

**TOWN PLANNING BOARD**

**Minutes of 679<sup>th</sup> Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 10.9.2021**

**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 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

**Absent with Apologies**

Mr Thomas O.S. Ho

**In Attendance**

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

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

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 678<sup>th</sup> MPC Meeting held on 27.8.2021**

[Open Meeting]

2. The draft minutes of the 678<sup>th</sup> MPC meeting held on 27.8.2021 were confirmed without amendments.

## **Agenda Item 2**

### **Matter Arising**

[Open Meeting]

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

**Tsuen Wan and West Kowloon District**

[Ms Jessica Y.C. Ho, Senior Planning Officer/Tsuen Wan and West Kowloon (STP/TWK), and Ms Winsome W.S. Lee, Town Planner/Tsuen Wan and West Kowloon (TP/TWK), were invited to the meeting at this point.]

**Agenda Item 3**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K4/74                      Proposed Residential Institution (Student Hostel) with Minor Relaxation of Building Height Restriction in “Government, Institution or Community (7)” Zone, Tat Hong Avenue, Shek Kip Mei, Kowloon  
(MPC Paper No. A/K4/74A)

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4.                      The Secretary reported that the application was submitted by the City University of Hong Kong (CityU). KTA Planning Limited (KTA), Leigh & Orange Limited (L&O), MVA Hong Kong Limited (MVA), Urbis Limited (Urbis), WSP (Asia) Limited (WSP) and Beria Consultant Limited (Beria) were six of the consultants of the applicant. The following Members had declared interests on the item:

- Dr Lawrence W.C. Poon    -    being a senior lecturer of CityU;
  
- Ms Sandy H.Y. Wong        -    being a part-time lecturer of CityU;
  
- Mr Stanley T.S. Choi        -    his close relative being a board member of CityU;
  
- Mr Thomas O.S. Ho         -    having current business dealings with MVA and Urbis;
  
- Mr Alex T.H. Lai            -    his former firm had business dealings with CityU, L&O, MVA, WSP and Beria;

- Mr Daniel K.S. Lau - being a member and an ex-employee of the Hong Kong Housing Society which had business dealings with KTA; and
- Professor John C.Y. Ng - his close relative being a Managing Director of Beria.

5. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Ms Sandy H.Y. Wong had yet to join the meeting. As the interest of Dr Lawrence W.C. Poon was direct, the Committee agreed that he should be invited to leave the meeting temporarily during the deliberation of the item. As the interests of Mr Daniel K.S. Lau and Professor John C.Y. Ng were indirect and Messrs Alex T.H. Lai and Stanley T.S. Choi had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Dr Lawrence W.C. Poon left the meeting temporarily at this point.]

#### Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Ms Winsome W.S. Lee, TP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed residential institution (student hostel) with minor relaxation of building height (BH) restriction;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, a total of 128 public comments were received, including one supporting comment from the Director of Campus Development of the Hong Kong Polytechnic University, 45 objecting comments, 79 comments expressing concerns and three from individuals not indicating any view. 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 made in paragraph 11 of the Paper. The proposed development was generally in line with the planning intention of the “Government, Institution or Community (7)” (“G/IC(7)”) zone and was considered not incompatible with the surrounding residential and student hostel developments. The Secretary for Education and the University Grants Committee (UGC) Secretariat had given policy support to the application and considered the application site (the Site) suitable for the proposed student hostel development as it was located close to CityU's existing hostels and Main Campus with convenient access to public transport. The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) considered that the proposed development with a BH at 136mPD would unlikely induce significant adverse effects on the visual character of the surrounding townscape. The measures incorporated in the proposed scheme such as building setback from the site boundaries and reduced site coverage of the hostel blocks might help mitigate the air ventilation impacts on the downwind areas, and the building separation between the hostel blocks might promote building permeability and bring about some localised improvement to the immediate surrounding wind environment as compared to the baseline scheme. Other concerned government departments had no objection to or no adverse comments on the application. There was one approved similar application (No. A/K4/71) for ‘Residential Institution (Student Hostel)’ use with the same minor relaxation of BH restriction sought under the current application (i.e. from 112mPD to 136mPD) within the same “G/IC(7)” zone. Approval of the application was in line with the previous decision of the Committee. Regarding the public comments, the comments of government departments and the planning assessments above were relevant.

### *The Site and its Surroundings*

7. Some Members raised the following questions:

- (a) comparison of the extent of excavation under the proposed scheme and the baseline scheme;
- (b) the massing of surrounding developments and whether the proposed development would break the view of the ridgeline in the background;
- (c) the existing and planned university facilities and the estimated number of students in the area; and
- (d) the original intended use of the subject “G/IC(7)” site.

8. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:

- (a) the Site was sloping from 78.6mPD at Tat Hong Avenue in the south, 92mPD at the existing platform and around 120mPD in the north abutting Lung Yuet Road. In order to provide the required number of hostel places (999 beds), the baseline scheme with a BH of 112mPD (complying with the BH restriction under the Outline Zoning Plan (OZP)) would require extensive excavation and site formation, hence resulting in a longer period of construction. The proposed scheme with a BH of 136mPD would largely be built on the existing platform that would require a smaller extent of excavation and site formation;
- (b) the photomontages in Drawings A-12 and A-14 of the Paper showed that, to the east, south and west of the Site were mainly the existing and planned university facilities with similar massing and BHs from about 75mPD to 136mPD. To the further east was a residential development, namely Mount Beacon, with BHs ranging from about 86mPD to 109mPD. The proposed BH of the subject development at 136mPD was not incompatible with the surrounding developments in terms of the BH profile in the area. The photomontage in Drawing A-14 of the Paper showed that the proposed scheme would not break the view of the ridgeline of Beacon Hill as viewed from the Shek Kip Mei Park in the south;

- (c) as shown on Plan A-1 of the Paper, to the east was the planned hostel of the Hong Kong Polytechnic University (PolyU) approved under application No. A/K4/71. To the south across Tat Hong Avenue was the existing CityU student hostels. To the southwest was the Run Run Shaw Creative Media Centre of CityU. To the further south across Cornwall Street was the Main Campus of CityU. There was no proposal for other planned university facilities in the area. There was no information on the total number of students in the area; and
- (d) part of the subject “G/IC(7)” site was originally reserved for the provision of a joint universities’ soccer pitch. With the approved hostel development of PolyU and the subject hostel of CityU taking up part of the “G/IC(7)” site, the UGC Secretariat would continue to discuss with the user universities to explore the development of a mini-soccer pitch in the remaining area of the subject “G/IC(7)” site to the northeast of the Site.

#### *Student Hostel Development*

9. Some Members raised the following questions:
- (a) the current number of hostel spaces available for CityU students and the targeted number of hostel spaces;
  - (b) whether the hostel would be for undergraduate or postgraduate students;
  - (c) provision of recreational and ancillary facilities in the development;
  - (d) any requirement for buffer distance to address impact of vehicular emission;
  - (e) whether there was any environmental-friendly facilities/design in the proposed scheme such as promoting food waste recycling, enhancing natural ventilation and reducing the use of air conditioning; and
  - (f) whether the washrooms in the proposed student hostel were private or



communal.

10. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:

- (a) the existing student hostels of CityU to the south of the Site comprised 11 blocks, providing 3,692 bed spaces. According to CityU's Master Plan for student hostel development, the proposed scheme providing 999 bed spaces could meet part of CityU's projected shortfall of hostel of 3,167 bed spaces while the remaining shortfall would be met in another CityU's hostel development in Ma On Shan previously approved by the Committee. The total number of existing and planned hostel bed spaces would be 6,859;
- (b) the projected shortfall of hostel places was estimated having regard to the student hostel policy under the Hostel Development Fund, i.e. all undergraduate students should be given the opportunity of staying in student hostel for at least one year of their programme, student hostel places would be provided for undergraduate students who had to travel to and from the campus daily for more than four hours, and hostel places for all research postgraduate students. As the project was at a planning stage, the allocation of hostel places between undergraduate and postgraduate students was yet to be determined;
- (c) various recreational and communal facilities such as gym, meeting rooms and multi-function rooms would be provided within the hostel development. There was also an indoor sports centre at the Main Campus of CityU which was currently under construction. Further extension of the proposed jogging trail in the slope area westward to the Shek Kip Mei Reservoir Playground would be explored in future;
- (d) the buffer distances required under the Hong Kong Planning Standards and Guidelines for mitigating the impacts of vehicular emission were 20m from Lung Cheung Road (a primary distributor road) and 5m from Tat Hong Avenue (a local distributor road). A 41m setback (including a buffer distance for vehicular emission of 20m) was proposed in the north of the Site to minimise the traffic noise from Lung Cheung Road/Lung Yuet Road.

The proposed hostel blocks would be situated in the south of the Site closer to Tat Hong Avenue with a setback distance of 41m from Lung Yuet Road in the north. Other noise mitigation measures including noise conscious design would also be adopted in the detailed design stage;

- (e) information on environmental-friendly facilities/design had not been provided, but Members' view could be conveyed to the applicant for their consideration in the detailed design stage; and
- (f) according to the floor layout in Drawings A-6 and A-7 of the Paper, communal washrooms and pantries would be provided in the proposed student hostel.

*Air Ventilation and Sunlight Permeability*

11. Some Members raised the following questions:
  - (a) whether the applicant had submitted an Air Ventilation Assessment (AVA) in support of the application;
  - (b) noting that a wind corridor was proposed in the northeast/southwest direction whilst the summer prevailing wind was from the east and southeast, whether the building disposition had taken account of the prevailing wind;
  - (c) whether there would be adequate natural ventilation and sunlight permeability for hostel units facing the courtyard, particularly those in the southeast corner of the Site; and
  - (d) whether the applicant had examined any alternative option in building disposition and layout.
12. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:
  - (a) the applicant had submitted an AVA (Expert Evaluation) (AVA-EE) and

the CTP/UD&L, PlanD considered that the proposed scheme would have a better ventilation performance as compared to the baseline scheme. The AVA demonstrated that the proposed building separation between the hostel blocks would allow wind to penetrate through the Site from the southwest to northeast and might promote building permeability and bring about some localised improvement to the immediate surrounding wind environment;

- (b) given that the downwind areas under various prevailing winds were relatively open and some of them were at a higher elevation of over 120mPD, it was unlikely that the proposed scheme would induce significant adverse impact on the surrounding pedestrian wind environment when compared to the baseline scheme. The measures incorporated in the proposed scheme such as building setback from the site boundaries and reduction in site coverage of the hostel blocks might help reduce the potential wake area in the downwind areas;
- (c) there would be hostel units facing both the internal courtyard and the surrounding developments in the proposed scheme. Block 1 and Block 2 were separated from Block 3 by the courtyard to provide a corridor to allow wind to penetrate through the Site and assist natural ventilation of the rooms; and
- (d) the proposed scheme mainly utilised the existing platform in the south to minimise encroachment onto the sloping area in the north to avoid excavation work and creation of extensive retaining walls. The applicant indicated that they had explored a scheme with one long block located on the existing flat platform but it would require a BH of 164mPD and was not adopted.

#### *Tree Preservation and Landscape Provision*

13. Some Members raised the following questions:

- (a) details of tree felling and compensatory planting;

- (b) details of the proposed landscape treatment;
- (c) whether the greenery at the slope area was included in the greenery coverage calculation; and
- (d) whether recycled water would be used for irrigation.

14. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:

- (a) the Site comprised a platform area in the south and sloping area in the north. A total of 588 existing trees of common species mainly on the slopes in the north were proposed to be felled while only 99 trees could be compensated within the development due to the geographical conditions and the proposed treatment of the slope being unsuitable for tree planting. Besides, a large portion of the platform would have to be used to accommodate the hostel blocks. Given that no old and valuable trees nor species of conservation value were identified within the Site and the “G/IC” zone was intended for development purpose, submission of tree preservation and removal proposal nor 1:1 tree compensation was not required by relevant government departments;
- (b) according to the applicant’s Landscape Layout Plan in Drawing A-10 of the Paper, an amphitheatre and lawn were proposed at the platform in the south between the hostel blocks. A jogging trail was proposed at the slope area in the north. The applicant considered that tree planting at the upper slope area that would remain very steep upon the slope stabilisation and re-compaction works was not suitable for tree planting. Hydro-seeding with shrubs was hence proposed for greening the slope surface. Tree planting was mainly proposed along the building edges and boundaries of the southern portion of the Site;
- (c) greenery proposed at the slope area in the north was included in the greenery coverage of 20%; and

- (d) irrigation points would be installed for manual irrigation in the south while automatic sprinkler irrigation would be provided on the slopes in the north. The applicant had not proposed the use of recycled water but they would explore such possibility in the detailed design stage, which was one of the considerations to achieve a gold rating under BEAM Plus.

*Pedestrian Connectivity and Accessibility of the Site*

- 15. Some Members raised the following questions:
  - (a) whether pedestrian connectivity between the Site and the surroundings needed to be improved and whether it was possible to provide a more direct route to the Main Campus of CityU;
  - (b) accessibility of the Site;
  - (c) how residents in residential developments to the north of Lung Cheung Road could get across Lung Cheung Road; and
  - (d) whether there were any design treatments to enhance the walking environment and the pedestrian experience.
  
- 16. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:
  - (a) there were two existing pedestrian footbridges across Cornwall Street as shown on Plan A-2 of the Paper. The footbridge in the east connecting the existing hostel of CityU with the Main Campus of CityU was for the use of the students and staff of CityU only while the footbridge in the west was open to public. The applicant's Traffic Impact Assessment demonstrated that even with the proposed hostel, the existing pedestrian facilities and crossings would still be well within their design capacities and it was not necessary to improve the pedestrian connections. According to the applicant, a pedestrian footbridge between the proposed hostel and the existing CityU hostel in the south could be explored in future to provide a more direct route to the Main Campus of CityU;

- (b) it was expected that the students living in the hostel would mainly commute on foot to the Main Campus of CityU along Tat Chee Road. The Site was located about 900m from the MTR Kowloon Tong Station and was served by various modes of public transport including green minibuses and buses;
- (c) the residents in the residential developments to the north of Lung Cheung Road mostly commuted by private cars, but they could walk along an existing ramp with footpath at Mont Rouge to get across Lung Cheung Road; and
- (d) with reference to Drawing A-16 of the Paper, the applicant would provide setback from the podium edge abutting Tat Hong Avenue and stepping greenery elements to enhance the streetscape and walking environment.

*Others*

17. Some Members raised the following questions:
- (a) whether the mini-soccer pitch to the northeast of the Site would be opened for public use; and
  - (b) the possibility of sharing the ancillary facilities between the hostels of the two universities (CityU and PolyU).
18. In response, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:
- (a) the UGC Secretariat would liaise with relevant universities on the provision of the mini-soccer pitch and the detailed arrangements, including whether it would be opened for public use, would be confirmed at a later stage; and
  - (b) the ancillary communal and recreational facilities within the proposed development would be available for use by other CityU hostel residents only. There were ancillary facilities within the PolyU hostel as well. There was no information on sharing of ancillary facilities between

residents in the CityU and PolyU hostels, and the two universities might have their own security concerns.

19. In response to two Members' enquiries on public consultation and the opposing public comments received, Ms Jessica Y.C. Ho, STP/TWK, said that the applicant had sent letters to Mount Beacon to offer a briefing and consultation session but there was no response received. The applicant had also consulted some members of the Sham Shui Po District Council. Some opposing comments received during the statutory publication period were submitted by the local residents. The objection grounds on declining student intake stated in one of the opposing comments received were not substantiated with any supporting data.

[Mr Franklin Yu and Dr Frankie W.C. Yeung joined the meeting during the question and answer session.]

#### Deliberation Session

20. The Chairman said that the Site was a "G/IC(7)" zone that was intended for development, there was policy support for the proposed hostel development which was generally compatible with the surroundings, and the proposed scheme with minor relaxation of BH restriction was to better utilise the Site taking account of the site constraints and without entailing a longer period of construction.

21. Members generally supported the application as the proposed development could provide hostel spaces for students of CityU to address the hostel shortage and the proposed BH of 136mPD was generally compatible with that of the surrounding developments as well as the PolyU hostel previously approved by the Committee and to be constructed at an adjacent site. That said, some Members considered that there was scope to further refine the design and layout of the proposed development to improve air ventilation and sunlight permeability of the hostel development. A Member also opined that the adjacent approved PolyU hostel had a better layout and design as compared to that of the subject application. Moreover, a Member suggested that the applicant should explore the possibility of adjusting the disposition of Block 3 northward to increase the building gap between Block 1 and Block 3 so as to improve air ventilation and sunlight permeability of the hostel rooms in the detailed design stage.

22. Whilst Members noted that the “G/IC(7)” zone was intended for development and there were constraints on the sloping site, some Members considered that the applicant should make more efforts to minimise tree felling and improve the landscape treatment especially increasing compensatory tree planting as far as possible. In particular, it was considered that the landscape proposal for the sloping area in the north (which accounted for 40% of the Site) should be enhanced. A Member also suggested that the applicant should be encouraged to use recycled water for irrigation of the proposed landscape areas.

23. A few Members opined that the applicant should consider providing a footbridge connecting the proposed development with the existing student hostel of CityU so as to provide a more direct route to the Main Campus of CityU as soon as possible upon funding approval.

24. Regarding some Members’ views on the possibility of sharing ancillary facilities between the hostels of the CityU and PolyU and allowing public use of/access to the mini-soccer pitch, the Chairman suggested that Members’ views could be conveyed to the UGC for consideration and if appropriate, it could co-ordinate with the relevant universities. Members agreed.

25. The Chairman concluded that Members in general supported the application but considered that the applicant should be encouraged to take into account Members’ views on enhancement to the layout and design of the proposed development, providing better pedestrian connections to the existing student hostel and the Main Campus of CityU, reducing tree felling, improvement on tree compensation and landscaping, use of recycled water for irrigation and adoption of environmentally-friendly measures/design in the detailed design stage. In that connection, the Chairman proposed and the Committee agreed that appropriate advisory clauses should be added.

26. 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 10.9.2025, 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 an updated noise impact assessment and the implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection 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; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated sewerage impact assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

27. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper and the additional advisory clauses as below:

“to note the comments of the Committee:

- (i) to improve the layout and design of the proposed development for better air ventilation and sunlight permeability;
- (ii) to provide a footbridge to connect the site with the existing student hostel of CityU to the south so as to provide a more direct route to the Main Campus of CityU;
- (iii) to minimise tree felling and improve tree compensation and landscaping;
- (iv) to use recycled water for irrigation of the landscaped areas; and
- (v) to adopt environmentally-friendly measures/design in the proposed development.”

[Mr Alex T.H. Lai left the meeting during the deliberation.]

[The Chairman thanked Ms Jessica Y.C. Ho, STP/TWK, and Ms Winsome W.S. Lee, TP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Dr Lawrence W.C. Poon rejoined the meeting and Ms Sandy H.Y. Wong joined the meeting at this point.]

#### **Agenda Item 4**

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

[Open Meeting]

A/K5/833            Shop and Services in "Other Specified Uses" annotated "Business (2)"  
Zone, Portion of Workshop C4, G/F, Block C, Hong Kong Industrial  
Centre, 489-491 Castle Peak Road, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K5/833A)

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28.            The Committee noted that the applicant's representative requested on 31.8.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address Fire Services Department's comments.

29.            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 month 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

### **Kowloon District**

[Ms Katy C.W. Fung, District Planning Officer/Kowloon (DPO/K), and Mr Mak Chung Hang, Senior Planning Officer/Kowloon (STP/K), were invited to the meeting at this point.]

#### **Agenda Item 5**

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

[Open Meeting (Presentation and Question Sessions only)]

A/K10/265            Proposed Comprehensive Residential and Commercial (Shop and Services) Development in “Comprehensive Development Area (3)” Zone, Kowloon Inland Lots 6342, 6344, 7427, 7629, 7630, 7631 and 7632, Mok Cheong Street and Sung Wong Toi Road, Ma Tau Kok, Kowloon  
(MPC Paper No. A/K10/265D)

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30.            The Secretary reported that the application site (the Site) was located in Ma Tau Kok. Kenneth To & Associates Limited (renamed to KTA Planning Limited) (KTA) and Archiplus International Limited (AI) were two of the consultants of the applicant. The following Members had declared interests on the item:

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| Mr Daniel K.S. Lau | - being a member and an ex-employee of the Hong Kong Housing Society which had business dealings with KTA; |
| Mr Alex T.H. Lai   | - his former firm had business dealings with AI;<br>and  |
| Mr C.H. Tse        | - his close relative owning a flat in Ma Tau Kok.  |

31. The Committee noted that Mr Alex T.H. Lai had already left the meeting. As the interest of Mr Daniel K.S. Lau was indirect and the property owned by Mr C.H. Tse's close relative had no direct view of the Site, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed comprehensive residential and commercial (shop and services) development;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, a total of 40 public comments were received, including one supporting comment from an individual, 35 opposing comments from three registered lot owners within the "Comprehensive Development Area (3)" ("CDA(3)") site, a company and individuals, and four providing views from the registered lot owner of an industrial building in the adjacent "CDA(2)" site, The Hong Kong and China Gas Company Limited and individuals. Major views were set out in paragraph 11 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 12 of the Paper. The proposed development was in line with the planning intention of the "CDA(3)" zone and could act as a catalyst for redevelopment of industrial buildings thereat. The proposed scheme was generally compatible with the existing and planned land uses in the area. The proposed phased development was generally in line with the principles set out in Town

Planning Board Guidelines No. 17A (TPB PG-No.17A). The Commissioner for Transport noted that five vehicular accesses were proposed for the subject development due to multiple ownership and had no objection to the application, though in general a comprehensive development at a certain scale should be considered within one “CDA” site and hence one vehicular access should be provided. The Director of Environmental Protection had no objection to the application having considered the findings of the technical assessments that there would be no adverse noise and air quality impacts from industrial uses on the proposed residential development. Other concerned government departments had no objection to or no adverse comment on the application. The Site was the subject of a previous application No. A/K10/264 for proposed comprehensive residential and commercial development with a Residential Care Home for the Elderly, which was rejected by the Committee on 8.1.2021. Compared to No. A/K10/264, the Master Layout Plan (MLP) submitted in the current application generally fulfilled the requirement of TPB PG-No. 17A. There were seven approved similar applications for proposed comprehensive residential and commercial developments in the adjacent “CDA(2)” site, and approval of the application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

*The Site and its Surroundings*

33. The Chairman and some Members raised the following questions:
- (a) location of the existing factory cum sheltered workshop of the Hong Kong Society for Blind (HKSB);
  - (b) number of lots in the Site;
  - (c) planning intention and background of the “CDA(3)” zone;
  - (d) noting that no government, institution and community (GIC) facilities were

proposed in the development scheme, whether there was information on the provision of GIC facilities in the area; and

- (e) apart from the previous application No. A/K10/264 and the subject application, whether there was other MLP submitted for the “CDA(3)” zone.

34. In response, Ms Katy C.W. Fung, DPO/K, made the following main points:

- (a) the factory cum sheltered workshop of the HKSB was located to the immediate east of the Site in the “Government, Institution or Community” (“G/IC”) zone. The HKSB had planned for in-situ redevelopment at its site;
- (b) the Site covered seven lots and the development was proposed to be implemented in five phases. Phases 1a and 1b comprising two lots would be implemented by the applicant and another lot owner who had authorised the applicant to make the planning application. Phases 2a, 2b and 2c (Phase 2) comprising five lots would be implemented by their respective lot owners;
- (c) the planning intention of the “CDA(3)” zone was for comprehensive development/redevelopment for residential and/or commercial uses with the provision of open space and other supporting facilities, as well as to phase out existing industrial activities. The Site and its adjacent sites in the street block bounded by Sung Wong Toi Road, Kowloon City Road, Mok Cheong Street and To Kwa Wan Road were identified in the Feasibility Study for South East Kowloon Development as one of the priority areas for urban reconstruction for residential and commercial uses and were rezoned from “Industrial” and “G/IC” to “CDA” in 1998. Noting the fragmented ownership and implementability of one large single “CDA” site, the Board agreed to sub-divide the “CDA” zone into three “CDA” sub-zones (i.e. “CDA(1)”, “CDA(2)” and “CDA(3)”) in 1999. According to TPB PG-No. 17A, phased development could be allowed if the “CDA” site was under multiple ownership and the relevant planning considerations had been

complied with;

- (d) there was a shortfall of child care centre and community care services in the Ma Tau Kok area, but there was provision of existing and planned GIC facilities in the Kai Tak Development Area to the north of the Site across Sung Wong Toi Road, which would also meet the needs of the local residents; and
- (e) other than the previously rejected application (No. A/K10/264) and the subject application, there was no MLP submitted for the “CDA(3)” zone since its designation in 1999.

*Owners’ Consent and TPB PG-No. 17A*

35. Some Members raised the following questions:

- (a) considerations taken in determining whether the applicant had fulfilled the requirement of demonstrating efforts to acquire the remaining portion of the Site as set out in TPB PG-No. 17A;
- (b) whether the Committee had approved other phased developments within any “CDA” zone;
- (c) with regard to the adverse comments received, whether the development rights and interests of lot owners in Phase 2 would be undermined if the application was approved; and
- (d) noting that Phases 1a and 1b only covered about 40% of the whole “CDA(3)” site, whether it could be considered as a comprehensive development, and to what extent a MLP for a “CDA” site could be considered as acceptable.

36. In response, Ms Katy C.W. Fung, DPO/K, made the following main points:

- (a) to fulfill the requirement under TPB PG-No. 17A which stated that the

developer would need to demonstrate with evidence that due effort had been made to acquire the remaining portion of the “CDA” site for development not owned by him/her, the applicant had sent letters to the remaining lot owners, inviting them to discuss the possibility of a joint development. However, no agreement could be reached. Letters were sent by registered mail to the other five lot owners under Phase 2 in 2019 and 2020 before submission of the application to the Town Planning Board to enquire about the possibility for a joint development of the “CDA(3)” site, seek their comments on the MLP submission and inform them about the application submission. In that regard, it was considered that the applicant had generally fulfilled the said requirement of TPB PG-No. 17A;

- (b) the “CDA(2)” site to the immediate west of the Site was the subject of two previously approved planning applications (i.e. No. A/K10/256 and A/K10/259) submitted by the lot owners of the entire “CDA(2)” site. Although no agreement could be reached by the lot owners for a joint development, the respective lot owners had submitted MLPs for the “CDA(2)” site, both of which were proposed to be implemented in phases. The applications were approved by the Committee as the proposed phased development was generally in line with TPB PG-No. 17A;
- (c) Phase 2a (KIL 7632) and Phase 2c (KIL 7427) could be developed individually by its respective lot owner. Phase 2b (i.e. KILs 7629, 7630 and 7631) involved the amalgamation of three lots as KIL 7630 was very small and might be difficult to develop on its own, and KIL 7631 was a land locked lot with no vehicular access. Lot owners of Phase 2 could separately submit section 16 planning applications for approval by the Board to amend the MLP when taking forward their own proposals; and
- (d) considerations such as the comprehensiveness of the development and technical feasibility would be taken account of when assessing a MLP for a “CDA” site. Since the proposed development comprised seven lots, it was difficult to acquire all sites for a joint development. The proposed development at each phase, as demonstrated in the submitted MLP, was considered technically feasible and self-contained in terms of layout design



and provision of open space, vehicular access and transport facilities.

*Others*

37. Some Members raised the following questions:
- (a) how the subject application would be handled if the previous application No. A/K10/264 was approved by the Committee in early 2021;
  - (b) future maintenance and management of the proposed setback areas from Sung Wong Toi Road and Mok Cheong Street; and
  - (c) whether there would be implication on right-of-way of lots in Phase 2 if the MLP was approved.
38. In response, Ms Katy C.W. Fung, DPO/K, made the following main points:
- (a) the previous application No. A/K10/264 for proposed comprehensive residential (flat) and commercial (shop and services) development with a Residential Care Home for the Elderly was rejected by the Committee on 8.1.2021 on the grounds that the MLP was broad brush and the applicant failed to demonstrate that the submitted MLP was in line with TPB PG-No. 17A. Nevertheless, if an application within the same “CDA” zone was approved by the Committee, the applicant of the subsequent application would need take it into account the approved application when preparing the MLP;
  - (b) the proposed setback areas from Sung Wong Toi Road and Mok Cheong Street were landscaped walkways. The lot owners would be responsible for the maintenance and management of the setback areas; and
  - (c) with reference to Drawing A-2 of the Paper, Phases 1a and 1b had their own ingress/egress points and the existing right-of way under the lease was retained in the MLP.

### Deliberation Session

39. The Chairman recapitulated that the “CDA(3)” zone had been rezoned for more than 20 years and the proposed phased development was generally in line with TPB PG-No. 17A. In this regard, Members could also consider whether the proposed development was a feasible option to provide a catalyst for redevelopment of the remaining lots. Members noted that there were only two planning applications (i.e. No. A/K10/264 and the subject application) submitted in the “CDA(3)” zone since its designation in 1999.

40. Some Members opined that the MLP was not the most desirable from comprehensive development perspective, as the development would be implemented in five phases with multiple vehicular ingress/egress that might impact on the streetscape and pedestrian environment. A Member was also concerned that approval of the subject application might set a precedent for similar ‘not so comprehensive’ applications within a “CDA” zone.

41. Some Members raised concern on the comprehensiveness of development within “CDA” zone. In response, the Secretary explained that whilst the intention for “CDA” zoning was for comprehensive development, there were circumstances where the intention might not be able to materialise. As such, a mechanism was put in place to monitor the progress of development in “CDA” zones under the biennial review of “CDA” zones. The Board had in the past decided to sub-divide large “CDA” zones, especially for those under fragmented ownership, to facilitate their implementation. Examples included the subject “CDA” as well as the “CDA” in the Yau Tong Industrial Area. The Board might also consider to rezone the “CDA” zones to other appropriate zonings, such as “Residential (Group E)”, to further facilitate redevelopment if the foreseeable prospect of comprehensive development was low. In such cases, however, the lots would be subject to separate developments without the guidance of a MLP as required in a “CDA” zoning.

42. Whilst Members generally considered that there was room for a more comprehensive layout, they were also of the view that the application was generally in line with the planning intention of the “CDA(3)” zone; it could act as a catalyst for redevelopment of the existing industrial buildings within the “CDA(3)” zone that had been designated for

more than 20 years; the Phases 1a and 1b developments, which would be implemented first, comprised a sizable portion of the “CDA(3)” zone; the proposed phased development was generally in line with TPB PG-No. 17A; the remaining phases were self-contained; and the landed interests of the remaining lots in Phase 2 would not be adversely affected if the MLP was approved. On balance, Members considered that the application could be approved as a means to kickstart the redevelopment process in the “CDA(3)” zone taking account of the long history of the designation of the “CDA(3)” zone.

43. With regard to a Member’s suggestion on shortening the commencement period from four years to say three years to facilitate advancement of the development programme, the Chairman said that a commencement period of four years was reasonable given that the applicant had to comply with a number of approval conditions and that it was consistent with the approval period for permanent developments normally granted by the Board.

44. 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 10.9.2025, 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 and implementation of a revised Master Layout Plan to incorporate the approval conditions as stipulated in conditions (b) to (j) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a revised drainage impact assessment and implementation of the mitigation measures identified therein for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB;

- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (e) the submission of an updated noise impact assessment and implementation of noise mitigation measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (f) 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;
- (g) the design and provision of vehicular access, parking spaces, loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (h) the design and implementation of junction improvement works, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (i) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (j) the submission of a development programme indicating the timing and phasing of the comprehensive development to the satisfaction of the Director of Planning or of the TPB.”

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

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

left the meeting at this point.]

[The Chairman thanked Ms Katy C.W. Fung, DPO/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

## **Agenda Item 6**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K9/276            Proposed Shop and Services in "Other Specified Uses" annotated  
                         "Business" Zone, Workshop B (Portion), G/F, Eldex Industrial Building,  
                         No. 21 Ma Tau Wai Road, Hung Hom, Kowloon  
                         (MPC Paper No. A/K9/276)

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### **Presentation and Question Sessions**

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

- (a) background to the application;
- (b) the proposed shop and services;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one supporting comment from an individual was received. 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 applied use was generally in line with the planning intention of the "Other Specified Uses" annotated "Business" zone and was considered

compatible with the changing land use character of the area. The applied use generally complied with the Town Planning Board Guidelines No. 22D in that it would not induce adverse fire safety and environmental impacts on the developments within the subject industrial building (IB) and the adjacent areas. Should the application be approved, the aggregate commercial floor area approved by the Committee on the G/F of the subject IB would be 229.9m<sup>2</sup>, which was within the maximum permissible limit of 230m<sup>2</sup> (for IB not fully protected with sprinkler system). Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

47. Members had no question on the application.

#### Deliberation Session

48. 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 was subject to the following conditions:

- “(a) the submission and implementation of fire services installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 10.3.2022; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

[Miss Helen H.Y. Chan, Senior Planning Officer/Kowloon (STP/K), was invited to the meeting at this point.]

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K11/239            Proposed Shop and Services in “Other Specified Uses” annotated  
“Business” Zone, Workshop D on G/F including the glass panel  
enclosing the shop front and one A/C platform on 1/F, Midas Plaza, 1  
Tai Yau Street, San Po Kong, Kowloon  
(MPC Paper No. A/K11/239)

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50.            The Secretary reported that KTA Planning Limited (KTA) and Archiplus International (Hong Kong) Limited (AI) were the consultants of the applicant. The following Members have declared interests on the item:

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

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

51.            The Committee noted that Mr Alex T.H. Lai had already left the meeting. As the interest of Mr Daniel K.S. Lau was indirect, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

52.            With the aid of a PowerPoint presentation, Miss Helen H.Y. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed shop and services;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the statutory publication period;  
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 generally in line with the planning intention of the “Other Specified Uses” annotated “Business” zone and was considered compatible with the changing land use character of the area. The proposed use generally complied with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) in that it would not induce adverse fire safety and environmental impacts on the developments within the subject industrial building (IB) and the adjacent areas. Should the application be approved, the aggregate commercial floor area approved by the Committee on the G/F of the subject IB would be about 312m<sup>2</sup>, which was within the maximum permissible limit of 460m<sup>2</sup> (for IB protected with a sprinkler system). Concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of a previous application (No. A/11/201) for ‘Shop and Services (Property Agency)’ use and there were three approved similar applications for ‘Shop and Services’ use on the G/F of the subject IB. Approval of the application was in line with the previous decisions of the Committee.

53. In response to a Member's question, Miss Helen H.Y. Chan, STP/K, explained that the subject building was protected with a sprinkler system and the maximum permissible limit for aggregate commercial floor area was 460m<sup>2</sup> in accordance with TPB PG-No. 22D.

#### Deliberation Session

54. 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 10.9.2023, 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 and implementation of a proposal on the fire safety measures before operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and

(b) if the above planning condition (a) is not complied with, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Miss Helen H.Y. Chan, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

### **Agenda Item 8**

#### Any Other Business

56. There being no other business, the meeting was closed at 12:15 p.m.