

TOWN PLANNING BOARD

Minutes of 663rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 8.1.2021

Present

Director of Planning
Mr Ivan M.K. Chung

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

Assistant Town Planner/Town Planning Board

Ms Charlotte O.C. Ko

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 662nd MPC Meeting held on 18.12.2020

[Open Meeting]

2. The draft minutes of the 662nd MPC meeting held on 18.12.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K18/10 Application for Amendment to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/21, To rezone the application site from “Residential (Group C) 1” to “Commercial (3)” and ‘Road’, 3, 5 and 7 Kent Road, Kowloon Tong, Kowloon
(MPC Paper No. Y/K18/10)

4. The Secretary reported that the application site was located in Kowloon Tong. Kenneth To & Associates Limited (KTA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which had business dealings with KTA; and

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

5. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Daniel K.S. Lau had not yet joined the meeting. As the properties owned by the company of Mr Stanley T.S. Choi’s spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

6. The Committee noted that the applicant’s representative requested on 23.12.2020 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

7. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

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

Tsuen Wan and West Kowloon District

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/520 Renewal of Planning Approval for Temporary Information Technology and Telecommunication Industries (Data Centre) for a Period of 3 Years in "Comprehensive Development Area (3)" Zone, 2/F, Asia Tone i-Centre, 1 Wang Wo Tsai Street, Tsuen Wan, New Territories (Tsuen Wan Town Lot 363)
(MPC Paper No. A/TW/520)

8. The Secretary reported that the application site was located in Tsuen Wan. The application was submitted by MapletreeLog PF (HKSAR) Limited (MPL). The following Members had declared interests on the item:

Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan;

Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan;

and

Mr Alex T.H. Lai - his former firm had business dealings with MPL.

9. As the properties owned by the company of Mr Stanley T.S. Choi's spouse and the property owned by Professor John C.Y. Ng's spouse had no direct view of the application site, and Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

10. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the renewal of planning approval for temporary information technology and telecommunications industries (ITTI) (data centre) for a period of three years;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, no public comment was received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 11 of the Paper. Approval of the application on a temporary basis would not jeopardise the long-term planning intention of the site. The application was generally in line with the Town Planning Board Guidelines No. 34C (TPB PG-No. 34C) in that there had been no material change in planning circumstances since the previous approval, all approval conditions under the previous application had been complied with and the proposed renewal of a period of

three years sought was reasonable.

[Mr Daniel K.S. Lau and Ms Sandy H.Y. Wong joined the meeting during PlanD's presentation.]

11. Some Members raised the following questions:
 - (a) any government policy on the planning for data centre development;
 - (b) the site requirements and considerations in setting up data centre;
 - (c) the location of data centres in Tsuen Wan area; and
 - (d) noting that there was an approved Master Layout Plan (MLP) for a proposed comprehensive residential development covering the whole "CDA(3)" site including the subject building, which should be valid until 2023, whether approval of the application would have any implication on the approved scheme of the "CDA(3)" site and affect the implementation programme of the comprehensive residential development at the "CDA(3)" site.

12. In response, Mr K.S. Ng, STP/TWK, made the following main points:
 - (a) the related policies were formulated and implemented by the Innovation and Technology Bureau (ITB) to facilitate data centre development in Hong Kong. From land use planning perspective, data centre was subsumed under 'ITTI' which was a Column 1 use in the "Other Specified Uses" annotated "Business" ("OU(B)") and "Industrial" ("I") zones and planning permission from the Town Planning Board (the Board) was not required. That said, application for lease modification to implement the proposal might be required, and in processing such application, the Lands Department (LandsD) would seek comments from relevant bureaux and departments including ITB;

- (b) data centres usually required large floor space to accommodate the supporting facilities, and the industrial buildings in the “OU(B)” and “I” zones should be able to meet such operational needs. As for other zonings, PlanD would take into account land use compatibility and other factors when considering applications for data centre use;
- (c) since most of the industrial buildings situated in the Tsuen Wan East Industrial Area fell within the “I” zone, ‘ITTI’ including data centre was a Column 1 use and planning permission from the Board was not required. Apart from the application premises, there were data centres on other floors of the subject building. An industrial building in the “CDA(5)” site to the south of the subject industrial building was also approved for data centre use by the Metro Planning Committee (the Committee) of the Board in 2018. In addition, some industrial buildings in Chai Wan Kok were undergoing lease modification applications for data centre development; and
- (d) the “CDA(3)” site was the subject of various planning applications for comprehensive residential developments including application No. A/TW/452, which was approved by the Committee on 16.1.2015, with the lease modification application for part of the site not covering the subject building approved by LandsD in January 2019; and application No. A/TW/519 for amendments to the approved MLP, which was rejected by the Committee on 18.12.2020 mainly on grounds that the applicant failed to demonstrate that the proposed amendments to the approved MLP would not adversely affect the design merits of the approved MLP; and there were insufficient planning and design merits. The comprehensive residential development of the “CDA(3)” site under the approved MLP of application No. A/TW/452 would be developed in phases and the subject building fell within Phase 2 of the approved MLP. It was noted that general building plans or lease modification application had not yet been submitted to take forward the Phase 2 development for the time being. Since the proposed comprehensive development would take time to materialise, the temporary data centre use for a period of three years in the subject building would not

affect the implementation of comprehensive residential development of the “CDA(3)” site.

Deliberation Session

13. Members in general had no objection to the application as the temporary data centre use at the premises for a period of three years would not affect the implementation of the comprehensive residential development of the “CDA(3)” site, there was a demand for data centres, the data centre use was considered not incompatible with other uses within the same building and in the surrounding areas, and the application complied with TPB PG-No. 34C. In response to a Member’s concern of whether there was a long-term strategy for data centre development, the Chairman said that the formulation and implementation of the related policies were under the purview of ITB. The Government had reserved suitable sites in Tseung Kwan O for data centre development in the past. Subject to policy support, PlanD would continue to identify suitable sites for developing data centres in other areas such as the new development areas in the New Territories to meet the demand. From time to time, planning permissions were also granted for data centre uses at suitable sites/premises upon application provided that the proposals could comply with the requirements of relevant government departments.

14. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years, and be renewed from 17.1.2021 to 16.1.2024, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire service installations proposal within 6 months from the date of commencement of the renewal approval to the satisfaction of the Director of Fire Services or of the TPB by 17.7.2021; 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.”

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

[The Chairman thanked Mr Ng Kar Shu, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

Kowloon District

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/264 Proposed Comprehensive Residential (Flat), Commercial (Shop and Services) and Social Welfare Facility (Residential Care Home for the Elderly) Development with Minor Relaxation of Non-domestic Gross Floor Area Restriction 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/K10/264C)

16. The Secretary reported that the application site (the Site) was located in Ma Tau Kok. Mr C.H. Tse had declared an interest on the item for his close relative owning a flat in Ma Tau Kok.

17. As the property owned by Mr C.H. Tse's close relative had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

18. The Committee noted that three replacement pages (p. 13, 22 and 23 of the Paper) incorporating some textual amendments were tabled at the meeting and shown on the

visualiser for Members' reference. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed comprehensive residential (flat), commercial (shop and services) and social welfare facility (residential care home for the elderly (RCHE)) development with minor relaxation of non-domestic gross floor area restriction;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 49 public comments were received, including 11 supporting comments from individuals, 23 opposing comments from three registered lot owners within the "Comprehensive Development Area (3)" ("CDA(3)") site, two companies and individuals, and 15 providing views from two registered lot owners within the "CDA(3)" site, a registered lot owner within the "CDA(2)" site and individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. While the proposed comprehensive residential, commercial and social welfare facility development was considered generally compatible with the planned land uses for the area, the Social Welfare Department (SWD) considered that the proposed layout of the RCHE was not acceptable from the perspective of service needs. The applicant proposed to develop the "CDA(3)" site in two phases. However, the proposed phasing was considered not in line with the Town Planning Board Guidelines No. 17A (TPB PG-No. 17A) in that the applicant failed to demonstrate that the planning intention of the "CDA" zone would not be undermined and the comprehensiveness of the proposed development would not be adversely affected. The applicant had no control over the proposal and

implementation of Phase 2 and hence failed to demonstrate that the development within the “CDA(3)” site would be self-contained in terms of layout design and provision of transport facilities, and the individual land owners’ landed interest would not be adversely affected. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr Franklin Yu joined the meeting during PlanD’s presentation.]

19. Some Members raised the following questions:

Use of the Site

- (a) whether the proposed RCHE could be developed with residential use on top so as to optimise the development potential of the Site, and the feasibility of pursuing a ‘single site, multiple use’ development;

The Proposed RCHE

- (b) the layout and operation of the proposed RCHE;
- (c) whether the layout of the proposed RCHE could be revised to address SWD’s comments, and whether there were any specific government requirements regarding the provision of natural lighting and ventilation for RCHE;

Proposed Vehicular Access Arrangement

- (d) whether the proposed vehicular access arrangements were considered acceptable by the Transport Department;

Phasing

- (e) the delineation of Phase 1 and Phase 2;

Owners' Consent and Planning Considerations

- (f) whether there was a requirement for obtaining consent from all land owners for developing a “CDA” site;
- (g) the main assessment criteria in considering the MLP of a “CDA” site;
- (h) whether the current proposal complied with the planning intention of the “CDA(3)” zone; and
- (i) noting that the applicant had not consulted nor obtained consent from other land owners in Phase 2 and had no control over the implementation of the developments in Phase 2, whether the Committee could only consider Phase 1 on its individual merits.

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

Use of the Site

- (a) the applicant could introduce residential development above the proposed RCHE to optimise the development potential of the Site but no such proposal had been included in the submitted scheme. Under the current scheme, the applicant had to implement noise mitigation measures such as fixed glazing and provision of mechanical ventilation on 2/F to 5/F of the proposed RCHE to mitigate traffic noise. Technical assessments were required to assess the feasibility of introducing residential development on top of the proposed RCHE should the applicant wish to pursue a “single site, multiple use” development;

The Proposed RCHE

- (b) the proposed development at the “CDA(3)” site would be divided into two phases, i.e. a non-domestic RCHE block at Phase 1 and three composite buildings of residential-cum-commercial uses at Phase 2 which accounted

for about 13% and 87% of the total site area respectively. Being located at the western part of the Site, the proposed RCHE development was elongated in shape with a width of about 15m and a length of about 70m. According to the notional scheme for Phase 2, the RCHE would be served by a permanent ingress/egress proposed in Phase 2 for serving the entire development. The applicant had yet to obtain consent from other land owners in Phase 2 for a joint development of the “CDA(3)” site but a notional scheme for Phase 2 had been included in the MLP which assumed that the remaining six lots would be redeveloped jointly in one phase. Regarding the future operation of the proposed RCHE, the applicant did not provide any such information in the submission;

- (c) notwithstanding the applicant’s claim of the RCHE in Phase 1 being self-contained, SWD considered that the proposed layout which required the provision of fixed glazing and the reliance on mechanical ventilation and central air conditioning was not acceptable from the perspective of service needs. By making reference to the current proposal and the constraint of the site configuration, there might be difficulties in providing natural lighting and ventilation to the RCHE to address SWD’s comment. According to SWD, the design and construction of the proposed RCHE should comply with, inter alia, the Code of Practice for Residential Care Homes (Elderly Persons) (January 2020 Revised Edition) issued by SWD. Every room used for habitation in RCHE should be provided with adequate natural lighting and ventilation for compliance with the relevant sections of the Building (Planning) Regulations (Cap. 123F);

Proposed Vehicular Access Arrangement

- (d) whilst the Commissioner for Transport considered that the Site should be served by one single ingress/egress, he had no adverse comment on the permanent ingress/egress proposed in Phase 2 to serve the entire development as well as the temporary vehicular ingress/egress proposed in Phase 1 to serve the RCHE. However, the concern was whether the permanent vehicular access serving both Phases 1 and 2 could be realised;

Phasing

- (e) the boundaries of Phase 1 and Phase 2 were delineated according to the lot boundaries within the “CDA(3)” site. Since the applicant was only authorised by the land owner of Phase 1 (i.e. KIL 7632) to implement the Phase 1 development, the remaining six lots (i.e. KILs 6342, 6344, 7427, 7629, 7630 and 7631) were assumed to be developed together as Phase 2. Given that the notional scheme for a joint development in Phase 2 was highly unlikely and the implementability of the MLP was uncertain, the proposed phasing of the development was considered not in line with TPB PG-No. 17A. In addition, SWD also considered that the design and layout of the proposed RCHE in Phase 1 was not acceptable from the perspective of service needs;

Owners’ Consent and Planning Considerations

- (f) there was no requirement for the applicant to obtain consent from all land owners within “CDA(3)” zone if the Site was under multiple ownership. According to TPB PG-No. 17A, allowance for phased development could be considered if the developer could demonstrate with evidence that due effort had been made to acquire the remaining portion of the Site for development but no agreement could be reached with the landowner(s). In addition, in deriving the phasing of the development, the applicant had to demonstrate that the comprehensiveness of the proposed development and the individual lot owners’ landed interest would not be adversely affected, and the resultant development would be self-contained;
- (g) the comprehensiveness of the development, technical feasibility and whether the potential of industrial/residential interface problems could be address were the main considerations when assessing the MLP for a “CDA” site;
- (h) the designation of “CDA(3)” zone was intended for comprehensive development/redevelopment of the area. It was considered that the

planning intention of the “CDA(3)” zone would be undermined as Phase 1 of the development only covered a minor portion (about 13%) of the whole “CDA(3)” site and there was minimal integration with the remaining part of the Site; and

- (i) given that the proposed RCHE only covered a minor portion of the “CDA(3)” site, the Committee would need to consider whether granting planning approval for the proposed RCHE in Phase 1 would undermine the planning intention of the Site for comprehensive development and affect implementation of future redevelopments in the remaining part of the Site. As the notional scheme of Phase 2 was very broad-brush in nature and there was no consent by the concerned lot owners for a joint development as proposed by the applicant, the applicant’s claim that the Phase 2 development was self-contained could not be substantiated.

Deliberation Session

21. Whilst appreciating the applicant’s initiative to propose a RCHE within the Site to address the needs of the community, Members generally considered that the application could not be supported and expressed the following views:

- (a) the proposed layout of the RCHE with fixed glazing, mechanical ventilation and central air conditioning was considered not acceptable, and SWD’s comment that the layout was not acceptable from the perspective of service needs was noted;
- (b) a joint development of Phase 2 was assumed. However, the applicant had no control over the proposal and the implementation of Phase 2. As such, the applicant failed to demonstrate that the proposed development in the “CDA(3)” zone would be self-contained in terms of layout design and provision of transport facilities;
- (c) the proposed phasing of the development was not in line with TPB PG-No. 17A in that the applicant failed to demonstrate that the planning intention of

the “CDA(3)” zone would not be undermined, and the comprehensiveness of the proposed development would not be adversely affected; and

- (d) the lot owners of Phase 2 did raise objection to the application. The applicant failed to demonstrate that individual lot owners’ landed interest would not be adversely affected.

22. Some Members considered that the intention to provide social welfare facilities in new development should be encouraged. A Member opined that the proposed RCHE could create synergy with the existing government, institution and community facilities in the neighbourhood but the current layout design was considered not acceptable. If the applicant decided to submit an application again in future, consideration should be given to reviewing the MLP comprehensively, taking into account the concerns of SWD and the Committee, as well as to work in collaboration with other land owners within the same “CDA(3)” zone, as appropriate.

23. A Member suggested that the applicant should provide suitable level of details in the drawings to illustrate the design concept and layout in future submissions so as to facilitate the Committee’s consideration.

24. A few Members expressed general concern on the implementation progress of the “CDA” zones. In response, the Chairman said that there was mechanism to monitor the programme of “CDA” development under the biennial review of “CDA” zones.

25. After deliberation, the Committee decided to reject the application. The reason was:

“the proposed phasing of the comprehensive residential/commercial/social welfare facility development is not in line with the Town Planning Board Guidelines No. 17A in that the applicant fails to demonstrate that the planning intention of the “Comprehensive Development Area” zone will not be undermined; the comprehensiveness of the proposed development will not be adversely affected; the development of individual phases will be self-contained in terms of layout design and provision of transport facilities and the individual

- (a) background to the application;
- (b) the proposed flat, shop and services and eating place;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of seven public comments raising concerns or providing views from the Hong Kong and China Gas Company Limited, a Kowloon City District Council member and individuals were received. Major views were set out in paragraph 9 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 10 of the Paper. The proposed development generally complied with the planning intention of the “Residential (Group E)” (“R(E)”) zone and was considered not incompatible with the surrounding developments. It would also facilitate the gradual transformation of the area for residential use in the long run. Relevant technical assessments had been conducted to demonstrate that no adverse environmental, traffic, visual and landscape impacts would be resulted from the proposed development. Concerned government departments had no objection to or no adverse comment on the application, and relevant approval conditions were recommended to address their technical concerns. Approval of the application was in line with the Committee's previous decisions on other similar applications within the “R(E)”) zone. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

29. Some Members raised the following questions:

- (a) whether the proposed landscape gardens would be open to the public;
- (b) the interface of the proposed development with the adjoining road network;

- (c) the total number of flats and breakdown by flat size;
- (d) whether recycled water would be used for irrigation; and
- (e) whether the refuge floor on 27/F was mandatory or merely proposed by the applicant.

30. In response, Mr Mak Chung Hang, STP/K, provided the following main points:

- (a) the proposed landscape gardens at the podium on 2/F and 3/F were private open space for residents and their visitors only;
- (b) the application site abutted Ha Heung Road, Sheung Heung Road, Kowloon City Road and a back alley. There would be traffic noise from traffic on the East Kowloon Corridor, which was an elevated highway above Kowloon City Road located to the west of the application site. To avoid interface issues arising from the elevated roadway, the proposed residential building would be situated closer to Ha Heung Road and Sheung Heung Road to comply with the environmental requirements;
- (c) the proposed residential development would provide 201 units, with an estimated average flat size of 31.5m². According to the Traffic Impact Assessment (TIA) submitted by the applicant, 180 units would have flat size less than 40m² in Gross Floor Area (GFA), 20 units ranging from 40m² to 70m², and one unit larger than 160m². There was no requirement for the applicant to provide detailed breakdown of the flat size under a planning application;
- (d) while the applicant had submitted a Landscape Master Plan to illustrate the landscape design on each floor, there was no information on whether recycled water would be used for irrigation; and
- (e) the refuge floor cum sky garden on 27/F was proposed by the applicant.

Deliberation Session

31. Members noted that the proposed development was in line with the planning intention of the “R(E)” zone for phasing out of existing industrial uses for residential use and addressing the potential industrial/residential interface problem, the development parameters did not exceed the restrictions under the outline zoning plan, relevant technical assessments had been conducted, and concerned government departments had no objection to or no adverse comment on the application. Members in general considered that the application could be supported.

32. A Member was concerned about the small flat size proposed in the development. The Member enquired whether the breakdown of flat size could be included in the submission of planning applications to facilitate a better understanding of the proposals and whether the applicant of the subject application could be advised not to provide nano flats in the proposed development. A Member concurred while two other Members considered that detailed breakdown of flat sizes could only be confirmed at the detailed design stage and any inclusion of such preliminary information in the planning application which was scheme based might mislead the public in anticipation of final implementation of the proposal.

33. In response to Members’ concerns on flat size, the Secretary explained that the applicant was not required to submit detailed information on flat size such as detailed breakdown and the smallest flat size. That said, in the subject application, the applicant had provided the proposed range of flat size in the submitted TIA, which was mainly for the purpose of assessing the traffic impact. All the information submitted by the applicant including the technical assessments was available for public inspection. Moreover, the Committee might wish to note that there was no prevailing government policy on controlling the minimum flat size. Over the years, the Committee/the Board was concerned more about the total number of flats that were proposed in a residential development under application rather than the detailed breakdown of flat size. Given that the planning permission was granted based on the submitted scheme, should the applicant be required to provide detailed information on the flat size in the proposal, it would imply that the applicant had to follow the specific flat size under the approved scheme in taking forward the proposed development. It might be more appropriate if such information was provided as background information only, whilst allowing flexibility for the developers to propose suitable flat sizes in the

detailed design stage in response to market demand. In doing so, the relevant information could be presented in form of a footnote in the relevant Paper or by PlanD at the meeting, as appropriate, for the Committee/the Board's reference. After some discussion, Members generally agreed that applicants would be encouraged to provide the breakdown of flat size for the Committee/the Board's reference in processing future planning applications.

34. On the question of whether to include a clause advising the applicant not to produce nano flats, a Member expressed concern on the basis of inclusion of such clause as there was currently no government policy on controlling the minimum flat size and there was no clear definition on "small flat size". The Secretary also supplemented for Members' information that there was no precedent case that the Committee/the Board had included such advisory clause. Since Members' concern on the proposed flat size would be recorded in the minutes of the subject meeting, the meeting agreed that the incorporation of such advisory clause was not necessary.

35. Given the increasing number of development proposals with nano flats, some Members considered that there might be a need for the Government to formulate policy on the minimum flat size so as to safeguard the quality of the living environment of the general public. To facilitate formulation of such policy, it would be helpful if PlanD could prepare relevant information on flat size of residential developments in recent years for reference. The Chairman remarked that it was the Government's policy objective to increase land supply through a multi-pronged approach and to improve the general living quality in Hong Kong. Despite some nano flats in the market, increase in the average flat size of private housing developments had also been observed in recent years.

36. In relation to the GFA calculation, a Member was concerned whether the podium gardens and plant room areas were included in the domestic GFA calculation. Another Member was concerned that the proposed dining courtyard which might be exempted from the non-domestic GFA calculation would deprive the residents from using the open space there. The Secretary explained that the Buildings Department would determine whether the concerned areas could be exempted from GFA calculation at the building plan submission stage and PlanD would also provide comments on whether the proposed development conformed to the approved scheme. Should the concerned areas not be exempted from GFA calculation and the resultant GFA exceeded the maximum GFA approved by the Committee,

the applicant would have to submit a fresh application.

37. A Member proposed and the meeting agreed that the applicant should be encouraged to explore the possibility of using recycled water for irrigation of the landscaping features in the proposed development. In that regard, an advisory clause would be added. Another Member made a general comment that when submitting a planning application, the applicant should be encouraged to provide section plans/artist's impressions/perspective drawings for the proposed greening features, and simple line diagrams were not preferred as they might not be able to present the design concept and layout clearly for Members to fully appreciate the design concept.

38. 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 8.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission of 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;
- (b) the submission of an updated noise impact assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading works identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

39. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper with the following additional advisory clause:

“to explore the possibility of using recycled water for irrigation of the landscaping features in the proposed development.”

[Dr Frankie W.C. Yeung joined the meeting and Mr Alex T.H. Lai left the meeting during the deliberation session.]

[The Chairman thanked Mr Mak Chung Hang, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting]

A/K14/786 Proposed Wholesale Conversion of an Existing Industrial Building for 'Hotel (Guesthouse)' with 'Shop and Services' and Other Uses (including Place of Recreation, Sports or Culture/ Art Studio/ Audio-visual Recording Studio/ Design and Media Production/ Research, Design and Development Centre) in "Other Specified Uses" annotated "Business" Zone, 86 Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/786B)

40. The Committee noted that the applicants' representative requested on 29.12.2020 deferment of the consideration of the application for two months in order to allow time to prepare further information to address comments from the Transport Department. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a revised traffic impact assessment, revised plans and responses to departmental comments.

41. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the

applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for the preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 8

Any Other Business

42. There being no other business, the meeting was closed at 11:05 a.m.