

TOWN PLANNING BOARD

**Minutes of 671st Meeting of the
Metro Planning Committee held at 9:00 a.m. on 14.5.2021**

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 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 (Regional 1), Lands Department
Mr Albert K.L. Cheung

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 670th MPC Meeting held on 30.4.2021

[Open Meeting]

2. The Secretary reported that subsequent to the circulation of the draft minutes of the 670th MPC meeting to Members, proposed amendments to paragraph 39 with regard to declaration of interest were received. The Committee agreed that the minutes of the 670th MPC meeting held on 30.4.2021 were confirmed with incorporation of the above amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

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

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

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)

4. The Secretary reported that the application site (the Site) was located in Tsuen Wan and Ove Arup & Partners Hong Kong Limited (ARUP) and Singular Studio Limited (Singular Studio) were the consultants of the applicant. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho - having current business dealings with ARUP;

- Mr Franklin Yu - being a director and shareholder of Singular Studio and his firm having current business dealings with ARUP;

- Mr Alex T.H. Lai - his former firm having business dealings with ARUP;

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

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

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

Presentation and Question Sessions

6. 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 proposed minor relaxation of plot ratio (PR) restriction for permitted industrial use;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of six public comments were received, with one supporting comment from an individual, three objecting comments from a Tsuen Wan District Council member and the representative of the Incorporated Owners of Indihome and the remaining two from an individual expressing views on the application. Major views were set out in paragraph 10 of the Paper;
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was in line with the planning intention of the “Industrial” zone and the proposed building height (BH) of 100mPD complied with the Outline Zoning Plan (OZP) restriction. The Secretary for Development gave in-principle policy support to the application under the Government's new policy on revitalising pre-1987 industrial buildings (IBs) (the Policy). The proposed development would provide voluntary building setback along Fui Yiu Kok Street, a 1m-wide canopy at the main entrance, and greenery

features including vertical greening on G/F and 1/F and landscaped area on flat roof of 1/F. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD considered that the proposed measures might promote visual interest and pedestrian comfort. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Mr Wilson Y.W. Fung and Dr Sunny C.W. Cheung arrived to join the meeting during PlanD's presentation.]

7. Some Members raised the following questions:

The Application

- (a) noting that there was no PR control for the Site under lease, the reason for submitting the current application for minor relaxation of PR restriction;

Canopy

- (b) the existing canopy at the Site and whether the canopy proposed at the entrance of the building upon redevelopment could be extended;
- (c) noting that canopy projecting not more than 2m "above main entrance of the building" might be exempted from site coverage (SC) and/or PR calculations under the Building (Planning) Regulations, whether the canopy should be within the lot boundary;

Proposed Greenery Features

- (d) details of the proposed greenery features in the development;
- (e) the difference between the previously approved scheme (application No. A/TW/516) and the proposed scheme regarding greenery features;

- (f) apart from the minimum SC of greenery, whether there were other specified requirements in relation to the greenery features under the Sustainable Building Design Guidelines (SBDG);
- (g) whether the proposed vertical greening at the entrance could be ensured at the implementation stage;

BH of Surrounding Developments

- (h) noting that some objecting comments raised concerns on obstructing residents' view nearby, information on the BHs of the surrounding developments; and

Accessibility

- (i) pedestrian accessibility to the Site.

8. In response, Mr Ng Kar Shu, STP/TWK, made the following main points:

The Application

- (a) whilst there was no PR control under the lease, the proposed PR of 11.4 exceeded the maximum PR of 9.5 as specified on the OZP and hence a section 16 planning application for the proposed minor relaxation of PR restriction was required;

Canopy

- (b) with reference to the site photos on Plan A-4 of the Paper, a concrete canopy of about 1m wide was currently erected at the frontage of the two existing IBs at the Site. According to the applicant, although the provision of a full-length canopy facing Fui Yiu Kok Street on G/F would be technically feasible, the existing 3m-wide footpath only received limited

sunlight due to the width of Fui Yiu Kok Street and being flanked by existing developments on both sides of the street. In that regard, the applicant proposed a glass canopy in front of the recessed entrance on G/F instead of a full-length canopy in order to strike a balance among sunlight penetration, air ventilation and sheltering from rain at street level;

- (c) as set out in paragraph 9.1.7(b) of the Paper, the Chief Building Surveyor/New Territories West, Buildings Department (BD) advised that the proposed canopy on 1/F if projecting not more than 2m “above main entrance of the building” might not be counted for SC and PR calculations subject to the requirements under the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-19. Such exemption was applicable to canopies within the lot boundaries. According to the applicant’s proposal, the canopy was within the lot boundary;

Proposed Greenery Features

- (d) the provision of greenery coverage of 21% in the development complied with the SBDG. According to the proposed scheme, most of the proposed greenery features were located at the landscaped area on 1/F flat roof while the vertical greenery on G/F and 1/F building façade/edge facing Fui Yiu Kok Street accounted for 92m². Additional tree planting would not be provided within the 1m-wide voluntary setback area on G/F to make available the full width of the setback area for pedestrian circulation. Landscape treatment in the form of peripheral planters would be provided on 1/F whilst the species of the planters would be considered during the detailed design stage;
- (e) vertical greening on G/F and 1/F building façade/edge facing Fui Yiu Kok Street was proposed under both the previously approved scheme and the current scheme while the building façade was narrower and there was no canopy provided on the 1/F flat roof under the previously approved scheme;

- (f) regarding the greenery features, the SBDG only set out the minimum SC of greenery requirements in terms of primary zone and overall site area;
- (g) should the application be approved, the applicant would need to submit general building plans to BD for approval. BD would seek comments from relevant government departments including PlanD. At the building plan submission stage, PlanD would ensure that the proposed vertical green wall would conform to the approved scheme;

BHs of Surrounding Developments

- (h) to the east, south and west were mainly IBs and to the north across Fui Yiu Kok Street were three service apartment developments, with BHs ranging from about 100mPD to 205mPD. The proposed BH of 100mPD at the Site was not incompatible with the surrounding developments. CTP/UD&L of PlanD considered that the proposed development would unlikely induce any significant adverse visual impact on the surroundings; and

Accessibility

- (i) as shown in Plan A-6 of the Paper, MTR Tsuen Wan West Station was located about 600m to the west and MTR Tsuen Wan Station was located further away to the north with a walking time of about 20 minutes. The Site was accessible through the existing pedestrian footbridge network in Tsuen Wan.

Deliberation Session

9. The Chairman recapitulated that part of the Site (i.e. Metex House) was the subject of a previously approved application (No. A/TW/516) submitted by the same applicant for proposed minor relaxation of PR restriction from 9.5 to 11.4 (+20%) under the Policy and the current application was to facilitate a more comprehensive redevelopment including the adjoining building (i.e. Fu Yuen Industrial Building). The planning and

design merits proposed under the current scheme were similar to those under the previously approved scheme.

10. Members had some discussion on the major considerations for assessing planning applications under the Policy. Some Members expressed that in considering the planning applications, the Committee/the Town Planning Board (the Board) should have the obligation to safeguard the public interest by seeking the opportunities to improve the urban environment and promote sustainability and pedestrian walkability. In that connection, they considered that the planning/design merits under the current application should be further enhanced, in particular relating to the pedestrian environment and greenery provision, when compared to other similarly approved applications.

11. Some other Members, however, considered that given the current application was for minor relaxation of PR only, it might be too stringent to ask for additional planning/design merits which were not the requirements under the Policy. They remarked that the policy initiative was mainly to provide incentive for redevelopment of pre-1987 IBs by allowing relaxation of PR up to 20% while addressing the issues of fire safety and non-compliant uses subject to demonstration of technical feasibility. On that basis, the Committee/the Board should avoid dwelling on the details of the design and implementation matters. Instead, some design flexibility should be allowed for the applicant at the detailed design stage. If necessary, views of the Committee/the Board on the design matters could be conveyed to the applicant as advisory clauses.

12. A Member enquired whether some guidelines would need to be formulated to facilitate the Committee/the Board's consideration of such applications under the Policy. The Chairman said that such planning applications might involve minor relaxation of PR and/or BH restrictions. For those involving minor relaxation of PR restriction only, the Committee might approve the applications subject to technical assessments confirming the feasibility of allowing such in terms of infrastructure capacity, technical constraints, as well as relevant planning principles and considerations. For those involving minor relaxation of both PR and BH restrictions, the Committee should also take into account the assessment criteria for consideration of minor relaxation of BH restriction set out in the relevant OZP including the design merits/planning gains, and each such application would be considered on its own individual circumstances and merits. Such an approach was generally consistent

with that adopted by the Committee/the Board in considering planning applications for minor relaxation of PR and/or BH restrictions.

13. A Member, while expressing no objection to the subject application, opined that there was scope to enhance the design of the canopy such as provision of a full-length canopy for sheltering from sun and rain so as to improve the pedestrian environment. Noting that an automatic irrigation system connected to rainwater recycling tank and water tank with pumps would be provided for the vertical greening on G/F and 1/F, the Member considered that a more effective and sustainable recycled water irrigation system should be explored at the detailed design stage.

14. Another Member had reservation on the proposed 1m-wide canopy above the main entrance only as it might not be adequate to serve the function of weather protection and enhance the pedestrian walking environment. Regarding the vertical greening, the Member was concerned that some so-called 'vertical greenings' in other developments were indeed plastic plants and the provision of vertical greening might not be long lasting upon redevelopment.

15. In response to a Member's enquiry, the Chairman explained that it was an administrative procedure to issue an approval letter with approval conditions and recommended advisory clauses or rejection letter with rejection reasons to the applicant should an application be approved or rejected. Moreover, the discussions recorded in the minutes would enable the applicant and/or their consultants to have a better understanding of the Committee's concerns in considering the application, which could also serve as a general reference by others when submitting similar applications in future.

16. The Chairman concluded that the majority of Members considered that the application could be supported as it was in line with the relevant requirements under the Policy, including the technical feasibility and planning considerations. That said, some Members considered that there was scope to improve the design of the canopy and provide proper maintenance for the vertical greening, so as to bring about more benefits to the pedestrians. Whilst noting that such design measures could be regulated under the Buildings Ordinance at the building plan submission stage, to address Members' concerns, the Chairman proposed and the Committee agreed that advisory clauses regarding the design

of the canopy and maintenance of the vertical greening should be added.

17. 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 14.5.2025, 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 parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of an updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection works as identified in the updated sewerage impact assessment in condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) 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 the Director of Environmental Protection or of the TPB.”

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

- “(a) to explore the possibility of extending the canopy to cover the whole building frontage along Fui Yiu Kok Street; and
- (b) to provide proper maintenance for the vertical greening in the development.”

[Mr Thomas O.S. Ho and Dr Frankie W.C. Yeung joined the meeting during the deliberation session.]

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

Agenda Item 4

Section 16 Application

[Open Meeting]

A/TW/523 Proposed School (including the uses of Kindergarten, Primary School, Secondary School and Tutorial School) in “Residential (Group B) 4” Zone, Level 2, Greenview Court Shopping Centre, 644-654 Castle Peak Road, Tsuen Wan, New Territories
(MPC Paper No. A/TW/523)

19. The Secretary reported that the application site was located in Tsuen Wan. 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; and

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

20. The Committee noted that the applicant had requested deferment of consideration of the application. 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, the Committee agreed that they could stay in the meeting.

21. The Committee noted that the applicant requested on 28.4.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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

[Mr Stephen C.Y. Chan, Senior Town Planner/Tsuen Wan & West Kowloon District (STP/TWK), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/471 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 10-16 Kwai Ting Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/471B)

23. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one 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 current business dealings with ARUP; and

Mr Alex T.H. Lai - his former firm having business dealings with ARUP.

24. As Messrs Thomas O.S. Ho, Franklin Yu and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

25. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, 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 plot ratio (PR) and building height (BH) restrictions for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of six public comments were received, with five objecting comments from individuals and the remaining one from an individual objecting to/expressing concerns on the application. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The Secretary for Development (SDEV) gave policy support to the application under the Government’s new policy on revitalising pre-1987 industrial buildings (IBs) (the Policy) while noting that the proposed minor relaxation of PR

restriction of 20% was based on the PR of the existing building of 11.75 which already exceeded the maximum PR of 9.5 as specified on the Outline Zoning Plan (OZP). The Director-General of Trade and Industry considered that the proposal would put the application site (the Site) into optimal use to provide more industrial space. The proposed development would provide non-building areas (NBAs)/setbacks, a canopy along Kwai On Road and planting on street level, a communal landscape garden on 3/F, a sky garden cum refuge floor on 13/F, green roof and vertical greening. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD considered that the proposal would unlikely cause significant adverse visual impact and the proposed landscape treatments might promote visual interest and improve pedestrian environment. The Chief Architect/Central Management Division 2 of the Architectural Services Department considered that the proposed development might not be incompatible with the adjacent developments. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

26. Some Members raised the following questions:
- (a) whether it was acceptable to apply for minor relaxation of PR restriction by 20% from the existing PR of 11.75 instead of 9.5 as specified in the Notes of the OZP, and whether there was precedent case approved by the Committee/Town Planning Board (the Board);
 - (b) whether there was setback requirement for the Site and the surroundings under the relevant OZP/Outline Development Plan (ODP);
 - (c) whether there would be planters on the proposed further setback of 2.685m abutting the western public footpath of the Site; and if so, whether the concerned setback area could be accessed by pedestrians;
 - (d) whether the proposed setback areas were included in the site coverage

calculation, and whether the proposed setback areas would be surrendered to the Government;

- (e) the PR restriction and BH restriction (BHR) of the “Industrial” (“I”) zone to the east of the Site and the “OU(B)” zone in the surrounding area;
- (f) the BH profile in the area; and
- (g) pedestrian connectivity and accessibility of the Site.

27. In response, Mr Stephen C.Y. Chan, STP/TWK, made the following main points:

- (a) from policy perspective, it was in line with the Policy which allowed relaxation of the maximum permissible non-domestic PR as specified in an OZP by up to 20% for redevelopment of pre-1987 IBs. From statutory planning perspective, minor relaxation of the PR restriction as stipulated on the OZP or the PR of the existing building, whichever was the greater, could be considered by the Committee/the Board on application under section 16 of the Town Planning Ordinance. In that regard, SDEV gave policy support to the application which applied for relaxation from the existing PR of 11.75 instead of 9.5 as specified in the Notes by 20%. The subject application was the first application for minor relaxation of the PR of the existing building by 20% under the Policy;
- (b) the proposed 7m full-height NBA from the northern lot boundary abutting Kwai On Road was a requirement under the Kwai Chung ODP while the provision of a setback of up to 3.685m along the existing western footpath was proposed by the applicant voluntarily. As shown in Plan A-2 of the Paper, there were other designated NBAs to the immediate east and south of the Site as set out in the ODP;
- (c) according to the applicants, a voluntary building setback of 3.685m including 1m full height setback and 2.685m non-full height setback (15m clear height above abutting street level) from the lot boundary along the

existing passageway in the west of the Site would be provided. The concerned setback area would be paved and roadside planters would be provided along the existing passageway. The widened passageway with the provision of greenery and shelter would provide a pleasant walking environment for pedestrians;

- (d) the proposed setback areas were accountable for both site area and PR calculations. The proposed 7m full-height NBA along the boundary facing Kwai On Road would be surrendered to the Government for future road widening upon request;
- (e) both the “I” and “OU(B)” zones in the surroundings were subject to a maximum PR of 9.5. As for BHRs, the “I” zone to the east of the Site was mainly subject to a maximum BH of 120mPD while the “OU(B)” zone in the immediate surrounding area was generally subject to a maximum BH ranging from 105mPD to 150mPD;
- (f) in terms of the BH profile in the area, the proposed BH of the subject development at 121.2mPD was not incompatible with the surrounding developments, in particular Kowloon Commerce Centre (KCC) nearby with a much higher BH of 156mPD. The existing BH of KCC exceeded the BHR as stipulated on the OZP (i.e. 150mPD) as the building had already existed before the incorporation of BHRs for various development zones on the Kwai Chung OZP in 2012. CTP/UD&L of PlanD considered that proposed development would unlikely induce significant adverse effects on the visual character of the surrounding townscape; and
- (g) as shown in Plans A-2 and A-5 of the Paper, the Site was located in between MTR Kwai Hing Station and MTR Kwai Fong Station. It could either be accessed by using the existing footbridges from the MTR Kwai Hing Station across KCC and Tai Lin Pai Road or using the existing footbridges from the MTR Kwai Fong Station and across Kwai Foo Road, Kwai Chung Road and a public footpath along its western boundary (i.e. Kwai Ting Road).

28. With regard to the enquires from Mr Albert K.L. Cheung, Assistant Director (Regional 1), Lands Department, Mr Stephen C.Y. Chan, STP/TWK, said that the Transport Department and Highways Department would take up the future management and maintenance responsibilities of the setback area for road widening upon its surrender to the Government upon request. According to the applicants, the proposed sky garden would be provided for the use of tenants and visitors only and would not be open to public.

[Mr Alex T.H. Lai left the meeting during the question and answer session.]

Deliberation Session

29. Members generally considered that the proposed PR and BH were reasonable and the proposed development was not incompatible with the surrounding developments with BHRs ranging from 105mPD to 150mPD. Members, while noting that it was the first application for minor relaxation of the PR of the existing building by 20% under the Policy, generally considered that the application could be supported, taking into account the policy initiatives, the above considerations and the various planning and design merits proposed. A Member opined that there was scope to enhance the proposed scheme in respect of landscape treatments and provision of canopy so as to improve the pedestrian environment. To address the Member's concerns, the Chairman proposed and the Committee agreed that advisory clauses should be added to encourage the applicants to provide at-grade planting instead of planters on the pavement along the western boundary of the Site and explore the possibility to provide a canopy along the building edge facing Kwai Ting Road.

30. 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 14.5.2025, 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 parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;

- (b) the design and implementation of traffic measures as proposed by the applicants at their own cost prior to occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of an updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment in (c) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB.”

31. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix V of the Paper and the following additional advisory clauses:

- “(a) to provide at-grade planting on the pavement along the western boundary of the application site; and
- (b) to explore the possibility to provide a canopy along the building edge facing Kwai Ting Road.”

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Hong Kong District

[Mr Mann M.H. Chow, Senior Town Planner/Hong Kong District (STP/HK), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/H14/82 Proposed Minor Relaxation of Building Height Restriction for Permitted Hospital Use in “Government, Institution or Community” Zone, 40 Stubbs Road, Hong Kong
(MPC Paper No. A/H14/82B)

32. The Secretary reported that WSP (Asia) Limited (WSP) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item for his former firm had business dealings with WSP. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

33. With the aid of a PowerPoint presentation, Mr Mann M.H. Chow, STP/HK, 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 restriction (BHR) for permitted hospital use;
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of 56 public comments were received, with 42 objecting comments from two Wan Chai District Council

members, Incorporated Owners of Bellevue Court, Incorporated Owners of Villa Monte Rosa, Incorporated Owners of Woodland Heights, Incorporated Owners of Evergreen Villa, Rosaryhill School, companies and individuals, 13 comments from individuals expressing concerns on the application and the remaining one with no information provided. 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 application was to facilitate redevelopment of two existing buildings (Main Building and La Rue Building) of the Hong Kong Adventist Hospital (HKAH) into two new blocks with building heights (BHs) of 208.168mPD and 171.3mPD respectively and a separate lift tower with a BH of 151.5mPD at the application site (the Site), providing additional medical facilities including 96 new beds (from 135 beds to 231 beds). The proposed scheme included various design elements including building separations, stepped height design, provision of greenery and open space, etc. The Secretary for Food and Health (SFH) supported in-principle the application. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD considered that the proposed increase in BH of about 18m in the southern portion of the Site was not anticipated to bring about significantly adverse visual impact as compared to the permissible BH of 190mPD under the Outline Zoning Plan (OZP) while the Chief Architect/Central Management Division 2 of the Architectural Services Department considered that the proposed floor-to-floor height was reasonable and comparable to other hospitals. Relevant technical assessments had been conducted, and other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

34. In response to a Member's enquiry, Mr Mann M.H. Chow, STP/HK, said that the layout of the proposed Block 1 and terraced garden was shown in Drawings A-7, A-8 and A-14 of the Paper.

Provision of Medical Services

35. Some Members raised the following questions:
- (a) the existing private hospitals in Hong Kong, and whether HKAH was a non-profit making private hospital;
 - (b) whether there was a requirement for provision of low-cost wards under the lease, and the ratio of patients in terms of non-permanent residents and permanent residents; and
 - (c) whether the existing La Rue Building would be demolished upon redevelopment.
36. In response, Mr Mann M.H. Chow, STP/HK, made the following main points:
- (a) amongst the 13 private hospitals in Hong Kong, six (including HKAH) were located on Hong Kong Island. Of which, St. Paul's Hospital and Hong Kong Sanatorium & Hospital were the nearest hospitals to the Site. HKAH was a non-profit making private hospital;
 - (b) according to the proposal, an additional 96 new hospital beds would be provided in the redevelopment. Requirements such as service scope and service standards of the hospital would be confirmed among the Food and Health Bureau, the Lands Department and the project proponent at the lease modification stage. There was no information in hand regarding the ratio of patients in terms of non-permanent residents and permanent residents; and
 - (c) the existing La Rue Building would be demolished and replaced by a new block upon redevelopment.

Development Restrictions and OZP-Compliant Scheme

37. Some Members raised the following questions:
- (a) whether the Site was subject to plot ratio (PR) restriction under the OZP;
 - (b) whether planning permission was required for redevelopment for hospital use at the Site, and whether it was possible to redevelop the Site under the OZP-compliant scheme; and
 - (c) whether there were any additional gross floor areas (GFAs) generated from the proposed scheme as compared with the OZP-compliant scheme.
38. In response, Mr Mann M.H. Chow, STP/HK, made the following main points:
- (a) there was no PR restriction for the Site under the OZP;
 - (b) hospital use was a Column 1 use which was always permitted within the “Government, Institution or Community” zone. The redevelopment involved minor relaxation of BHR from 190mPD to 208.168mPD in the southern portion of the Site and thus planning permission was required. Given a 60% site coverage (SC) allowed under the Building (Planning) Regulations (B(P)R), it would be possible to accommodate additional medical facilities under the OZP-compliant scheme as compared with those of the existing hospital. Compared with the OZP-compliant scheme, the proposed scheme could reduce the building bulk and enhance visual and air permeability by providing larger building separations from the adjacent developments and in between the two new blocks so as to minimise the potential impacts; and
 - (c) there was no information regarding the additional GFAs generated from the proposed scheme as compared with the OZP-compliant scheme. Whilst there was no PR or SC restriction for the Site under the OZP, the applicant could redevelop the Site based on the permitted PR and SC of 15 and 60% respectively under the B(P)R. According to the applicant, the proposed minor relaxation of BHR was considered necessary to accommodate the

required floor-to-floor height so as to meet the operational needs and improve the building separations.

Car Parking Spaces and Traffic Impact

39. In response to a Member's enquiries on the reason for increasing the car parking spaces from 82 to 184 and its traffic impact on the surroundings, Mr Mann M.H. Chow, STP/HK, said that the proposed provision of car parking spaces was based on the number of hospital beds and the upper end requirements stipulated in the Hong Kong Planning Standards and Guidelines, which was considered acceptable by the Transport Department (TD). The visiting time of the hospital would not clash with the school peak hours in the surrounding areas.

Accessibility and Pedestrian Environment

40. Two Members raised questions on accessibility to the Site and how the proposed scheme could improve the pedestrian environment. In response, Mr Mann M.H. Chow, STP/HK, said that the Site was accessible via Stubbs Road and served by various modes of public transport including green minibus, bus and taxi. Visitors who were currently arriving on foot needed to walk up the curved and sloping access road at the Site. On pedestrian environment, with the proposed lift tower abutting Stubbs Road and connecting to Block 2, the accessibility to the Site would be significantly improved. The proposed terraced garden would form a green gateway to the proposed redevelopment and could improve pedestrian walking experience and pedestrian environment.

Public Comments and Public Consultation

41. Some Members raised the following questions:
- (a) regarding the objecting public comments received, whether the proposed redevelopment would cause potential nuisance to the neighbourhood, and any justification for the proposed development period of 15 years; and
 - (b) whether consultation with the local residents had been conducted.

42. In response, Mr Mann M.H. Chow, STP/HK, made the following main points:
- (a) the public mainly expressed concerns on health impact arising from the potential air/noise nuisance during the construction period. According to the applicant, the whole development period of 15 years covered about three years for administrative and planning work, lease modification and general building plans submission, and about 12 years for construction works. The construction works was tentatively scheduled for commencement in 2023 for completion by 2035. The duration of the construction period was comparable to other hospital redevelopment projects which involved demolition and decanting of existing medical facilities. For instance, the construction period of the St. Paul's Hospital Phase I & II Redevelopment was about 11 years; and
 - (b) due to the COVID-19 pandemic, public consultation was conducted by the applicant in the form of a public survey in June 2020 and videos regarding the redevelopment of HKAH were sent to the local residents and relevant stakeholders. The applicant had closely liaised with the nearby Rosaryhill School and committed that construction works, which would generate noise nuisance, would not be carried out during the examination periods.

Site Optimisation

43. In view of the increasing demand for healthcare services, two Members asked whether the expansion of HKAH could be further explored by providing more hospital beds instead of car parking spaces. In response, Mr Mann M.H. Chow, STP/HK, said that as the Site was not close to MTR Station and there was no public vehicle park in the surrounding area, TD advised that the applicant should provide adequate car parking spaces in-situ for the use of visitors, patients and staff. According to the applicant's proposal, there would be an increase of 100% in all the medical facilities and services provided in HKAH upon redevelopment. The proposed new beds and other advanced medical facilities were sufficient to cater for the needs in the coming 15 to 20 years.

Criteria for Minor Relaxation of BHR

44. A Member, while noting that applications for minor relaxation of BHR would be considered on its own merits and the relevant criteria as set out in paragraph 7.3 of the Paper, asked for more elaboration on how the proposed scheme had fulfilled the relevant criteria. In response, Mr Mann M.H. Chow, STP/HK, said that various design measures were proposed in the proposal, such as provision of lift tower and landscaped gardens, in order to enhance the pedestrian circulation and visual amenity. The applicant had also proposed building separations to enhance visual and air permeability, including separations from 7m to 15m between Block 1 and Block 2, and from 15m to 20m from the adjacent residential developments. CTP/UD&L of PlanD considered that the proposed increase in BH of about 18m would not bring about significant adverse visual impact as compared to the permissible BH of 190mPD under the OZP. In response to the same Member's enquiry, Mr Mann M.H. Chow, STP/HK, said that the applicant had not provided comparison drawings showing the difference between the OZP-compliant scheme and the proposed scheme.

[Mr Thomas O.S. Ho left the meeting during the question and answer session.]

Deliberation Session

45. The Chairman remarked that the subject application was for minor relaxation of BHR from 190mPD to 208.168mPD in the southern portion of the Site to facilitate the redevelopment of HKAH, and the Site was not subject to PR or SC restriction under the OZP.

46. Most Members indicated support to the application and considered that the relaxed BH of 208.168mPD was not incompatible with the surrounding area with BHs ranging from 120mPD to 378mPD. A Member appreciated the applicant's effort in minimising the visual impact by adopting stepped BH design to respect the existing natural topographical profile. Although comparison drawings between the OZP-compliant scheme and the proposed scheme were not available, the same Member considered that the proposed scheme would achieve a better urban design than the OZP-compliant scheme given that the proposed building separations from the adjacent developments could enhance visual and air permeability. Members noted that the Buildings Department and other relevant government departments including PlanD would scrutinise the proposed development at the building plan

submission stage to ensure that the proposed development would conform to the approved scheme. Another Member who expressed support to the application suggested that the applicant should further improve the scheme by providing more design treatments, in particular to the building design of Block 2 and the proposed terraced garden at the slope at the detailed design stage so as to promote visual interest. Given the long construction period of the proposed development, a Member considered that further local consultation should be conducted by the applicant in taking forward its proposal.

47. A Member expressed concern on the low utilisation rate of some private hospitals in Hong Kong. The same Member considered that without any detailed information on the increase in GFA under the proposed scheme and having taken into account the design of the proposed redevelopment which should have room to improve, it might not be justifiable for the proposed minor relaxation of BHR sought. The Member also said that in consideration of similar applications, it might be helpful if PlanD could consult the relevant bureaux/departments on the overall supply and demand of hospital beds in the territory for Members' information. Some Members, in view of the increasing demand for healthcare services, opined that the applicant might consider providing more hospital beds as far as possible to meet the need and alleviate public hospitals' pressure.

48. The Chairman summarised that the majority of Members had no objection to the proposed minor relaxation of BHR sought having regard to the various planning and design merits proposed by the applicant. With regard to some Members' view that more hospital beds should be provided under the proposed scheme to meet the public need, it would be up to the applicant to decide at the detailed design stage. Moreover, subject to further liaison between the applicant and the relevant bureaux/departments, the requirement for provision of low-cost wards in the hospital could be included in the lease conditions during the lease modification stage. As regards some Members' concern on the design treatments of the proposal and the need to conduct further local consultation, suitable advisory clauses could be included to that effect. Members agreed.

49. 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 14.5.2025, 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 traffic impact assessment or traffic review, and implementation of the road improvement works identified therein (if any), to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of internal transport facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a natural terrain hazard study and the implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB; and
- (d) the submission of a land contamination assessment in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB.”

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

- “(a) to provide more design treatments to the building blocks and the terraced garden at the slope so as to promote visual interest; and
- (b) to conduct further local consultation in taking forward the proposal.”

[The Chairman thanked Mr Mann M.H. Chow, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Agenda Item 7

Any Other Business

51. There being no other business, the meeting was closed at 12:20 p.m.