

## **TOWN PLANNING BOARD**

### **Minutes of 668<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 26.3.2021**

#### **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

Dr Roger C.K. Chan

Mr C.H. Tse

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department  
Mr Gavin C.T. Tse

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Dr Sunny C.W. Cheung

Assistant Director (R1), Lands Department  
Mr Albert K.L. Cheung

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

Secretary

**Absent with Apologies**

Professor Jonathan W.C. Wong

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board  
Miss Kirstie Y.L. Law

## **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 667<sup>th</sup> MPC Meeting held on 12.3.2021

[Open Meeting]

2. The draft minutes of the 667<sup>th</sup> MPC meeting held on 12.3.2021 were confirmed without amendments.

## **Agenda Item 2**

Matter Arising

[Open Meeting]

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

**Hong Kong District**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/H12/1                      Application for Amendment to the Approved Mid-levels East Outline Zoning Plan No. S/H12/12, To rezone the application site from “Government, Institution or Community (4)”, “Residential (Group C) 1” and “Green Belt” to “Residential (Group C) 3” and to Amend the Notes of the zone applicable to the site, Nos. 15 Stubbs Road and 7 Tung Shan Terrace, Hong Kong (IL Nos. 2958 and 2939)  
(MPC Paper No. Y/H12/1)

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4.                      The Secretary reported that the application site was located at Stubbs Road, Mid-level East and the application was submitted by Lingnan Education Organisation Limited, which was the statutory stakeholder of Lingnan University (LU). Townland Consultants Limited (Townland) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Alex T.H. Lai                      -     his former firm having business dealings with LU and Townland; and

Mr Franklin Yu                      -     owning a property at Stubbs Road.

5.                      The Committee noted that the applicant had requested deferment of consideration of the application and Mr Franklin Yu had not yet arrived to join the meeting. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

6.                      The Committee noted that the applicant’s representatives requested on 10.3.2021 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 further information, and no further deferment would be granted unless under very special circumstances.

### **Kowloon District**

#### **Agenda Item 4**

##### **Section 12A Application**

[Open Meeting]

Y/K15/5            Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/25, To rezone the application site from "Comprehensive Development Area" to "Commercial (1)", "Commercial (2)" and "Government, Institution or Community" and to amend the Notes of the "Commercial" Zone , Yau Tong Marine Lots 71, 73 and 74, New Kowloon Inland Lot 6138 and Adjoining Government Land in Yau Tong Bay, Yau Tong, Kowloon  
(MPC Paper No. Y/K15/5B)

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8. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) and ERM Hong Kong Limited (ERM) were two of the consultants of the applicants. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho            -    having current business dealings with Arup;
- Mr Franklin Yu                -    his firm having business dealings with Arup; and
- Mr Alex T.H. Lai              -    his former firm having business dealings with

Arup and ERM.

9. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Franklin Yu had not yet arrived to join the meeting. As Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

10. The Committee noted that the applicants' representatives requested on 18.3.2021 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant submitted further information including responses to departmental comments, revised Sewerage Impact Assessment, revised Air Ventilation Assessment, revised Landscape Proposal and revised calculations under the Traffic Impact Assessment.

11. 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 three 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 further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/K9/14

Application for Amendment to the Approved Hung Hom Outline Zoning Plan No. S/K9/26, To rezone the application site from “Residential (Group A) 4” to “Government, Institution or Community (1)”, Hung Hom Inland Lots 238 S.F RP and 238 S.G, 37 Winslow Street, Hung Hom, Kowloon  
(MPC Paper No. Y/K9/14)

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12. The Secretary reported that the application was for proposed regularisation of the existing columbarium use and Salvation Benevolent Association Limited (SBA) was the applicant. Mr Alex T.H. Lai had declared an interest on the item for his former firm being the legal advisor of the Private Columbaria Licensing Board and having business dealings with SBA.

13. The Committee noted that the applicant had requested deferment of consideration of the application and as Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

14. The Committee noted that the applicant’s representative requested on 18.3.2021 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments and public comments. It was the first time that the applicant requested deferment of the application.

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

circumstances.

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 6**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K3/591                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Development (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, Nos. 71-75 Bedford Road, Tai Kok Tsui, Kowloon  
(MPC Paper No. A/K3/591)

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16.                      The Secretary reported that the application was withdrawn by the applicant.

[Ms Jessica Y.C. Ho, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

#### **Agenda Item 7**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K4/72                      Proposed Minor Relaxation of Building Height Restriction for Residential Development in “Residential (Group C) 1” Zone, 10 Peony Road, Kowloon Tong, Kowloon  
(MPC Paper No. A/K4/72)

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##### **Presentation and Question Sessions**

17.                      Ms Jessica Y.C. Ho, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:



- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction for permitted residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, three public comments were received, with two supporting comments from the Vice-Chairman of Sham Shui Po East Area Committee and an individual and one objecting comment from the Incorporated Owners of Jade Court. 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 ‘House’ use was in line with the planning intention of the “Residential (Group C)1” (“R(C)1”) zone, there was insufficient information to demonstrate the design and planning merits, and illustrate the proposed landscape treatment and viability of the proposed greening. The applicant had yet to demonstrate that the proposed relaxation of BH would bring about improvements to amenity of the locality. The Commissioner for Transport had reservation on the application as the applicant had not provided sufficient details to address his concerns on the provision of loading and unloading bays and parking spaces; design of vehicular access and driveway; and any adverse impact such as queuing on public road. The District Lands Officer/Kowloon West, Lands Department (LandsD) advised that the application site (the Site) fell within the Yau Yat Chuen Garden Estate (YYCGE) which comprised a building scheme. Lease modification would be required should the application be approved, and such lease modification would only be considered by LandsD where consent of all estate owners had been obtained. The Committee had previously rejected a similar application (i.e. No. A/K4/52) for minor relaxation of BH restriction within the same “R(C)1” zone on the

grounds of no design merits, insufficient information to justify the proposed relaxation of BH and setting an undesirable precedent. Rejecting this application was consistent with the Committee's previous decision. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

[Mr Franklin Yu arrived to join the meeting at this point.]

18. A few Members raised the following questions:
- (a) comparison of the BH of the proposed and existing building as well as the minor relaxation sought;
  - (b) why there was no need to apply for minor relaxation of plot ratio (PR);
  - (c) whether there was site coverage (SC) control under the outline zoning plan (OZP); and
  - (d) what planning merits or landscape proposals were submitted to justify the proposed relaxation of BH.
19. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:
- (a) the Site was currently occupied by an existing 4-storey building (with 3 storeys of residential floors over 1 storey of lower-ground carport). The application was for minor relaxation of the BH restriction from the absolute BH of 10.66m of the existing building to BH of 13.97m (including the basement floor) of the proposed scheme. The floor-to-floor (FTF) height of the existing building ranged from 2.42m to 2.75m and that of the proposed scheme ranged from 3.2m to 4.2m. As the site formation level was proposed to be lowered to accommodate the 1-storey basement, the increase of BH in terms of mPD, when compared with the existing building, was less than 1m (i.e. from 34.95mPD to 35.57mPD);
  - (b) the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) advised that there was no GFA calculation in the general building plan

(GBP) of the existing building approved in 1983. The PR of 1.9978 for the existing building now claimed by the applicant was indicated in a set of GBP approved on 5.1.2021. Under the “R(C)1” zone, the Site was subject to a maximum PR of 1.65 or the PR of the existing building, whichever was the greater. As the proposed PR of 1.944 of the current application was less than the existing PR, minor relaxation of PR was not required;

- (c) under the “R(C)1” zone, the Site was subject to a maximum SC of 55% or the SC of the existing building, whichever was the greater. The SC of the proposed scheme was 66.56%, which was slightly smaller than SC of 66.59% of the existing building; and
- (d) the applicant claimed that placing the car parking spaces and plant rooms at the basement could release space at the ground level for landscaping and could minimize disturbance to the occupants and pedestrians. The applicant had submitted an indicative rendering showing the proposed streetscape improvements with some vertical greening on the fence wall. However, the proposed reduction in SC was considered insignificant. Also, the Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD, considered that insufficient information was submitted by the applicant to illustrate the proposed landscape treatment and to demonstrate the viability of the proposed greening. The above comments were provided to the applicant, but the applicant had not provided any responses and indicated that approval conditions could be imposed if further details were required.

20. In response to a few Members’ questions about matters relating to the lease governing the Site, Ms Jessica Y.C. Ho, STP/TWK, said that the Site (NKIL No. 4620) was subject to a BH restriction of 35ft (about 10.67m) under lease and the applicant would need to apply to LandsD to modify the BH restriction if the planning application was approved. However, lease modification would only be considered by LandsD where consent of all estate owners at YYCGE had been obtained.

21. Mr Albert K.L. Cheung, Assistant Director (R1), LandsD, supplemented the following main points:

- (a) the whole YYCGE site was originally governed by one land lease. After the original grantee had completed the individual houses/developments within the estate, it applied to the Government for a separate lot number and lease to each of the individual house/development. There was no information at hand on the exact number of lots within YYCGE; and
- (b) although there were no restrictions for sale or rental of the individual house/development, as YYCGE was historically developed under a building scheme as a garden estate, the individual houses/developments were legally bounded in obtaining consents of all estate owners of YYCGE for any lease modification application. He was not aware of any lease modification application being effected in YYCGE.

22. In response to two other Members' questions, Ms Jessica Y.C. Ho, STP/TWK, said that the subject application for minor relaxation of BH restriction should mainly be assessed based on the criteria set out in the Explanatory Statement (ES) of the OZP and indicated in paragraph 8.2 of the Paper, including provision of better streetscape/good quality street level public urban space, tree preservation, planning and design merits. The decision of the Board would not override controls under other regimes, and GBP approvals and lease modifications had to be handled separately.

23. In response to a Member's question, Ms Jessica Y.C. Ho, STP/TWK, said for the similar application No. A/K4/52, the proposed minor relaxation of BH was for a more relaxed FTF height which the applicant claimed was to be commensurate with the prevailing health and sustainability standards for a low-rise development at that time. The application was rejected by the Committee in 2007 mainly on the grounds of having no design merits and insufficient information to justify the proposed relaxation of BH restriction.

#### Deliberation Session

24. The Chairman remarked that the subject application for proposed minor relaxation of BH should be assessed based on the assessment criteria as set out in ES, such as whether there were any site constraints, innovative building design, planning merits or

benefits to the streetscape/public urban space. Sufficient information should be submitted by the applicant to justify the proposed minor relaxation. Lease matters were under a separate regime and would be separately handled by the applicant.

25. A Member pointed out that despite only a minor increase of BH in mPD of about 0.6m at roof level, the overall building bulk had become larger, including a taller lift machine room and parapet wall of 1.5m that was taller than the norm. The Member considered that there was insufficient information to demonstrate the visual impact, streetscape improvement, proposed landscape treatment and viability of the proposed greening. The Member considered that the application should not be approved.

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

“ The applicant fails to demonstrate that there are planning and design merits and strong planning justifications for the proposed relaxation of building height restriction.”

[The Chairman thanked Ms Jessica Y.C. Ho (STP/TWK) for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Agenda Item 8**

#### **Section 16 Application**

[Open Meeting]

A/TW/521 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Use in “Industrial” Zone, 18-32 Fui Yiu Kok Street, Tsuen Wan, New Territories.

(MPC Paper No. A/TW/521)

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

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

### Kowloon District

#### Agenda Item 9

##### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/320                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office Development in “Other Specified Uses” annotated “Business” Zone, 13 Sheung Yuet Road, Kowloon Bay, Kowloon  
(MPC Paper No. A/K13/320A)

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28.            The Secretary reported that the application site (the Site) was located at Kowloon Bay. Townland Consultants Limited (Townland) was the consultant of the applicant. The following Members had declared interests on the item:

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

29.            The Committee noted that Professor Jonathan W.C. Wong had tendered an apology for being unable to attend the meeting. As the interests of Ms Sandy H.Y. Wong was indirect, 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

30. 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 – during the consideration of the application on 4.9.2020, the Committee decided to defer a decision on the application pending the applicant’s submission of supplementary information and clarification on building design and landscaping treatment especially within the setback areas at pedestrian level;
- (b) proposed minor relaxation of plot ratio (PR) restriction for permitted office use;
- (c) departmental comments – departmental comments were set out in paragraph 4 of the Paper and paragraph 9 of the paper in Appendix F-1;
- (d) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 5 of the Paper. The applicant had further refined the proposed scheme with increase of greenery areas; scheme refinements with tree plantings, vertical greening, seating, undercover walkway with canopy and sunshades; and increased pedestrian area in the building setback areas to enhance the pedestrian environment. Regarding the Members’ concern on the implementation of the footbridge system connecting to the application site (the Site), footbridge connection points were reserved within the Site and the applicant was aware of the pre-requisite conditions of the ‘Policy of Facilitating Provision of Pedestrian Links by Private Sector’ and would consider them in consultation with the Energising Kowloon East Office and other government departments. Concerned government departments had no adverse comments on or no objection to the application.

31. A Member enquired about the ownership and opening hours of any footbridge that might be implemented in future. In response, Mr William W.L. Chan, STP/K, said that as a pre-requisite of the ‘Policy of Facilitating Provision of Pedestrian Links by Private

Sector', the applicant(s) under the policy (e.g. the owners of the buildings directly connecting to the footbridge) were responsible for the design, construction, management and maintenance of the footbridge and provision of 24-hour barrier-free public access at such footbridge.

32. In response to two Members' questions on the proposed landscape design, Mr William W.L. Chan said that tree planting would not affect the width of the existing pavement as the planting areas would be within the setback areas within the Site. An approval condition requiring the submission and implementation of landscape proposal from G/F to 1/F of the proposed development had been recommended and was set out in paragraph 6.2(f) of the Paper.

33. Noting that different terms were used to describe the landscaping features in the landscape proposal of the submission, a Member suggested that more consistent terminologies might be adopted in relevant submissions of future applications. The Chairman said that PlanD would remind future applicants accordingly.

#### Deliberation Session

34. Members in general considered that there was an overall improvement to the proposed scheme and appreciated the applicant's efforts to enhance the proposed scheme for a better pedestrian walking environment and enhanced landscaping. A few Members said that the applicant had demonstrated efforts to provide more detailed information to better illustrate a variety of landscape design elements and architectural designs, and measures to enhance pedestrian environment. A Member said that planting trees instead of providing planters at ground level might provide more space for pedestrian circulation. Another Member said that whilst implementation of the footbridges was uncertain, it was still good to reserve footbridge connection points within the proposed development. Members considered that favourable consideration could be given to the application.

35. In response to the Vice-chairman's concern on the potential risks to the building structures due to the growth of tree roots, a Member explained that preventive measures such as the use of root protector could help prevent the problem. The Chairman also said that Members' comments on the landscaping aspect could be dealt with during compliance of



approval condition on the submission and implementation of landscape proposal.

36. 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 26.3.2025, 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 design and provision of vehicular access, vehicle parking, loading/unloading facilities and manoeuvring spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (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 Town Planning Board;
- (c) the submission of a sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment in condition (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a land contamination assessment 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 Town Planning Board; and
- (f) the submission and implementation of a landscape proposal from G/F to 1/F of the proposed development to the satisfaction of the Director of Planning or of the Town Planning Board.”

37. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix F-VII of the Paper.

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

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

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/127                      Proposed Flat, Shop and Services and Eating Place in “Residential (Group E)” Zone, 8 Sze Shan Street, Yau Tong, Kowloon  
(MPC Paper No. A/K15/127B)

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38. The Secretary reported that Townland Consultants Limited (Townland) and CYS Associates (HK) Limited (CYS) were two of the consultants of the applicant. Mr Alex T.H. Lai had declared interests on the item for his former firm having business dealings with Townland and CYS. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

#### **Presentation and Question Sessions**

39. 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) proposed flat, shop and services and eating place;

- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, seven public comments were received, including six objecting comments with one from a member of the Legislative Council, two from a Kwun Tong District Council member and three from individuals; and one from an individual providing comment; 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 the proposed residential development with shop and services and eating place uses at the application site (the Site) was considered compatible with the long term planned land use of the area and would facilitate the gradual transformation of the Yau Tong Industrial Area (YTIA) for residential use in the long run. The Environmental Assessment (EA) submitted by the applicant demonstrated that with the proposed mitigation measures, no insurmountable environmental problem was anticipated and the Director of Environmental Protection (DEP) had no objection to the application. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD advised that the proposed development would unlikely cause any significant adverse visual impact on the surroundings and various measures which would promote visual interest and pedestrian comfort were proposed. Relevant approval conditions were recommended to address the technical concerns of DEP and relevant government departments. Approval of the application was in line with the previous decisions of the Committee on other similar applications in “R(E)” zone in YTIA. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Dr Frankie W.C. Yeung joined the meeting during PlanD’s presentation.]

40. A few Members raised the following questions on design of the proposed

development:

- (a) whether the proposed greenery at the setback area along Shung Yiu Street would obstruct the public footpath;
- (b) whether the long façade of the residential blocks could fulfill the requirements under the Sustainable Building and Design Guidelines (SBDG);
- (c) whether the proposed public passage and open squares at G/F would be accessible by the public at all times and who would bear the management and maintenance responsibilities; and
- (d) accessibility to public transport, including ferries.

41. In response to Members' questions, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) a full-height setback for the provision of 2.75m-wide public footpath along Shung Yiu Street was proposed as required under the Outline Development Plan. Greenery areas were proposed in the additional voluntary setback area such that there would be no obstruction to the public footpath. A variety of greenery features, including lawn, shrubs and trees were proposed in the landscape proposal and details on implementation would be formulated during the detailed design stage;
- (b) the applicant claimed that the proposed development would comply with the SBDG requirements on building separation, building setback and site coverage of greenery. According to the calculations for assessment of permeability as shown in Drawing A-9 of the Paper submitted by the applicant, projection plane X (i.e. the longest building facade) was in compliance with the SBDG requirements. SBDG requirements would be further assessed by the Buildings Department at the general building plan submission stage;
- (c) the applicant indicated that the proposed public passage and open square at

G/F would be opened to public on a 24-hour basis. The developer would take up the management and maintenance responsibilities and such details would be further considered at the lease modification stage; and

- (d) the Site was at a distance from the ferry pier. The Site was closer to the Yau Tong MTR Station and an at-grade crossing across Shung Yiu Street near the G/F passageway was proposed to enhance pedestrian circulation and connectivity to the MTR station.

42. Several Members enquired on the following regarding provision of community facilities:

- (a) current provision and shortfall of social welfare facilities in the area; and whether social welfare facilities were provided at the new/planned developments;
- (b) how the government would increase provision of social welfare facilities in general; and
- (c) whether the developer could be requested to provide social welfare facilities at the Site, and if so, whether the floor space could be exempted from gross floor area (GFA) calculations.

43. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) there was deficit in three main types of premises-based social welfare facilities, including residential care home for the elderly, community care services facilities and child care centre based on the population-based standards reinstated in the Hong Kong Planning Standards and Guidelines (HKPSG);
- (b) there was no requirement for provision of social welfare facilities at the planned/completed residential developments in YTIA. However, social welfare facilities including integrated children and youth services centre, integrated vocational rehabilitation services centre, hostel for moderately mentally handicapped persons and neighbourhood elderly centres would be provided in a planned private comprehensive development at Yau Tong

Bay. There would also be planned welfare facilities within the public housing development in YTIA. In addition, a welfare block comprising different types of welfare facilities targeted for completion by 2027 was proposed at a site zoned “Government, Institution or Community” (“G/IC”) in Lei Yue Mun Path, which was about 400m from the Site;

- (c) the Government had adopted a multi-pronged approach to increase the provision of social welfare facilities in Hong Kong such as purchasing suitable premises for some types of social welfare facilities; setting aside 5% of GFA of future public housing projects for social welfare facilities; and stipulating requirements for provision of social welfare facilities in land sale conditions; and
- (d) there was no requirement for provision of social welfare facilities at the Site and there was no provision under the “R(E)” zone to exempt GFA of social welfare facilities.

44. In response to the Chairman’s question, Ms Jessie K.P. Kwan stated that the planning intention of “R(E)” zone was for phasing out of existing industrial uses through redevelopment (or conversion) for residential use. The primary consideration was that the residential development should be environmentally acceptable and suitable mitigation measures would be implemented to address potential industrial/residential interface problems.

45. In response to a Member’s question about the transformation of YTIA, Ms Jessie K.P. Kwan, STP/K, said that since amendments were made to land use zonings in the YTIA in 1998, some sites in YTIA had gradually been redeveloped for residential use. However, since land in YTIA was mainly privately owned, the transformation process was/would be market-driven.

46. In response to a few Members’ question about the operation of the concrete batching plants (CBPs) at the waterfront of YTIA and the environmental mitigation measures proposed at the Site, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) from land use planning perspective, CBPs should be set up in area with an appropriate land use zoning in the long term to minimise impacts on the surroundings. To this end, the Civil Engineering and Development

Department (CEDD) was currently conducting a feasibility study to identify a suitable site in Tseung Kwan O Area 137 for interested operators to set up CBPs;

- (b) an EA which included Air Quality Impact Assessment, Noise Impact Assessment, Land Contamination Assessment and Waste Management Plan was submitted to assess the environmental impacts with regard to the proposed development. Relevant environmental mitigation measures including the adoption of self-protective tower disposition, setbacks from pollution sources to the south, provision of acoustic window, acoustic balcony and fixed glazing were proposed. The EA concluded that the proposed development would not be subject to insurmountable environmental impacts with respect to air quality and noise from the CBPs and other surrounding industrial sources;
- (c) there was no information on operations of vehicles relating to the CBPs at hand; and
- (d) the operation of CBPs was subject to Specified Process Licence issued under the Air Pollution Control Ordinance (APCO), and the operators were required to submit an air pollution control plan to the Environmental Protection Department (EPD) to demonstrate that they had adopted the best practicable measures to control pollutants emission in order to meet the air quality objectives.

47. Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), EPD, supplemented the following main points:

- (a) the Site, which was more than 100m away from the CBPs, complied with the minimum air quality buffer distance requirement under chapter 9 of the HKPSG;
- (b) the Specified Process Licence issued under APCO for CBPs had stringent control on dust emission, including requirements for dust filters and enclosures of dust emitting sources. Noise impact from the CBPs was not

a key concern as a majority of the machineries were enclosed and powered by electricity;

- (c) EPD would conduct regular inspections to the CBPs and extra inspections would be carried out should there be environmental complaints; and
- (d) with mitigation measures proposed in the EA, adverse environmental impact on the future residents arising from the CBPs and nearby industrial activities would not be anticipated.

[Dr Roger C.K. Chan left the meeting during the question and answer session.]

#### Deliberation Session

48. The Chairman remarked that the planning consideration for the subject application was whether the proposed development was environmentally acceptable and that the potential industrial/residential interface would be mitigated. In that regard, DEP had no adverse comment on the application. Members in general had no objection to the application.

49. Some Members considered that to expedite transformation of YTIA, the government should endeavour to facilitate the early relocation of the CBPs, which were adversely affecting the liveability of the area and had led to public complaints. Noting the concern, the Chairman suggested and Members agreed that CEDD should be requested to expedite the concerned study, so that an alternative site could be identified and made available for the relocation of the CBPs.

50. Whilst noting that there was no requirement for provision of GIC/welfare facilities at the Site, a Member enquired whether incentives might be provided to encourage such provision. In response, the Secretary explained that in the previous round of OZP amendment, the demand for social welfare facilities had been considered and a “G/IC” site had been reserved for a social welfare complex in the area. Given the reinstatement of population-based planning standards for the provision of some social welfare facilities in 2018 and 2020, the government was working hard to make up for the shortage in some facilities through a multi-pronged approach. A Member said that a more macro perspective,



rather than a case-by-case approach, should be adopted to plan for the provision of different kinds of GIC/welfare facilities for the community. The Chairman supplemented that while there was no provision in the current OZP to exempt social welfare facilities from GFA calculation, the developers could apply for minor relaxation of PR with support of technical assessments for provision of such facilities.

51. 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 26.3.2025, 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 a revised Land Contamination Assessment and the implementation of the mitigation measures proposed therein prior to commencement of the construction works for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of a revised Environmental Assessment to address the potential air quality and noise impacts and industrial/residential interface environmental problems, and the implementation of the environmental mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of Director of Environmental Protection or of the Town Planning Board;
- (d) the implementation of the sewerage facilities identified in the Sewerage Impact Assessment in (c) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (e) the submission of a revised Traffic Impact Assessment and implementation of traffic mitigation measures identified therein for the proposed

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

- (f) the design and provision of vehicular access, and vehicle parking spaces, and loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (g) the design and provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.”

52. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI 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 11**

#### **Any Other Business**

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