

TOWN PLANNING BOARD

Minutes of 693rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.4.2022

Present

Director of Planning
Mr Ivan M.K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

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

In Attendance

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

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

Assistant Town Planner/Town Planning Board
Mr Jimmy C.H. Lee

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 692nd MPC Meeting held on 1.4.2022

[Open Meeting]

2. The draft minutes of the 692nd MPC meeting held on 1.4.2022 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 (Presentation and Question Sessions Only)]

Y/H10/15 Application for Amendment to the Approved Pok Fu Lam Outline Zoning Plan No. S/H10/19, To rezone the application site from “Residential (Group C) 1” and “Government, Institution or Community” to “Residential (Group B)” or “Government, Institution or Community”, Nos. 1, 3, 5, 7, 9-11 and 13-15 Northcote Close, Pok Fu Lam, Hong Kong (Inland Lot Nos. 7671, 7888 and 7890)
(MPC Paper No. Y/H10/15)

4. The Secretary reported that the application site (the Site) was located in Pok Fu Lam, and the University of Hong Kong (HKU) had submitted an objecting comment against the application. The following Members had declared interests on the item:

- Mr Ben S.S. Lui - co-owning with spouse a flat in Pok Fu Lam, his spouse owning a car parking space in Pok Fu Lam, and being a director of a company which owned flats and car parking spaces in Pok Fu Lam; and

- Ms Bernadette W.S. Tsui - living in Pok Fu Lam and being the Associate Vice-President (Development & Alumni Affairs) of HKU.

5. As the interest of Ms Bernadette W.S. Tsui was direct, the Committee agreed that she should be invited to leave the meeting temporarily for the item. As the flat co-owned by Mr Ben S.S. Lui and flats owned by his company had no direct view of the Site, the Committee agreed that he could stay in the meeting.

[Ms Bernadette W.S. Tsui left the meeting temporarily at this point.]

Presentation and Question Sessions

6. The following representatives from the Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

PlanD

Mr Mann M.H. Chow - District Planning Officer/Hong Kong
(DPO/HK)

Ms Erica S.M. Wong - Senior Town Planner/Hong Kong
(STP/HK)

Applicant's Representatives

The Incorporated Owners of Yee On

Mr Wong Kin Lap

Mr Charles Butcher

Ms Lucy Jane SUTRO

The Incorporated Owners of The Aurora Building (1, 3, 5 Northcote Close)

Mr Wong Chi Keung

Southern District Councillor

Mr Paul Zimmerman

Office of Paul Zimmerman Southern District Councillor

Mr Leung Ho Yin Denis

Masterplan Ltd.

Mr Ian Brownlee

Ms Yuen Sik Kiu Heather

Chih Design Ltd.

Mr Chih Ming Yuen

CKM Asia Ltd.

Mr Chin Kim Meng

7. The Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

8. With the aid of a PowerPoint presentation, Ms Erica S.M. Wong, STP/HK, briefed Members on the background of the application, the proposed rezoning, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD did not support the application.

[Mr Ricky W.Y. Yu joined the meeting during PlanD's presentation.]

9. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Ian Brownlee, Mr Paul Zimmerman, Mr Chih Ming Yuen, Mr Chin Kim Meng, Mr Wong Chi Keung, Mr Charles Butcher and Mr Wong Kin Lap, the applicant's representatives, made the following main points:

Background and Planning Context

- (a) the Site was mainly zoned "Residential (Group C) 1" ("R(C)1") subject to a maximum building height (BH) of three storeys (10.67m) including carports and a maximum plot ratio (PR) of 0.75 on the Outline Zoning Plan (OZP). The existing residential buildings with a BH of four to five storeys above one storey of carports on the Site were built in the 1960s and outdated in terms of modern standards;
- (b) HKU had been proceeding with/planning for various developments and redevelopments along Sassoon Road in the area, while the Site was left out and gradually becoming isolated as the only residential development enclosed by government, institution and community (GIC) buildings;
- (c) under the s.12A application No. Y/H10/13 submitted by HKU and approved by the Committee in November 2021, an area of about 1.6 ha to the east of 3 Sassoon Road would be rezoned from "Green Belt" ("GB") to

“Government, Institution or Community” (“G/IC”) for expansion of the HKU Medical Campus. HKU’s new academic buildings under the approved application were large and bulky, and would overshadow the low-rise residential buildings at Northcote Close, including Yee On Building. The proposal would also lead to significant visual impact and loss of vegetation in the “GB” zone;

Rationales and Justifications for the Rezoning Proposals

- (d) the planning intention of “R(C)1” zone for the Site was for low-rise residential development. However, the current zoning and development restrictions were no longer appropriate, given the ongoing developments/redevelopments of medium to high-rise GIC buildings in the vicinity. The Site was also situated well within the catchment area of the planned Queen Mary Hospital MTR Station. The Site should be rezoned to either “Residential (Group B)” (“R(B)”) (Option 1) or “G/IC” (Option 2) to facilitate redevelopment which would be more appropriate in terms of land use compatibility and efficiency;
- (e) the current application was also intended to suggest an alternative to HKU’s proposal under the approved s.12A application No. Y/H10/13, as HKU had not adequately considered different site options (including the Site at Northcote Close) and had not properly addressed the concerns of local stakeholders and residents, in particular those on the BHs of HKU’s new academic buildings;
- (f) throughout these years, the residents on Northcote Close had been affected by construction works of nearby GIC developments. The character of the area and the living environment had also been degrading over time due to those GIC developments. Noting HKU’s development plan for the area in the vicinity, the residents would be suffering from nuisances caused by construction works in the coming 15 years. The residents of Yee On Building and Aurora Building (located within the Site) would like to ask for an opportunity to redevelop their properties with higher intensity to adapt to

the changing context and to improve their living conditions;

Two Rezoning Options

- (g) Option 1 for an intensified residential development was proposed with a PR of not more than 5 to provide incentive for redevelopment. The proposed BH of 168.1mPD would be similar to the HKU Jockey Club Building for Interdisciplinary Research (171.9mPD) at the adjacent site;
- (h) Option 2 for a GIC development, which could potentially be used as a new academic building of HKU or other institutions, was proposed with a PR of about 7.66 and a BH of 202.9mPD. The indicative scheme had taken into account the floorspace requirement, functional needs and provision of traffic facilities as proposed by HKU under the approved application No. Y/H10/13, and re-arrangement of floorspace among the blocks could be explored to reduce the BH. Moreover, the site coverage of the proposed scheme would be less than that of the HKU's proposal, hence the building bulk would be significantly smaller, especially when viewing from Pok Fu Lam Road;

Local Consultation

- (i) the applicant, with the assistance of a Southern District Councillor, had communicated with the community of Po Fu Lam on the rezoning proposals and in particular the residents on the Northcote Close did not raise any objections;

Responses to Transport Department (TD)'s comments

- (j) the applicant noted that TD had provided comments regarding the proposed vehicular accesses, assessment of traffic capacity and estimated traffic flow, whether road improvement works would be required, and provision of internal transport facilities;

- (k) the vehicular accesses had been indicated on the submitted floor plans;
- (l) a capacity analysis of five junctions had been conducted adopting a methodology similar to that of the assessment conducted for application No. Y/H10/13 and it was concluded that no adverse traffic impact would be induced. Regarding the estimated traffic flow, the greatest traffic generation for Options 1 and 2 would be in AM Peak Hour (+50 pcu) and PM Peak Hour (+39 pcu) respectively. If needed, road improvement works could be implemented at the Site by setting back along Northcote Close for road widening from 5.7m to 7.3m and footpath widening to 2-3m;
- (m) internal transport facilities would be provided in accordance with the Hong Kong Planning Standards and Guidelines or based on the operational needs of the GIC development, where applicable;

Responses to the comment submitted by HKU

- (n) while HKU stated that there were no discussions between the applicant and stakeholders, including HKU and the property owners on Northcote Close, the applicant (The Incorporated Owners of Yee On) had actually invited HKU for discussion of the subject proposal, but HKU did not respond to the invitation;
- (o) regarding HKU's concern on the time required for acquiring the Site for development, HKU could go for the compulsory sale process if deemed necessary;
- (p) the technical requirements of the HKU's new academic buildings had been duly considered in the indicative scheme for Option 2, and the relevant facilities required by HKU could be accommodated within the Site. For example, the 400-seat lecture theatres would require a floor area of about 546m² and the proposed floor plate was about 2,500m². The comments regarding the lack of E&M plant room and inadequate lift provision could be addressed at the detailed design stage;

- (q) as for the possible delay due to reconsideration of the Site as an alternative, it should be noted that HKU's proposal under the approved application No. Y/H10/13 was complicated and difficult for implementation, and therefore the current proposal of Option 2 would not necessarily lead to a delay in the implementation of HKU's proposal. The applicant had presented an opportunity for a comprehensive and phased GIC development in the area. The existing residential development at the Site was currently supported by road and infrastructure, which would allow, upon redevelopment, integration with the surrounding GIC sites, including the site of the approved application No. Y/H10/13;

Responses to PlanD's reasons for not supporting the application

- (r) the adverse comments related to the visual impact of the applicant's proposals were made based on the existing development restrictions on the OZP while future planned developments in the locality had not been taken into account. The proposed GIC development under Option 2 would be compatible with the surrounding future developments which would be of similar height;
- (s) while HKU's new academic buildings would generate adverse visual and traffic impacts on the Site, the proposed GIC development under Option 2 would not bring any impacts to HKU developments;
- (t) the character of the area had been changing as a result of GIC developments put forward by HKU, and the "R(C)1" zoning was no longer compatible with the future developments in the area;

Applicant's Suggestions and the way forward

- (u) should the application be agreed by the Committee, the rezoning of the Site could be taken forward together with the rezoning proposal under the approved application No. Y/H10/13 in the next round of OZP amendments.

This would provide an opportunity to the Town Planning Board (TPB) to comprehensively consider the planning intention and zoning of the relevant sites in relation to the evolving context of the area; and

- (v) if the subject application was not agreed by the Committee, the Committee was requested to direct PlanD to review the zoning of the subject site in the next round of OZP amendments, in order to address the residents' expectation for a fair treatment.

10. As the presentations of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

Local Context and Surrounding Land Uses

11. Some Members raised the following questions:

- (a) other than the approved application No. Y/H10/13, whether there were any planned developments in the area;
- (b) the PRs of the surrounding GIC sites and the BH restriction for "R(C)1" zone;
- (c) whether the Queen Mary Hospital MTR Station would be located in vicinity of the Site;
- (d) whether land use review covering the Site had been conducted by PlanD; and
- (e) whether the fact that the Site was surrounded by other GIC developments would have any bearing on the consideration of the subject application.

12. In response, Mr Mann M.H. Chow, DPO/HK, made the following main points:

- (a) for surrounding development sites located within the "G/IC" zone, GIC

related uses under Column 1 would be permitted as of right and no planning permission would be required. There was no submitted planning application regarding new GIC development proposals in the neighbourhood. Whilst the Chief Executive announced in the 2021 Policy Address the in-principle acceptance of HKU's proposal of reserving a 4-hectare site zoned "GB in Pok Fu Lam for the development of Deep Technology Research facilities, PlanD and the TPB had not yet received any planning application/proposal for the Deep Technology Research facilities or other development/redevelopment projects from HKU;

- (b) the PR of HKU's proposal under the approved application No. Y/H10/13 was about 2.6, while that of other surrounding GIC sites was about 3. According to Notes of the OZP, new developments in "R(C)1" zone were restricted to a maximum BH of 3 storeys (10.67m) including carports;
- (c) the Transport and Housing Bureau had invited the MTR Corporation Limited to submit a proposal for the South Island Line (West). However, the detailed alignment and location of stations were under study and yet to be confirmed;
- (d) PlanD had not conducted any land use review specifically for the Site; and
- (e) although the Site was surrounded by several sites zoned "G/IC" in close proximity, considering the wider context of the area, there were actually various sites zoned "R(C)1" or "R(C)" subject to similar development restrictions.

Applicant's Intention and Preferred Option

13. Some Members raised the following questions:

- (a) whether the applicant's intention of submitting the application was for improving the living condition of residents on the Site or for facilitating GIC development for the benefit of the community;

- (b) what was the applicant's preference of the two options; and
- (c) given HKU had expressed no interest in pursuing GIC development at the Site, whether the applicant would consider inviting other institutions/organizations to use or develop the Site for other social welfare facilities, e.g. residential care home for the elderly.

14. In response, Messrs Ian Brownlee, Charles Butcher and Paul Zimmerman, representatives of the applicant, made the following main points:

- (a) the application submitted by the applicant, without any development agent behind, had demonstrated the potential of the Site. The community as a whole would generally benefit from the enhanced land use compatibility and efficiency of the proposed zoning amendment. If the Site was rezoned to "R(B)" as per Option 1, it could provide incentive for future redevelopment, whereas the "G/IC" zone as proposed in Option 2 would offer opportunities to provide GIC facilities to serve the community;
- (b) the subject s.12A application was intended to propose a suitable land use zoning for the Site from a long-term perspective, instead of focusing on the detailed design of the indicative schemes. Both Options 1 and 2 were acceptable to the applicant as they would provide possibilities for redevelopment, and allow the applicant to liaise with HKU or other institutions on suitable GIC use on the Site. The applicant had no preference among the two options; and
- (c) the applicant had not considered other specific GIC uses for the Site at the current stage, except the proposal under Option 2. The existing development restrictions of the Site had limited the incentive and possibility of discussion with HKU and other institutions on alternative use of the Site. The applicant considered that more opportunities would be opened up should the subject application be agreed by the Committee.

Local Consultation and Liaison with HKU

15. Some Members raised the following questions:
- (a) how many owners of Yee On Building had agreed to the application;
 - (b) whether the planning consultant of the applicant and the Southern District Councillor had been acting as the middlemen to facilitate the discussion between the owners of Northcote Close and HKU on using the Site for HKU's expansion plan; and
 - (c) whether HKU had made any proposal/offer to acquire the residential properties on Northcote Close.
16. In response, Messrs Ian Brownlee, Charles Butcher and Paul Zimmerman, representatives of the applicant, made the following main points:
- (a) all owners of the Yee On Building (13-15 Northcote Close) and Aurora Building (1, 3, 5 Northcote Close) had agreed to the application. Owners of 7 and 9-11 Northcote Close had submitted comments on the application which indicated no objection to the application;
 - (b) Mr Ian Brownlee, the planning consultant of the applicant, did not act as a middleman, and previous communication took place directly between the owners of Northcote Close and HKU. Mr Paul Zimmerman, in the capacity of the vice-chairman of the Southern District Council, had communicated with HKU Estate Office regarding the new academic buildings (referred to as 'the laboratory use') which was the subject of the application No. Y/H10/13. HKU had shown no interest in discussing with the owners on the possibility of having 'the laboratory use' at the Site; and
 - (c) no consideration was given by HKU to include the Site in their plan for campus expansion.

Planning Considerations

17. Some Members raised the following questions:
- (a) the major considerations for PlanD's assessment of the s.12A application;
 - (b) whether there were any previous cases in which sites were rezoned to "G/IC" without any prior commitments from Government departments/organisations/institutions on taking up the Site for GIC uses;
 - (c) the development restrictions applicable to the Site upon redevelopment if the zoning remained as "R(C)1";
 - (d) noting that the applicant had proposed two rezoning options, whether it would be appropriate for the Committee to agree to one of the options, and determine the proposed PR and BH under the indicative scheme if Option 2 was to be agreed; and
 - (e) if the proposed "G/IC" zoning was agreed and incorporated into the OZP, whether residential redevelopment could still take place at the Site and whether the development intensity of existing residential buildings could be achieved.
18. Mr Mann M.H. Chow, DPO/HK, in response, made the following main points:
- (a) the application, as per the prevailing practice, was assessed in terms of land use compatibility, technical feasibility, departmental comments, public comments, and other relevant factors;
 - (b) there was no previous case for rezoning a site from residential to GIC use without identifying specific implementation agent;
 - (c) the existing buildings at the Site were built in the 1960s prior to the gazettal of the first Pok Fu Lam OZP No. S/H10/1 in 1986. Any

development/redevelopment of the Site would be subject to the development restrictions under the OZP, or the development parameters of the existing buildings, whichever were the greater;

- (d) while PlanD was not in support of the application, it would be up to the Committee to decide whether or not to agree to any of the options. For information, the proposed PR of 7.66 and BH of 202.9mPD under Option 2 were significantly higher than those approved under application No. Y/H10/13 at the adjacent site. The subject application had not included information on the provision of communal open space, while the indicative scheme under application No. Y/H10/13 had included communal open space of not less than 4,000m²; and
- (e) according to the Master Schedule of Notes to Statutory Plans, 'Flat' was a Column 2 use under the "G/IC" zone, hence planning permission from the TPB would be required for residential development/redevelopment at the Site if it was rezoned to "G/IC". The development intensity of existing buildings could be achieved upon redevelopment, only if the Site was still zoned "R(C)1" at the time of redevelopment. The current "R(C)1" zoning of the Site had also included GIC related uses, such as 'Education Institution' and 'Social Welfare Facility' in Column 2, which might be permitted by the TPB through s.16 application.

Others

19. Some Members raised the following questions:

- (a) upon gazetting of the zoning amendment under the approved application No. Y/H10/13, whether HKU was required to submit their proposal to the Committee for consideration;
- (b) the requirements for submission of technical assessments in support of s.12A applications, and whether such requirements adopted by the Committee were all along consistent; and

- (c) the historical context of residential buildings on Northcote Close as civil servants' quarters and its implications.

20. In response,, Mr Mann M.H. Chow, DPO/HK, made the following main points:

- (a) HKU's s.12A application was agreed by the Committee on 26.11.2021, and the agreed rezoning proposal would be incorporated as proposed amendment items(s) during the next round of OZP amendment. PlanD would submit the proposed amendments for the Committee's consideration in due course. Should the Committee agree to the zoning amendment, HKU would not be required to make any submission for the Committee's consideration;
- (b) all along, technical assessments of different aspects were required to facilitate the Committee's consideration of s.12A applications. For application No. Y/H10/13, technical assessments on visual, landscape, traffic, sewerage, drainage and various other aspects had been submitted. As for the subject application, only a traffic impact assessment and some photomontages had been submitted, which were insufficient to demonstrate the technical feasibility of the proposals;
- (c) the Civil Servants' Co-operative Building Society (CBS) Scheme was launched in 1952 to provide accommodation for civil servants and their families. Under the CBS Scheme, the Government would grant land at a concessionary premium of one-third of the full market value with a view to enabling construction of residential buildings through forming cooperative societies. The legal titles of the land and the buildings concerned were held by the respective CBSs, while CBS members had the right to use the flats but did not possess ownership. According to the relevant policy and guidelines, a CBS might apply for dissolution upon obtaining the consent of 75% of its members. After the dissolution of the CBS, individual CBS members might acquire titles to their properties and land by deeds of assignment, while the title deeds of the individual flats would be retained

by the Government and the flats would be subject to alienation restrictions, which prohibited the owners to assign, mortgage, let, part with possession of, or otherwise dispose of their flats. For removal of alienation restrictions, payment of the two-third outstanding land premium would be charged by the Lands Department. In addition, a further land premium payment would be charged for redevelopment of the buildings with increased development intensity exceeding the lease restrictions; and

- (d) since the CBS of buildings at 7 and 9-11 Northcote Close had not yet been dissolved, significant time might be required for HKU to acquire the Site should HKU decide to use the Site for its expansion plan. There might also be implications on the implementation programme of the new academic buildings which were targeted for completion by 2027, in order to expand the healthcare training capacity of HKU as stated in the 2018 Policy Address.

21. In response to a Member's enquiry on the applicant's views regarding adopting a lower PR for the development at the Site, Mr Ian Brownlee, the applicant's representative, responded that the scale of the proposed development was compatible with the surroundings, and the Site was considered suitable for higher development intensity to achieve land use efficiency and to capitalise on the potential arising from the future Queen Mary MTR Station. However, the Committee could designate a lower PR for the Site due to specific planning reasons.

22. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the representatives from PlanD and the applicant for attending the meeting. They left the meeting at this point.

[Professor Jonathan W.C. Wong left the meeting during the question session.]

[The meeting was adjourned for a short break of five minutes.]

Deliberation Session

23. The Chairman recapitulated the major planning considerations of the application for Members' information. For Option 1, while the proposed "R(B)" zone was not incompatible with the residential nature of the Site, the proposed development intensity of a PR of 5 with 20 domestic floors would be out of context with other residential sub-zones in the area. For Option 2, it should be noted that HKU had no intention of using the Site for its expansion plan while the applicant had not indicated any other potential GIC uses with implementation agent identified. It would not be appropriate to designate "G/IC" zoning for private land without any implementation prospect and known GIC uses confirmed by government departments. Furthermore, the technical assessments submitted for both options failed to demonstrate the technical feasibility of the proposals. The Chairman then invited Members to consider the application.

24. Members generally considered that the application for rezoning the Site from "R(C)1" to "R(B)" or "G/IC" could be not supported. Option 1 for intensified residential development was not entirely compatible with the surrounding character and development intensity. The technical assessments also failed to demonstrate that the proposal would not have adverse impact on the surrounding area. As for Option 2 for GIC uses, while it was considered not inappropriate for the Site in terms of land use compatibility, there were concerns on the excessive development intensity of the proposed development with a PR of 7.66, and the implementation prospect of the GIC development given that HKU had no intention to use the Site for its new academic buildings and there were no other concrete proposals for GIC use at the Site. Besides, redevelopments involving CBS might take considerable longer time given the complex process involved. Moreover, certain GIC uses within the "R(C)1" zone are Column 2 uses the implementation of which could be made by way of planning application.

25. A Member, whilst not supporting the application, expressed sympathy with and understanding of the applicant's living environment amidst ongoing and planned redevelopment projects in the area, and suggested HKU be advised to initiate dialogues with the local residents and endeavour to address their concerns. Another Member said that other parties such as the District Council and the District Office could also assist to facilitate

communication among parties concerned during the development process. Another Member said that there might be scope to review the zoning of the Site given its potential for integration with GIC developments of HKU in the area in future.

26. The Vice-chairman did not support the application but asked whether there were previous rezoning applications proposing two options for consideration and the Committee could agree to both Options should they be considered acceptable. The Secretary explained that there were cases where more than one options were proposed under rezoning applications and in line with the Committee's prevailing practice on handling similar cases, the Committee would need to decide if the options were acceptable and make a choice among the options if both were found acceptable.

27. The Chairman concluded that Members generally did not support the application. As regards Members' views and suggestions on consultation and local liaison work, the Chairman said that the views and suggestions would be recorded in the minutes. As for a Member's suggestion that the zoning of the Site be reviewed where appropriate, the Chairman said that the land use of the Site could be reviewed as appropriate when the relevant parties came up with a concrete proposal with reasonable implementation prospect.

28. After deliberation, the Committee decided not to agree to the application for the following reasons :

- “(a) the applicant fails to demonstrate in the submission that the rezoning proposals for “Residential (Group B)” (“R(B)”) or “Government, Institution or Community” (“G/IC”) would not have adverse impacts on the surroundings; and
- (b) there is no strong reason to rezone the application site to “R(B)” zone for intensified residential development or “G/IC” zone for GIC development.”

[Mr Clement C.M. Miu, Ms Jessica Y.C. Ho and Mr Stephen C.Y. Chan, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K3/594 Office in “Residential (Group E)” Zone, 12/F, Yip Kwong Industrial Building, 1139 Canton Road, Mong Kok, Kowloon
(MPC Paper No. A/K3/594)

29. The Secretary reported that the application site (the Site) was located in Mong Kok and RHL Surveyors Limited (RHL) was the consultant of the applicant. The following Members had declared interests on the item:

Mr Wilson Y.W. Fung (<i>Vice-chairman</i>)	}	personally knowing the Managing Director of RHL; and
Ms Sandy H.Y. Wong		

Mr Ben S.S. Lui - his former firm conducted a study related to urban renewal in Mong Kok.

30. As the interest of Mr Ben S.S. Lui was indirect and Mr Wilson Y.W. Fung and Ms Sandy H.Y. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

31. 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 (PlanD) had no objection to the application.

32. In response to a Member's question on the action that could be taken to ensure no visits to the applied office by members of the general public, Mr Clement C.M. Miu, STP/TWK, explained that according to the applicant's submission, the office use was to support the tile trading business which would not involve any direct sales of goods or any activities engaging customers. The Member further suggested that the requirements of relevant Government departments could be set out in the advisory clauses as a reminder for the applicant. The Chairman remarked that the relevant requirements of Government departments, such as the Buildings Department and the Fire Services Department, had been incorporated in the advisory clauses and PlanD would further remind the applicant about such requirements.

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). The permission was subject to the following conditions :

- “(a) the submission and implementation of fire services installations and water supplies for firefighting for the application premises within six months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 22.10.2022; and
- (b) if the above planning condition 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.”

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

[Ms Bernadette W.S. Tsui rejoined the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/843 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, 109 King Lam Street, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/843A)

Presentation and Question Sessions

35. 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.

36. Some Members raised the following questions:

- (a) current uses of the site to the immediate west of the applicant site (the Site);
- (b) details of greenery provision within the pedestrian zone, the uses of the landscaped sky garden and whether the green slope to the immediate west of the Site as shown in Drawing A-7 formed part of the greenery provision;
- (c) whether building setback from Ching Cheung Road was proposed in the scheme;
- (d) whether recycled water would be used for irrigation purpose; and
- (e) noting Development Bureau’s comment that the proposed ‘non-polluting industrial uses’ would limit the site potential, whether the Committee could grant planning permission to allow for a wider range of uses despite that the application was for minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use.

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

- (a) the site to the west of the Site was zoned “Government, Institution or Community” and was currently occupied by a licensed dangerous goods store held under short term tenancy. To the further west was a government data centre under construction;
- (b) according to the proposed scheme, a recessed entrance with planting, vertical greening and other landscape features were provided to enhance the pedestrian environment and the visual quality of the building and the proposed landscaped sky garden on 3/F was intended solely for use by the users/visitors of the building. The slope to the west was located outside the site boundary and the planting as shown in Drawing A-7 did not form part of the greenery provision;
- (c) no building setback was proposed along Ching Cheung Road, however, a retaining structure was proposed due to the sloping terrain;
- (d) according to the applicant, the feasibility of using recycled water for irrigation would be explored at the detailed design stage. Regarding green building design, the applicant also indicated the intention to comply with the requirements of BEAM Plus and Building Energy Code; and
- (e) the current application was for minor relaxation of PR for permitted non-polluting industrial use. Should the application be approved, only non-polluting industrial use would be allowed in the future development with the relaxed PR. Also, uses other than non-polluting industrial use at the Site might require lease modification.

Deliberation Session

38. The Chairman remarked that the Committee would consider the subject planning application and grant planning permission, should the Committee consider it appropriate, based on the proposal as submitted by the applicant. Depending on the lease restrictions and

the proposed use, the applicant might need to apply to the Lands Department for a lease modification prior to the redevelopment of the Site.

39. 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 22.4.2026, 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 identified in the accepted Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB; and
- (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.”

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

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/851 Proposed Shop and Services (Real Estate Agency) in “Other Specified Uses” annotated “Business (2)” Zone, Workshop C5, G/F, Block C, Hong Kong Industrial Centre, Nos. 489-491 Castle Peak Road, Lai Chi Kok, Kowloon

(MPC Paper No. A/K5/851)

41. The Committee noted that the applicant’s representative requested on 12.4.2022 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.

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/487 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” and “Residential (Group A)” Zones, 543-549 Castle Peak Road, Kwai Chung, New Territories)
(MPC Paper No. A/KC/487A)

Presentation and Question Sessions

43. 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 had no objection to the application.

44. In response to a Member’s enquiry on whether the building setbacks were proposed voluntarily by the applicant and the possibility of providing canopies along the setback areas, Mr Stephen C.Y. Chan, STP/TWK, explained that the building setbacks along Castle Peak Road, Yiu Wing Street and Yiu Wing Lane were voluntary provision. Taking into account the technical feasibility and the requirements of Sustainable Building Design Guidelines, no canopies were proposed along Yiu Wing Street and Yiu Wing Lane, while weather protection measure in the form of a minimum 1m-wide building overhang at the pedestrian entrance fronting Castle Peak Road would be provided.

Deliberation Session

45. 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 22.4.2026, 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 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;
- (c) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment in planning condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[The Chairman thanked Mr Clement Miu, Ms Jessica Y.C. Ho and Mr Stephen C.Y. Chan, STPs/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Hong Kong District

[Ms Karmin Tong, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H3/444 Proposed Office and Shop and Services in “Residential (Group A)6”
Zone, 380 Des Voeux Road West, Shek Tong Tsui, Hong Kong
(MPC Paper No. A/H3/444A)

47. The Secretary reported that the application site (the Site) was located in Sai Ying Pun/Sheung Wan. Professor Roger C.K. Chan had declared an interest on the item for his spouse owning a flat in Sai Ying Pun. As the property owned by Professor Roger C.K. Chan’s spouse had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

48. With the aid of a PowerPoint presentation, Ms Karmin Tong, STP/HK, 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 did not support the application.

[Professor Roger C.K. Chan left the meeting during the presentation session.]

49. Members had no question on the application.

Deliberation Session

50. The Chairman remarked that the Site was located in a predominantly residential area and there was no justification for a departure from the planning intention of the residential zoning for the area.

51. After deliberation, the Committee decided to reject the application. The reasons were :

“(a) the proposed development is not in line with the planning intention of the

“Residential (Group A)6” (“R(A)6”) zone which is for high-density residential developments and there is no strong planning justification for a departure from the planning intention of the “R(A)6” zone; and

- (b) the proposed development does not comply with Town Planning Board Guidelines No. 5 in that the proposed office is located in a predominantly residential area.”

[The Chairman thanked Ms Karmin Tong, STP/HK, for her attendance to answer Members’ enquiries. She left the meeting at this point.]

Kowloon District

[Ms Helen H.Y. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/241 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, No. 3 Luk Hop Street, San Po Kong, Kowloon)
(MPC Paper No. A/K11/241)

Presentation and Question Sessions

52. With the aid of a PowerPoint presentation, Ms Helen H.Y. Chan, 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.

53. In response to a Member's concern on the adequacy of greenery provision on the ground level and whether tree planting on the pedestrian pavement along Luk Hop Street could be pursued, Ms Helen H.Y. Chan, STP/K, stated that in addition to the 1.5m non-building area required for future road widening and improvement of the wind environment in the area as stipulated in the Outline Zoning Plan, the applicant proposed a further setback of 1.92m to achieve a full building setback of 3.42m along Luk Hop Street with the setback area featured with landscape planters and vertical greening. The setback area was currently held by the applicant and the Government had no implementation programme of the road widening works at the moment. It could be surrendered to the Government in future and tree planting works thereat, if required, could be implemented by the Government as appropriate. The applicant had also demonstrated efforts to provide more greenery, including greening for the ground level of the development having taken into account the possible road widening works, as well as other site constraints including the narrow frontage along Luk Hop Street and the location of vehicular access and entrance of G/F lobby.

54. The Chairman remarked that Members generally had no objection to the application. With regard to a Member's concern on greenery provision, particularly on the ground level, the Chairman suggested to include an additional advisory clause to encourage the applicant to improve the greening proposal for the proposed development, particularly on the ground level, during the detailed design stage. Members agreed.

Deliberation Session

55. 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 22.4.2026, 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/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;

- (b) 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;
- (c) the submission of a Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in planning condition (c) above to the satisfaction of the Director of Drainage Services or of the TPB.”

56. 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 for the proposed development, particularly on the ground level, during the detailed design stage.”

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

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K14/804 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, 334-336 and 338 Kwun Tong Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/804B)

57. The Committee noted that the applicant's representative requested on 7.4.2022 deferment of consideration of the application for one month so as to allow time to revise the Traffic Impact Assessment report and 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 department comments.

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

Agenda Item 11

Section 16 Application

[Open Meeting]

A/K14/807 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office, Shop and Services and Eating Place Uses in "Other Specified Uses" annotated "Business" Zone, Kun Tong Inland Lots 1 S.A , 1 RP, 3 and 15, Kowloon

(MPC Paper No. A/K14/807A)

59. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. Mr Franklin Yu had declared an interest on the item for his firm having current business dealings with ARUP.

60. The Committee noted that the Planning Department (PlanD) had requested to

defer consideration of the application. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

61. The Secretary reported that PlanD had requested deferment of consideration of the application for two months so as to allow more time for the relevant government department to provide comments on the latest further information (FI), which was submitted by the applicant on 12.4.2022 to address technical comments on traffic aspect.

62. After deliberation, the Committee decided to defer a decision on the application as requested by PlanD. The Committee agreed that the application should be submitted for its consideration within two months. If the latest FI could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. This second deferment should be the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

Agenda Item 12

Any Other Business

63. There being no other business, the meeting was closed at 12:45 p.m..