

TOWN PLANNING BOARD

Minutes of 690th Meeting of the Metro Planning Committee held at 9:00 a.m. on 4.3.2022

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 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
Mr C.K. Yip

Secretary

Absent with Apologies

Professor Roger C.K. Chan

Mr C.H. Tse

In Attendance

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

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

Assistant Town Planner/Town Planning Board
Ms Charlotte O.C. Ko

Opening Remarks

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

Confirmation of the Draft Minutes of the 689th MPC Meeting held on 18.2.2022

[Open Meeting]

2. The draft minutes of the 689th MPC meeting held on 18.2.2022 were confirmed without amendments.

Agenda Item 2

Matters 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 (STP/TWK), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K2/221 Commercial Bathhouse and Massage Establishment in “Commercial”
Zone, 2/F & 3/F (Portion), Medilink Square, Bell House, 525-543A
Nathan Road, Yau Ma Tei, Kowloon
(MPC Paper No. A/K2/221)

4. The Secretary reported that the application premises (the Premises) was located in Yau Ma Tei 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 Yau Ma Tei.

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

Presentation and Question Sessions

6. 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 had no objection to the application.

[Mr Stanley T.S. Choi and Ms Sandy H.Y. Wong joined the meeting during the presentation session.]

7. In response to a Member’s enquiry regarding licensing requirement, Mr Clement C.M. Miu, STP/TWK, explained that the applicant had to submit an application including a layout plan to the Police Licensing Office for a Massage Establishments Licence should the subject application be approved. Such application would be circulated to concerned

government departments including the Fire Services Department and Buildings Department for consideration from fire and building safety aspects. The applicant had to renew the licence annually. Regular inspections to the Premises would be carried out by the Hong Kong Police Force to closely monitor the operation of the applied use.

Deliberation Session

8. The Chairman remarked that the application was the subject of a previously approved application for the same use, and the Committee at that time decided to approve the application on a temporary basis for a period of five years to closely monitor its operation. The approved scheme was implemented with all the approval conditions complied with and no complaint against the subject commercial bathhouse and massage establishment was received. The subject application was submitted for the same 'Commercial Bathhouse and Massage Establishment' use on the Premises on a permanent basis.

9. The Committee noted that even if the applied use was approved on a permanent basis, its operation would be monitored through the licencing mechanism. Apart from the Massage Establishments Licence, the applicant was also required to obtain a Commercial Bathhouse License from the Food and Environmental Hygiene Department and that approval of the application on a permanent basis was in line with the previous decisions of the Committee on similar applications within commercial/residential (C/R) buildings in the Yau Ma Tei area, which were all granted with permanent permissions.

10. A Member raised concerns on the possible nuisance that might be caused to the occupants of the C/R building in future, if the applied use was approved on a permanent basis. Members noted that no complaint against the approved permanent commercial bathhouse and massage establishment was received in the previous five years as advised by the Director of Food and Environmental Hygiene and Commissioner of Police, and contravention of licencing requirements might be subject to imprisonment.

11. The Chairman concluded that Members generally had no objection to the application. To address the Member's concern, the Chairman proposed and the Committee agreed to include an additional advisory clause to request the applicant to avoid causing nuisance or disturbance to the occupants of the subject building.

12. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the submission and implementation of fire service installations and water supplies for firefighting within six months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.9.2022; and
- (b) if the above planning condition (a) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

13. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper with the following additional advisory clause:

“to avoid causing nuisance or disturbance to the occupants of the subject building.”

[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/K5/840 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 (2)” Zone, 800 & 828 Cheung Sha Wan Road and 601-603 Tai Nan West Street, Cheung Sha Wan, Kowloon (MPC Paper No. A/K5/840A)

14. The Secretary reported that Townland Consultants Limited (Townland) and

Wong & Ouyang (Hong Kong) Limited (WOHK) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Franklin Yu - having current business dealings with WOHK;
and
- Mr Alex T.H. Lai - his former firm having current business
dealings with Townland and WOHK.

15. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Franklin Yu had not yet joined the meeting. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

16. The Committee noted that the applicant's representative requested on 1.3.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address comments from the Transport Department. 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.

17. 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, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

[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 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/841 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services, Eating Place, Institutional Use (not elsewhere specified), Place of Recreation, Sports or Culture, and Training Centre Uses in “Other Specified Uses” annotated “Business (2)” Zone, 800 & 828 Cheung Sha Wan Road and 601-603 Tai Nan West Street, Kowloon
(MPC Paper No. A/K5/841A)

18. The Secretary reported that Townland Consultants Limited (Townland) and Wong & Ouyang (Hong Kong) Limited (WOHK) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Franklin Yu - having current business dealings with WOHK;
and

Mr Alex T.H. Lai - his former firm having current business
dealings with Townland and WOHK.

19. The Committee noted that Mr Franklin Yu had not yet joined the meeting. As Messrs Alex T.H. Lai and Franklin Yu had no involvement in the application, the Committee agreed that Mr Lai could stay in the meeting and Mr Yu could join the meeting later.

Presentation and Question Sessions

20. 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 had no objection to the application.

21. The Chairman and some Members raised the following questions:

Community-focused Facilities

- (a) details of community-focused facilities to be provided in the proposed development;
- (b) whether the community-focused facilities included Government, institution and community (GIC) facilities, and whether the provision of community-focused facilities was considered as a planning gain;
- (c) noting that the applicant had indicated to give favourable consideration to non-governmental organisations (NGOs) and charitable organisations for the leasing of specified units for the provision of community-focused facilities, whether there was any mechanism to ensure that such proposal would be implemented;
- (d) whether the Secretary for Development (SDEV) and the Planning Department (PlanD) had put weight on the proposed community-focused uses when assessing the subject application;
- (e) whether there was precedent case for provision of voluntary community-focused facilities in proposed developments;
- (f) information about the existing GIC facilities in the area;

Canopy and Setbacks

- (g) details on the canopy in terms of dimensions and location;
- (h) the location of the voluntary setbacks and setbacks required under the Outline Zoning Plan (OZP) and the draft Cheung Sha Wan and Sham Shui Po Outline Development Plan (Northern Section) No. D/K5A/1B (the ODP), and how the voluntary setbacks could improve the pedestrian environment;

- (i) the considerations on acceptability of setbacks proposed in the development scheme;
- (j) details of the setback provided in the previously approved application No. A/K5/842 abutting the west of the application site (the Site);

Air Ventilation, Building Height and Design

- (k) whether the building bulk of the proposed development would lead to adverse air ventilation impact;
- (l) the building height (BH) restrictions in the surrounding area;
- (m) comparison with similar approved applications in terms of floor-to-floor height;
- (n) details on the innovative façade system for reducing energy mentioned in paragraph 2(m) of the Paper, and whether the applicant would apply for BEAM Plus certification;

Planning Considerations

- (o) how the implementability of the proposed planning and design merits would be assessed;
- (p) noting that the applicant was seeking planning approvals for two different development proposals at the Site in parallel, under application No. A/K5/840 for proposed non-polluting industrial use and the subject application for proposed office use, whether it should be allowed under the planning application mechanism; and
- (q) whether the decision of the subject application would affect the Committee's consideration of application No. A/K5/840.

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

Community-focused Facilities

- (a) the applicant proposed a multi-purpose venue on 2/F and dedication of a portion (3/F) of the proposed development for community-focused facilities such as offices for NGOs, indoor sports centre, cultural and arts centre, multi-purpose hall, health centre and training centres of private agencies. These facilities would provide public amenity and supporting facilities for workers in the Cheung Sha Wan Industrial/Business Area (CSWIBA), residents in the surrounding area and the general public;
- (b) the community-focused facilities were proposed by the applicant on a voluntary basis. The applicant did not provide information on whether those facilities would include GIC facilities under the management of relevant government departments such as the Social Welfare Department or Department of Health nor the particular community groups intended to be served;
- (c) the applicant only indicated that they might give favourable consideration to charitable organisations and other operators of community-focused uses for the leasing of specified units to support the provision of community-focused facilities. No particular control mechanism was proposed to ensure the implementation of the proposed community-focused facilities;
- (d) SDEV provided support to the application mainly on the ground that the proposed office development was in line with the government's policy to encourage redevelopment of pre-1987 industrial buildings (IBs) (the Policy). Both SDEV and PlanD had not put weight on the community-focused facilities proposed as a planning gain when assessing the application;
- (e) there was no precedent case for proposing voluntary community-focused facilities in the proposed developments amongst the ten similar planning applications involving minor relaxation of plot ratio (PR) and/or BH restriction in the CSWIBA considered by the Committee;

- (f) the Site was located in the CSWIBA which was characterised by a mix of IBs, industrial-office and commercial developments, and the existing GIC facilities were mainly located in the residential areas in Cheung Sha Wan and Sham Shui Po further east and southeast of the Site;

Canopy and Setbacks

- (g) according to Drawings A-3 and A-13 of the Paper, a continuous canopy of about 233m in total length, 3m in width and around 6.5m in height for pedestrian weather protection was proposed along almost the entire building façades facing Cheung Sha Wan Road, Tai Nan West Street and Castle Peak Road. The design of the canopy would be further vetted by PlanD at the general building plan (GBP) submission stage;
- (h) the proposed development had incorporated a 3.5m-wide setback along Castle Peak Road as required under the OZP, a 3.5m-wide setback along Tai Nan West Street and a 2m-wide setback along Cheung Sha Wan Road as required under the ODP, and a further voluntary 1.5m-wide lower level setback (G/F to 3/F only) along Tai Nan West Street and Cheung Sha Wan Road. The proposed setbacks and the existing public pavement of about 3m-wide along Cheung Sha Wan Road, Tai Nan West Street and Castle Peak Road allowed a more spacious street-level environment, space for tree planting and a canopy for weather protection within the setback areas, which could promote visual interest and enhance the pedestrian environment and circulation;
- (i) according to the pedestrian circulation assessment in the traffic impact assessment (TIA) submitted by the applicant, the level of service of the pavement for pedestrian circulation was anticipated to be generally improved with incorporation of the setbacks. The Commissioner of Transport had no adverse comment on the TIA. The provision of setback would also need to balance against the impact on the private lots. For the subject application, two existing IBs/sites, namely Manley Tower and Hong Kong Spinners Industrial Building Phases I & II were amalgamated into one redevelopment site, for achieving better urban design and local area improvements. If the

Manley Tower site, that was narrow in configuration, was to be redeveloped on its own, limited setback might be provided;

- (j) under the approved application No. A/K5/842, a 2m-wide building setback along Cheung Sha Wan Road was proposed as per the requirement of the ODP. No voluntary setback was proposed having considered the narrow configuration of that site;

Air Ventilation, Building Height and Design

- (k) the proposed development had adopted a twin-tower scheme with staggered BH at 144mPD and 152mPD which could reduce the perceived building mass. Compared to the existing situation where there was continuous building frontage along all three streets and no building/podium setback due to large industrial building footprints, the proposed development allowed for (i) building separation in the west due to the development of a low-rise retail block within the Manley Tower site; (ii) smaller office footprint above a commercial podium; and (iii) building setbacks from G/F to 3/F beyond that stipulated on the ODP. According to the Air Ventilation Assessment - Expert Evaluation (AVA-EE) undertaken by the applicant, the Site did not traverse and only abutted the identified air paths along Castle Peak Road and Cheung Sha Wan Road in the area. Although the proposed redevelopment at a maximum BH of 152mPD might result in some additional wind blockage, the proposed scheme with design measures and setbacks was expected to have similar air ventilation performance when compared with the OZP compliant scheme formulated for AVA purpose. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD considered that the conclusion of the AVA-EE was acceptable;
- (l) with reference to Plan A-3 of the Paper, three main height bands, including 100mPD for “Commercial” zone and 120mPD and 130mPD for “Other Specified” annotated “Business” zones, were imposed on the OZP for the CSWIBA. The BHs of some existing buildings exceeded the BH restrictions as stipulated on the OZP as those buildings existed before the incorporation of BH restrictions on the OZP. The subject application was the first application

for minor relaxation of BH restriction within the 130mPD height band in the northern portion of the CSWIBA. There was an approved application involving minor relaxation of BH in the 120mPD height band in the northern portion of the CSWIBA. The proposed BH of 152mPD would be the tallest in the CSWIBA;

- (m) the proposed floor-to-floor height of 4.2m under the subject application was largely similar to the more recently completed office developments in the surrounding area;
- (n) no detailed information about the innovative façade system for reducing energy consumption was provided by the applicant. The applicant did not indicate whether they would apply for BEAM Plus certification in the detailed design stage;

Planning Considerations

- (o) the implementation of sustainable building design (SBD) features such as building separation, building setbacks and site coverage of greenery would be reflected at the GBP submission stage and compliance with the SBD guidelines would be one of the pre-requisites for the Building Authority to grant GFA concessions. The implementation of other proposals, such as provision of community-focused facilities or the claims on energy saving features was not given much weight in PlanD's planning assessment;
- (p) an applicant was allowed to submit planning applications for different uses/schemes on the same site. For the subject site, the applicant had submitted two development proposals, i.e. proposed office development (i.e. the subject application) and proposed non-polluting industrial development (application No. A/K5/840)). The applicant advised that they could only fully commit to one development option, after comparing both options with the benefits of more detailed financial and commercial assessments, which might only take place if planning approvals were obtained for both schemes; and

- (q) as the two applications would be assessed based on their own planning and design merits taking into account comments from government departments and the public, the decision of the subject application would not preempt the Committee's consideration of application No. A/K5/840.

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

Deliberation Session

23. The Chairman remarked that the current application was for minor relaxation of PR and BH restrictions for proposed office use. While the applicant had submitted two development proposals for the Site, the consideration of the two applications should be based on their own planning and design merits. SDEV provided support to the subject application in-principle as the proposed scheme was in line with the Government's policy to incentivise owners to redevelop old IBs and the planning intention of the subject "OU(B)" zoning. The Committee noted that SDEV and PlanD had not put weight on the proposed community-focused facilities as a planning gain when assessing the application. In addition, the minor relaxation of BH restriction sought might be considered not out of proportion with that of PR restriction being sought.

24. The Committee generally appreciated the applicant's effort in providing voluntary setbacks, full length canopy, public open space and ample greenery to improve the visual interest and pedestrian environment. Noting that the proposed development with a BH of 152mPD would be the tallest building in the area and the building bulk was relatively massive, a few Members raised concerns on the extent of minor relaxation of BH restriction sought and considered that the applicant might be requested to provide further information to justify the proposed BH. A Member further considered that there was room to improve the design and layout of the proposed development for better air ventilation and permeability and provision of more green building features.

25. Two Members, whilst appreciating the applicant's goodwill to give favourable consideration to NGOs and charitable organisations for the leasing of specified units to support the provision of community-focused facilities, raised concerns that the applicant had

not provided concrete implementation proposals and there was a lack of monitoring mechanism. A Member said that there was high demand for office space for NGOs and charitable organisations to provide social incubation service, sports and health related facilities etc. and there was a need to find ways to facilitate their implementation. In response, the Chairman said that should the application be approved, PlanD would ensure that the GBP was in accordance with the proposed scheme during the GBP submission stage. Relevant conditions might also be included in the lease subject to Lands Department's agreement. A Member agreed and said that private developers should exercise social responsibilities and be encouraged to provide more social benefits through their projects.

26. The Chairman concluded that the Committee generally supported the application. In response to Members' concerns, the Chairman suggested and the Committee agreed to include two additional advisory clauses to request the applicant (i) to facilitate the provision of community-focused facilities in the proposed development, and (ii) to improve the design and layout of the proposed development for better air ventilation and permeability and to adopt green building design.

27. 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 4.3.2026, 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 an updated traffic impact assessment report and implementation of traffic mitigation measures identified therein for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of vehicular access, vehicle parking spaces, loading/unloading facilities and maneuvering spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection

works as identified in the accepted Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB;

- (d) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the TPB.”

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

- “(a) to facilitate the provision of community-focused facilities in the proposed development; and
- (b) to improve the layout and design of the proposed development for better air ventilation and permeability and to adopt green building design;”

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

[Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department, joined the meeting at this point.]

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

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/532 Shop and Services (Property Agency) in “Other Specified Uses” annotated “Business” Zone, Workshop E, G/F, TML Tower, 3 Hoi Shing Road, Tsuen Wan, New Territories
(MPC Paper No. A/TW/532)

29. The Secretary reported that the application site (the 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 owning properties in Tsuen Wan; and

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

30. 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 Site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

31. With the aid of a PowerPoint presentation, Mr Ng Kar Shu, 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 had no objection to the application.

32. Members had no question on the application.

Deliberation Session

33. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the provision of fire services installations and equipment and separate means of escape within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 4.9.2022; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given should cease to have effect and shall on the same date be revoked without further notice.”

34. 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 Ka Shu, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

[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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/485 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Use in “Industrial” Zone, 13-17 Wah Sing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/485B)

Presentation and Question Sessions

35. With the aid of a PowerPoint presentation, Mr Stephen C.Y. Chan, 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) had no objection to the application.

36. Some Members raised the following questions regarding the proposed setback and canopy design:

- (a) how the proposed setback and canopy could improve pedestrian environment;
- (b) location of the canopy, and whether the canopy of 29m in length could serve the function of weather protection;
- (c) the controls on dimensions of canopy under the Building (Planning) Regulations (B(P)R); and
- (d) details on the NBA to the immediate northeast of the application site (the Site), and whether it should be regarded as a street for the purpose of requirements under the B(P)R.

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

- (a) the proposed redevelopment had incorporated a full-height setback of about 1.5m to 3.7m with a crescent shaped setback at the south-eastern boundary to facilitate the future road widening along Wah Sing Street, and that was generally in line with the requirement under the Kwai Chung Outline Development Plan No. D/KC/D (the ODP). A canopy was proposed along the north-eastern building façade of the proposed redevelopment for pedestrian comfort and weather protection. Landscaping in the form of planters and vertical greening were also provided on G/F and 1/F. The existing industrial building on the Site was in relatively poor condition in the midst of a neighbourhood with industrial buildings. The redevelopment with the proposed design measures on the Site as well as the approved planning application for redevelopment at the adjacent site could together enhance the visual character and greatly improve the overall environment in Central Kwai Chung; and
- (b) as illustrated in Drawing A-3 of the Paper, a canopy of about 29m long was

proposed at the north-eastern façade along the footpath of Wah Sing Street. The applicant indicated that the proposed canopy of about 0.9m in width was in accordance with the requirements under the B(P)R. Nevertheless, admittedly it was considered that there was room for the applicant to improve the overall design of the canopy along the building façade facing Wah Sing Street to further enhance the walking environment and experience of pedestrian at this locality. The canopy design could be further enhanced during the detailed design stage;

- (c) the applicant indicated that the proposed width of the canopy was subject to the B(P)R, which stipulated that the maximum projection of any canopy erected over any street should be one-tenth of the width of the street or 3m, whichever was the less. According to the applicant, the canopy with a width of about 0.9m was therefore proposed since the width of the concerned section of Wah Sing Street was about 9m wide. Besides, according to the B(P)R, every canopy erected within a particular distance of the outer edge of a footpath, or projecting over a road, should have a clear space of not less than 5.5m. With reference to Plan A-2 of the Paper, the existing road and footpath between Wah Sing Street and Wo Yi Hop Road to the immediate northeast of the Site were designated as a non-building area (NBA) on the Outline Zoning Plan (OZP) to maintain the flow of the existing air path to this area. Hence, an excessive canopy abutting the concerned NBA might compromise the intended purpose of the NBA. Having considered the site constraint, the Chief Town Planner/Urban Design and Landscape of PlanD considered that there was room for the applicant to improve the proposed canopy to improve the pedestrians' walking experience and comfort; and
- (d) the intention for designation of the NBA to the immediate northeast of the Site was for maintaining the flow of the existing air path to this area and no building nor structure above ground was allowed. It was mainly government land and there was no information regarding the party responsible for the erection of bollards on the road.

38. The Chairperson supplemented that from the site photos, the area within the

NBA was a road, although currently blocked off by bollards. The applicant considered that the NBA area should be regarded as a street for the purpose of determining the width of the canopy under the B(P)R. Those details would be subject to further vetting at the general building plan (GBP) submission stage.

39. Two Members raised the following questions:

- (a) the number and location of parking spaces and loading/unloading (L/UL) bays; and
- (b) pedestrian connectivity and accessibility of the Site; and
- (c) details on the proposal for maintenance of the vertical greening.

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

- (a) 21 private car parking spaces, 3 motorcycle parking spaces and 29 L/UL bays would be provided on the ground floor and basements of the proposed redevelopment. The L/U bays for light goods vehicles were located on basement 1/F and those for the heavy goods vehicles were located on G/F with a turntable. The proposed number of parking spaces and L/UL bays met the high-end requirements of the Hong Kong Planning Standards and Guidelines and the Transport Department had no adverse comment on the application;
- (b) as shown on Plan A-5 of the Paper, the Site was not close to the MTR Kwai Hing Station. It could either be accessed by using the existing footbridges from the MTR Kwai Hing Station across Kwai Chung Road or using the existing footbridges from residential areas in the east across Castle Peak Road - Kwai Chung; and
- (c) the applicant would consider the feasibility and possibility of the use of recycled stormwater for irrigation of the vertical green wall along Wah Sing Street at the detailed design stage. At the GBP submission stage, PlanD would check to ensure that the proposed vertical greening would conform

to the approved scheme.

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

Deliberation Session

41. A few Members, whilst having no objection to the application, considered that there was scope to enhance the design of the canopy. A Member said that the NBA needed not be regarded as a street to determine the width of the canopy and another Member said that there was provision for the Building Authority to allow modification of the width of canopies under the building regime. Both Members considered that the canopy should be widened, extended along the full-length of the building façade facing Wah Sing Street and provided at a lower height from the ground level for better weather protection for pedestrians; and by doing so, would not have negative impact on air ventilation in the NBA.

42. The Chairman concluded that Members generally considered that the application could be approved. In response to Members' views regarding the canopy design, the Chairman suggested and the Committee agreed to include an additional approval condition to require the submission of a revised design of the canopy.

43. In relation to the provision of canopies in similar applications as a general issue, all Members agreed that such provision was considered as one of the important design merits for improving the pedestrian environment. As a general principle, applicants should be encouraged to provide canopies as far as possible in their development schemes. The Chairman remarked that relevant government departments including PlanD had taken note of Members' comments when considering similar applications and PlanD had all along tried to liaise with the applicants to refine their proposals to better address Members' general concerns in this aspect. Nevertheless, individual applicants might have their own consideration having regard to the site context and other relevant factors.

44. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 4.3.2026, 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 parking facilities, loading and 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;
- (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; and
- (f) the submission of a revised design of the canopy to the satisfaction of the Director of Planning or of the TPB.”

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

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

Hong Kong District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H8/432 Proposed Comprehensive Residential Development with Minor Relaxation of Plot Ratio and Building Height Restrictions (Amendments to an Approved Master Layout Plan) in land falling within “Comprehensive Development Area (2)” Zone and an area shown as ‘Road’ at Kai Yuen Street, North Point, Hong Kong
(MPC Paper No. A/H8/432B)

46. The Secretary reported that the application site (the Site) was located in North Point. C M Wong & Associates Limited (CMWA) and K & W Architects Limited (K&W) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Franklin Yu - having current business dealings with CMWA;

Mr Alex T.H. Lai - his former firm having current business dealings with K&W; and

Mr Thomas O.S. Ho - owning a flat in North Point.

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

48. The Committee noted that the applicant’s representative requested on 21.2.2022 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 third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

49. 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.

[Mr Ng Kwok Tim, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H8/434 Shop and Services (Property Agency) in "Other Specified Uses" annotated "Pier" Zone, Shop K24, Lower Deck, North Point (West) Passenger Ferry Pier, Hong Kong
(MPC Paper No. A/H8/434)

Presentation and Question Sessions

50. With the aid of a PowerPoint presentation, Mr Ng Kwok Tim, STP/HK, 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 had no objection to the application.

51. In response to a Member's enquiry regarding the shop and services currently provided at the subject pier, Mr Ng Kwok Tim, STP/HK, said that apart from the property

agency under the subject application, there were convenience store and shops/stalls selling fresh seafood in operation with valid planning permissions.

52. In response to the same Member's enquiry on whether the Transport Department (TD) was the authority for leasing shop spaces at the pier, Mr Ng Kwok Tim, STP/HK, explained that TD was empowered to give consent to the ferry operator(s) to sublet surplus space of the pier for purposes other than the operation of licensed ferry services. The Government Property Agency was the leasing facilitator to prepare and execute the tenancy agreement with the ferry operators, in accordance with the TD's requirements, for leasing out the shop spaces in the pier. Should the subject application be approved, the tenant was required to submit an application for commercial concession to sublet surplus space of the pier for non-ferry operation purposes. Such application would be circulated to relevant government departments for consideration.

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

Deliberation Session

53. Members generally supported the application. Noting that one comment was received from a member of the Harbourfront Commission's Task Force on Harbourfront Developments on Hong Kong Island which considered that food and beverage services were preferred at the application premises, a Member opined that the type of shop and services provided at the pier should be in line with the objective of harbourfront enhancement. The Chairman remarked that relevant Government departments including PlanD would take note of the comment in vetting similar development proposals in future.

54. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions:

- “(a) the provision of fire service installations and equipment to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) the submission and implementation of a sewerage connection proposal 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 III of the Paper.

[The Chairman thanked Mr Ng Kwok Tim, STP/HK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Kowloon District

[Mr Mak Chung Hang, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/342 Proposed Minor Relaxation of Building Height Restriction to Allow for One Storey of Basement for Permitted House Use in “Residential (Group C)1” Zone, 14 Kent Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/342A)

56. The Secretary reported that the application site (the Site) was located in Kowloon Tong. 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 Kowloon Tong.

57. 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

58. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, 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.

59. Some Members raised the following questions:

- (a) details of the basement in terms of area and floor height;
- (b) considering that the basement size was relatively large, whether the basement size was comparable to those of the approved similar applications;
- (c) details of the ramp design and the function of the proposed ramp at the northwestern portion of the basement, and whether the ramped down portion would be counted as one storey;
- (d) whether the proposed private car and light goods vehicles (LGV) parking spaces were to meet the parking standard under the Hong Kong Planning Standards and Guidelines (HKPSG);
- (e) whether it was possible to provide car parking spaces on the ground floor instead of the basement; and
- (f) details of the landscape proposal in terms of location of the proposed planting areas and transplantation.

60. In response, Mr Mak Chung Hang, STP/K, made the following main points:

- (a) the applicant indicated that the GFA for the basement was 640m², which was equivalent to about 64% of the site area. The proposed floor height of the basement was mainly around 4.6m, and ranged from 3.7m (for car parking area) to 5.9m;
- (b) the proposed basement size of about 640m² under the subject application was on the high end compared to the 14 approved similar applications with basement areas ranging from 144m² to 653m². The size of the basement would also depend on the site area;

- (c) with reference to Drawings A-1 and A-2 of the Paper, vehicles would access the Site from Kent Road and go down a ramp with a gradient of 1:8 to the car parking spaces in the basement. Vehicles would go down another short ramp to the LGV parking space in the south end of the basement. Since the ramp down area in the northwestern and southern portion of the basement was less than 1m from the main basement level, it would not be counted as an additional storey. The applicant had not provided information on why a higher floor height was required at that portion of the basement, while it was noted that some plant rooms would be located there;
- (d) under the HKPSG, a minimum of one private car parking space was required for the proposed house on the Site and there was no requirement for LGV parking space. The Transport Department had no adverse comment on the proposed transport provision;
- (e) considering the size of the Site, it was not impossible to provide the parking spaces on the ground floor. However, it was the applicant's proposal to provide the parking spaces and ancillary plant rooms in the basement. According to the Explanatory Statement of the Kowloon Tong Outline Zoning Plan, application within the "Residential (Group C)1" zone for minor relaxation of the building height for one storey of basement for accommodation of car park and/or ancillary plant room might be submitted to the Board for consideration; and
- (f) according to Drawings A-2 and A-6 of the Paper, planting areas with sufficient soil depth were mainly proposed at the northwestern corner near Kent Road (for trees) and the eastern portion (for scrubs) of the Site. There were eight trees identified within the Site, seven along the northern boundary and one large lycee tree at the southern boundary. Seven trees would be transplanted to the proposed tree planting area at the northwestern corner of the Site whilst the remaining tree would be felled as it was in poor health condition. The lychee tree was proposed to be felled under the previously rejected application No. A/K18/335. To address Members' previous concern on tree preservation on the Site, the applicant proposed to transplant the lychee tree instead under the subject application.

Deliberation Session

61. The Chairman remarked that the previous application No. A/K18/335 was rejected by the Committee mainly on the grounds that the applicant failed to provide justification for the size of the basement and failed to demonstrate that there was no adverse impact on the existing trees. As compared with the previous application, the applicant had reduced the basement size (from 712m² to 640.5m²) and increased the total number of trees to be transplanted/planted from 10 to 17 under the proposed scheme.

62. A Member considered that the proposed basement area was excessive and the proposed floor height of the basement up to 5.9m was much higher than the headroom required for a typical carpark and similar approved applications did not propose loading/unloading bay in the basement. Another Member concurred and both Members had reservation on the application and had concern about possible illegal conversion of the basement for other uses. Other Members generally had no objection to the application. The Chairman remarked that there was no basis to decide on an optimal basement size at the planning stage and relevant government departments had no adverse comment on the application. Furthermore, the size and floor height of the basement would be vetted by the Building Authority at the general building plan submission stage. Any illegal conversion of the basement floor space for uses other than those approved would be subject to enforcement actions under the buildings and/or and land administration regimes.

63. The Chairman suggested and the Committee agreed to include an advisory clause to request the applicant to note the above concerns raised by Members.

64. 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 4.3.2026, 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 condition:

“the design and provision of vehicular access, car parking spaces and loading/unloading facilities for the proposed development to the satisfaction of

the Commissioner for Transport or of the TPB.”

65. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper with the following additional advisory clause:

“to note the concern of Members on the size and floor height of the basement and that the basement should not be illegally converted for uses other than the proposed car parking space, loading/unloading bay and ancillary plant rooms.”

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

[Mr William W.L. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K/22 Temporary Public Vehicle Park (excluding Container Vehicle) for Letting of Surplus Monthly Parking Spaces to Non-residents for a Period of 5 Years in “Residential (Group A)” Zone, (a) Choi Ying Estate and (b) Ko Cheung Court and Yau Mei Court, Kwun Tong, Kowloon

(MPC Paper No. A/K/22)

66. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

| | | |
|---|---|---|
| Mr Paul Au <i>as the Chief Engineer (Works), Home Affairs Department</i> | - | being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA; |
|---|---|---|

- Mr Thomas O.S. Ho - having current business dealings with HKHA;
- Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA;
- Mr Alex T.H. Lai - his former firm having current business dealings with HKHA;
- Dr Lawrence W.C. Poon - his spouse being an employee of the Housing Department (HD), which was the executive arm of HKHA, but not involved in planning work; and
- Mr Daniel K.S. Lau - being a member of the Hong Kong Housing Society which currently had discussion with HD on housing development issues.

67. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting. As the interests of Messrs Paul Au and Franklin Yu were direct, the Committee agreed that they should be invited to leave the meeting temporarily for the item. As the interest of Dr Lawrence W.C. Poon was indirect and Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Messrs Paul Au and Franklin Yu left the meeting temporarily at this point.]

Presentation and Question Sessions

68. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, 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 had no objection to the application.

[Dr Lawrence W.C. Poon left the meeting during the presentation session.]

69. Members had no question on the application.

Deliberation Session

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 4.3.2027 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition:

“priority should be accorded to the respective residents of Choi Ying Estate, Ko Cheung Court, Yau Mei Court and Yau Tong Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

71. 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 William W.L. Chan, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

[Messrs Paul Y.K. Au and Franklin Yu rejoined the meeting at this point.]

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/808 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office and Shop and Services Uses in “Other Specified Uses” annotated “Business” Zone, 201 Wai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/808A)

Presentation and Question Sessions

72. 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.

73. Some Members raised the following questions:

Minor Relaxation of Building Height (BH) and Plot Ratio (PR) Restrictions

- (a) the bonus PR that might be claimed under the Building (Planning) Regulations (B(P)R) for the setback/non-building area (NBA);
- (b) reason for seeking minor relaxation of BH restriction for the proposed development;
- (c) whether approval of the subject application for minor relaxation of BH restriction would undermine the intention of imposing the BH restrictions for achieving a stepped height profile;

Design Measures

- (d) comparison with an approved similar application (No. A/K14/778) abutting the application site (the Site) in terms of setback, provision of canopy and greenery;
- (e) noting that a voluntary setback along Wai Yip Street was proposed under the approved application No. A/K14/778, the reason why the applicant did not propose voluntary setback under the subject application;
- (f) whether there would be building separation between the Site and the existing building to its north (i.e. Catic Building) upon redevelopment;

- (g) details of the proposed landscaped garden on 3/F in terms of users, location of the planting areas and sunlight penetration; and
- (h) whether the proposed landscaped garden on 3/F might be used for commercial activities.

74. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:

Minor Relaxation of BH and PR Restrictions

- (a) application for bonus PR at the general building plan (GBP) submission stage was subject to approval of the Building Authority (BA) under B(P)R 22(1) and (2) for surrender of land for use as public passage and street widening. The application would be considered by the BA according to the special circumstances of each case based on advice from relevant government departments that the proposed surrender of land was essential and acceptable and the relevant criteria under PNAP APP-20 were complied with. According to the applicant, a bonus PR of about 0.391 (equivalent to a GFA of about 366.24m²) would be claimed, in addition to the applied PR, for the setback/NBA subject to approval by the BA;
- (b) with a small site area (936m²) and upon provision of the required setbacks (taking up about 8.5% of the site area), the maximum permissible site coverage (SC) under the B(P)R had already been adopted in the proposed scheme, and a proposed increase in BH was needed to accommodate the additional PR sought. All approved similar applications falling within areas with a BH restriction of 100mPD had sought for minor relaxation of BH restriction ranging from 115mPD to 126mPD, except for application No. A/K14/778 with a bulkier building;
- (c) in terms of BH profile for the business area, sites closer to the harbourfront, i.e. to the south of Hung To Road (including the Site) and to the west of Lai Yip Street, were subject to a BH restriction of 100mPD which followed a stepped BH profile descending from inland with a BH at around 160mPD to the harbourfront. The proposed BH of 120mPD at the Site would not severely

undermine the stepped BH profile. Given the context and as illustrated in the photomontages of the submitted visual impact assessment, the Chief Town Planner/Urban Design and Landscape of Planning Department advised that it was unlikely that the proposed development would induce significant adverse effects on the visual character of the surrounding townscape. From the photomontage as viewed from the Quarry Bay waterfront promenade, the proposed development would not affect views of the ridgeline;

Design Measures

- (d) compared to the approved similar application No. A/K14/778 for proposed non-polluting industrial use, the subject application was for proposed commercial use. The site area and proposed green coverage under both applications were similar, which were 936m² and about 29% respectively. Regarding the setback, a 2.5m full-height building setback along Wai Yip Street, a 1.5m full-height setback and a 1.5m aboveground non-building area (NBA) (with clear headroom of 5.1m) at the back alley had been incorporated in accordance with the adopted Kwun Tong (Western Part) Outline Development Plan No. D/K14A/2 (the ODP) under both applications. As for the canopy, a 1.5m-wide canopy along the full frontage of Wai Yip Street was proposed under both applications whilst the approved scheme of A/K14/778 had incorporated an additional 1.3m-wide voluntary setback along Wai Yip Street. The BHs of the proposed scheme at the Site and approved scheme of A/K14/778 were 120mPD and 100mPD respectively. The proposed SC of 60% under the subject application was the maximum permissible SC for the Site under B(P)R. Application No. A/K14/778 did not involve any minor relaxation in BH restriction with a proposed PR of 14.4 as the applicant would apply for modification of maximum permissible SC under PNAP APP-132 relating to the proposed setback beyond that under the First Schedule of B(P)R, thereby resulting in a bulkier built form. The parking space provision in the subject application for office use was much more than that for the approved scheme for industrial use according to requirements under the Hong Kong Planning Standards and Guidelines;

- (e) given that the Site was relatively small and with the need to provide the required loading/unloading bays on G/F, the applicant advised that there was no room for providing additional voluntary setback in the proposed development;
- (f) there was no requirement for providing separation between the Site and adjacent buildings under the ODP. If the Catic Building site was to be redeveloped in future, limited separation might be provided given the relatively narrow site configuration ;
- (g) with reference to Drawing A-4 of the Paper, the applicant advised that the proposed landscaped garden on 3/F would serve the future workers of the office development. The planting areas would be provided along the northern, western and southern edges of the landscaped garden. There would be sunlight penetration to those planting areas that would be uncovered; and
- (h) according to information provided by the applicant, the proposed landscaped garden was intended to serve as a social gathering place for future workers. If the landscaped garden was used for commercial purpose in future, it might be accountable for gross floor area and that would be vetted at the GBP submission stage.

Deliberation Session

75. Noting that the Site was relatively small, the Committee in general supported the application having considered that setbacks were provided in accordance with requirements under the ODP, the proposed extent of minor relaxation of BH restriction was similar to other approved applications in the business area and would not bring significant adverse visual impacts to the surroundings.

76. A Member said that any redevelopment of the building to the northwest of the Site would block the sunlight penetration for the planters at the landscaped garden on 3/F. The Member suggested that the planters at the landscaped garden should be aligned in the northern and southern edges of the landscaped garden to ensure better sunlight penetration in the long term. In response, the Chairman suggested and the Committee agreed to include an

additional advisory clause to request the applicant to improve the greening proposal (including the location of planters at the landscaped garden) during the detailed design stage.

77. 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 4.3.2026, 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 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 the Director of Environmental Protection or of the TPB;
- (b) 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 TPB;
- (c) 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 TPB; and
- (d) 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 TPB.”

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

“to improve the greening proposal (including the location of planters at the landscaped garden) during the detailed design stage.”

Agenda Item 13

Section 16 Application

[Open Meeting]

A/K14/809 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, 1 Tai Yip Street and 111 Wai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/809A)

79. The Secretary reported that Archiplus International Limited (Archiplus) was one of the consultants of the applicant. Mr Alex T.H. Lai had declared an interest on the item for his former firm having current business dealings with Archiplus.

80. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Alex T.H. Lai had already left the meeting.

81. The Committee noted that the applicant’s representative requested on 24.2.2022 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 to address departmental and public comments.

82. 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, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

Agenda Items 14 and 15

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/812 Proposed Minor Relaxation of Building Height Restriction for Permitted Government, Institution and Community Uses and Proposed Underground ‘Public Vehicle Park (excluding Container Vehicle)’ in “Government, Institution or Community (2)” and “Open Space” Zones, Sites G2 and G2a, Anderson Road Quarry Development, Kowloon (MPC Paper No. A/K14/812)

A/K14/813 Proposed Minor Relaxation of Building Height Restriction for Permitted Refuse Collection Point and Recyclable Collection Centre Uses in “Government, Institution or Community (2)” Zone, Site G-5, Anderson Road Quarry Development, Kowloon (MPC Paper No. A/K14/813)

83. The Committee agreed that as the two applications were similar in nature (proposed minor relaxation of building height (BH) restriction) and were both zoned “Government, Institution or Community (2)” zone, and the application sites were located in Anderson Road Quarry Development (ARQD), they could be considered together.

84. The Secretary reported that application No. A/K14/812 was submitted by Government Property Agency (GPA) and Mr Alex T.H. Lai had declared an interest on the item for his former firm having current business dealings with GPA.

85. The Committee noted that Mr Alex T.H. Lai had already left the meeting.

Presentation and Question Sessions

86. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications. For application No. A/K14/812, as the proposed joint-user complex (JUC) involving a wide range of Government,

institution and community (GIC) and social welfare facilities with respective statutory requirements and/or operation needs; thus an approval condition on the design and provision of accommodations of the GIC facilities to be vetted by another specialised team of the GPA was suggested.

[Mr Wilson Y.W. Fung left the meeting during the presentation session.]

87. Some Members raised the following questions on application No. A/K14/812:

- (a) pedestrian connectivity between the JUC site (Site G2) and the public housing developments i.e. On Tai Estate and On Tat Estate in the south;
- (b) under the Single Site, Multiple Use (SSMU) initiative, whether it was possible to further relax the building height (BH) restriction to accommodate more uses at the JUC;
- (c) intended users of the proposed JUC; and
- (d) details on GIC facilities provided in other planned developments in ARQD and the completion year of the residential developments in ARQD.

88. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:

- (a) a series of pedestrian facilities were planned to enhance the pedestrian connectivity between the ARQD and existing housing estates in the vicinity by the Civil Engineering and Development Department (CEDD). The JUC site could be accessed via the planned lift towers and covered walkways from On Sau Road Park adjacent to On Tat Estate. The applicant, GPA and his works agent, would further liaise with relevant government departments including CEDD and the Leisure and Cultural Services Department (LCSD) in the detailed design stage on ways to further enhance the pedestrian connectivity to facilitate access for residents in the area;
- (b) the proposed scheme for the JUC involved a number of government

departments and efforts had been made to balance the need to maximise site utilisation, satisfy functional/operational needs of the proposed uses and optimise the proposed BH under the subject application without compromising the intention for Site G2 which was centrally located amidst the core district open space of ARQD;

- (c) the proposed JUC would serve the planned residential developments in ARQD with a target population of 30,000, as well as the existing developed areas including but not limited to 48,000 residents of On Tat Estate and On Tai Estate in the vicinity; and
- (d) the proposed JUC was anticipated to be completed in 2027 to lie in with the targeted population intake for other public housing developments in ARQD between 2024 and 2026. The Committee had approved two applications for provision of GIC and social welfare facilities such as Residential Care Homes for the Elderly and Child Care Centre in the lower floors of three public housing sites in ARQD. The On Tai Estate Ancillary Facilities Block further northwest of the application site of the subject application, accommodating GIC and social welfare facilities such as Hostel for Severely Mentally Handicapped Persons and Day Activity Centre, was already in operation. In addition, a site to the north of the On Tai Estate Ancillary Facilities Block had been reserved for clinic development by the Department of Health. Site G1 in ARQD further southeast of the JUC site had been reserved for a social welfare block by the Social Welfare Department.

89. In response to a Member's enquiry on whether consideration of amendments to planning applications for GIC uses under the SSMU initiative could be streamlined in future to allow flexibility for change in the types of GIC and social welfare facilities, the Chairman said that the government was reviewing ways to streamline the planning application process. The Chairman also remarked that the subject application was for minor relaxation of BH restriction and GIC uses were always permitted within the subject "Government, Institution or Community(2)" ("G/IC(2)") zone, which would allow flexibility for change in the types of GIC and social welfare facilities to be provided in the proposed JUC during the detailed design stage.

90. Some Members raised the following questions on application No. A/K14/813:
- (a) whether the applicant had proposed any eco-friendly measures in the proposed refuse collection point (RCP) and Recycling Stores (RS);
 - (b) how the proposed RCP and RS would be compatible with the surrounding area; and
 - (c) details on the operation of the proposed RCP and RS.
91. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:
- (a) the applicant, the Food and Environmental Hygiene Department, indicated that the grey water from the proposed RCP and RS would be discharged to the district-based grey water recycling system constructed by the Water Supplies Department in ARQD;
 - (b) landscape treatments including vertical greening and planters with shrubs were proposed on the flat roof on 2/F. Taking account of the relevant guidelines issued by the Buildings Department, no greening was proposed on G/F for rodent prevention. The building façades would be finished mainly with earth-tone color and stone material that would be in harmony with the surrounding environment; and
 - (c) the application site i.e. Site G-5 comprised a proposed RCP on G/F and 1/F and a proposed RS on 2/F. Municipal solid waste collected from the housing estates in the vicinity would be transported to the proposed RCP. The proposed RS was part of the Environmental Protection Department's (EPD) community recycling network providing collection services for recyclables. The public bringing recyclables to the recycling corner of the RS to earn points for redemption of gift items could take the lifts from the main entrance on G/F, which would be separated from the RCP facilities, to the proposed RS on 2/F. There was also a recycling room on 2/F for the operators to sort the recyclables collected prior to delivering to the downstream recyclers for

subsequent processing. There were two multi-purpose rooms in the RS for holding activities to promote environmental education to the community. In addition, the non-governmental organisation operating the RS would have mobile recycling facilities to collect recyclables from the housing estates on regular basis.

[Mr Franklin Yu left the meeting during the question and answer session.]

Deliberation Session

92. Members generally indicated support to the applications which were in line with the government policy initiative of SSMU and the planning intention of the “G/IC(2)” zone to serve the needs of the local residents and considered that the proposed minor relaxation of BH could be supported.

93. Noting that there would be a planned population of 30,000 in the ARQD, a few Members opined that sufficient GIC and social welfare facilities should be provided to serve residents in the ARQD as well as the public housing developments in the vicinity. In that regard, some Members considered that when appropriate, accommodation of more GIC uses within the JUC might be further explored.

94. For application No. A/K14/812, a few Members considered that the pedestrian connections between the JUC site that was at an uphill area and the residential developments downhill to its south could be further enhanced with particular focus on the quality of the pedestrian experience in terms of convenience and comfort.

95. For application No. A/K14/813, three Members considered that the design of the proposed RCP and RS could be improved by providing more greening, adopting more modern recycling and waste reduction methods and promoting community building in the process of recycling and refuse collection. Another Member suggested that EPD should also provide recycling facilities in the surrounding housing estates.

96. The Chairman remarked that the proposed scheme for the JUC was considered to be an optimal scheme by relevant government departments at the current stage and as GIC use was always permitted in the subject “G/IC(2)” zone, there was flexibility to accommodate

GIC uses other than those currently proposed in the JUC. Improvement on pedestrian connections with the surroundings, as well as the types of GIC and social welfare facilities to be provided were subject to further liaison between the applicant and the relevant government departments in the detailed design stage. As for the proposed RCP cum RS scheme, it should be noted that it was designed in accordance with functional requirements of the applicant with inputs from relevant government departments. In deliberating application No. A/K14/813, Members should focus on whether there were justifications to relax BH and any adverse impacts in doing so. Members' comments relating to waste reduction and recycling policies, which were under the purview of the Environment Bureau, were considerations beyond the planning application for minor relaxation of BH restriction for the site.

97. Notwithstanding the above, the Chairman suggested that additional advisory clauses could be added to address Members' concern on enhancing pedestrian connectivity for the JUC site (for application No. A/K14/812) and improvement in greening proposal for the RCP and RS (for application No. A/K14/813). Members agreed.

98. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). The permissions should be valid until 4.3.2026, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. The permissions were subject to the following conditions:

Application No. A/K14/812

- “(a) the design and provision of accommodations of the government, institution and community facilities to the satisfaction of the Government Property Administrator or of the TPB;
 - (b) the design and provision of the public open space at the site to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
 - (c) 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 TPB;
- and

- (d) the design and provision of parking facilities, loading/unloading spaces and vehicular access to the satisfaction of the Commissioner for Transport or of the TPB.”

Application No. A/K14/813

“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 TPB.”

99. The Committee also agreed to advise the applicants to note the advisory clauses as set out at Appendix III of the Papers with the following additional advisory clauses:

Application No. A/K14/812

“to enhance pedestrian connectivity of the joint-user complex with the surrounding areas with a view to providing convenience and comfort for pedestrians.”

Application No. A/K14/813

“to improve the design of the proposed development in terms of providing more greening.”

[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 16

Any Other Business

100. There being no other business, the meeting was closed at 2:00 p.m.