

## **TOWN PLANNING BOARD**

### **Minutes of 700<sup>th</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 29.7.2022**

#### **Present**

Director of Planning  
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Assistant Commissioner/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**

Ms Sandy H.Y. Wong

Professor Jonathan W.C. Wong

Mr Ben S.S. Lui

**In Attendance**

Assistant Director of Planning/Board (Acting)  
Ms Johanna W.Y. Cheng

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

Town Planner/Town Planning Board  
Mr Brian C.L. Chau

**Agenda Item 1**

**Confirmation of the Draft Minutes of the 699<sup>th</sup> MPC Meeting held on 15.7.2022**

[Open Meeting]

1. The draft minutes of the 699<sup>th</sup> MPC meeting held on 15.7.2022 were confirmed without amendments.

**Agenda Item 2**

**Matter Arising**

[Open Meeting]

2. The Secretary reported that a typographical error was spotted on page 23 of the confirmed minutes for the 698<sup>th</sup> MPC meeting held on 24.6.2022. Amendment was required to rectify the validity period of the permission. Members noted that the minutes would be amended and a revised approval letter would be issued to the applicant accordingly.

## **Tsuen Wan and West Kowloon District**

[Ms Jessica Y.C. Ho and Ms Cheryl H.L. Yeung, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), and Ms Winsome W.S. Lee, Town Planner/Tsuen Wan and West Kowloon (TP/TWK), were invited to the meeting at this point.]

### **Agenda Item 3**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K20/135                      Proposed Pier (Landing Steps) in “Open Space” Zone, Parts of Disused Pier Structure near New Kowloon Inland Lot No. 6550 at 10 Lai Ying Street, Cheung Sha Wan, Kowloon  
(MPC Paper No. A/K20/135A)

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3.            The Secretary reported that the application was submitted by Fedder Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

Ms Lilian S.K. Law            -    being an ex-Executive Director and committee member of The Boys’ & Girls’ Clubs Association of Hong Kong which had received sponsorship from SHK; and

Mr Franklin Yu                -    his spouse being an employee of SHK.

4.            The Committee noted that Mr Franklin Yu had not yet arrived to join the meeting. As the interest of Ms Lilian S.K. Law was indirect, the Committee agreed that she could stay in the meeting.

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

5.            With the aid of a PowerPoint presentation, Ms Winsome W.S. Lee, TP/TWK, briefed Members on the background of the application, the proposed use, departmental and

public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

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

6. Some Members raised the following questions:
  - (a) the basis for concluding no environmental/water quality/marine traffic impacts generated by the proposed landing steps;
  - (b) what kinds of vessels would be allowed to moor at the landing steps and whether the proposed landing steps would be used for loading/unloading of cargo;
  - (c) accessibility of the proposed landing steps from the surrounding areas;
  - (d) whether the users of the proposed landing steps would generate any traffic impact and whether there were existing public car parking spaces in the area for users of the landing steps;
  - (e) whether the proposed landing steps and public waterfront promenade (PWP) would be managed by the same party, and whether there would be conflict in respect of the opening hours of the proposed landing steps and the neighbouring facilities; and
  - (f) the land use planning and future use of the neighbouring lot No. NKIL 6549 and compatibility of the landing steps.

7. In response, with the aid of some PowerPoint slides, Ms Jessica Y.C. Ho, STP/TWK, made the following main points:

- (a) under the planning application for the nearby proposed hotel development (application No. A/K20/131) that was submitted by the same applicant as the current application, there was an approval condition regarding the submission of a feasibility study on the refurbishment works for the

disused pier to explore the provision of public landing facilities. For discharge of that approval condition, the applicant submitted a Feasibility Study (FS), under which relevant technical assessments, including preliminary design of the landing facilities, marine traffic impact assessment, and environmental assessment (including water quality, noise and waste), were undertaken and demonstrated the technical feasibility of the proposed landing steps. It was estimated under the FS that 35 daily vessel movements would be generated with the proposed landing steps in operation, which would not have adverse marine traffic impact. The FS was acceptable to the relevant government departments, including the Harbour Office of the Development Bureau, Port Division of Civil Engineering and Development Department (CEDD), Environmental Protection Department, Transport Department (TD) and Marine Department;

- (b) the applicant indicated that the proposed landing steps would be used for recreational purpose and only mooring and berthing of passenger/leisure vessels of not more than 35m long would be allowed. For loading/unloading of cargo vessels, there were other existing piers near the shipyards to the west of the application site;
- (c) as shown on Plan A-4, there were existing and planned pedestrian walkway systems nearby, including an existing 25m-wide pedestrian walkway connecting the PWP (including the proposed landing steps) to Nam Cheong MTR Station, a planned public passageway to be constructed by the developer of the neighbouring hotel development connecting the PWP to Lai Ying Street, and an existing elevated pedestrian footbridge and walkway connecting the public housing developments (i.e. Hoi Ying Estate and Hoi Tat Estate) and further to the other areas in the Sham Shui Po district. Besides, the applicant had been liaising with government departments on upgrading the furnishing of the existing 25m-wide walkway in order to complement with the overall design of the PWP;

- (d) it was anticipated that the future users of the proposed landing steps would likely use public transportation to access the landing steps. TD had no comment on the application from district traffic engineering perspective;
- (e) the applicant would construct, manage and maintain the landing steps as an integral part of the PWP which would be opened for public use 24 hours, at his/her own cost. The requirement regarding the PWP was incorporated in the lease of the hotel development site. The applicant would need to comply with CEDD's safety requirements in constructing the landing steps; and
- (f) the neighbouring lot No. NKIL 6549 was subject to an approved planning application (No. A/K20/130) for a private residential development known as the Grand Victoria which was under construction. The proposed landing steps were considered not incompatible with the neighbouring land uses.

### Deliberation Session

8. The Chairman remarked that the application was to facilitate the provision of landing steps for public use 24 hours a day for mooring and berthing of passenger/leisure vessels at the future PWP. Members might consider whether the proposed landing steps was complementary with the planning intention of the "Open Space" zone and it would help enhance the vibrancy of the area.

9. A Member said that the proposed landing steps could bring about planning gains and help upgrade the existing environment. Another Member remarked that for the PWP, the existing pedestrian network could be further upgraded with the provision of covered walkway to enhance the overall walkability of the area. In that regard, the Chairman remarked that the design of the PWP was not subject of the current application for the proposed landing steps.

10. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 29.7.2026, 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.

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

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

#### **Agenda Item 4**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/K5/852                      Shop and Services (Fast Food Counter and Local Provisions Store) in  
“Other Specified Uses” annotated “Business (2)” Zone, Portion of  
Workshop A2, G/F, Block A, Hong Kong Industrial Centre, Nos.  
489-491 Castle Peak Road, Lai Chi Kok, Kowloon  
(MPC Paper No. A/K5/852)

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

12. With the aid of a PowerPoint presentation, Ms Winsome W.S. Lee, TP/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.

13. Members had no question on the application.

##### **Deliberation Session**

14. After deliberation, the Committee decided to approve the application on the terms of the application as submitted to the Town Planning Board (TPB), and no time clause on

commencement was proposed as the ‘Shop and Services (Fast Food Counter and Local Provisions Store)’ use under application was already in operation. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire service installations and equipment within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023; 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.”

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

## **Agenda Item 5**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/TW/533                      Shop and Services and Wholesale Trade in “Other Specified Uses” annotated “Business” Zone, Portion A of Workshop 17, G/F, Po Yip Building, 62-70 Texaco Road and 391-407 Sha Tsui Road, Tsuen Wan  
(MPC Paper No. A/TW/533)

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16. The Secretary reported that the application site (the Site) was located in Tsuen Wan. Mr Stanley T.S. Choi had declared an interest on this item for his spouse being a director of a company which owned properties in Tsuen Wan. 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**

17. With the aid of a PowerPoint presentation, Ms Cheryl H.L. Yeung, 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.

18. Noting that the applied use, i.e. a shop for retail and wholesale trade of seafood, was already in operation, a Member enquired whether the applicant (the current owner) was aware at the time of purchase of the subject Premises (the Premises) that no planning permission was obtained for such use. In response, Ms Cheryl H.L. Yeung, STP/TWK, said that there was no information indicating whether the applicant was aware of the unauthorised use at the time of purchase of the Premises. She added that should the Board approve the application, the applicant would need to comply with the requirements of other government departments, e.g. obtaining a temporary waiver from Lands Department (LandsD) and licence from the Food and Environmental Hygiene Department for the applied use.

19. In response to another Member's question, the Chairman remarked that enforcement action against the existing unauthorised use at the Premises, if any, would be subject to the licensing authorities and/or LandsD under their purview, and that PlanD had no enforcement power in urban area under the Town Planning Ordinance.

#### Deliberation Session

20. After deliberation, the Committee decided to approve the application on the terms of the application as submitted to the Town Planning Board (TPB), and no time clause on commencement was proposed as the 'Shop and Services' and 'Wholesale Trade' uses under application were already in operation. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and water supplies for firefighting and separate means of escape within 6 months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 29.1.2023; and
- (b) if the above planning condition is not complied by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[The Chairman thanked Ms Jessica Y.C. Ho and Ms Cheryl H.L. Yeung, STPs/TWK, and Ms. Winsome W.S. Lee, TP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Hong Kong District**

#### **Agenda Item 6**

##### **Section 16 Application**

[Open Meeting]

A/H21/157                      Proposed Minor Relaxation of Building Height Restriction for Permitted Residential Use in "Residential (Group A)" Zone, 992-998 King's Road and 2-16 Mount Parker Road and Adjoining Government Land, Hong Kong  
(MPC Paper No. A/H21/157)

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22. The Secretary reported that the application site (the Site) was located in Quarry Bay. Mr Wilson Y.W. Fung had declared an interest on this item for co-owning a property with his spouse in Tai Koo Shing. The Committee noted that the applicant had requested deferment of consideration of the application. As the property co-owned by Mr Wilson Y.W. Fung had no direct view of the Site, the Committee agreed that he could stay in the meeting.

23. The Committee noted that the applicant's representative requested on 15.7.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

24. 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 the further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 7**

#### **Section 16 Application**

[Open Meeting]

A/H1/102

Proposed Minor Relaxation of Gross Floor Area Restriction for Proposed Hotel, Office, Shop and Services, Eating Place and Place of Entertainment Uses in "Other Specified Uses" annotated "Commercial, Leisure and Tourism Related Uses" Zone, 18 Sai Ning Street, Kennedy Town, Hong Kong  
(MPC Paper No. A/H1/102C)

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25. The Committee noted that the applicant's representative requested on 7.7.2022 deferment of consideration of the application for two months so as to allow more time to gauge views from the Harbourfront Commission's Task Force on Harbourfront Developments on Hong Kong Island and to further review the proposed scheme and the supporting technical assessments. It was the third time that the applicant requested deferment of the application.

26. 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 the further

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

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

### **Kowloon District**

#### **Agenda Item 8**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/K9/279                      Proposed Public Utility Installation (Aboveground Gas Governor Kiosk) in Area shown as 'Road', Government Land at Hung Ling Street to the northwest of Caritas Hung Hom Hostel, Hung Hom, Kowloon  
  
(MPC Paper No. A/K9/279)

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27.            The Secretary reported that the application site (the Site) was located in Hung Hom. Mr Stanley T.S. Choi had declared an interest on the item for owning a property in Hung Hom. As the property owned by Mr Stanley T.S. Choi had no direct view of the Site, the Committee agreed that he could stay in the meeting.

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

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

29. Some Members raised the following questions:
- (a) whether there was any safety concern on locating the proposed aboveground gas governor kiosk (the proposed kiosk) close to the existing CLP Electric Substation and pedestrian footbridge;
  - (b) whether the proposed kiosk was related to the operation of the Town Gas Plant in Ma Tau Kok;
  - (c) the visual compatibility/impact of the proposed kiosk noting that the installation was located in close proximity to existing roadside planters, and with a building height of about 1.7m with two gas pipes protruding from the proposed kiosk; and
  - (d) given that the same type of facility would likely be constructed in other districts, whether there were ways to improve the standardised design to mitigate the visual impact.
30. In response, Mr Mak Chung Hang, STP/K, made the following main points:
- (a) the applicant, the Hong Kong and China Gas Company Limited, stated that the proposed kiosk needed to be located 3m away from any residential development and should not be covered by other structures in order to meet the safety requirements. There was sufficient buffer from the CLP Electric Substation that was located opposite to the proposed kiosk across Hung Ling Street and the pedestrian footbridge would not affect the operation of the proposed kiosk. On gas safety aspect, the Electrical and Mechanical Services Department had no objection to the proposed kiosk and advised that the applicant was required to conduct its operation in a safe manner in accordance with the Gas Safety Ordinance (Cap. 51);
  - (b) the proposed kiosk was for regulating the gas supply pressure from medium pressure to low pressure to reinforce the existing gas supply network and to provide gas supply to meet the potential demand arising from

redevelopment projects in the Hung Hom district;

- (c) the scale of the proposed kiosk was relatively small and the relevant government departments, including Chief Town Planner/Urban Design and Landscape, Planning Department, had no comment on the application from visual impact perspective; and
- (d) with reference to a photo, there were other similar gas governor kiosks which the applicant had provided landscape screening around the facilities. Subject to the site circumstances and safety requirement, the applicant could be encouraged to enhance the façade treatment of the gas kiosk, as far as practicable.

#### Deliberation Session

31. A Member enquired whether there was possibility to grant a larger site to the applicant to allow more room for better design of the kiosk, e.g. provision of more landscaping in order to enhance its visual appearance. In response, Ms Trevina C.W. Kung, Assistant Director (Regional 1), Lands Department, said that such gas governor kiosks were covered by a Block Licence with standard site allocation and should the site be enlarged, it would encroach on a larger section of the public road and relevant government departments, including Highways Department, would need to be consulted. Mr Patrick K.H. Ho, Assistant Commissioner/ Urban, Transport Department, stated that technical assessment had been conducted by the applicant to assess the impact of the proposed kiosk on the level of service of the adjacent pedestrian walkway and the assessment was conducted based on the proposed footprint. The assessment would need to be updated should there be any changes in the site area of the proposed kiosk.

32. While concern on the visual impact of such type of public utility installation was noted, the Chairman remarked that the size of the proposed kiosk under the application was relatively small and there was no basis for the Committee to grant a larger site for provision of visual mitigation measures. Nonetheless, an advisory clause might be added to advise the applicant to undertake appropriate measures including landscaping, to enhance the visual appearance of the proposed kiosk. Members agreed Members' suggestion for the applicant

to formulate some standards on visual enhancement for such gas governor kiosks could be conveyed to the applicant.

33. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 29.7.2026, 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.

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

“to undertake appropriate measures, including landscaping and façade treatment, to enhance the visual appearance of the proposed gas governor kiosk.”

### **Agenda Item 9**

#### **Any Other Business**

35. There being no other business, the meeting closed at 10 a.m..