

TOWN PLANNING BOARD

Minutes of 741st Meeting of the Metro Planning Committee held at 9:00 a.m. on 10.5.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

Mr Ben S.S. Lui

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Mr Derrick S.M. Yip

Assistant Commissioner/Urban,
Transport Department
Mr B.K. Chow

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

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Miss Queenie Y.C. Ng

Assistant Director/Regional 1,
Lands Department
Ms Ritz S.P. Lee

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Professor Roger C.K. Chan

Mr Ricky W.Y. Yu

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Mr Rico W.K. Tsang

Town Planner/Town Planning Board
Ms Loree L.Y. Duen

Agenda Item 1

Confirmation of the Draft Minutes of the 740th MPC Meeting held on 19.4.2024

[Open Meeting]

1. The draft minutes of the 740th MPC meeting held on 19.4.2024 were confirmed without amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Deferral Cases

Sections 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Committee noted that there were two cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for a case and the Committee's views on the declared interests were in **Annex**.

Deliberation Session

4. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information, as recommended in the Papers.

Hong Kong District

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H7/185 Submission of Layout Plan for Proposed Permitted ‘Eating Place’, ‘Office’, ‘Shop and Services’, ‘Public Clinic’, ‘Public Transport Terminus or Station’, ‘Public Vehicle Park (excluding container vehicle)’, and ‘Social Welfare Facility’ Uses in “Commercial (2)” Zone, Inland Lot No. 8945, Caroline Hill Road, Causeway Bay, Hong Kong

(MPC Paper No. A/H7/185)

5. The Secretary reported that consideration of the application had been rescheduled.

Kowloon District

[Mr William W.L. Chan, Senior Town Planner/Kowloon (STP/K), and Ms Grace Y.M. Cheung, Town Planner/Kowloon (TP/K), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/330 Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of Unit 6, G/F, Kowloon Bay Industrial Centre, 15 Wang Hoi Road, Kowloon Bay, Kowloon

(MPC Paper No. A/K13/330)

Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Ms Grace Y.M. Cheung, TP/K, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

7. The Chairman, Vice-chairperson and a Member raised the following questions:

- (a) the background of imposing the limits on aggregate commercial floor areas on the ground floor of an existing industrial/industrial-office (I-O) building as stipulated on the Town Planning Board Guidelines No. 22D for Development within “Other Specified Uses” annotated “Business” (“OU(B)”) Zone (TPB PG-No. 22D); and planning considerations for non-industrial use on the ground floor of the existing industrial building (IB) under the subject application;
- (b) whether the subject premises was an as-built unit or partitioned from a larger unit to comply with the limit on the aggregated commercial floor area on the ground floor;
- (c) if the application was approved, whether any land administration procedures would be required; and
- (d) whether the proposal would affect the means of escape of the remaining portion of the unit.

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

- (a) while the TPB PG-No. 22D set out the guidelines for development in the “OU(B)” zone, which allowed flexibility in the use of existing industrial or industrial-office (I-O) buildings before redevelopment, it was necessary to ensure that the fire safety concern was properly addressed for the proposed

commercial use within those buildings. According to the advice from the Fire Services Department, owing to fire safety concern, the aggregate commercial floor areas on the ground floor of an existing industrial/I-O building with and without sprinkler systems should as a general principle not exceed 460m² and 230m² respectively. In considering the subject application, given the presence of existing industrial uses, it was necessary to ensure compatibility of the proposed use with other uses within the same IB and no adverse fire safety and environmental impacts, etc.;

- (b) the subject premises formed part of a larger unit on the ground floor of the existing IB. According to the applicant, should the application be approved, the subject premises of about 29m² would be partitioned from the remaining portion of the unit by brick wall. The aggregate commercial floor area on the ground floor of the existing IB including the proposed use at the application premises would result in a total of 459.332m², which was within the relevant maximum permissible limit stipulated in the TPB PG-No. 22D;
- (c) as the proposed use was in conflict with the user restrictions under the existing lease, application for temporary waiver or lease modification to effect the proposal should be submitted to the Lands Department as required; and
- (d) noting that there would be excessive dead-end travel distance for the remaining portion of the unit as a result of the proposed use, the Buildings Department advised that should the application be approved, the applicant should provide adequate means of escape for the subject premises and remaining portion of the unit, which was incorporated in the recommended advisory clauses as attached to the Paper.

9. In response to a Member's enquiry whether there was any regular update on the TPB Guidelines, such as the TPB PG-No. 22D promulgated in 2007, to keep pace with the latest development, the Secretary said that the TPB Guidelines would be reviewed on a need basis, taking into account the latest planning circumstances. A number of TPB Guidelines

had recently been updated to tie in with the implementation of the amended Town Planning Ordinance which came into operation on 1.9.2023. Should there be a need to update/review the relevant TPB Guidelines, the review findings and proposed revisions would be submitted to the Town Planning Board for consideration as appropriate.

[Professor Bernadette W.S. Tsui joined the meeting during the question and answer session.]

Deliberation Session

10. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Board. The permission should be valid until 10.5.2026, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 7

Any Other Business

[Open Meeting]

11. There being no other business, the meeting was closed at 9:20 a.m..

**Minutes of 741st Metro Planning Committee
(held on 10.5.2024)**

Deferral Cases

Requests for Deferment by Applicants for Two Months

Item No.	Application No.*	Times of Deferment
3	A/H3/449	1 st
5	A/K10/271	2 nd [^]

Note:
[^] *The 2nd Deferment was the last deferment and no further deferment would be granted unless under special circumstances and supported with strong justifications.*

Declaration of Interests

The Committee noted the following declaration of Interests:

Item No.	Members' Declared Interests	
3	The application site was located in Sai Ying Pun/Sheung Wan.	<ul style="list-style-type: none">- Professor Roger C.K. Chan for his spouse owning a property in Sai Ying Pun- Professor Bernadette W.S. Tsui for her spouse being a director of a company owning a property in Sheung Wan

The Committee noted that Professor Roger C.K. Chan had tendered an apology for being unable to attend the meeting. As the property owned by the company of Professor Bernadette W.S. Tsui's spouse had no direct view of the relevant application site, the Committee agreed that she could stay in the meeting.

* Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/741_mpc_agenda.html for details of the planning applications.