

TOWN PLANNING BOARD

**Minutes of 742nd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 24.5.2024**

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr Stanley T.S. Choi

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

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
Mr Ronnie H.S. Mak

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

Secretary

Absent with Apologies

Ms Sandy H.Y. Wong

Vice-chairperson

Professor Jonathan W.C. Wong

Mr Ben S.S. Lui

In Attendance

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

Chief Town Planner/Town Planning Board
Ms M.L. Leung

Town Planner/Town Planning Board
Ms Sandy S. Y. Yik

Agenda Item 1

Confirmation of the Draft Minutes of the 741st MPC Meeting held on 10.5.2024

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 741st MPC meeting to Members, an amendment to paragraph 8(c) incorporating a Member's comment as shown on the screen was proposed. The Committee agreed that the minutes were confirmed with incorporation of the said amendment.

Agenda Item 2

Matter 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 Secretary reported that there were three cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for individual cases 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.

Tsuen Wan and West Kowloon District

[Mr W.C. Lui, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/505 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Warehouse Use (excluding Dangerous Goods Godown) in “Industrial” Zone, 13-17 Wah Sing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/505B)

5. The Secretary reported that the application site (the Site) was located in Kwai Chung and Mr Stanley T.S. Choi had declared an interest on the item for being a supervisor of a primary school in Kwai Chung. As the interest of Mr Stanley T.S. Choi was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Mr W.C. Lui, STP/TWK, briefed Members on the background of the application, the proposed development, 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.

Planning Assessment Criteria

7. Some Members raised the following questions:
- (a) the proposed development under the current application as compared with the last approved application;
 - (b) how the current application could fulfil the general assessment criteria for minor relaxation of plot ratio (PR); and

- (c) how to determine whether the relaxation was minor in nature.

8. With the aid of some PowerPoint slides, Mr W.C. Lui, STP/TWK, made the following main points:

- (a) the proposed development under the current application was for warehouse use (excluding dangerous goods godown) intended for cold storage, which was different from the information technology and telecommunications industries use (data centre) under the last approved application (No. A/KC/491);
- (b) according to the Government's policy initiatives on Revitalisation of Industrial Buildings (IBs) announced by the Chief Executive in the 2018 Policy Address, there were six key measures including facilitating wholesale conversion and redevelopment of aged IBs for industrial and commercial purposes, which aimed to optimise utilisation of the existing industrial stock and make better use of valuable land resources while addressing more effectively the issues of fire safety and non-compliant uses. To encourage owners to redevelop pre-1987 IBs, the policy direction was to allow relaxation of the maximum permissible non-domestic PR as specified in an Outline Zoning Plan (OZP) by up to 20% for those IBs. Such relaxation of PR would require the approval of the Town Planning Board (the Board), subject to technical assessments confirming the feasibility in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations. Under the current application, the proposed development was considered in line with the above policy initiatives as it had demonstrated no adverse impact on the surrounding areas. The proposed development had also incorporated a number of planning and design merits including a voluntary full-height building setback from Wah Sing Street cul-de-sac in addition to that specified on the Kwai Chung Outline Development Plan (ODP), provision of a canopy along part of Wah Sing Street to promote pedestrian comfort, a higher site coverage of greenery up to 24% (compared with the two previously

approved applications No. A/KC/485 and 491) and a sitting area located at the northern corner of the Site. The proposed development was considered acceptable against the above assessment criteria; and

- (c) application for minor relaxation of the PR restriction could only be made when there was relevant provision stipulated in the Notes of the OZP. Whether such relaxation was minor in nature was considered on a case-by-case basis, taking into account relevant considerations, including the scale of relaxation under application, site context, potential impacts of the proposal, etc. For the subject case, the percentage for minor relaxation of PR from 9.5 to 11.4 (i.e. +20%) was in line with the policy initiatives of Revitalisation of IBs.

9. With regard to the application details, the Chairman supplemented that the proposed cold storage use under the current application was a Column 1 use in the subject “Industrial” (“I”) zone, and the subject of the application was the minor relaxation of PR for such use.

Development Scheme and Potential Impacts

10. Some Members raised the following questions:
- (a) whether the proposed greenery provision of 24% could meet the requirement under the Sustainable Building Design Guidelines (SBDG);
 - (b) whether there was any scope to improve the pedestrian environment along Wah Sing Street if the Site was redeveloped;
 - (c) whether the opposing public comments on the application had been addressed; and
 - (d) whether there were technical issues (e.g. electricity consumption) arising from the proposed development.

11. With the aid of some PowerPoint slides, Mr W.C. Lui, STP/TWK, made the following main points:

- (a) the site coverage of greenery of 24% in the proposed development would be more than the minimum 20% as required under the SBDG;
- (b) to enhance pedestrian comfort and connectivity along Wah Sing Street, the Highways Department was conducting a study on the proposed covered escalator link system along the footpath between Wah Sing Street and Castle Peak Road – Kwai Chung, with target to complete the construction by 2027. The Kwai Tsing District Council was consulted on the proposed works earlier. Besides, as indicated on Plan A-2 of the Paper, the Site together with the adjoining industrial neighbourhood was subject to a planned building setback of varying widths from abutting streets to facilitate future road widening, as designated on the Kwai Chung ODP. In addition to the full-height setback from the Wah Sing Street cul-de-sac as required by the ODP for future road widening, the applicant also proposed to set back the building further by providing about 12m-wide full-height setback from G/F for enhancing visual and air permeability;
- (c) the opposing comments from the Incorporated Owners of Gold King Industrial Building (Gold King IB), located to the immediate southwest of the Site, raised concerns on the structural and fire safety, as well as potential environmental, visual, natural lighting and air ventilation impacts on Gold King IB arising from the redevelopment of the Site. Given that the proposed development had to comply with the Buildings Ordinance and other regulations during the demolition and construction stages, the above concerns could be addressed as appropriate under the building regime. Moreover, the planning merits (e.g. building setback) and relevant environmental mitigation measures (e.g. noise mitigation measures approved by the Environmental Protection Department) of the proposed development would be incorporated and refined at the building plan submission stage. Relevant government departments would ensure that the proposed development would be in line with the approved scheme as

submitted and fully comply with relevant regulations before operation; and

- (d) the submitted technical assessments had demonstrated no technical and environmental issues arising from the proposed development. Regarding the potential noise impact from the cooling towers associated with cold storage, an approval condition requiring the submission of a revised noise impact assessment and the implementation of the noise mitigation measures identified therein was recommended should the application be approved.

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

Deliberation Session

12. The Chairman recapitulated that one of the Government's policy initiatives on Revitalisation of IBs was to incentivise redevelopment of aged IBs by allowing relaxation of the maximum non-domestic PR under statutory town plans by up to 20% for redevelopment of pre-1987 IBs, subject to certain requirements (including approval by the Board). The current application for minor relaxation of PR restriction of 20% for permitted warehouse use (excluding dangerous goods godown) was a response to the above policy initiatives. As explained by PlanD's representative, the proposed development incorporating various planning and design merits (e.g. additional full-height building setback and greenery, etc.) was considered acceptable, taking into account its compliance with the above policy initiatives, technical feasibility of the proposal, departmental comments, similar approved applications in the Kwai Chung area, etc. Noting that the proposed cold storage use in the current application was a Column 1 use in the subject "I" zone, Members should consider whether the proposed minor relaxation of PR (i.e. 20%) for such use under application was acceptable.

13. In response to a Member's enquiry on the interpretation of minor relaxation, the Chairman explained that minor relaxation was not defined by a prescribed figure/percentage but to be determined by the Board on a case-by-case basis, taking into account individual planning circumstances including the scale and extent of relaxation, site context, potential impacts and other relevant factors.

14. Regarding the time limit for the submission of applications under the policy initiatives on Revitalisation of IBs, the meeting noted that individual planning applications should be made to the Board within the validity period of the said policy (i.e. up to October 2024), and the modified lease should be executed within three years after the planning approval. The Chairman remarked that while it was uncertain whether the policy initiatives would be extended in the future, planning applications for minor relaxation of PR for redevelopment of IBs would still be considered by the Board on a case-by-case basis, even in the absence of a policy context.

15. Members generally considered that the application could be supported. A Member, while supporting the application, suggested that the applicant should endeavour to minimise any possible impact of the proposed development on the surrounding areas.

16. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 24.5.2028, 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 representative for attending the meeting. PlanD's representative left the meeting at this point.]

Agenda Item 7

Any Other Business

[Open meeting]

17. There being no other business, the meeting was closed at 9:40 a.m.

**Minutes of 742nd Metro Planning Committee
(held on 24.5.2024)**

Deferral Cases

Request for Deferment by Applicant for Two Months

Item No.	Application No.*	Times of Deferment
4	A/K11/245	2 nd [^]
5	A/K18/347	2 nd [^]
6	A/K18/348	1 st
<p><u>Note:</u> [^] <i>The 2nd Deferment was the last deferment and no further deferment would be granted unless under special circumstances and supported with strong justifications.</i></p>		

Declaration of Interests

The Committee noted the following declaration of interests:

Item No.	Members' Declared Interests	
5	The application site was located in Kowloon Tong.	- Mr Stanley T.S. Choi for his spouse being a director of a company which owns properties in Kowloon Tong
6	The application site was located in Kowloon Tong, and the application was submitted by Hong Kong Baptist Hospital which was one of the social service institutions of the Baptist Convention of Hong Kong (BCHK). Ove Arup and Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant.	<ul style="list-style-type: none"> - Ms Sandy H.Y. Wong for being the honorary legal advisor of BCHK - Mr Stanley T.S. Choi for his spouse being a director of a company which owned properties in Kowloon Tong - Dr Tony C.M. Ip for his firm having current business dealings with ARUP

The Committee noted that Ms Sandy H.Y. Wong had tendered an apology for being unable to attend the meeting. As the properties owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the relevant application sites, and Dr Tony C.M. Ip had no involvement in the application under Item 6, they could stay in the meeting.

* Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/742_mpc_agenda.html for details of the planning applications.