

## **TOWN PLANNING BOARD**

### **Minutes of 682<sup>nd</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 29.10.2021**

#### **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 Daniel K.S. Lau

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

**Absent with apologies**

Mr Stanley T.S. Choi

Ms Lilian S.K. Law

**In Attendance**

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

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

Town Planner/Town Planning Board  
Ms Andrea W. Y. Yan

## **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 681<sup>st</sup> MPC Meeting held on 15.10.2021**

[Open Meeting]

2. The draft minutes of the 681<sup>st</sup> MPC meeting held on 15.10.2021 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**

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

**Agenda Item 3**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K1/261            Renewal of Planning Approval for Temporary Eating Place (Restaurant) for a Period of 2 Years in “Government, Institution or Community” Zone, B/F (Portion) and G/F (Portion), Hong Kong Scout Centre, 8 Austin Road, Tsim Sha Tsui, Kowloon  
(MPC Paper No. A/K1/261)

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4.            The Secretary reported that the application site was located in Tsim Sha Tsui and Mr Stanley T. S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsim Sha Tsui. The Committee noted that Mr Stanley T. S. Choi had tendered an apology for being unable to attend the meeting.

**Presentation and Question Sessions**

5.            With the aid of a Powerpoint presentation, Mr Clement C.M. Miu, STP/TWK, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

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

- (a) the key consideration when the Committee approved the first planning application at the application premises (the Premises);
- (b) noting that the two previous applications (Nos. A/K1/255 and A/K1/259) for the same applied use at the Premises were submitted by the Scout Association of Hong Kong (SAHK) but the current application was

submitted by the operator of the restaurant, whether SAHK had given consent to or provided their views on the current application;

- (c) whether the applicant had provided information on how the current restaurant use had been providing a cheap eating service to the elderly as claimed;
- (d) whether there was any other premises used for eating places within the Hong Kong Scout Centre (HKSC);
- (e) whether the restaurant at the Premises provided catering services for the lounge and banquet hall on UG/F;
- (f) noting that there was no natural lighting/ventilation at the Premises, the implications on the provision of future Government, institution and community (GIC) facilities therein;
- (g) whether SWD had recommended any suitable GIC uses during the application process of the last approved application No. A/K1/259;
- (h) if the Premises was put to alternative GIC uses or revert to the scout canteen use under the approved building plans, whether planning permission and/or modification to the lease was required; and
- (i) what the procedures for provision of GIC facilities by non-government organisations (NGOs) were.

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

- (a) according to the approved building plans and the Occupation Permit issued in 1993, the Premises was for scout canteen use. Since 1996, the Premises had been used as a restaurant and the first planning application (No. A/K1/255) was submitted in 2016. The Committee granted a temporary approval for the restaurant under application No. A/K1/255 for a period of

three years, instead of the six years sought, in order to review the possibility of accommodating other GIC uses at the Premises;

- (b) SAHK, as the owner of the Premises, had given consent to the applicant for submitting the renewal application. SAHK had not submitted any comment on the application during the publication period;
- (c) no information was provided by the applicant on whether and how concession on eating service had been offered to the elderly;
- (d) there were other ancillary eating places within the HKSC, including the hotel lounge and banquet hall on UG/F, catering facilities of the scout clubhouse on 8/F and the staff canteen on 13/F;
- (e) the catering services at the hotel lounge and the banquet hall were provided by the operator of the guesthouse;
- (f) SWD was aware that the Premises had no natural lighting/ ventilation but air-conditioning system was available. The two GIC facilities considered suitable to be accommodated at the Premises were Home Care Services for Frail Elderly Persons and Community Rehabilitation Day Centre, which were office-based support services for outreach teams and might also involve holding of workshops on rehabilitation at the Premises. However, whether these or other types of GIC facilities could be accommodated at the Premises would be subject to the agreement of SAHK;
- (g) SWD did not indicate that the Premises was suitable for specific GIC facilities during the application process of the last approved application;
- (h) if the Premises was used for GIC or social welfare facility uses under Column 1 of the Notes of the concerned "Government, Institution or Community" ("G/IC") zone and the scout canteen could be considered as an ancillary facility of the HKSC, planning permission for such uses would not

be required. The use of the Premises for scout canteen or scout related activities would not contravene the lease conditions; and

- (i) NGOs were required to apply to SWD for proposed provision of GIC facilities. SWD would then co-ordinate with relevant government departments and parties to assist the NGOs in finding suitable sites/premises.

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

### Deliberation Session

8. The Committee noted that the headquarters of SAHK previously located at the Morse House at Cox's Road was relocated to the subject building in 1994. Although the lot, held under Kowloon Inland Lot 10973, was granted to SAHK at nominal rent, they financed the cost of construction of the building from their own funds. Hostel, that was an income-generating use, was allowed under the lease. A waiver approval from the Lands Department should be obtained for any uses other than those permitted under the lease.

9. While not supporting the application, a Member opined that commercial uses would finance the operation of HKSC/SAHK, and in that regard, SAHK was different from a private developer. It was likely that SAHK might use the Premises for other scout related facilities rather than the GIC facilities recommended by SWD should the application be rejected by the Committee.

10. Members were aware of the background of the application and generally did not support the renewal of planning approval for the following reasons:

- (a) the planning intention of the "G/IC" zone was mainly for provision of GIC facilities to serve the needs of the local residents and/or a wider district. SAHK should try to provide more community services in the Premises so as to help address the shortfall in the provision of GIC facilities in the Tsim Sha Tsui area;

- (b) when considering to approve the last s.16 application and the subsequent s.17 review application, sympathetic consideration was only given taking into account the lead time required for the applicant to explore suitable GIC uses and turning the Premises into GIC use and the enormous hardship faced by businesses brought by the coronavirus outbreak. The circumstances had changed and the application should not be supported as the epidemic situation had recently stabilised and suitable GIC facilities had been recommended by SWD for the Premises;
- (c) there were ample eating places or premises suitable for such use in the area. The claim that the restaurant provided cheap eating services to the elderly was not a relevant planning consideration. The continuous occupation of the Premises by the restaurant was not justified; and
- (d) the Committee or the Town Planning Board (the Board) had repeatedly advised SAHK when approving the previous applications to explore accommodating other GIC uses at the Premises, but no effort had been demonstrated by SAHK to address the concern of the Committee or the Board over the years. Sufficient time had been allowed for SAHK to review the use of the Premises for GIC purpose.

[Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment) (PEPO(MA)), Environmental Protection Department (EPD), joined the meeting during the deliberation session.]

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

“the applicant fails to demonstrate that no suitable GIC uses could be accommodated in the application premises. The proposed continuous use of the premises for ‘Eating Place (Restaurant)’ within “G/IC” zone would jeopardise the provision of GIC facilities serving the needs of the local residents and/or a wider district.”

[The Chairman thanked Mr Clement C.M. Miu, STP/TWK, for his attendance to answer



Members' enquiries. He left the meeting at this point.]

**Agenda Item 4**

**Section 16 Application**

[Open Meeting]

A/K5/836 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Eating Place and Shop and Services Uses and Proposed Footbridges in "Other Specified Uses" annotated "Business" Zone and area shown as 'Road', 822 Lai Chi Kok Road and adjoining Government Land, Cheung Sha Wan, Kowloon (MPC Paper No. A/K5/836A)

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12. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one 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;            |
| Mr Franklin Yu    | - | having current business dealings with ARUP;<br>and     |
| Mr Alex T.H. Lai  | - | his former firm having business dealings with<br>ARUP. |

13. The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Thomas O.S. Ho, Franklin Yu and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

14. The Committee noted that the applicant's representative requested on 21.10.2021 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 second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within 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 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.

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/KC/478                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 7-13 Lam Tin Street, Kwai Chung (MPC Paper No. A/KC/478)

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16.            The Secretary reported that Arthur Yung and Associates Company Limited (AYA) and RHL Surveyors Limited (RHL) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Wilson Y.W. Fung ( <i>Vice-chairman</i> )	}	personally knowing the Managing Director of RHL; and
Dr Lawrence W.C. Poon		
Ms Sandy H.Y. Wong		
Mr Alex T.H. Lai	-	his former firm having business dealings with AYA.

17.            The Committee noted that the applicant had requested deferment of consideration of the application. As Dr Lawrence W.C. Poon, Messrs Wilson Y.W. Fung and Alex T.H.

Lai and Ms Sandy H.Y. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

18. The Committee noted that the applicant's representative requested on 12.10.2021 deferment of consideration of the application for two months so as to allow more time to prepare responses to address departmental comments. It was the first time that the applicant requested deferment of the application.

19. 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.

### **Hong Kong District**

#### **Agenda Item 6**

[Open Meeting (Presentation and Question Sessions Only)]

S/H19/14                      Proposed Amendments to the Approved Stanley Outline Zoning Plan  
S/H19/14  
(MPC Paper No.7/21)

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20. The Secretary reported that the proposed amendment item was for a private housing site in Stanley and was supported by a Traffic Impact Assessment (TIA) conducted by the Highways Department with Aurecon Hong Kong Limited (AHK) as the consultant of the TIA. The following Members had declared interests on the item:

Dr Lawrence W.C. Poon - his close relative living in Stanley; and

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

21. As the residence of Dr Lawrence W.C. Poon's close relative had no direct view of the proposed amendment site and Mr Alex T.H. Lai had no involvement in relation to the proposed amendment, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

22. The following representatives of the Planning Department (PlanD) were invited to the meeting at this point:

Mr Louis K.H. Kau - District Planning Officer/Hong Kong (DPO/HK)

Mr Rico W. K. Tsang - Senior Town Planner/Hong Kong (STP/HK)

23. The Chairperson invited PlanD's representatives to brief Members on the proposed amendments.

24. With the aid of a Powerpoint presentation, Mr Rico W. K. Tsang, STP/HK, briefed Members on the background, the proposed rezoning of a 2.42ha site at Cape Road (the Site) from "Green Belt" ("GB") to "Residential (Group B)" with maximum gross floor area and building height restriction, technical considerations, provision of Government, institution and community (GIC) facilities in the area, consultation conducted and departmental comments as detailed in the Paper.

25. As the presentation by PlanD's representative had been completed, the Chairman invited questions from Members.

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

- (a) the provision of GIC facilities in the Stanley area and whether other GIC uses could be accommodated in the proposed housing development under

the amendment item;

- (b) the traffic impact considerations during the peak hours and weekends;
- (c) the pedestrian accessibility between the proposed housing development and the Stanley Plaza;
- (d) the background of the subject “GB” zone;
- (e) noting that the Site, which was zoned “GB”, comprised mainly vegetated slopes, the considerations in selecting it for residential development;
- (f) noting that the Site was on slopes descending from about 65mPD at the west to about 35mPD at the southeast and site formation, which would likely affect a large number of trees, would be required for the proposed housing development, what the tree preservation and compensation tree planting proposal would be;
- (g) what the species of the rare/protected trees and trees of significant size in Diameter Breast Height (DBH) were and whether those trees would be preserved;
- (h) the feasibility of relocating the Ma Hang Prison for housing development as suggested by the Southern District Council; and
- (i) noting from Plan 3 of the Paper that the site boundary was in irregular shape, what the considerations in delineation of the site boundary were.

27. In response, Mr Louis K.H. Kau, DPO/HK, made the following main points:

- (a) although the GIC facilities in the area were generally adequate, there was a deficit in the provision of Residential Care Homes for the Elderly (RCHE) (111 places), Community Care Services facilities (74 places) and Child Care Center (CCC) (71 places). Nevertheless, after taking into account the

150-place RCHE required to be accommodated in the proposed housing development, there would be a surplus of 39 places. The Social Welfare Department (SWD) also advised that the utilisation rate of CCC in the Southern District was about 50%, and could cater for the potential demand for such facility. After taking into account various factors, such as land use compatibility and community demand, SWD considered it suitable to provide RCHE at the Site;

- (b) the Site was located at Cape Road with two key road junctions at Stanley Gap Road/Chung Hom Kok Road and Carmel Road/Stanley Village Road. According to the TIA, the key road junctions would be operating within their capacities during the peak hours on both weekdays and weekends. It might be noted that while the development intensity of the proposed housing development would be higher than the low-rise residential developments in the Stanley area, it was still relatively low compared to the high-density developments in the urban area. Hence, the proposed housing development would not cause unacceptable traffic impact;
- (c) future residents could walk from/to the Stanley Plaza via Ma Hung Estate crossing Cape Road or along Cape Road;
- (d) the Site and the area where Ma Hang Estate (formerly the Ma Hang Squatter area) were located, were previously zoned “GB”. In the 1980s, the area occupied by the Ma Hang Squatter area to the northeast of the Site was rezoned to “Comprehensive Development Area” for the construction of Ma Hang Estate that provided rehousing for the squatter residents. The “CDA” zone was subsequently rezoned to “Residential (Group A)3”;
- (e) the review of “GB” sites (“GB” review) comprised two stages. The first stage mainly covered “GB” zones which were formed, deserted or devegetated, but possessed potential for residential development. The second stage covered “GB” zones in the fringe of built-up areas close to existing urban areas and new towns. Vegetated “GB” sites with a relatively lower buffer or conservation value and adjacent to existing

transport and infrastructure facilities would be reviewed for housing purpose. The Site was identified in the second stage of the “GB” review. It was located in close proximity to existing residential developments and infrastructures and most of the trees on the Site were of common species with no Registered Old and Valuable Trees, and there were four trees of rare/protected species and three trees of significant size in DBH. It was considered that the Site was of lower buffer and conservation value and suitable for residential development;

- (f) according to the Civil Engineering and Development Department’s preliminary assessment, it was technically feasible to have a platform at 40mPD for the Site. The proposed ingress/egress as advised by the Transport Department (TD) would also be at about 40mPD. According to the pre-land sale tree survey conducted, there were 1,442 trees on the Site including 159 dead trees. Suitable landscaping and tree preservation clauses would be incorporated in the land sale conditions to preserve the existing trees as far as possible and minimise the impact arising from tree felling. Tree preservation and compensatory planting proposals as well as other necessary mitigation measures would be implemented by the future developer in accordance with Development Bureau Technical Circular (Works) No. 4/2020 and the Lands Administration Office Practice Note (LAOPN) No. 2/2020 for private projects. According to the LAOPN No. 2/2020, implementation of compensatory tree planting should be at a ratio of not less than 1:1 in terms of number. In situations where on-site compensatory planting could not be achieved, the difficulties should be demonstrated and alternatives, including off-site compensatory planting, might be proposed. The compensatory tree planting proposal would be conducted by the future developer at the detailed design stage and subject to approval from the Lands Department (LandsD);
  
- (g) out of the 1,442 trees, four trees of rare/protected species (*Artocarpis hypargyreus*) and three trees of significant size (*Ficus microcarpa*) were identified at the western and northern part of the Site respectively. One of the trees of significant size near Cape Road would likely be affected as TD

advised that the existing slope at the north eastern portion of the Site was required to be setback to improve the sightline at the proposed ingress/egress at the north. According to the LAOPN No. 2/2020, the future developer had to preserve the existing trees on the Site as far as practicable. If removal of the trees was necessary, submission of full justifications for LandsD's consideration would be required;

- (h) the Government had adopted a multi-pronged approach to increase housing land supply, and relocating the Ma Hang Prison for housing development could be reviewed in the long-term when the site could be release for other uses. However, there was currently no plan for relocation of the prison; and
- (i) for the boundary in the south, the Agriculture, Fisheries and Conservation Department advised that the natural stream identified to the south of the Site should be excluded from the site boundary and sufficient buffer distance should be maintained between the Site and the stream to avoid any possible impact on the stream. For the boundary in the west, the Site excluded the area to the northwest with steep slopes that was considered not suitable for development.

#### Deliberation Session

28. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Stanley OZP and that the draft Stanley OZP No. S/H19/14A at Attachment II of the Paper (to be renumbered to S/H19/15 upon exhibition) and its Notes at Attachment III were suitable for exhibition under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement at Attachment IV of the Paper for the draft Stanley OZP No. S/H19/14A as an expression of the planning intentions and objectives of the Board for the various land use zonings of the



OZP and the revised ES would be published together with the OZP.

29. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Town Planning Ordinance. Any major revision would be submitted for the Board's consideration.

[The Chairman thanked Mr Louis K.H. Kau, DPO/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

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

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/H19/83                      Proposed Public Utility Installation (Submarine Cables and Landing Facilities) in "Coastal Protection Area" Zone, Two Strips of Government Land adjacent to RBL 1158, Chung Hom Kok, Hong Kong  
(MPC Paper No. A/H19/83)

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30. The Secretary reported that Urbis Limited (Urbis) was one of the consultants of the applicant and Mr Thomas O.S. Ho had declared an interest on the item for having current business dealings with Urbis. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

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

31. With the aid of a Powerpoint presentation, Mr Rico W. K. Tsang, STP/HK, 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.

32. Some Members raised the following questions:
- (a) noting from the photomontage provided by the applicant (Drawing A-5 of the Paper) that the proposed cable landing ducts were visible from the viewpoint at southern beach upon development, whether there were any mitigation measures/landscape treatments to reduce the visual impact;
  - (b) whether the application site (the Site) was accessible by the public;
  - (c) the alignment of submarine cables at Sha Shek Tan connecting to the existing cable landing station at Rural Building Lot (RBL) 1154 located further north, and the installations thereat compared with the proposed development;
  - (d) apart from the existing cable landing station at RBL 1154 and the planned one in RBL 1158, to which the public utility installations (PUI) under the application would serve, whether there were other planned cable landing stations in the Chung Hom Kok Teleport which would require similar PUIs within the same “Coastal Protection Area” (“CPA”) zone;
  - (e) as it would be more appropriate to confine such PUI developments within the same area to minimise the disturbance to the environment, whether the proposed cables and landing facilities could be constructed at Sha Shek Tan near the existing cables and be connected back to the cable landing station at the Site; and
  - (f) noting that there was only one group of cable duct to the cable landing station at RBL 1154, why two groups of cable ducts were required under the proposed development.
33. In response, Mr Rico W. K. Tsang, STP/HK, made the following main points:
- (a) by referring to Drawing A-3 of the Paper, the proposal involved two separated strips of land at Chung Hom Kok Teleport, the PUIs comprised two beach manholes, the associated above ground 3x3-way cable landing

ducts (150mm in diameter) and underground on-shore telecommunications cables to connect the submarine cables from the sea to the cable landing station at RBL 1158 under development by the applicant. The proposed development would be mostly shielded by vegetation and would unlikely cause significant visual impact on the surroundings. Should the application be approved by the Committee, an application for building the PUIs on the Site needed to be submitted to the Lands Department (LandsD) for approval. Appropriate conditions might be imposed by LandsD to require the applicant to provide additional mitigation measures to minimise visual impacts of the installations;

- (b) the Site was distant from public road and had no direct pedestrian access. Moreover, as the above ground installations would only involve the beach manholes and cable landing ducts, adverse impact on public safety was not anticipated;
- (c) according to the information provided by the applicant, the cable landing station at RBL 1154 was the only existing international submarine cable landing station in Chung Hom Kok and was almost fully occupied by the existing submarine cables. As for the design of the installations, a standard manhole was built on flat land at the coast of Sha Shek Tan for the cable station at RBL 1154, while the beach manholes under the proposed development would involve concrete structures partly above ground due to the sloping topography. The proposed surface-mounted ducts with supporting racks constructed on the slopes were largely the same as those of the existing cable ducts for the cable landing station at RBL 1154. Unlike the traditional ‘single carrier’ cable landing facilities which were operated by a single operator, the proposed development would be a ‘carrier-neutral’ cable landing facility which could be used by different operators. That could avoid monopolization of infrastructures and enable different submarine cable investors to use the same landing facilities;
- (d) there was no other existing cable landing station in the Chung Hom Kok Teleport. According to the Policy Address 2019, the Government’s

Chung Hom Kok Teleport initiative was to develop a hub for provision of external telecommunications facilities in Hong Kong to enhance the overall capacity. The Government planned to provide suitable land lots in Chung Hom Kok Teleport for provision of additional external telecommunications facilities but the exact locations and development programme were yet to be decided;

- (e) the cable landing ducts at Sha Shek Tan and the existing cable landing station had almost reached full capacity. If the proposed cable landing ducts were to be constructed at Sha Shek Tan, longer ducts would be required for connecting the submarine cables to the cable landing station at RBL 1158, which would inevitably incur higher construction cost and/or technical problems; and
- (f) the applicant considered that the design under application with cable ducts on two separated strips of land was necessary to accommodate the different routings for the Intra-Asia and Trans-Pacific/North Asia submarine cables landing into Hong Kong. Moreover, such design would provide resilient backup to ensure service reliability should one group of cable ducts malfunction. It also reduced technical difficulties and avoided overlapping of the submarine cables connecting to the cable ducts to ensure security and integrity of the services. There was no information at hand on why such design was not required for the existing cable landing station at RBL 1154.

34. In response to the Chairman's enquiry, Dr Sunny C.W. Cheung, PEPO(MA), EPD, said that the proposed development that only involved on-shore installations would unlikely constitute a designated project under the Environmental Impact Assessment Ordinance (EIAO). However, since the coastline along Chung Hom Kok was zoned "CPA", the future off-shore submarine cables outside the Site and connecting to the proposed development might constitute a designated project under EIAO if dredging operation was involved. In that case, an environmental permit might be required for the construction and operation of the submarine cable laying works.

35. In response to Members' enquiries on whether the telecommunication facilities at Chung Hom Kok Teleport could be provided in a co-ordinated manner, Mr Albert K.L. Cheung, Assistant Director (Regional 1), LandsD, said that to meet the Government's initiative for telecommunications development, LandsD had granted Short Term Tenancies to two satellite operators to provide telecommunication facilities at Chung Hom Kok Teleport. In addition, LandsD was working closely with the Office of the Communications Authority (OFCA) to roll out suitable land lots at Chung Kom Kok Teleport for the industry to construct external telecommunications facilities. To avoid monopolisation of the services, a condition would be included in the land documents that required the service operator to share its facilities with other service providers if considered necessary by OFCA.

[Dr Frankie W.C. Yeung left the meeting at this point.]

#### Deliberation Session

36. The Chairman remarked that whilst the Site was zoned "CPA", it was stated in the planning intention that essential infrastructure projects with overriding public interest might be permitted.

37. While supporting the application, a Member expressed concern on the visual impacts of the above ground installations on the natural rocky shore and considered that mitigation measures should be provided to enhance the visual compatibility with the natural coastal environment of the subject "CPA" zone. Another Member echoed and said that the relevant authority should provide more information on other planned developments in Chung Hom Kok Teleport and how such telecommunications facilities would be provided in a co-ordinated manner to provide a macro perspective to facilitate the Committee's consideration of similar applications in the future. A Member also indicated that there should be better co-ordination in the provision of similar facilities which would minimise similar applications within different parts of the "CPA" zone.

38. The Chairman concluded that Members generally considered that the application could be approved. With regard to some Members' concerns on the visual impacts that might be caused by the proposed development, the Chairman said that an advisory clause for providing additional landscape planting around the installations to enhance the screening

effect was included in Appendix V of the Paper for the applicant's consideration. The Chairman also proposed and the meeting agreed that Members' views that OFCA should oversee the development of telecommunication facilities in Chung Hom Kok Teleport in a more co-ordinated manner to enhance sharing of facilities and minimise impacts, should be conveyed to OFCA for consideration.

39. After deliberation, the Committee decided to approve the application on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 29.10.2025, 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.

40. 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 Rico W. K. Tsang, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

**Kowloon District**

**Agenda Item 8**

Section 16 Application

[Open Meeting]

A/K12/42 Proposed Flat, Shop and Services, Eating Place, School (Kindergarten), Social Welfare Facility (Residential Care Home for the Elderly) and Public Vehicle Park (Light Goods Vehicle) in “Comprehensive Development Area” Zone, 35 Clear Water Bay Road, Ngau Chi Wan, Kowloon  
(MPC Paper No. A/K12/42B)

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41. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP), AGC Design Limited (AGC) and MVA Hong Kong Limited (MVA) were three of the consultants of the applicants. The following Members had declared interests on the item:

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|-------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with ARUP and MVA;              |
| Mr Franklin Yu    | - | having current business dealings with ARUP; and                  |
| Mr Alex T.H. Lai  | - | his former firm having business dealings with ARUP, AGC and MVA. |

42. 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 Mr Thomas O.S. Ho and Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

43. The Committee noted that the applicants’ representative requested on 11.10.2021 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 applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information, including responses to departmental and public comments, revised Master Layout Plan and Landscape Master Plan and revised technical

assessments.

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

#### **Agenda Item 9**

##### **Any Other Business**

45. There being no other business, the meeting was closed at 11:20 a.m.