC), Mr Ng Kar Shu, STP/TWK, said that the application had been discussed in various meetings of the Community Building, Planning and Development Committee (CBPDC) under the TWDC of the previous term in 2018 and 2019. There was no further discussion on the application in the new term of CBPDC in 2020.

20. Members further enquired whether the applicant had consulted members of the HCC and the local residents, whether HCC was funded by a charitable trust and whether its members had the veto power on the proposal. Mr David Charles Parker, the applicant's representative, said that the Site was wholly owned by the applicant and it was not under a recreational lease granted by the Government. Currently, the HCC had about 300 members with 70 of them being long term members and these members did not have any legal right to veto the proposed development. However, HCC had discussed with its members about the application and they were aware that the HCC would be closed eventually. In addition, HCC had consulted other stakeholders in the vicinity such as YYI and they had no objection to the proposed development while some local villagers had expressed concerns on the possible impacts during the construction period. The applicant had agreed that on-site concrete batching plant would be used to minimise possible adverse impact from the construction traffic.

G/IC Facilities and Others

21. Some Members raised the following questions:
- (a) the planning merit for the subject rezoning application;
 - (b) the average flat size of the proposed development and its target group; and
 - (c) the planning background of the Site.
22. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:
- (a) the proposed development would increase the private housing land supply in the short to medium terms. In addition, the applicant would undertake the road improvement works in the vicinity which would also benefit the nearby residents;
 - (b) the average flat size of the proposed development was about 107m² and could cater for different housing needs in the society; and
 - (c) the Site had previously been zoned “Green Belt” (“GB”) on the then Tsuen Wan & District Outline Development Plan. As shown on Plan Z-2b of the Paper, the first application (No. A/KC/1) was approved for the development of a country club with ancillary facilities in 1976. In 1982, the second application (No. A/KC/36) was approved for club members’ over-night stay and other ancillary club facilities. The third application (No. A/TW/112) was approved in 1990 for a tennis court above the carpark building. The Site was subsequently rezoned from “GB” to “OU(SRC)” in 2003 to reflect the existing club house use with the country club portion together with its open-air carparking area designated as sub-area (A) while the extension area designated as sub-area (B) on which only ‘Garden for Private Club’ use was permitted. As for the function of the adjacent “GB” zone, it was intended to be a buffer area between the Shing Mun Country Park and the urban area.

23. Some Members raised the following questions:
- (a) whether there were any village burial grounds in the vicinity and whether there was any similar country club in Hong Kong which was not on recreational lease;
 - (b) the difference between gross and net site areas;
 - (c) whether there was any shortfall for G/IC facilities in the area and the provision in the vicinity; and
 - (d) whether the land owner was required under the current lease of the Site to open the club facilities for public use.
24. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:
- (a) information about any nearby village burial ground and other similar country club in Hong Kong was not at hand;
 - (b) the gross site area was the sum of the net site area and the proposed NBA;
 - (c) taken into account the planned population of the Tsuen Wan planning scheme area, there were deficits in elderly community care facilities and child care centre. In the vicinity of the Site, there were the Yuen Yuen Home for the Aged and the Hong Kong Bodhi Siksa Society Care and Attention Home for the Aged; and
 - (d) there was no requirement under the lease of the Site for the land owner to open the club facilities for public use.
25. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would

deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives from PlanD, TD and the applicant for attending the meeting. They left the meeting at this point.

Deliberation Session

26. The Chairman recapitulated that the application was for rezoning the Site from "OU(SRC)" to "R(B)6" to facilitate the applicant's proposal to change the current country club to residential use with a maximum GFA, BH and the stipulation of NBA. He further recapitulated from the questions and answer session that Members mainly had concerns on traffic and visual impacts of the proposed development.

27. Some Members raised concern on the feasibility of imposing the traffic management measures under the lease. In response, Mr Simon S.W. Wang, Assistant Director (R1), LandsD said it might not be feasible to impose such requirement in the lease. Mr Tony K.T. Yau, Assistant Commissioner for Transport (Urban), TD, clarified that the intention was to let the future residents well-notified about the access restrictions under the traffic management measures. This could help managing the expectation of the future residents. The implementation of the traffic management measures during the festival periods would be under the purview of the Police and TD. C for T had the authority to issue the permit or not.

28. A Member raised concern on the adverse visual impact caused by the proposed development and suggested to reduce the maximum GFA by half, whilst some Members considered that the visual impact should be minimised by lowering the BH restriction. Another Member considered that as advised by CTP/UD&L, PlanD and CA/CMD2, ArchSD, the proposed development had adverse visual impact and in view of the Site's "GB" buffering function for the Shing Mun and Tai Mo Shan Country Parks, the application should be rejected.

29. A Member opined the new development could help improve the overall community profile by providing a more balanced social mix with different strata of social class, which in turn would improve the socio-economic development of the area. Some Members also considered that the current country club use of the Site was not the most

efficient use of the scarce land resources and residential development could increase housing land supply which could be more beneficial to the society. A Member suggested that if the Committee decided to agree to the application, the applicant should conduct more local consultation including the District Council on the proposal.

30. Most Members generally supported the proposed rezoning of the Site to “R(B)6” with the stipulation of maximum GFA and NBA restrictions as proposed by the applicant, while some Members raised concerns on the visual impact arising from the proposed BH. Noting the reply from the applicant’s representative during the question and answer session that there was scope for reducing the BH for up to 2 storeys in the higher zone and 1 storey in the middle and lower zones, a Member suggested and the meeting agreed that the proposed maximum BH restriction could be reduced from 211mPD, 203mPD and 197mPD to 205mPD, 200mPD and 194mPD respectively on the three different platforms.

[Mr Alex T.H. Lai left the meeting at this point.]

31. After deliberation, the Committee decided to partially agree to the application for rezoning the Site from “Other Specified Uses” annotated “Sports and Recreation Club” to “Residential (Group B)6” (“R(B)6”) with a maximum gross floor area (GFA) of 49,300m², a non-building area (NBA) in the eastern and southern parts of the Site and the maximum building height of 205mPD, 200mPD and 194mPD respectively on three different platforms, and that an amendment to the approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33 would be submitted to the Committee for agreement prior to gazetting under section 5 of the Town Planning Ordinance after reference back of the OZP for amendment by the Chief Executive in Council.

[Messrs Thomas O.S. Ho and Daniel K.S. Lau left the meeting at this point.]

[Mr Stephen C.Y. Chan, Senior Town Planner/Tsuen Wan & West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Items 3 and 4

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/143 Renewal of Planning Approval for Temporary Concrete Batching Plant
for a Period of 5 Years in “Industrial” Zone, Tsing Yi Town Lot 108 RP
(Part), New Territories

(MPC Paper No. A/TY/143)

A/TY/144 Renewal of Planning Approval for Temporary Asphalt Plant for a Period
of 5 Years in “Industrial” Zone, Tsing Yi Town Lot 108 RP (Part), New
Territories

(MPC Paper No. A/TY/144)

32. The Committee noted that the two applications, submitted by the same applicant, were similar in nature (temporary concrete batching plants and temporary asphalt plant) and the application sites (the Sites) were adjoining each other in an area zoned “Industrial” on the Tsing Yi Outline Zoning Plan. The Committee agreed that the applications should be considered together.

33. The Secretary reported that the applications were submitted by Hong Kong United Dockyards Limited (HKUD), which was a joint-venture of CK Hutchison Holdings Limited (CKHH) and Swire Properties Limited (Swire). The following Members had declared interests on the item :

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

Mr Alex T.H. Lai - his former firm had business dealings with
HKUD, CKHH and Swire.

34. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

35. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, presented the applications and covered the following aspects as detailed in the Papers :

- (a) background to the applications;
- (b) the renewal of planning approval for temporary concrete batching plant and temporary asphalt plant at the respective sites for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Papers;
- (d) during the statutory publication periods, a total of eight and 14 public comments were received from individuals expressing concerns on applications No. A/TY/143 and No. A/TY/144 respectively. Major views were set out in paragraph 10 of the Papers; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the applications based on the assessment made in paragraph 11 of the Papers. The applications were for renewal of the planning approval for temporary concrete batching plant (application No. A/TY/143) and temporary asphalt plant (application No. A/TY/144) for a period of five years, and the latest approval under the respective applications No. A/TY/128 and A/TY/129 was valid until 7.8.2020 and all the approval conditions had been complied with. As compared with the previous approved applications, there was no change in the development parameters and layout, except minor adjustment in the internal layout. The applications also complied with the relevant assessment criteria in the Town Planning Board Guidelines No. 34C. Regarding the public comments, the planning assessments above and the departmental comments were relevant.

36. In response to a Member's question on air pollution as raised in the public comment, Mr Stephen C.Y. Chan, STP/TWK, said the subject plants were subject to

licensing control under the Air Pollution Control (Specified Processes) Regulations and Director of Environmental Protection had no objection to the applications. The Director of Health was also consulted and had not raised any particular human health concern. Mr Chan further pointed out that the applicant had provided an updated traffic impact assessment and demonstrated that the subject plants would not generate additional traffic to the area. A Member further questioned if there was any mechanism to minimise dust emission from the concrete lorry mixers leaving the concrete batching plant. Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department, supplemented that the licence issued under the said Regulations would require the body and wheels of the vehicles to be washed before leaving the plants so as to minimise dust emission.

Deliberation Session

37. After deliberation, the Committee decided to approve the applications on a temporary basis for a period of five years until 1.9.2025, on the terms of the applications as submitted to the Town Planning Board (TPB) and subject to the following conditions :

For Application No. A/TY/143

- “(a) no queuing on public roads in the vicinity of the application site resulting from the operation of the concrete batching plant shall be allowed at any time during the planning approval period to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a traffic management plan including contingency plan and associated mitigation measures and traffic facilities within six months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board, by 1.3.2021;
- (c) in relation to (b) above, the implementation of the approved traffic management plan during the operation period of the concrete batching plant to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (d) the existing fire service installations implemented at the application site shall be properly maintained in efficient working order at all times during the planning approval period to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (e) the implementation of the approved Barging Operation Plan and the maintenance of the proposed measures at all times during the planning approval period to the satisfaction of the Director of Marine or of the Town Planning Board; and
- (f) if the above planning conditions (a), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) if the above planning condition (b) 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.”

For Application No. A/TY/144

- “(a) no queuing on public roads in the vicinity of the application site resulting from the operation of the asphalt plant shall be allowed at any time during the planning approval period to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a traffic management plan including contingency plan and associated mitigation measures and traffic facilities within six months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board, by 1.3.2021;
- (c) in relation to (b) above, the implementation of the approved traffic management plan during the operation period of the asphalt plant to the

satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (d) the existing fire service installations implemented at the application site shall be properly maintained in efficient working order at all times during the planning approval period to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (e) the implementation of the approved Barging Operation Plan and the maintenance of the proposed measures at all times during the planning approval period to the satisfaction of the Director of Marine or of the Town Planning Board;
- (f) if the above planning conditions (a), (c), (d) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) if the above planning condition (b) 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.”

38. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Papers.

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Mr W.L. William Chan, Senior Town Planner/Kowloon (STP/K) was invited to the meeting at this point.]

Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/319 Shop and Services (Fast Food Shop) in “Other Specified Uses” annotated
“Business” Zone, Unit 2A, G/F, Kowloon Bay Industrial Centre, 15
Wang Hoi Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/319)

Presentation and Question Sessions

39. With the aid of a PowerPoint presentation, Mr W.L. William Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) shop and services (fast food shop);
- (c) departmental comments – 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 assessment made in paragraph 11 of the Paper. The applied use at the premises was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone for general business uses. The applied use was compatible with the changing land use character of the Kowloon Bay Business Area. The applied use at the premises complied with Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts on the developments within the subject building and the adjacent

areas. Relevant government departments consulted had no objection to or no adverse comment on the application.

40. Members had no question on the application.

Deliberation Session

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

- “(a) the submission and implementation of fire safety measures within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 1.3.2021; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

42. 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 Mr W.L. William Chan, STP/K for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K14/783 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Proposed Hotel Use in “Other Specified Uses” annotated “Business” Zone, 1 Tai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/783A)

43. 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. The Committee noted that Mr Thomas O.S. Ho had already left the meeting.

44. The Committee noted that the applicant’s representative requested on 28.7.2020 deferment of 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.

45. 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.

Agenda Item 7

Any Other Business

46. There being no other business, the meeting was closed at 12:45 p.m.