

TOWN PLANNING BOARD

**Minutes of 681st Meeting of the
Metro Planning Committee held at 9:00 a.m. on 15.10.2021**

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 Paul Y.K. Au

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
Mr C.K. Yip

Secretary

In Attendance

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

Chief Town Planner/Town Planning Board
Mr Eric C.Y. Chiu

Town Planner/Town Planning Board
Mr Gary T.L. Lam

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 680th MPC Meeting held on 24.9.2021

[Open Meeting]

2. The draft minutes of the 680th MPC meeting held on 24.9.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Hong Kong District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/H1/2 Application for Amendment to the Draft Kennedy Town & Mount Davis Outline Zoning Plan No. S/H1/21, To rezone the application site from “Government, Institution or Community”, “Green Belt” and area shown as ‘Road’ to “Government, Institution or Community (2)”, Inland Lot 7704 RP (Part) (109, 111 & 113 Pok Fu Lam Road and 13, 15, 17, 19 & 21 Pokfield Road, Hong Kong)
(MPC Paper No. Y/H1/2)

4. The Secretary reported that the application was submitted by the University of Hong Kong (HKU). Llewelyn-Davies Hong Kong Limited (LD), MVA Hong Kong Limited (MVA) and WSP Hong Kong Limited (WSP) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|------------------------|---|---|
| Dr Roger C.K. Chan | - | being an Honorary Associate Professor of HKU; |
| Mr Wilson Y.W. Fung | - | being the Chairman of the Accounting Advisory Board of School of Business, HKU; |
| Mr Thomas O.S. Ho | - | having current business dealings with MVA and past business dealings with LD; |
| Mr Alex T.H. Lai | - | his former firm having business dealings with HKU and WSP; |
| Ms Lilian S.K. Law | - | being an Adjunct Associate Professor of HKU; and |
| Professor John C.Y. Ng | - | being an Adjunct Professor of HKU. |

5. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had not yet joined the meeting. As the interest of Dr Roger C.K. Chan was direct, the Committee agreed that he could stay in the meeting but

should refrain from participating in the discussion. As the interest of Mr Wilson Y.W. Fung was indirect, and Mr Thomas O.S. Ho, Ms Lilian S.K. Law and Professor John C.Y. Ng had no involvement in the application, the Committee agreed that they could stay in the meeting.

6. The Committee noted that the applicant's representative requested on 28.9.2021 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.

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

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/H10/13 Application for Amendment to the Approved Pok Fu Lam Outline Zoning Plan No. S/H10/19, To rezone the application site from "Green Belt" to "Government, Institution or Community", Government Land to the East of 3 Sassoon Road, Pok Fu Lam, Hong Kong
(MPC Paper No. Y/H10/13)

8. The Secretary reported that the application was submitted by the University of Hong Kong (HKU) and the application site was located in Pok Fu Lam. MVA Hong Kong Limited (MVA) and Urbis Limited (Urbis) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Dr Roger C.K. Chan - being an Honorary Associate Professor of HKU;
- Mr Wilson Y.W. Fung - being the Chairman of the Accounting Advisory Board of School of Business, HKU;
- Mr Thomas O.S. Ho - having current business dealings with MVA and Urbis;
- Mr Alex T.H. Lai - his former firm having business dealings with HKU;
- Ms Lilian S.K. Law - being an Adjunct Associate Professor of HKU;
- Professor John C.Y. Ng - being an Adjunct Professor of HKU;
- Professor T.S. Liu - having current education programme with the Caritas Pokfulam Community Development Project Centre at Pok Fu Lam Village; and
- Professor Jonathan W.C. Wong - his brother living in Wah Fu Estate.

9. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had not yet joined the meeting. As the interest of Dr Roger C.K. Chan was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As the interests of Mr Wilson Y.W. Fung and Professor T.S. Liu were indirect, and Mr Thomas O.S. Ho, Ms Lilian S.K. Law and Professor John C.Y. Ng had no involvement in the application and the flat of Professor Jonathan W.C. Wong's brother had no direct view of the application site, the Committee agreed that they could stay in the meeting.

10. The Committee noted that the applicant's representative requested on 29.9.2021 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.

11. After deliberation, the Committee decided to defer a decision on the application

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

Kowloon District

Agenda Items 5 to 8

Section 12A Applications

[Open Meeting]

Y/K9/15 Application for Amendment to the Draft Hung Hom Outline Zoning Plan No. S/K9/27, To rezone the application site from "Residential (Group A) 4" to "Residential (Group A) 7", Hung Hom Inland Lots 240 S.A RP, 241 S.C RP and 241 RP, 11A and 15 Winslow Street, Hung Hom, Kowloon
(MPC Paper No. Y/K9/15 to 18A)

Y/K9/16 Application for Amendment to the Draft Hung Hom Outline Zoning Plan No. S/K9/27, To rezone the application site from "Residential (Group A) 4" to "Residential (Group A) 7", Hung Hom Inland Lots 239 S.F and 239 RP, 21 and 23 Winslow Street, Hung Hom, Kowloon
(MPC Paper No. Y/K9/15 to 18A)

Y/K9/17 Application for Amendment to the Draft Hung Hom Outline Zoning Plan No. S/K9/27, To rezone the application site from "Residential (Group A) 4" to "Residential (Group A) 7", Hung Hom Inland Lot 494, 1 and 2 Wa Fung Street, Hung Hom, Kowloon
(MPC Paper No. Y/K9/15 to 18A)

Y/K9/18 Application for Amendment to the Draft Hung Hom Outline Zoning Plan No. S/K9/27, To rezone the application site from “Residential (Group A) 4” to “Residential (Group A) 7”, Hung Hom Inland Lot 266 RP, 244-248 Chatham Road North and 2A-2B Cooke Street, Hung Hom, Kowloon
(MPC Paper No. Y/K9/15 to 18A)

12. The Committee agreed that as the four s.12A applications for proposed amendments to the draft Hung Hom Outline Zoning Plan were similar in nature, the application sites were located in close proximity to one another and the applicants were represented by the same agent, they could be considered together.

13. The Secretary reported that the four application sites were located in Hung Hom. The following Members had declared interests on the items:

Mr Alex T.H. Lai - his former firm being the legal advisor of the
Private Columbaria Licensing Board; and

Mr Stanley T.S. Choi - owning a property in Hung Hom.

14. The Committee noted that the applicants had requested deferment of consideration of the applications and Mr Alex T.H. Lai had not yet joined the meeting. As the property of Mr Stanley T.S. Choi had no direct view of the application sites, the Committee agreed that he could stay in the meeting.

15. The Committee noted that the applicants’ representative requested on 27.9.2021 deferment of consideration of the applications for two months so as to allow more time to prepare further information to address the comments of Transport Department. It was the second time that the applicants requested deferment of the applications. Since the last deferment, the applicants had submitted further information to address departmental comments.

16. After deliberation, the Committee decided to defer a decision on the applications

as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the applications should be submitted for its consideration within three months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of further information. Since it was the 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.

Tsuen Wan and West Kowloon District

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

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K2/219	Proposed Massage Establishment in "Commercial" Zone, 14/F, Full Win Commercial Centre, 573 Nathan Road, Mong Kok, Kowloon (MPC Paper No. A/K2/219)
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17. The Secretary reported that the application site was located in Yau Ma Tei. Mr Stanley T.S. Choi declared an interest on the item for his spouse being a director of a company which owned properties in Yau Ma Tei. As the properties owned by the company of Mr Stanley T.S. Choi's spouse had direct view of the application site, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

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

Presentation and Question Sessions

18. With the aid of a PowerPoint presentation, Mr Clement C.M. Miu, STP/TWK, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

19. The Vice-chairman and some Members raised the following questions:

- (a) noting that some massage services were already being provided in the subject beauty parlour, what the main reason was for seeking planning permission for a proposed massage establishment, and whether certain types of massage services were allowed without a Massage Establishments Licence (MEL) from the Police Licensing Office (PLO);
- (b) what the requirements for obtaining a MEL from the PLO were; and the effective period of a MEL;
- (c) details on the operation of the proposed massage establishment;
- (d) whether the planning permission would lapse if there was a change in the operator of the massage establishment;
- (e) noting from the layout plans provided by the applicant, one of the entrances/exits of the premises near the fire exit of the building had been modified, whether the existing beauty parlour had applied to the Building Authority for such alteration and addition works;
- (f) whether there were objections to the application from the incorporated owners of the subject building;
- (g) whether there were other beauty parlours within the subject building and whether they also offered massage services; and

- (h) whether there were similar applications for massage establishment in the vicinity of the subject building.

20. In response, Mr Clement C.M. Miu, STP/TWK, made the following main points:

- (a) a MEL was not required if massage was administered in a beauty parlour in full view of customers or a massage establishment where no massage other than face, scalp, neck, shoulder, hand, arm or foot massage was administered to customers and no full-body massage was administered to customers by a person of the opposite sex. The massage service currently provided in the existing beauty parlour was exempted from obtaining a MEL as it fitted the above criteria. However, in order to provide better services and confidence to the customers, the applicant would like to apply for a MEL from the PLO. Upon obtaining the MEL, a wider range of services could be offered to its customers. A valid planning permission from the Board was a prerequisite for a MEL application. According to the Notes of the Yau Ma Tei Outline Zoning Plan (OZP) No. S/K2/23, ‘Commercial Bathhouse/Massage Establishment’ use within the “Commercial” zone required planning permission from the Board;
- (b) an applicant for MEL would need to meet stringent requirements set out by the PLO on various aspects, such as fulfilling the requirements from relevant departments on building, fire safety and security aspects. The effective period of a MEL was normally 12 months. An extension of validity for an additional 12 months might be granted by the PLO if the massage establishment was not the subject of any complaints or violation of licensing requirements. During the application process, the PLO would circulate the proposal to all relevant government departments for comments. A transfer of MEL would normally not be considered by the PLO unless under exceptional circumstances. Regular monitoring would be conducted by the Police and violations in the licensing requirements could result in enforcement actions;
- (c) the existing beauty parlour had been operating for three years and offering

facial, salon and massage services, with the massage service provided in rooms which were not fully enclosed. The maximum capacity of the beauty parlour with the proposed massage establishment was 20. No further details on the operation of the beauty parlour/proposed massage establishment were provided by the applicant. A plan showing the existing layout of the premises as provided by the applicant was in Drawing A-1 of the Paper;

- (d) in general, an expiry of the MEL or a change in the operator would not result in lapsing of the planning permission;
- (e) there was no record that the existing beauty parlour had applied to the Building Authority for alteration and addition works;
- (f) no comment from the incorporated owners of the subject building on the application was received;
- (g) there were beauty parlours on three other floors of the subject building. No massage services were offered in those beauty parlours; and
- (h) all six similar applications for massage establishment within commercial buildings in Yau Ma Tei had been approved since 1996. A similar application (No. A/K2/155) within a composite commercial/residential (C/R) building was rejected by the Board due to non-compliance with the Town Planning Board Guidelines No. 14B (TPB-PG No. 14B) for 'Application for Commercial Bathhouse and Massage Establishment under Section 16 of the Town Planning Ordinance' in that no separate access was provided, and there was potential nuisance to the occupants of the C/R building and setting of an undesirable precedent.

[Messrs Alex T.H. Lai and Franklin Yu and Dr Frankie W.C. Yeung joined the meeting during the question and answer session.]

Deliberation Session

21. The Chairman recapitulated that according to TPB-PG No. 14B, the main concern of the Board on commercial bathhouse and massage establishment was to ensure that the use would not cause nuisance to nor be incompatible with other occupants within the same building or the surrounding developments. The subject premises was located within a commercial building and the likelihood of the proposed use causing nuisance was relatively low. Besides, the applicant would still need to meet all applicable statutory or non-statutory requirements of relevant government departments set out by the PLO during the MEL application stage should the planning application be approved. He further said that the six similar applications for massage establishment within commercial buildings in Yau Ma Tei since 1996 had all been approved by the Board.

22. A Member asked whether the planning permission, if granted, should be on a permanent or temporary basis, noting that the operator of the massage establishment might change from time to time. The Chairman said that the current application was for a proposed massage establishment that was permanent in nature, and had different planning considerations compared with applications for temporary planning approval, e.g. temporary shop and services in industrial buildings. The Chairman further said that planning permission granted under section 16 of the Town Planning Ordinance usually ran with the site/premises, and it was not uncommon for agents/new land owners/operators of a site/premises to implement the proposed use.

23. Two Members suspected that there might be unauthorised building works (UBW) relating to means of escape at the subject premises and enquired on the effectiveness of the monitoring mechanism to ensure the operation of the proposed massage establishment would comply with all relevant regulations and licensing requirements. In that regard, Members noted that Lands Department, Buildings Department (BD) and Fire Services Department (FSD) would each carry out monitoring and enforcement work for matters under their ambit. On the issue of suspected UBW, layout plans of the premises for massage establishment would be circulated to relevant departments including BD and FSD during the MEL application stage. The MEL application would not be approved if there was any UBW at the premises. The Chairman remarked that currently there was no evidence to show that there were UBW at the subject premises. Furthermore, there had been no complaint nor

report received with regard to irregularity at the application premises. Should the application be approved, the PLO would continue to monitor the massage establishment for any violation of conditions under the MEL and took follow-up actions as appropriate.

24. Two Members considered that the application could be approved as it was in line with TPB-PG No. 14B and adverse planning implications, such as incompatibility with other existing uses in the building, were not anticipated.

25. 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 15.10.2025, 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 fire service installations and water supplies for firefighting before the operation of the 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 before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.’

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

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

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

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

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/832 Proposed Industrial Use (Dangerous Goods Store) in “Other Specified Uses” annotated “Business (2)” Zone, Portion of Workshop A6, 1/F, Block A, Hong Kong Industrial Centre, 489-491 Castle Peak Road, Kowloon
(MPC Paper No. A/K5/832B)

Presentation and Question Sessions

27. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TWK, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

28. Some Members raised the following questions:

- (a) noting that the dangerous goods store (DGS) under application was located within an existing jewellery workshop that had operated for many years, why the application for DGS was only submitted at the current juncture, given that many manufacturing activities in Hong Kong had relocated to the Mainland;
- (b) the nature and the quantity of Dangerous Goods, i.e. nitric acid, to be stored at the proposed DGS, and the number of workers of the subject jewellery workshop;
- (c) how the dangerous goods would be delivered to the premises, whether Fire Services Department (FSD) had any specific requirement on the transportation route, and whether any associated safety measures, including training to the workers, were proposed by the applicant;
- (d) whether there were any specific requirements from the FSD on storage of

nitric acid;

- (e) whether the proposed DGS within a jewellery workshop was in line with the planning intention of the “Other Specified Uses” annotated “Business (2)” (“OU(B)2”) zone;
- (f) whether there were other similar applications for DGS in support of a jewellery workshop; and
- (g) noting that some public comments had raised concerns that the proposed DGS would affect the safety of a nearby petrol filling station (PFS), the location of the subject PFS.

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

- (a) the subject jewellery workshop had all along been using nitric acid in their manufacturing process. As the amount of nitric acid currently stored within the workshop was below the exempted level as per “Dangerous Goods (Application and Exemption) Regulation 2012” (Cap. 295 sub. Leg. E) and “Dangerous Goods (Application and Exemption) Regulation 2012 (Amendment) Regulation 2021”, i.e. less than 50 litres, a Dangerous Goods Licence (DGL) from the FSD was not required. According to the applicant, which was a major jewellery manufacturer/retailer in Hong Kong, some of the jewellery manufacturing operations would be moved back to Hong Kong from the Mainland. In view of this, it was anticipated that the usage of nitric acid would increase and the amount required to be stored at the subject premises might exceed the exempted level. As such, a DGL from FSD as well as planning permission from the Board were required;
- (b) nitric acid was a corrosive substance classified as Category 3 Dangerous Goods under the Dangerous Goods Ordinance. The proposed DGS within workshop A6 of the subject building had a total floor area of about 7.04m². According to the applicant, the amount of nitric acid to be stored at the proposed DGS would not exceed 1,200 litres and the monthly usage within the jewellery workshop was about 420 litres. Suitable fire service

installations would be provided to the satisfaction of FSD. The applicant had not provided the number of workers of the subject jewellery workshop;

- (c) the proposed transportation route for collection and transportation of Dangerous Goods and chemical waste as submitted by the applicant was shown in Drawing A-2 of the Paper. All workshops on 1/F of the building were currently occupied by the applicant. The applicant would provide suitable training to its staff members on handling of nitric acid and the related chemical waste. Contingency plans against spillages, leakages or accidents would also be put in place;
- (d) to ensure the safety of the proposed DGS, detailed fire safety requirements would be formulated by FSD upon receipt of formal submission of general building plans and application for the DGL. Generally, FSD had very specific requirements on design of DGS to ensure safety, including the type of fire-resistant materials and ventilation system being used, location and layout of the DGS, and the design of doors etc. Full details on storage of Dangerous Goods would also be submitted to FSD in the licensing stage. Approval from the Buildings Department on the general building plans was also required;
- (e) the applicant had not indicated any change of operation of the existing jewellery workshop on 1/F of the building. The subject jewellery workshop, which was an 'Industrial Use', had been in operation since 1982 when the subject building was zoned "Industrial" on the then OZP. Despite that Dangerous Goods, nitric acid in the current case, was used in the jewellery manufacturing process, the main use of the jewellery workshop remained generally non-polluting in nature. The proposed DGS was not in conflict with the planning intention of the "OU(B)2" zone;
- (f) there was no similar planning application for DGS in support of a jewellery workshop. There was also no information on the operational details of other jewellery retailers/manufacturers in Hong Kong. It was possible that some of the manufacturing process of the major jewellery retailers were

done in the Mainland, or their workshops in Hong Kong did not involve storage of Dangerous Goods exceeding the exempted amount, hence, DGL from FSD was not required; and

- (g) a PFS was located on the opposite side of Tung Chau West Street.

30. In response to a Member's questions regarding the usage and disposal of chemicals at the subject premises, Ms Jessica Y.C. Ho, STP/TWK, said that the applicant had registered with the Environmental Protection Department (EPD) as Chemical Waste Producer pursuant to Waste Disposal Ordinance (Cap. 354) and thus the chemical waste disposal would be subject to stringent requirements as set out in the Waste Disposal Ordinance. The applicant would need to arrange a Licensed Waste Collector for the collection and removal of chemical waste, and was also required to observe relevant requirements in handling the chemicals under Dangerous Goods Ordinance, Waste Disposal Ordinance and Water Pollution Control Ordinance. Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), EPD, supplemented that it was not uncommon to use nitric acid as a cleansing agent for jewellery product. Under the Waste Disposal Ordinance, there were requirements for a registered Chemical Waste Producer to ensure that chemical wastes were properly stored and disposed. He also noted from the application that laboratory fume hoods and scrubbers would be provided in isolated rooms in the subject workshop to treat the emissions of gases and acid fumes. In addition, no irregularity had been noticed in a recent site inspection conducted by EPD in March 2021.

Deliberation Session

31. Two Members said that the use of nitric acid in manufacturing processes was quite common. There was stringent control from relevant departments including FSD and EPD on the handling of Dangerous Goods and chemical waste. Provided suitable safety measures were in place, the proposed DGS was not expected to cause any major concerns on safety. They also considered that approval of the application could provide support to the jewellery manufacturing industry in Hong Kong.

32. 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 15.10.2025, 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 provision of fire service installations and water supplies for fire-fighting 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 before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

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

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

Agenda Item 11

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/523B)

34. 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.

35. 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.

36. The Committee noted that the applicant requested on 23.9.2021 and 6.10.2021 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 third time that the applicant requested deferment of the application. No further information was submitted since the last deferment.

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/528 Proposed Shop and Services in “Comprehensive Development Area (3)” Zone, Workshop A, G/F, Wong’s Factory Building, 368-370 Sha Tsui Road, Tsuen Wan, New Territories
(MPC Paper No. A/TW/528)

38. 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.

39. 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.

Presentation and Question Sessions

40. With the aid of a PowerPoint presentation, Mr K.S. Ng, STP/TWK, briefed Members on the background of the application, the proposed use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

41. Members had no question on the application.

Deliberation Session

42. 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 15.10.2025, 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 fire service installations before operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the provision of means of escape separated from other industrial portions before operation of the proposed use to the satisfaction of the Director of Fire Services or of the TPB; and
- (c) if any of the above planning condition (a) or (b) is not complied with before operation of the proposed use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

43. 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 Mr K.S. Ng, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 13

Section 16 Application

[Open Meeting]

A/TW/529 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services and Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 46-48 Pak Tin Par Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/529)

44. 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.

45. 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.

46. The Committee noted that the applicant's representative requested on 24.9.2021 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.

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

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/475 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Use in “Industrial” Zone, 14-15 Yip Shing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/475A)

Presentation and Question Sessions

48. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, STP/TWK, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

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

49. Some Members raised the following questions:
- (a) whether the application was received under the policy initiative on revitalisation of pre-1987 industrial building (IB) as announced by the Government in 2018 (the Policy);
 - (b) what the main uses of the subject IB upon redevelopment were;
 - (c) whether the area for the proposed 0.9m full-height setback along the northwestern boundary was owned by the applicant and whether there would be interface issue between the setback area and the adjacent existing staircase just outside the application site;
 - (d) what the major planning merits of the proposed development were;
 - (e) the target level of BEAM Plus certification the applicant proposed to achieve for the proposed development;

- (f) whether the proposal to use recycled rainwater to irrigate the vertical greening system was technically feasible, and whether using water from the air-conditioning cooling towers for irrigation had been considered; and
- (g) whether existing trees on the slope to the south of the site would be affected.

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

- (a) the application was received under the Policy, which had been extended to October 2024 as announced in the 2021 Policy Address;
- (b) workshop for non-polluting industries and warehouses were the major uses upon redevelopment of the IB at the subject site;
- (c) the proposed 0.9m full-height setback area along the northwestern boundary of the site was owned by the applicant. The setback area was proposed to be opened to the public for 24-hour access. The applicant intended to provide a ramp down from Yip Shing Street to the proposed setback area. However, no details had been provided on the interface between the proposed setback area and the adjacent existing staircase which was outside the application site;
- (d) the current application aligned with the initiative to incentivise redevelopment of dilapidated IBs to optimise utilisation of the existing industrial stock and make better use of the valuable land resources, while addressing more effectively the issues of fire safety and non-compliant uses. Regarding planning merits brought by the proposed development, although the application site was subject to a number of site constraints, e.g. narrow street frontage and surrounded by a slope and existing developments, the applicant had proposed a total of three full-height setbacks, as well as a setback of 19m for 15m above to increase the distance between the proposed development and the adjacent industrial building. Furthermore,

the applicant, in response to the comments of PlanD, had proposed a number of additional measures including planting trees and providing planters along the 3.5m voluntary full-height setback on Yip Shing Street, and installing steel bollards as a traffic management measure to discourage illegal parking, in order to improve the pedestrian environment. The proposed 3.5m setback, together with the existing footpath which had a width of about 2.9m, could form a pedestrian path of about 6.4m. A vertical green wall was also proposed on the façade fronting Yip Shing Street from G/F to 3/F to promote visual interest. Overall, the pedestrian environment along Yip Shing Street would be improved. In this regard, the Chief Town Planner/Urban Design and Landscape, PlanD considered that the proposed design measures might enhance pedestrian comfort. Looking ahead, it was hoped that the measures to enhance the pedestrian environment could act as a catalyst to encourage the adoption of quality designs upon redevelopment of the nearby IBs so that the overall amenity of the area could be improved;

- (e) the applicant had not indicated the target level of BEAM Plus certification to be achieved;
- (f) according to the applicant's submission, irrigation pipes would be installed within the vertical green wall to support the planting system. A recycled rainwater irrigation system was proposed and the applicant had provided a preliminary schematic diagram for the system. Based on experience, there were plenty of successful examples of green walls with similar design. The applicant had not proposed to use any water from air-conditioning cooling towers for irrigation; and
- (g) there were trees on the slope outside the southern boundary of the site and they would not be affected by the proposed development.

Deliberation Session

51. The Chairman remarked that various measures, including setbacks, canopy and vertical greening, were proposed to improve the pedestrian environment along Yip Shing

Street in spite of various site constraints, and there was policy support from the Development Bureau. Members generally supported the subject application for minor relaxation of plot ratio restriction to facilitate the redevelopment of the IB at the site.

52. Two Members considered that the 0.9m wide setback along the northwestern boundary served very limited function and expressed concerns on the potential hygiene and security issues given the narrow width and inconspicuous location, and the level difference between the said setback area and the existing staircase on the adjacent lot might cause safety issue. The Chairman remarked that it was the applicant's responsibility to ensure the good management and maintenance of their lot. He further said that an advisory clause could be added to remind the applicant to properly manage and maintain the said setback area. Members agreed.

53. A Member opined that the Government should consider an overall strategy or guidelines to promote the use of recycled water for irrigation. In response to the Member's comment, Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department (EPD), said that water saving policies fell within the ambit of the Water Supplies Department. The Chairman remarked that for large-scale development projects led by the Government, the addition of recycled water system would be encouraged as far as practicable, whereas for private development projects, it would be up to the individual developers to explore the feasibility of adopting such system in their developments.

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 15.10.2025, 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

applicant at his 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 land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

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

“the applicant shall properly manage and maintain the proposed setback area along the northwestern boundary of the site.”

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

Agenda Item 15

Section 16 Application

[Open Meeting]

A/H17/141 Proposed Minor Relaxation of Site Coverage Restriction for Permitted Flat Use in “Residential (Group C) 5” Zone, 92 Repulse Bay Road, Repulse Bay, Hong Kong
(MPC Paper No. A/H17/141)

56. The Committee noted that the applicant’s representative requested on 29.9.2021

deferment of consideration of the application for two months so as to allow more time to prepare further information to address the comments of the Buildings Department. It was the first time that the applicant requested deferment of the application.

57. 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.

Agenda Item 16

Section 16 Application

[Open Meeting]

A/H3/442 Proposed Minor Relaxation of Building Height Restriction for Permitted Office, Shop and Services and Eating Place Uses in "Commercial" Zone, 92-103A Connaught Road West and 91, 99 & 101 Des Voeux Road West, Sheung Wan, Hong Kong
(MPC Paper No. A/H3/442B)

58. The Secretary reported that the application site was located in Sheung Wan. Ove Arup & Partners Hong Kong Limited (ARUP) and Ronald Lu & Partners (RLP) were two of 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 and RLP;

- Mr Franklin Yu - having current business dealings with ARUP;
- Mr Alex T.H. Lai - his former firm having business dealings with ARUP and RLP;
- Mr C.H. Tse - being the voluntary company secretary of the Hong Kong News-Expo in Sai Ying Pun; and
- Dr Roger C.K. Chan - his spouse owning a flat in Sai Ying Pun.

59. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Alex T.H. Lai had already left the meeting. As the interest of Mr C.H. Tse was considered indirect, and Messrs Thomas O.S. Ho and Franklin Yu had no involvement in the application and the property of Dr Roger C.K. Chan's spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

60. The Committee noted that the applicants' representative requested on 6.10.2021 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

Agenda Item 17

Any Other Business

62. There being no other business, the meeting was closed at 11:30 a.m.