

TOWN PLANNING BOARD

**Minutes of 689th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 18.2.2022**

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 Roger C.K. Chan

Professor Jonathan W.C. Wong

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
Ms Trevina C.W. Kung

Deputy Director of Planning/District Secretary
Mr C.K. Yip

Absent with apologies

Mr C.H. Tse

In Attendance

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

Chief Town Planner/Town Planning Board
Miss Josephine Y.M. Lo

Town Planner/Town Planning Board
Ms Denise M.S. Ho

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 688th MPC Meeting held on 28.1.2022

[Open Meeting]

2. The draft minutes of the 688th MPC meeting held on 28.1.2022 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/H9/6 Application for Amendment to the Approved Shau Kei Wan Outline Zoning Plan No. S/H9/18, To rezone the application site from “Open Space”, “Residential (Group A)” and “Government, Institution or Community” to “Residential (Group A) 5”, Amend the Notes of the zone applicable to the site, Shaukiwan Lots 170 S.A, 170 RP, 171, 172, 173, 174, 175 & 176, Shaukiwan Inland Lot 794 and adjoining Government Land, A Kung Ngam Road, Shau Kei Wan, Hong Kong
(MPC Paper No. Y/H9/6)
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4. The Secretary reported that the application was submitted by the Hong Kong Housing Society (HKHS). Townland Consultants Limited (Townland) was one of the consultants of the applicant. The following Members had declared interests on the item

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| Mr Ivan M.K. Chung
<i>(the Chairman)</i> | - | being an ex-officio member of the Supervisory Board of the HKHS; |
| Mr Alex T.H. Lai | - | his former firm having current business dealings with HKHS and Townland; and |
| Mr Daniel K.S. Lau | - | being a member of the HKHS. |

5. The Committee noted that the applicant had requested deferral of consideration of the application. As the interest of Mr Ivan M.K. Chung was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As Messrs Alex T.H. Lai and Daniel K.S. Lau 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 28.1.2022 deferment of consideration of the application for two months in order to allow time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

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

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 4

Section 16 Application

[Open Meeting] (Presentation and Question Sessions only)

A/K2/220 Proposed Composite Development with Flat and Shop and Services/Eating Place Uses in “Commercial” Zone, Nos. 15-15A, 17, 19 and 23 Saigon Street, Yau Ma Tei, Kowloon
(MPC Paper No. A/K2/220A)

8. The Secretary reported that the application site (the Site) was located in Yau Ma Tei. Mr Stanley T.S. Choi had declared an interest on the item as his spouse was a director of a company which owned properties in Yau Ma Tei.

9. As the properties owned by the company of Mr Stanley T.S. Choi’s spouse had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

[Mr Franklin Yu joined the meeting at this point.]

11. Some Members raised the following questions regarding the canopy design:

- (a) whether the proposed 1m-wide canopy structure abutting Saigon Street was sufficient for weather protection; and

- (b) whether there were canopies provided at the adjacent buildings along Saigon Street.

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

- (a) the canopy structure was proposed to be projected from the first floor of the building, i.e. at the height of about 4.5m from ground level, and according to the applicant, such height-to-width ratio would be sufficient for weather protection purpose; and
- (b) for a similar s.16 application (No. A/K2/218) approved by the Committee in 2021, there would be a 1.5m-wide canopy projecting from the second floor of the proposed building on the opposite side of Saigon Street.

13. Some Members raised the following questions regarding the proposed building setbacks and pedestrian environment of the area:

- (a) whether the proposed setbacks were required under the Outline Zoning Plan (OZP);
- (b) details of the proposed setbacks and whether greenery would be provided in the setback area;
- (c) whether the setback area in the western part of the Site was for private use;
- (d) the width of the surrounding pedestrian footpaths;
- (e) details of public comment concerning the hygiene and safety issues of the Site; and
- (f) whether there was any long term plan for widening the pedestrian footpaths of the area.

14. In response, Mr Clement C.M. Miu, STP/TWK, with reference to Drawing A-2 of the Paper, made the following main points:

- (a) there was no setback requirement under the OZP and all the setbacks were proposed by the applicant voluntarily;
- (b) at street level, there would be a setback ranging from about 6m to 14m from the western lot boundary and setback of 1m from the lot boundary along Chi Wo Street with street planter in the latter setback area to enhance the visual openness of the existing narrow street environment. Besides, residential floors (i.e. 3/F to 25/F) above the podium levels would be setback about 5m away from Saigon Street and Chi Wo Street, and about 12.75m from the western lot boundary;
- (c) the setback area in the western part of site was intended for private use, i.e. for provision of vehicular access to the Site and its underground car park, loading and unloading area and several parking spaces;
- (d) the existing pedestrian footpath along Saigon Street was about 3m to 3.5m while that along Chi Wo Street was about 2m. There was a minibus stop to the further north of the site along Chi Wo Street and the footpath along that section of the street was narrower;
- (e) there was a back lane to the south of the Site and the public comment raised concern on the hygiene and safety issues of that area. Notwithstanding, it was observed from site inspection that the back lane was of at least 3m in width with adequate lighting and the area was not under poor hygienic condition; and
- (f) the Transport Department would monitor the pedestrian flow and review the provision and design of the footpaths in the area, where appropriate.

15. A Member enquired whether the proposed development under the subject application would be in conflict with the planning concept recommended under the District Study for Yau Ma Tei and Mong Kok (YMDS) undertaken by the Urban Renewal Authority. In response, Mr Clement C.M. Miu, STP/TWK explained that the proposed development would be generally in line with the mixed use concept recommended under YMDS.

Deliberation Session

16. The Chairman remarked that the current application was for a change of use, i.e. flat within “Commercial” (“C”) zone with a plot ratio of 9.14m which was below the maximum PR of 12 stipulated for “C” zone under the Yau Ma Tei OZP. While the recommendation of YMDS would be reflected on the relevant OZPs as appropriate, the consideration of the subject application should focus on the requirements set out in the prevailing OZP and other relevant considerations such as the development parameters, land use compatibility, similar approved applications in the area and the proposed design merits.

17. A Member opined that the width of 1m for the proposed canopy was inadequate and suggested that it be widened to about 1.5m for better weather protection. The Chairman suggested and Members agreed that an additional advisory clause be incorporated to invite the applicant to consider providing a wider canopy of 1.5m abutting Saigon Street.

18. A Member, whilst supporting the application, expressed concerns on how concerted efforts in providing setbacks to improve pedestrian environment in the area could be ensured. The Chairman responded that through individual redevelopment projects, opportunities, wherever available and appropriate, should be taken to improve the streetscape and pedestrian environment of the area.

19. 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 18.2.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission of a Noise Impact Assessment and implementation of the noise measures identified therein for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;

- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (d) the submission of the consolidated traffic impact assessment report (hard and soft copy for record) and implementation of the traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the design and provision of vehicular access, vehicle parking spaces and loading/unloading facilities and manoeuvring spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (f) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.”

20. 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:

“to consider providing a canopy of 1.5m wide along Saigon Street for better weather protection.”

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

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

Agenda Item 5

Section 16 Application

[Open Meeting] (Presentation and Question Sessions only)

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

21. The Secretary reported that the application was submitted by Glory View Properties Limited and Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. The following Members had declared interests on the item:

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

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

Presentation and Question Sessions

23. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TWK, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

[Dr Frankie W.C. Yeung joined the meeting during the presentation session.]

24. Some Members enquired on the details of calculation of gross floor area (GFA) for the footbridge areas and if the GFA of which could be exempted from the overall GFA calculation of the proposed development, whether the applicant was required to submit a fresh s.16 application if the footbridge areas were absorbed in the additional 20% of GFA sought in the previously approved application (No. A/K15/813). In response, Ms Jessica Y.C. Ho, STP/TWK, with reference to Drawing A-6 of the Paper, explained that according to the information provided by the applicant, the areas shown in pink located within the private lot were included in the GFA calculation, whereas the areas falling within Government land outside the site were not included in the GFA calculation. Concerning whether the GFA of the footbridge could be exempted, Buildings Department had advised that any parts of the covered area of pedestrian walkway, footbridges, subway and their associated vertical access facilities falling within private lot should be taken into account in GFA and site coverage calculations under the Building (Planning) Regulations 20 and 23(3)(a). From statutory planning perspective, footbridge for public use was always permitted under the Notes of the Cheung Sha Wan Outline Zoning Plan (OZP). If the total GFA of the proposed development, including that of the proposed footbridges within the private lot remained the same as that under the previously approved application, PlanD would not object to the building plan submission with the proposed additional footbridges incorporated in the approved scheme of the previous application. In that case, the applicant would not be required to submit a new s.16 application.

25. In response to a Member's questions on whether there were similar applications with relaxation of plot ratio (PR) restriction exceeding the 20% cap for footbridge provision, Ms Jessica Y.C. Ho, STP/TWK, stated that there were two cases in Kwun Tong and Kowloon Bay areas with provision of footbridges in the development proposals. Neither GFA exemption nor minor relaxation of PR/GFA on top of the 20% cap for the provision of footbridges was involved in both proposals. For the case in Kwun Tong, the footbridge connection was requested by the Transport Department, whereas for the case in Kowloon Bay, the applicant voluntarily proposed the footbridge connection.

26. Some Members raised questions on the need of the proposed footbridges and whether the applicant had conducted any assessment to substantiate the need of such provision. In response, Ms Jessica Y.C. Ho, STP/TWK, said that the applicant had submitted information on the level of service of the pedestrian footpaths and the Transport Department (TD) had no comment on the information. Mr Patrick K.H. Ho, Assistant Commissioner for Transport

(Urban), TD, supplemented that there were MTR exits and at-grade pedestrian crossings conveniently located at the junctions of Cheung Yee Street/Cheung Lai Street. Besides, there was an existing footbridge connecting the area to the north of Lai Chi Kok Road/West Kowloon Corridor with Banyan Garden in the south. In general, it was considered that the pedestrian facilities for the area were sufficient. The footbridges proposed by the applicant were considered beneficial yet not essential.

27. Concerning the operation and design of the proposed footbridges, some Members raised the following questions:

- (a) the future ownership of the proposed footbridges;
- (b) which accesses to the proposed footbridges would be opened for public on a 24-hour basis;
- (c) whether the landing columns of the proposed footbridges would obstruct the at-grade pedestrian flow;
- (d) ownership of the adjoining Laford Centre and the potential impact on it; and
- (e) whether the public would be consulted or there would be gazetting arrangement for the construction of the proposed footbridges noting that the adjoining Laford Centre might be affected.

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

- (a) the applicant claimed that they would discuss with the relevant departments regarding the future ownership of the footbridges and they were willing to take up the construction, management and maintenance of the footbridges in future;
- (b) the lifts and staircases in the proposed development providing access to ground floor exits and the staircases in the adjoining developments namely D2 Place One and D2 Place Two, as shown on Drawing A-3, would be opened for public use on a 24-hour basis, whilst other accesses including the lifts and escalators inside the malls of D2 Place One and D2 Place Two

would only be opened during the operation of the malls. Apart from these, the proposed footbridge connecting to the existing footbridge outside Laford Centre would also be opened for public use on a 24-hour basis; and

- (c) the adjoining Laford Centre was not owned by the applicant. There were public comments from the tenants and the management company of Laford Centre that the proposed footbridge would reduce the views of the tenants of Laford Centre, cause overlooking problem and impinge on privacy which would affect the services provided by the social welfare services providers located on the lower floors of Laford Centre.

29. Regarding the design of landing columns and gazetting arrangement for the proposed footbridges, Mr Patrick K.H. Ho, Assistant Commissioner for Transport (Urban), TD, supplemented that:

- (a) according to the information provided by the applicant, there would be no column structures for the two proposed footbridges over Cheung Yee Street and Cheung Lai Street, and hence they would not affect the at-grade pedestrian flow. For the proposed footbridge with column structures along Lai Chi Kok Road, the at-grade pedestrian flow was relatively low and the impact was considered minimal; and
- (b) since the proposed footbridge was not a public works, the required gazetting arrangement would be handled by the Lands Department under the existing mechanism.

30. Some Members further enquired on the details of the proposed underground connections to MTR Station and whether there was any pedestrian connection from the MTR Station to Banyan Garden. Ms Jessica Y.C. Ho, STP/TWK, responded that MTR Corporation Limited (MTRCL) welcomed the applicant's proposal which could improve the accessibility to the MTR Station, subject to resolution of statutory and institutional arrangements and that the proposal should be cost neutral to MTRCL. On pedestrian connection for Banyan Garden, there was an existing pedestrian subway connecting the MTR station and the residential area to the south of Lai Chi Kok Road and pedestrians could reach Banyan Garden using this subway

and through the adjoining shopping mall in Liberte or using the existing footbridge across Lai Chi Kok Road.

31. A Member asked if the proposed footbridges could be considered a planning gain in fulfilling the criteria for consideration of application for minor relaxation of development restrictions. In response, Ms Jessica Y.C. Ho, STP/TWK, explained that while in general, footbridges, greeneries and canopies might be considered as planning gains, the GFA associated with the proposed footbridges had not been included in the additional 20% cap, as in other similar applications in other area. It was doubted that the proposed footbridges in the current scheme could be regarded as 'extra planning gains' as compared with the previously approved scheme.

32. A Member asked whether the proposed footbridge in the current scheme could serve as catalyst for development/redevelopment in the area, as compared with that in the Central District in the long term. In response, Ms Jessica Y.C. Ho, STP/TWK, explained that the Central District was in a difficult context dominated by commercial uses with substantially larger amount of traffic and pedestrian flow and would require more pedestrian facilities to address the demand. In the Cheung Sha Wan Industrial Area where the application site (the Site) was located, whilst many were pre-1987 Industrial Buildings (IBs) eligible for application for minor relaxation of development restrictions for 20% to facilitate redevelopment under the 2018 Revitalisation Policy, only 10 cases were submitted so far and most of them were for redevelopment into industrial buildings. The context of Central District and Cheung Sha Wan Industrial Area in respect of land use and traffic volume might not be comparable.

33. Some Members raised questions on greenery provision in the subject application in comparison with that under the previously approved application. In response, Ms Jessica Y.C. Ho, STP/TWK, said that the greenery coverage was 20% for both applications. Notwithstanding that, under the current application, as part of the greenery was proposed on top of the footbridges, some greenery proposed in the previous application might be omitted or reduced.

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

34. The Chairman remarked that the application was for redevelopment of IB within the “OU(B)” zone for which the provision of planning gain would be one of the considerations. The Development Bureau indicated that there was room for the applicant to revise its approved scheme under the previous application to accommodate the GFA of the proposed footbridges, lift shafts, staircases and the covered area under footbridges as well as the associated supporting structures within the lot within the previously approved 20% GFA cap. TD also advised that the proposed footbridges were beneficial but not necessary and essential. As regards the possibility of a comprehensive footbridge system in the Cheung Sha Wan area, unlike those in the Central District or other new districts where there were comprehensive pedestrian plans including provisions of footbridge with some reflected on the respective outline development plans, there was no such plan for the Cheung Sha Wan area.

35. A Member supported the application as the provision of footbridges could enhance pedestrian connectivity in the area and serve as catalyst for redevelopment in the area in the long run. Other Members, whilst considering that the provision of footbridges for better pedestrian connectivity in the area should be encouraged, had reservations on the further increase of plot ratio (PR) from the previously approved 20% to 21.7% to facilitate the inclusion of the proposed footbridges which were considered beneficial but not essential, noting that there was scope to absorb the additional GFA in the previously approved scheme already granted with an increase of 20% PR. Some Members also considered that the proposed footbridges connecting to the existing public footbridges outside Laford Centre might affect the users there. There were insufficient justifications for the further increase of PR under the current scheme.

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

“there is no strong justification for the proposed minor relaxation of plot ratio on top of the 20% increase approved under the previous application for the newly proposed footbridges and possible MTR connection, which is also beyond the limit under the industrial building revitalisation scheme as announced in the 2018 Policy Address.”

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/847 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted 'Office', 'Eating Place' and 'Shop and Services' Uses in "Other Specified Uses" annotated "Business" Zone and area shown as 'Road', Nos. 850-870 Lai Chi Kok Road, Cheung Sha Wan, Kowloon and adjoining Government Land, Kowloon
(MPC Paper No. A/K5/847)

37. The Committee noted that the applicant's representative requested on 27.1.2022 deferment of consideration of the application for two months in order 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.

38. 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 Ng Kar Shu, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) and Ms Cheryl H. Y. Yeung, Town Planner/Tsuen Wan and Kowloon (TP/TWK), were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/531 Proposed Social Welfare Facility (Neighbourhood Elderly Centre) in
 “Residential (Group B) 4” Zone, Portion of Level 2, Greenview Court
 Shopping Centre, 644-654 Castle Peak Road-Tsuen Wan, Tsuen Wan,
 New Territories
 (MPC Paper No. A/TW/531)

Presentation and Question Sessions

39. With the aid of a PowerPoint presentation, Ms Cheryl H.L. Yeung, TP/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.

40. Some Members raised the following questions:

- (a) the proposed number of users of the neighbourhood elderly centre (NEC);
 and
- (b) whether there was any regulation on the provision of NEC regarding natural ventilation in the lavatory.

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

- (a) according to information provided by the applicant, the maximum capacity of the NEC would be 25 users at the same time; and
- (b) according to the Buildings Department, any proposed works should comply with the requirements under the Buildings Ordinance and allied regulations including Building (Minor Works) Regulations.

Deliberation Session

42. Members generally had no objection to the application and a Member was of the view that for NEC use, the lavatory should have natural ventilation for better hygiene.

43. 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 18.2.2026, 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 lay-by under emergency situation for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a Sewerage Impact Assessment (SIA) for the proposed development to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (c) the implementation of any mitigation measure as recommended in the SIA in condition (b) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.”

44. 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 Ng Kar Shu, STP/TWK and Ms Cheryl H.L. Yeung, TP/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

Kowloon District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K14/810 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, 5 Lai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/810)

45. 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:

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

46. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lau had already left the meeting and as Mr. Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

47. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

48. Some Members raised the following questions:
- (a) whether there would be a structural column at the corner area abutting Wai Yip Street;
 - (b) whether the proposed scheme met the requirements of Sustainable Building Design Guidelines (SBDG);
 - (c) details of the floor-to-floor height of the lower floors and comparison with the adjacent similar applications and whether relaxation of building height restriction (BHR) was also sought under the three similar applications along Lai Yip Street;
 - (d) whether canopy along Hang Yip Street would be proposed under the current scheme and other adjacent similar applications;
 - (e) whether the proposed development would enhance the streetscape in the area;
 - (f) whether tree planting was possible within Lai Yip Street setback area; and
 - (g) whether recycling water system would be adopted.
49. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:
- (a) the applicant voluntarily set back the ground floor and first floor of the proposed development at the corner of Wai Yip Street, which would form a void area underneath the second floor which was for commercial use and the third floor for podium garden. While there was no detailed information on the structural design of the cantilever and setback area, there was no supporting structure at the setback area as shown on the plans submitted by the applicant;
 - (b) there were three requirements under the SBDG, namely building separation, building setback and site coverage of greenery. For building separation, the

proposed building façade length was less than 60m and there was no need to meet the requirement. For building setback, no part of the building was built within 7.5m from the centreline of its abutting streets. Regarding site coverage of greenery, the overall provision was about 27.73% which exceeded the minimum requirement of 20%;

- (c) the floor-to-floor height for the ground floor was about 6.3m to allow for the use of heavy goods vehicles, for which a clear head room of 4.7m was required under the Hong Kong Planning Standards and Guidelines, and accommodate E&M room on top. There were three approved applications for sites along Lai Yip Street (i.e. Application Nos. A/K14/763, A/K14/774 and A/K14/806) and for those with provision of shop and services, the typical floor-to-floor height was about 4m to 5m (Application No. A/K14/763) and 4.374m to 4.5m (Application No. A/K14/774). The three similar applications also sought for minor relaxation of BHR from 100mPD to 125.9mPD;
- (d) no canopy would be provided under the current scheme and under the three similar applications for sites along Hang Yip Street;
- (e) in the proposed scheme, the 3m full-height building setback from the lot boundary along Hang Yip Street was provided in accordance with the requirements under the adopted Kwun Tong (Western Part) Outline Development Plan (ODP) No. D/K14A/2. An additional voluntary corner setback of G/F to 1/F at the main entrance facing Wai Yip Street had been incorporated. There was also a provision of 27.73% of greenery coverage, which was more than that of the three similar applications (ranging from 20% to 25%). The proposed greenery would enhance the visual amenity at street level;
- (f) for the section of Lai Yip Street with the inclusion of 3m setback as proposed in the three similar applications, the total width of pedestrian walkway would be about 7m. According to the ODP, the setback was intended for footpath/carriageway widening and enhancement of amenity/streetscape. The setback area would be surrendered to the government if required.

Subject to the future design and pedestrian flow of the walkways, tree planting at the proposed setbacks could be considered by relevant Government departments in the detailed design stage; and

- (g) the applicant indicated that recycling water system would be considered during the detailed design stage.

Deliberation Session

50. Members in general supported the application on the consideration that the proposed design merits could meet the setback requirement under the relevant ODP and the SBDG, and there were also additional voluntary setback and extra greenery. A Member considered that with four applications, including the subject application, approved along the same street, there should be better coordination amongst the developments concerned for improvement of the streetscape, including the provision of greenery, of the area in future.

51. 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 18.2.2026, 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 connection point(s) and structural supports within the application site for future connection to the planned elevated walkway along Wai Yip Street to the satisfaction of the Director of Civil Engineering and Development and Commissioner for Transport or of the Town Planning Board;
- (b) the submission of Land Contamination Assessment in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of Director of Environmental Protection or of the Town Planning Board;

- (c) the submission of a revised Traffic Impact Assessment, and the implementation of the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the 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 Town Planning Board; and
- (e) the design and provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.”

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

[The Chairman thanked Ms Jessie K.P. Kwan, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K18/340 Proposed Religious Institution in “Residential (Group C) 1” Zone, 109
Boundary Street, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/340A)

53. The Committee noted that the applicant's representative requested on 10.2.2022 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 in response to departmental comments.

54. 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.

[Ms Helen H.Y. Chan, Senior Town Planner/Kowloon (STP/K) and Ms Peggy P.C. Tsui, Town Planner/Kowloon (TP/K) were invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting ((Presentation and Question Sessions only))]

A/K22/31 Proposed Residential Development with Public Waterfront Promenade in
"Commercial (2)" Zone, New Kowloon Inland Lot Nos. 5805, 5806 and
5982, 1-5 Kai Hing Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K22/31B)

55. 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;
and |
| Mr Alex T.H. Lai | - | his former firm having current business dealings
with ARUP. |

56. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting and as Mr. Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

57. With the aid of a PowerPoint presentation, Ms Peggy P.C. Tsui, TP/K, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

[Mr Wilson Y.W. Fung and Dr. Frankie W.C. Yeung left the meeting during the presentation session.]

58. Some Members raised the following questions:

- (a) whether the retail block was separated from the residential portion of the proposed development and details on the future operation of the retail block, e.g. whether there would be alfresco dining, and the interface between the proposed retail block/clubhouse and the waterfront promenade;
- (b) the accessibility of the application site (the Site);
- (c) details on the proposed flat sizes;
- (d) whether there would be direct access from Kai Hing Road to the proposed promenade;
- (e) noting that the residential development was isolated from the major development cluster, whereabouts could the future residents procure their daily goods and necessities;
- (f) whether there was any provision under the OZP for relaxation of the development intensity stipulated for the Site; and

- (g) noting that the planning permission for residential use at adjoining site had lapsed, what the latest development proposal for the site was.

59. In response, Ms Helen H.Y. Chan, STP/K, made the following main points:

- (a) there were separate entrances to the retail block and the proposed development. According to the proposed scheme, the interface between the retail block/clubhouse and the waterfront promenade would not be in a form of blank wall. The future design of the waterfront promenade would be monitored by relevant approval condition, i.e. the design and provision of the public waterfront promenade should be to the satisfaction of the Director of Leisure and Cultural Services and Director of Civil Engineering and Development. Similar to the existing arrangement for design and construction of promenade within Kai Tak Area, the detailed design of the promenade at the Site would be considered by a dedicated inter-departmental vetting panel;
- (b) the Site was located within walking distance of about 10 minutes from the nearest Ngau Tau Kok MTR Station;
- (c) while the average flat size was about 42.8m², the smallest flat size was about 35m²;
- (d) according to the applicant, there was no provision for direct access from Kai Hing Road to the proposed promenade due to the privacy and security concern;
- (e) the future residents could gain easy access to the area around Ngau Tau Kok for daily goods and necessities;
- (f) there was a minor relaxation clause for the development restrictions of the subject “Commercial” (“C”) zone covering the Site under the OZP; and
- (g) the planning permission for residential development with promenade (No. A/K22/13) for the adjoining site at 7 Kai Hing Road lapsed in 2020. While

the site was currently zoned “C”, there was no known latest development proposal.

Deliberation Session

60. Members generally supported the application. A Member suggested that there should be flexibility for the future use and design of the promenade in order to attract more visitors and create more vibrancy. The Chairman remarked that relevant Government departments including Kowloon District Planning Office would take note of the suggestion in the vetting the development proposal in future.

61. 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 18.2.2026, 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 landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the design and provision of the public waterfront promenade, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services and the Director of Civil Engineering and Development or of the Town Planning Board;
- (c) the design and implementation of the public landing steps, as proposed by the applicant, to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board;
- (d) 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 Town Planning Board;

- (e) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (f) the implementation of sewerage connection works identified in the submitted sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and
- (g) the provision of fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.”

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

[The Chairman thanked Ms Helen H.Y. Chan, STP/K, and Ms Peggy P.C. Tsui, TP/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 11

Any Other Business

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