

TOWN PLANNING BOARD

Minutes of 658th Meeting of the Metro Planning Committee held at 9:00 a.m. on 23.10.2020

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Dr Frankie W.C. Yeung

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

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

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

Secretary

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 Terence H.Y. Sit

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 657th MPC Meeting held on 9.10.2020

[Open Meeting]

2. The draft minutes of the 657th MPC meeting held on 9.10.2020 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 (Presentation and Question Sessions only)]

Y/KC/15 Application for Amendment to the Draft Kwai Chung Outline Zoning Plan No. S/KC/29, To rezone the application site from “Open Space” to “Other Specified Uses” annotated “Buildings with Historical and Architectural Interests Preserved for Social Welfare Facility Use”, Lot 984 RP in D.D. 450, Kwai Chung, New Territories
(MPC Paper No. Y/KC/15B)

Presentation and Question Sessions

4. The Secretary reported that AGC Design Limited (AGC) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item as his former firm had business dealings with AGC.

5. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

6. The following representatives from the Planning Department (PlanD), the Development Bureau (DEVB) 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 Stephen C.Y. Chan | - | Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), PlanD |
| Mr José H.S. Yam | - | Commissioner for Heritage (C for H), DEVB |
| Ms Joey C.Y. Lee | - | Assistant Secretary (Heritage Conservation) ³ ,
Commissioner for Heritage’s Office (CHO), |

DEVB

Ms Susanna L.K. Siu - Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (ES(AM), AMO), DEVB

Lawson David & Sung]

Surveyors Limited]

Miss Cannis Lee]

Mr Vincent Sung]

]

AGC Design Limited]

Mr Vincent Ng]

Mr Tony Lam]

Mr Terence Kong]

]

Applicant's Representatives

Landes Limited]

Mr Ted Lam]

]

Ramboll Hong Kong]

Limited]

Mr Tony Cheng]

]

LLA Consultancy Limited]

Mr S.L. Ng]

7. Mr Stephen C.Y. Chan, STP/TWK, drew Members' attention that a replacement page (p.13 of the main Paper) incorporating some textual amendments had been issued to Members before the meeting. With the aid of a PowerPoint, Mr Stephen C.Y. Chan presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of the application site (the Site) from "Open Space" ("O") to "Other Specified Uses" annotated "Buildings with Historical and Architectural Interests Preserved for Social Welfare Facility Use" ("OU(BHAI)") on the draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29 to facilitate the development of a 'Residential Care Home for the Elderly' (RCHE) with 140 bed places while preserving the graded buildings;

- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, 90 public comments were received, with 85 supportive comments from individuals and five opposing comments from a conservation group, an owner of a unit in the opposite industrial building and an individual (submitting three comments). Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application based on the assessments set out in paragraph 11 of the Paper. As the preservation-cum-development approach was commensurate with the collective heritage value of the three Grade 2 historic buildings at the Site, CHO had rendered policy support to the rezoning proposal from the heritage conservation perspective. A Conservation Management Plan (CMP) would be required to be submitted for AMO's agreement as an approval condition at the s.16 application stage. The applicant would adopt measures to revitalise the historic buildings, enhance their connectivity and integrity, and facilitate public appreciation of the graded buildings. The Labour and Welfare Bureau and Social Welfare Department (SWD) had no objection to the proposed RCHE development. The proposed RCHE was considered not incompatible with the surrounding areas. The Chief Town Planner/Urban Design & Landscape of PlanD considered that given the setting and the relatively modest scale of development, the proposal would unlikely have significant adverse impact on the visual character of the surrounding townscape. With regard to the current "O" zone of the Site, the Leisure and Cultural Services Department (LCSD) had no development programme. The planned open space provision in the Kwai Tsing district would have a surplus of about 68.5 ha in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) requirements after deducting the open space at the Site. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

8. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint Presentation, Miss Cannis Lee, the applicant's representative, made the following main points:

- (a) the proposed RCHE development at the Site was allowed under lease provided that such social welfare facility was for non-profit making purposes. However, such a development could not be realised under the current "O" zoning;
- (b) when the Site was purchased by the applicant in 2018, the buildings within the Site were not yet accorded with any grading. Whilst three of the buildings were accorded with a Grade 2 status collectively by the Antiquities Advisory Board (AAB) in June 2020, there was no statutory requirement for the buildings to be preserved. In other words, the historic buildings could be demolished by the applicant. Nevertheless, to respect the historic value of the Site and in response to the public aspiration for preserving the historic buildings, the applicant decided to adopt a preservation-cum-development approach through adaptive re-use of the three historic buildings;
- (c) relevant government departments had no adverse comment on the technical assessments submitted by the applicant. Since a s.16 planning application would be required to implement the proposed development under the proposed "OU(BHAI)" zoning, it could be ensured that the Site would be developed in line with the current scheme and that the departmental comments could be addressed at the subsequent s.16 application stage; and
- (d) since the closure of the former Salvation Army Girl's Home in 1994, there had not been any implementation programme for the open space at the Site and the Site had been left idle for 26 years without being open to the public. Whilst noting that the provision of open space was sufficient in the Kwai Tsing district, the demand for RCHE in Hong Kong was keen and Kwai Chung had the highest proportion of elderly population (persons aged 65 and over) in Hong Kong, the applicant proposed to develop a RCHE at the Site. In addition, as there were existing and planned high-rise buildings in the

vicinity of the Site, the development of a low-density and low-rise RCHE at the Site was considered appropriate so as not to generate adverse visual and air ventilation impacts on the surrounding areas. Under the proposed scheme, a balance had been struck in that it could provide the much needed elderly services to the community, provide open space for public enjoyment and preserve the historic buildings at the Site. Such planning intention had been reflected in the proposed Notes for the “OU(BHAI)” zone, which was considered appropriate.

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

Background Information of the Site

10. Some Members raised the following questions:
- (a) whether the Salvation Army was the current land owner of the Site;
 - (b) whether the Site was currently open to the public;
 - (c) when the Site was rezoned to “O” and whether there was discussion between the Government and the former land owner before the rezoning; and planning intention of the “O” zone;
 - (d) whether the Government had put forward any land exchange proposal to the land owner so as to implement the public open space (POS) at the Site;
 - (e) noting that the Salvation Army had several previous redevelopment proposals while the Government also intended to develop the Site as an open space, why there was still no implementation programme for the open space; and
 - (f) if the Committee did not agree to the current rezoning application, the implications to the current land owner.

11. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:
- (a) the Salvation Army was no longer the land owner of the Site;
 - (b) the Site was currently not open to the public, and was fenced off to prevent trespassing;
 - (c) the Site was previously zoned “Government, Institution or Community” to reflect the then Girls’ Home development. Prior to rezoning the Site to “O” in 1990, the Salvation Army had submitted a planning application (No. A/KC/78) for a commercial/residential development but was rejected by the Town Planning Board (the Board) mainly on environmental and traffic grounds. Subsequently, the Salvation Army submitted another development proposal for industrial and godown uses to the Government for consideration but was found not acceptable. Against the above background and taking into account the site characteristics, the Site was considered suitable for open space development and was thus included in the then Regional Council’s Capital Works Programme. Consequentially, the Site was rezoned to “O” in 1990 to provide land for both active and passive recreational purposes and no objection against the rezoning was received during the OZP amendment process;
 - (d) after the rezoning, the Salvation Army submitted a planning application for the development of a theology seminary in 2001. In order to reserve the Site for open space development, a total of eight sites were identified by PlanD as alternative sites for the proposed theology seminary. However, none of them was considered acceptable by the Salvation Army. The said application was subsequently withdrawn by the Salvation Army in 2002. It was understood that no further negotiation in relation to the Site was made between the Salvation Army and the Government since then;
 - (e) although the Site was included in the then Regional Council’s Capital Works Programme, the implementation of the planned open space was subject to availability of funding and it was noted that currently LCSD still had no

development plan for the proposed open space at the Site; and

- (f) if the Committee did not agree to the rezoning application, the current “O” zoning would be retained and the Site would be reserved for the intended use and any uses should be in accordance with the provisions for the “O” zone on the OZP.

Provision of Open Space in the District

12. Some Members raised the following questions:

- (a) the area of the “O” zone covered by the Site;
- (b) provision of planned open space in the Kwai Tsing district;
- (c) noting that there was no Column 1 use and ‘Social Welfare Facility’ was the only Column 2 use in the proposed Notes for the “OU(BHAI)” zone, whether provision of open space would be allowed;
- (d) the surrounding land uses and information about the existing Shek Yam Lei Muk Road Park to the northeast of the Site;
- (e) the general distribution of population and open spaces in the area; and
- (f) whether the Shek Yam Lei Muk Road Park served as a district open space in the Kwai Chung district.

13. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:

- (a) the area of the “O” zone covered by the Site was about 1.2 ha;
- (b) there would be a surplus provision of planned local open space of about 66 ha and a surplus provision of planned district open space of about 2 ha in the Kwai Tsing district;

- (c) according to Remark (3) of the proposed Notes for the “OU(BHAI)” zone, it was stipulated that a POS of not less than 1,270m² should be provided within the zone. Moreover, as stated in the covering Notes of the OZP, provision of open space was always permitted on land falling within the OZP;
- (d) to the north of the Site was the Tung Chun (Soy & Canning) Co. which was zoned “Comprehensive Development Area” on the OZP and covered by a s.16 application (No. A/KC/444) for a comprehensive residential and commercial development approved by the Committee in 2019. To the northeast and southeast were clusters of predominantly industrial buildings with some office developments. To the southwest was an existing residential development which was zoned “Residential (Group A)” (“R(A)”). There was a sitting out area within the “Other Specified Uses” annotated “Business” zone to its west. The surrounding areas of the Site were mainly commercial and residential uses with provision of open space. The Shek Yam Lei Muk Road Park, with a zoned area of about 1.8 ha, to the northeast of the Site could also help serve the need of the local residents;
- (e) in the northern part of the Kwai Chung OZP, residential areas were mainly zoned “R(A)” for public housing developments. Local open space were provided within the public housing estates to serve the local residents. Various areas in the vicinity of the residential sites were also zoned “O” to serve the need of the public, including the Shek Yam Lei Muk Road Park and other parks of different scale; and
- (f) for the Kwai Chung area, other than the Shek Yam Lei Muk Road Park, there was an existing Central Kwai Chung Park which was a large scale district open space; and patches of local open spaces located in areas to the north of the Site. Some areas to the further south of the Site had also been reserved for the development of a large scale open space while the implementation programme was yet to be confirmed.

Provision of RCHE in the District

14. Some Members raised the following questions:
- (a) the existing provision of RCHE in the area;
 - (b) whether the planning standard for provision of RCHE had a breakdown for different levels of care;
 - (c) the consideration on determining the appropriate scale and operation nature of a proposed RCHE for individual site (for example, public or private); and
 - (d) the normal size of a RCHE and whether the proposed provision of 140 bed places could be considered as an optimal operation for the Site.
15. In response, Ms Katy C.W. Fung, DPO/TWK, made the following main points:
- (a) for the Kwai Tsing district, after taking into account the 140 proposed bed places under the current application, there was still a deficit of 360 bed places according to the HKPSG requirements;
 - (b) according to the HKPSG, the planning standard for provision of RCHE was 21.3 subsidised beds per 1,000 elderly persons aged 65 or above. There was no breakdown for different levels of care;
 - (c) SWD would assess the appropriate operation details of a proposed RCHE. From planning point of view, PlanD would reserve suitable sites/premises for the development of RCHE as per SWD's requirements; and
 - (d) from time to time, based on recent experience, SWD would request PlanD to reserve sites/premises for the RCHE, with a size ranging from about 50 to 100 bed places. It was understood that SWD would take into account locational factors including service demand and existing provision of services in the area when determining the specific requirements of a new

RCHE. SWD had no adverse comment on the proposed 140-place RCHE at the Site.

The Proposed RCHE

16. The Chairman and some Members raised the following questions:
- (a) whether the proposed RCHE would be run on a profit making or non-profit making basis;
 - (b) the mode of operation of the proposed RCHE and the implementation programme;
 - (c) the target group of elderly to be served and the level of fee to be charged;
 - (d) whether the proposed RCHE complied with the building height (BH) requirements under the relevant government regulations;
 - (e) whether the applicant would consider the provision of other social welfare facilities in addition to the proposed RCHE; and
 - (f) given the deficit in the planned provision of RCHE bed places, whether it was technically feasible to increase the development intensity of the scheme such that more bed places could be provided, and if so, how the proposed Notes for the “OU(BHAI)” zone could be revised to reflect that.
17. In response, Miss Cannis Lee and Mr Vincent Ng, the applicant’s representatives, made the following main points:
- (a) the proposed RCHE would be run on a non-profit making basis in accordance with the lease requirement;
 - (b) the applicant’s preliminary proposal was to cooperate with a non-governmental organisation to operate the RCHE and the target commencement year was 2025;

- (c) the proposed RCHE was designed to provide services to elderly with medium to low level care needs. As the proposed development was still at a preliminary stage, the future fee level was yet to be determined;
- (d) according to government's requirements, no part of an elderly home should be situated at a height more than 24m above ground level. Since the highest point of the proposed scheme at the Site was 23.5m only, the above BH requirement was complied with;
- (e) if it was considered appropriate to accommodate other social welfare facilities in addition to the proposed RCHE at the Site, the applicant would hold an open-view in that respect and work out a scheme for submission under a s.16 application. In general, there was room for accommodating more social welfare facilities under the current design; and
- (f) the development intensity was proposed after taking into account a number of factors including the site constraints of the presence of sloping grounds and the dense vegetation, the provision of internal transport access, the need to preserve the historic buildings, provision of POS and minimising the visual impact on the surrounding areas. In order to preserve the original ambience of the Site as a knoll, large scale alteration was not suggested while excavation works might affect the slopes and complicate the construction works. New buildings which would be compatible with the existing historic buildings were recommended. In order to provide a more comfortable environment for the elderly, the development of a RCHE with a plot ratio of 0.8 for the provision of 140 bed places at the Site was within the range of reasonable scale. Notwithstanding that, from technical feasibility point of view, there was room for increasing the development intensity to accommodate more bed places. Should the Committee consider it appropriate, the applicant would welcome further amendment to the proposed Notes to incorporate the flexibility of providing more bed places and other social welfare facilities in the development.

The Proposed Development and its Design

18. Some Members raised the following questions:
- (a) whether the proposed multi-purpose hall would be open for public use;
 - (b) whether the proposed office space and administrative area would be exclusive for staff use and its percentage in terms of the total gross floor area (GFA);
 - (c) whether there would be pedestrian facilities to facilitate public accessibility to the Site including the proposed POS;
 - (d) noting that the proposed POS within the Site was separated into two portions by an access road with different pedestrian accesses, whether the connection between the open space both within and outside the Site and among the three historic buildings could be improved; and
 - (e) noting that there was a public comment concerning the excessive height of the proposed fence, what separation and safety measures would be adopted with regard to segregating the publicly accessible areas and the private areas.
19. In response, Miss Cannis Lee and Mr Vincent Ng, the applicant's representatives, made the following main points:
- (a) the multi-purpose hall could be open for public use and the details would be worked out at the detailed design stage;
 - (b) the office space and administrative area would be exclusive for staff use but they were ancillary in nature and only accounted for about 1.4% of the total GFA (i.e. 120m² GFA out of 8,700m² GFA) of the proposed development;
 - (c) there were two main pedestrian accesses to the Site and they were located at relatively lower ground in comparing with the deck level where the proposed

POS was located. The public could make use of an existing staircase or the future ramp to access to the proposed POS. A lift would also be provided to facilitate the public in accessing the open space;

- (d) to the west of the Site was an at-grade strip of vegetated land managed by LCSD but it was separated from the main development by a densely vegetated slopping area with a gradient larger than 45 degrees. No special proposal was made to that strip of vegetated land. Nevertheless, an inter-connected open space would be adopted as the design concept in the area e.g. the slope as well as the piazza outside the Main Building would be connected with the demarcated POS within the Site forming a coherent open space design. As for the historic buildings, while the Main Building would serve as the main entrance of the RCHE, the other two buildings were located farther away and no special design treatments were proposed under the current scheme. Yet, the currently proposed scheme was an indicative scheme only and could be enhanced at the s.16 application stage; and
- (e) it was likely that the public comment was referring to the proposed fence near the entrance of the Site. While the POS at the Site was proposed to be open to the public from 8am to 6pm, appropriate measures (including the erection gates and fences) would be adopted to segregate the proposed RCHE and the public areas. In any event, the public comment would be taken into account when the detailed design was formulated.

Preservation of the Historic Buildings

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

- (a) the preservation need for Grade 2 historic buildings;
- (b) how the AAB came to the conclusion in according grading to the three individual buildings only but not the whole Site; and how the ambience of the overall Site could be preserved;

- (c) the implementation details of the proposed CMP;
- (d) CHO's view on the history of the Site as stated in one of the public comments (No. 86);
- (e) CHO's view on whether the proposed development intensity could be increased while keeping the current principle of preserving the historic buildings;
- (f) whether the proposed exhibition within the Site would include the development of the Salvation Army at the Site as it formed part of the history of Kwai Chung; and
- (g) the interface of the exhibition activities with the RCHE operation.

21. In response, Mr José H.S. Yam, C for H, DEVB, made the following main points:

- (a) the three historic buildings, namely the Main Building, Corps Hall and Garage, were accorded with a Grade 2 status collectively by the AAB. By definition, Grade 2 historic buildings were "buildings of special merit and efforts should be made to selectively preserve". As far as the currently proposed scheme was concerned, a preservation-cum-development approach was adopted through preserving the three Grade 2 historic buildings in-situ and adaptive re-use;
- (b) the grading assessment was conducted on a case-by-case basis, taking into account the specific nature and conditions of each particular site. For the present case, the AAB had indeed considered whether to grade the whole site or to grade individual buildings with higher heritage value. While only three buildings within the Site were accorded with grading, it did not mean that the ambience of the Site could be compromised. The intention of according grading to the three buildings was to let the public better understand that the three buildings were of higher heritage value as well as to have a clear building boundary for preservation purpose. Members could

make reference to Appendix III of the Paper regarding the background of the buildings and their heritage appraisals. Given the applicant had paid effort in preserving all the graded historic buildings in-situ and the new development would enhance public appreciation of the buildings, CHO gave policy support to the current application;

- (c) if the Committee agreed to the current s.12A application, the applicant would subsequently need to submit a s.16 application with detailed design (including detailed development parameters) of the proposed scheme for the approval of the Committee. The suggested imposition of an approval condition at the s.16 application stage on the submission of CMP for AMO's agreement before commencement of any works would ensure that the graded buildings would be properly preserved during the course of conversion;
- (d) with regard to the public comment, the subject historic building appraisal, as a general practice like other cases, had been uploaded to AAB's website for public viewing. The information contained in the appraisal had been critically verified and the public could provide further information to AAB for consideration and the appraisal could be updated if considered appropriate; and
- (e) the development intensity might not be the most crucial factor in considering whether the preservation of historic buildings would be affected. Rather, as mentioned above, the impacts on the ambience of the Site would be assessed at s.16 application stage where the detailed design of the new development would be scrutinised.

22. In response, Miss Cannis Lee and Mr Vincent Ng, the applicant's representatives, made the following main points:

- (a) the exhibition space at the Main Building was intended to showcase the history of the Site; and
- (b) the exhibition would be open to the public by appointment so as to better

control the number of visitors. The detailed arrangement of the exhibition activities and the operation of the RCHE would be determined at a later stage.

Preservation of Trees

23. In response to a Member's enquiry on the possible impact on the existing vegetation should the Committee agree to the current s.12A application, Ms Katy C.W. Fung, DPO/TWK, said that according to the landscape proposals submitted by the applicant, for the 80 existing trees within the Site, 38 would be retained while the other 42 were proposed to be felled. Yet, 147 compensatory trees in heavy standard size would be provided within the future development. Mr Ted Lam, the applicant's representative, supplemented that the trees to be retained were mainly located on the sloping grounds in the western portion of the Site while the trees affected would mainly be those located within the proposed development area where site formation works would be required, including areas designated for vehicular access. Some trees with higher preservation value within the development area would still be preserved.

Others

24. In response to a Member's enquiry, Mr Stephen C.Y. Chan, STP/TWK, said that out of the 90 public comments received, 85 were supportive comments mainly on the grounds that the proposed development could provide the much needed RCHE and preserve the historic buildings. The five opposing comments were mainly on the grounds that there was no detailed heritage assessment, the proposed development would obstruct views and natural light, and the Site should be reserved for greenery and open space development.

25. As regards a Member's enquiry on whether there would be land premium implications should the proposed development be proceeded with, Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department (LandsD) said that the lot was restricted to the use for non-profit making educational and/or social welfare purposes under lease. In that regard, the applicant should clarify and demonstrate to LandsD how the proposed RCHE was in compliance with the said user restriction under lease before taking forward the proposed development.

26. 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 the applicant of the Committee's decision in due course. The Chairman thanked the representatives of PlanD, DEVB and the applicant's representatives for attending the meeting. They left the meeting at this point.

[Dr Frankie W.C. Yeung joined the meeting during the question and answer session.]

Deliberation Session

27. The Chairman recapitulated the proposed development and zoning history of the Site to facilitate Members' consideration of the subject rezoning application, which was for rezoning the Site from "O" to "OU(BHAI)" to make provision for application for social welfare facility use under a preservation-cum-development approach. According to the Notes for the "OU(BHAI)" zone proposed by the applicant at Appendix II of the Paper, there was no Column 1 use and 'Social Welfare Facility' was the only Column 2 use requiring planning permission from the Board, and a POS of not less than 1,270m² would be provided within the Site.

28. A Member had reservation on the application and considered that the current "O" zone of the Site should be retained for the provision of open space for the public. Should the rezoning application be approved, it was suggested that the requirement of a CMP should be clearly stated in either the Notes or Explanatory Statement (ES) of the relevant zone on the OZP.

29. Other Members, in general, considered that the application could be supported and had the following views:

- (a) there had been a change in planning circumstances in that the current planned provision of open space within the Kwai Tsing district was sufficient. Since the Site was on private land and the Government had no implementation programme for the development of a POS at the Site, the current "O" zoning was considered not appropriate;

- (b) the Site was currently not open to the public. The proposed scheme could help make the Site open for public enjoyment after a long period of being left idle. The proposed scheme was considered a planning gain as it could preserve the historic buildings while providing the much needed RCHE services for the community;
- (c) whilst the development intensity of the proposed RCHE development was compatible with the setting of preservation of historic buildings within the Site, given the demand of RCHE in the community, there might be scope for the applicant to explore the possibility for provision of more bed places; and
- (d) specifying 'social welfare facility' as a Column 2 use without specifying the provision of RCHE could allow flexibility for making adjustments to the types of social welfare facilities to be provided at the Site in future. Besides, other suitable community facilities could also be added under the Column 2 uses. Appropriate development restrictions and requirements should be specified on the OZP so as to ensure the provision of GIC facilities at the Site.

30. Some Members had the following suggestions on the design of the proposed development:

- (a) while the disposition of the buildings under the current scheme was considered appropriate, the accessibility and the loading/unloading facilities of the Site could be improved;
- (b) the applicant should not neglect the quality of the future POS during the detailed design stage;
- (c) the proposed POS of 1,270m² might not be adequate in comparing with the current "O" zone of 1.2 ha being affected. It would be more desirable if the provision of POS could be increased; and
- (d) in addition, given the demand for RCHE of the community, the applicant should explore the possibility to provide more RCHE bed places. There should be scope to increase the provision of POS and RCHE bed places

without compromising the preservation of the historic buildings. With regard to the development intensity and GFA to be stipulated on the Notes of the OZP to guide the future development, PlanD should consult relevant government bureaux/departments on the details when working out the proposed amendments to the OZP for the agreement of the Committee.

31. A Member had a general observation that the planned provision of RCHE under the HKPSG could be reviewed to take into account the different types of elderly homes with low, medium or high level of care needs when opportunity arose.

32. The Chairman concluded that Members were generally in support of the rezoning application. To provide more flexibility in the provision of social welfare and other GIC facilities and open space within the Site in stipulation of the appropriate development restrictions, PlanD should take account of Members' comment in further revising the proposed Notes for Members' agreement before gazetting the proposed amendments to the Kwai Chung OZP. The ES of the OZP should also be suitably amended to incorporate the requirement of a CMP at the s.16 application stage. The Chairman also said that whilst the applicant had indicated that the anticipated completion year of the proposed development would be 2025, the OZP was currently subject to a judicial review, which might affect the programme for proposing amendments to the OZP to reflect the approval of this s.12A application.

33. After deliberation, the Committee decided to partially agree to the application for rezoning the application site from "Open Space" to "Other Specified Uses" annotated "Buildings with Historical and Architectural Interests Preserved for Social Welfare Facility Use", with stipulation of appropriate development restrictions and requirements. PlanD, in consultation with relevant government bureaux/departments, should work out the proposed amendments to the Outline Zoning Plan, as appropriate. Amendments to the draft Kwai Chung Outline Zoning Plan No. S/KC/29 would be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

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

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K3/590 Proposed Flat, Shop and Services with Minor Relaxation of Domestic Plot Ratio Restriction in “Residential (Group E)” Zone and an area shown as ‘Road’, 25-29 Kok Cheung Street, Tai Kok Tsui, Kowloon
(MPC Paper No. A/K3/590)

34. The Secretary reported that the application site was located in Mong Kok. The application was submitted by Asia Turbo Development Limited, which was a subsidiary of Henderson Land Development Company Limited (HLD). Kenneth To & Associates Limited (KTA), LWK & Partners (Hong Kong) Limited (LWK) and WSP (Asia) Limited (WSP) were three of the consultants of the applicants. The following Members had declared interests on the item:

- Mr Alex T.H. Lai - his former firm had business dealings with HLD, LWK and WSP;
- Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society having business dealings with KTA; and
- Mr C.H. Tse - owning a flat in Mong Kok.

35. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Alex T.H. Lai had already left the meeting. As Mr Daniel K.S. Lau had no involvement in the application and the property owned by Mr C.H. Tse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

36. The Committee noted that the applicants’ representative requested on 19.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

37. 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, and no further deferment would be granted unless under very special circumstances.

Agenda Item 5

Section 16 Application

[Open Meeting]

A/K5/822 Proposed Hotel (Conversion of Existing Non-domestic Building) in
"Residential (Group A) 6" Zone, 396 Lai Chi Kok Road, Sham Shui Po,
Kowloon
(MPC Paper No. A/K5/822A)

38. The Secretary reported that Townland Consultants Limited (Townland) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item as his former firm had business dealings with Townland.

39. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had already left the meeting.

40. The Committee noted that the applicant's representative requested on 19.10.2020 deferment of consideration of the application for two months so as to allow time to prepare 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 including revised traffic calculations and architectural drawings to address departmental comments.

41. 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 three months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/825 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 (2)" Zone, 916-922 Cheung Sha Wan Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/825)

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

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

44. The Committee noted that the applicant requested on 25.9.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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, and no further deferment would be granted unless under very special circumstances.

Kowloon District

Agenda Item 7

Section 16 Application

[Open Meeting]

A/K10/265 Proposed Comprehensive Residential 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/K10/265A)

46. The Secretary reported that Kenneth To & Associates Limited (KTA) and Archiplus International Limited (AI) were two 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 AI; and |
| Mr Daniel K.S. Lau | - | being an ex-employee of the Hong Kong Housing Society having business dealings with KTA. |

47. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had already left the meeting. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

14.10.2020 deferment of consideration of the application for two months so as to allow time to prepare 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 comments.

49. 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.

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/318 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services and Eating Place Uses in "Other Specified Uses" annotated "Business" Zone, No. 20 Kai Cheung Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/318A)

Presentation and Question Sessions

50. The Secretary reported that the application site (the Site) was located in Kowloon Bay. Townland Consultants Limited (Townland) and Ove Arup & Partners Hong Kong limited (Arup) were two of the consultants of the applicant. The following Members had

declared interests on the item:

- Mr Thomas O.S. Ho - having current business dealings with Arup;
- Mr Alex T.H. Lai - his former firm had business dealings with Townland and Arup;
- Ms Sandy H.Y. Wong - being a council member of the Hong Kong Baptist University which rented a property for campus use in Kowloon Bay; and
- Professor Jonathan W.C. Wong - being an employee of the Hong Kong Baptist University which rented a property for campus use in Kowloon Bay.

51. The Committee noted that Mr Alex T.H. Lai had already left the meeting. As the interests of Ms Sandy H.Y. Wong and Professor Jonathan W.C. Wong were indirect and Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

52. The Committee noted that a replacement page (p.1 of Appendix III of the Paper) updating the advisory clause from the Lands Department was shown on the visualiser for Members' reference. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) and building height (BH) restrictions for permitted office, shop and services and eating place uses;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, nine objecting comments from a Legislative Council member, members of Democratic Party in Kwun Tong, members of the Kwun Tong District

Council, the Director of Finance & Operations of the Kellett School and individuals were received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and the transformation taking place in Kowloon Bay Business Area (KBBA) from industrial to business/commercial uses. The proposed development was also in line with the Town Planning Board Guidelines No. 22D. The proposed minor relaxation of PR restriction generally followed the policy on revitalisation of pre-1987 industrial buildings (IBs) and the Development Bureau gave policy support to the application. The proposed minor relaxation of BH restriction was not disproportionate to the applied minor relaxation of PR restriction with reasonable floor-to-floor height adopted and was in line with the stepped BH profile of KBBA. Concerned government departments had no objection to or no adverse comment on the application on traffic, environmental and other aspects. Various planning and design merits, including building setbacks in addition to the OZP requirements and in compliance with the Outline Development Plan (ODP) requirements, a covered pedestrian thoroughfare on G/F, building separation of 15m between the two proposed towers and 25m-wide void area on G/F, a podium garden on 2/F and greening provision (greenery ratio of about 23.1%), were proposed to enhance the pedestrian connectivity, visual interest, building permeability and pedestrian environment. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

Connectivity and Parking Facilities

53. Some Members raised the following questions:

- (a) pedestrian connectivity of the Site with the Kowloon Bay Mass Transit

Railway (MTR) station;

- (b) the vehicular connection of the Site, existing provision of public transport services in the area and whether there would be shuttle bus services running between the Site and the MTR station, similar to the arrangement of some existing private developments in the area;
- (c) details of the proposed footbridge connections on 1/F; and
- (d) in respect of the public concern on the traffic congestion of the area, whether the proposed provision of 712 car parking spaces was higher than the existing provision at the Site such that the proposal could be considered as a planning gain.

54. In response, Mr William W.L. Chan, STP/K, made the following main points:

- (a) for pedestrian connectivity with the Kowloon Bay MTR station, pedestrians would need to walk through Telford Garden and then walk along Lam Hing Street before reaching the Site. The Site was about 550m from the Kowloon Bay MTR station;
- (b) for vehicular access, the proposed ingress/egress was located at Lam Hing Street, and vehicles would mainly come from Wang Chiu Road/Kai Cheung Road via Lam Hing Street before entering the Site. There were a bus station and a minibus station near the Site at Kai Cheung Road. While the applicant did not provide any information on the provision of shuttle bus services, it should be noted that the proposed development was mainly for office use with some shops and services on lower floors only, the need for the provision of shuttle bus services for the public might not be high as compared with the shopping malls in the area;
- (c) the two potential footbridges across Lam Hing Street and Wang Chiu Road, together with the proposed connection with the existing footbridge across Kai Cheung Road, though put forward by the applicant, did not form part of the

application. Those footbridge connections were not stipulated on the ODP. Such proposals would be subject to further discussion with relevant departments and/or adjacent landowners and the implementation programmes could not be determined at this stage; and

- (d) there was no information regarding the provision of car parking spaces in the existing development at the Site. However, the proposed provision of 712 car parking spaces was on the upper end of the Hong Kong Planning Standards and Guidelines requirements.

Layout/Building Design

55. Some Members raised the following questions:

- (a) noting that a number of loading/unloading (L/UL) bays for goods vehicles were proposed on G/F directly adjoining Lam Hing Street and the pedestrians would need to walk across the proposed internal vehicular circulation route to and from the two proposed towers, whether there would be measures to address the concern on pedestrian safety and to alleviate the impacts on streetscape;
- (b) whether there would be columns along the shop frontage on G/F as shown on Drawing A-14 of the Paper such that the L/UL area could be clearly separated from other pedestrian areas on G/F;
- (c) whether there were any requirements under lease with regard to the points indicated as “U”, “V” and “W” as shown on Drawing A-5 of the Paper; and
- (d) the opening hours of the podium garden on 2/F and whether the garden could only be accessed by the public via a lift.

56. In response, Mr William W.L. Chan, STP/K, made the following main points:

- (a) for the street frontage along Lam Hing Street, the pavement would be

widened to about 5m upon completion of the proposed redevelopment. Although the applicant had not provided operation details in respect of the L/UL activities on G/F, the design of the concerned L/UL area had been circulated to relevant departments and no adverse comment on pedestrian safety was received. Considering that the L/UL area would adjoin the public pavement along Lam Hing Street, it was anticipated that suitable dividing devices would normally be installed to prevent the public from entering the L/UL area easily;

- (b) Drawing A-14 of the Paper was an indicative illustration of the proposed development. According to the G/F plan submitted by the applicant (i.e. Drawing A-5), there were no columns along the shop frontage adjoining the L/UL area on G/F;
- (c) the points indicated as 'U', 'V' and 'W' on Drawing A-5 of the Paper was related to the proposed setback for departments' reference only and not the ingress/egress point; and
- (d) as indicated by the applicant, the opening hour of the podium garden would follow that of the shops and services. The podium garden could only be accessed by a lift.

Others

57. Some Members raised the following questions:

- (a) whether car repairing activities would be reprovisioned in the future development (e.g. at basement);
- (b) details of the complaints received so far in relation to nuisance caused by the existing IB at the Site on the adjoining international school (i.e. Kellett School);
- (c) treatments to the existing trees along Kai Cheung Road and Wang Chiu Road;

and

- (d) how the imposition of BH restrictions for the KBBA could help create a discernible townscape.

58. In response, Mr William W.L. Chan, STP/K, made the following main points:

- (a) under the proposed scheme, the basement floors would be mainly used for L/UL activities and car parking spaces. No car repairing activities were proposed to be reprovisioned in the future development at the Site;
- (b) there was no information on any complaints regarding nuisance caused by the existing IB on Kellett School;
- (c) as the existing trees along Kai Cheung Road and Wang Chiu Road all fell within government land outside the Site, they would not be affected by the proposed development; and
- (d) in order to create a discernible townscape in the KBBA, four height bands of 100mPD, 120mPD (including the Site), 140mPD and 170mPD were stipulated for the commercial and business developments in KBBA. The high-rise business cluster of 170mPD in the KBBA (i.e. sites along Sheung Yee Road such as the Mega Box site) stepped down gradually to the medium-rise residential developments to the north at the fringe of KBBA.

[Mr Stanley T.S. Choi left the meeting at this point.]

Deliberation Session

59. The Chairman said that the application was for proposed minor relaxation of the PR restriction by 20% under the policy of revitalisation of IBs while the applicant also applied for minor relaxation of the BH restriction by 6.8%.

60. Noting that the Site was sizable, the proposed minor relaxation of PR and BH

restrictions were technically acceptable, and various planning and design merits were proposed by the applicant, Members generally considered that the application could be supported.

L/UL area on G/F

61. A Member was concerned about the design of the L/UL area on G/F as the vehicular route would have interface with the pedestrian crossing within the Site, posing potential risk to pedestrian safety. Another Member concurred and further pointed out that since the proposed footbridge connections on 1/F were the applicant's proposal only, the implementation prospect was not certain and hence the main pedestrian access to the Site would still be on G/F. In order to minimise the potential vehicle-pedestrian conflicts, the Member suggested that the provision of another ingress/egress point at the Site should be explored. Members noted that the suggested approval condition (a) in the Paper could address such concern.

62. Mr Tony K.T. Yau, Assistant Commissioner for Transport (Urban), Transport Department (AC/U, TD) remarked that the swept path analysis conducted by the applicant was to confirm the technical feasibility for enabling a 11m-long vehicle to manoeuvre within the Site. It was observed that the current layout of G/F had generally adopted a pedestrian and vehicle segregation design in that an escalator was proposed near the main G/F entrance along Wang Chiu Road that linked to the main lobbies of the two office towers on 1/F. To cater for pedestrian movements between the two towers via G/F, two pedestrian crossings at suitable locations were also proposed. Regarding the Member's suggestion on providing an additional ingress/egress point at the northern frontage of the Site (i.e. along Kai Cheung Road), it should be noted that the road was a major district trunk road of dual three carriageway and ingress/egress of vehicles would normally not be allowed. Notwithstanding that, to address Members' concerns, TD would examine the detailed traffic management measures including the proposed vehicular access, manoeuvring spaces and pedestrian circulation when submissions were made by the applicant under the relevant approval conditions.

Podium Garden on 2/F

63. A few Members expressed concerns that it would be difficult for the public to access to the podium garden on 2/F as it could only be accessed by a lift. Pedestrian facilities

like staircases and escalators should be provided to facilitate public accessibility. Another Member considered that the applicant should provide clear signage to notify the public the location of the podium garden.

Public Transport Facilities in the Area

64. In response to a Member's enquiry on the provision of public transport facilities in the area, Mr Tony K.T. Yau, AC/U, TD said that the proposed development mainly comprised office use which might generate less pedestrian flow as compared to other developments like shopping malls. In any event, the relevant departments including TD, Energizing Kowloon East Office and Civil Engineering and Development Department were studying the provision of public transport facilities in the area, including feeder services by bus and minibus to MTR stations, with a view of improving the overall accessibility of the area.

65. After reviewing the suggested approval conditions and advisory clauses in the Paper, Members agreed that approval condition (f) should be suitably revised to address Members' concerns regarding public accessibility to the podium garden on 2/F, and an advisory clause on the provision of signage in relation to the podium garden should also be added.

66. 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 23.10.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of vehicular access, vehicle parking, loading/unloading facilities, access arrangements and manoeuvring spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of a revised traffic impact assessment, and implementation of the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the TPB;

- (c) the submission of a revised sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment for the proposed development in condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of Director of Environmental Protection or of the TPB; and
- (f) the submission and implementation of landscape proposal from G/F to 2/F of the proposed development, including the arrangement for public passage to the podium garden on 2/F, to the satisfaction of Director of Planning or the TPB.”

67. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper and the following additional advisory clause:

“to provide clear signage to notify the public of the podium garden on 2/F upon completion of the proposed development.”

[The Chairman thanked Mr William W.L. Chan, STP/K, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[Ms Jessie K.P. Kwan, STP/K, was invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/792 Proposed Shop and Services (Bank, Fast Food Shop, Local Provisions Store and/or Electrical Shop) in “Other Specified Uses” annotated “Business” Zone, Portion of G/F, How Ming Factory Building, 99 How Ming Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/792A)

Presentation and Question Sessions

68. Ms Jessie K.P. Kwan, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services (about 230m²); and the proposed shop and services (bank, fast food shop, local provisions store and/or electrical shop) (about 229.36m²);
- (c) departmental comments were set out in paragraph 9 and Appendix II of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment supporting the application was received from a member of Kwun Tong Central Area Committee; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed uses at the Premises were considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and were compatible with the changing land use character of the area. The proposed uses complied with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that they would not induce adverse fire safety and

environmental impacts on the development within the subject building and the adjacent areas. Relevant government departments had no objection to or no adverse comment on the application. Should the Committee approve the application, the aggregate commercial floor area on G/F of the subject industrial building not fully protected with a sprinkler system would be 230m², which was within the maximum permissible limit as set out in the TPB PG-No. 22D, and such limit did not apply to the proposed ‘Shop and Services (Bank, Fast Food Shop, Local Provisions Store and/or Electrical Shop) use’.

69. In response to a Member’s enquiry, Ms Jessie K.P. Kwan, STP/K, said that the maximum permissible limit on the aggregate commercial floor areas on G/F of an existing industrial/industrial-office (I-O) building as set out in the TPB PG-No. 22D was mainly related to fire safety concern. However, uses which were ancillary to or for the purposes of supporting the industrial activities and the routine activities of the workers in the industrial or I-O building (including bank, fast food shop, electrical shop and local provisions store) should not be counted up to the aggregate commercial floor area in accordance with TPB PG-No. 22D. As far as the current application was concerned, given that the applicant had erected fire resistant wall for separating the two concerned premises with specification up to the satisfaction of the Director of Fire Services (DFS) and an approval condition related to submission and implementation of fire safety measures had been recommended, DFS considered that the proposed ‘Shop and Services (Bank, Fast Food Shop, Local Provisions Store and/or Electrical Shop)’ use (with floor area of 229.36m²) should not be counted up to the above mentioned maximum floor area limit.

Deliberation Session

70. 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 23.10.2022, 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 proposal on the fire safety measures

before operation of the proposed uses to the satisfaction of the Director of Fire Services or of the TPB; and

- (b) if the above planning condition is not complied with before the operation of the proposed uses, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K14/794 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, 119-121 How Ming Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/794)

72. The Committee noted that the application was rescheduled.

Agenda Item 11

Any Other Business

73. There being no other business, the meeting was closed at 12:30 p.m.