

TOWN PLANNING BOARD

Minutes of 702nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 26.8.2022

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

Professor Jonathan W.C. Wong

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

Absent with Apologies

Ms Sandy H.Y. Wong

Mr Ricky W.Y. Yu

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 701st MPC Meeting held on 12.8.2022

[Open Meeting]

1. The draft minutes of the 701st MPC meeting held on 12.8.2022 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

2. The Secretary reported that there were no matters arising.

Kowloon District

Agenda Items 3 to 5

Section 12A Applications

[Open Meeting]

Y/K9/20 Application for Amendment to the Approved Hung Hom Outline Zoning Plan No. S/K9/28, To rezone the application site from “Residential (Group A) 4” to “Residential (Group A) 7”, Hung Hom Inland Lots 239 S.F and 239 RP, 21 and 23 Winslow Street, Hung Hom, Kowloon

Y/K9/21 Application for Amendment to the Approved Hung Hom Outline Zoning Plan No. S/K9/28, To rezone the application site from “Residential (Group A) 4” to “Residential (Group A) 7”, Hung Hom Inland Lots 240 S.A RP, 241 S.C RP and 241 RP, 11A and 15 Winslow Street, Hung Hom, Kowloon

Y/K9/23 Application for Amendment to the Approved Hung Hom Outline Zoning Plan No. S/K9/28, To rezone the application site from “Residential (Group A) 4” to “Residential (Group A) 7”, Hung Hom Inland Lot 266 RP, 244-248 Chatham Road North and 2A-2B Cooke Street, Hung Hom, Kowloon
(MPC Paper No. Y/K9/20, 21 & 23)

3. The Secretary reported that the applications were for columbarium use in Hung Hom. The following Members had declared interests on the items:

Mr Timothy K.W Ma - being a member of the Private Columbaria Appeal Board (PCAB); and

Mr Stanley T.S. Choi - owning a flat in Hung Hom.

4. The Committee noted that the applicants had requested deferral of consideration of the applications. As the interest of Mr Timothy K.W Ma in relation to PCAB was indirect and the property owned by Mr Stanley T.S. Choi had no direct view of the application sites, the Committee agreed that they could stay in the meeting.

5. The Committee noted that the applicants' representative requested on 9.8.2022 deferment of consideration of the applications for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the applications.

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

Tsuen Wan and West Kowloon District

[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 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/491 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Information Technology and Telecommunications Industries (Data Centre) in "Industrial" Zone, 13-17 Wah Sing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/491A)

Presentation and Question Sessions

7. 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.

[Messrs Stanley T.S. Choi and Franklin Yu and Professor Roger C.K. Chan joined the meeting during the presentation session.]

Voluntary Setback, Provision of Canopy and Building Height (BH)

8. Some Members raised the following questions:

- (a) the future arrangement of the voluntary setback area and the associated landscaping as proposed by the applicant;
- (b) whether planning condition was imposed for the implementation of the voluntary setback and whether amendments to the landscape design of the setback in future, if any, would require planning approval from the Town Planning Board (the Board);
- (c) whether there was any scope of extending the width of the proposed canopy;
- (d) the rationale of setting the maximum projection of canopy under the Building (Planning) Regulation (B(P)R); and
- (e) whether relaxation of BH restriction would be required for the proposed development and whether the proposed floor-to-floor height was considered adequate for data centre.

9. In response, Mr Stephen C.Y. Chan, STP/TWK, with the aid of some PowerPoint slides, made the following main points:

- (a) in addition to the setback required for road widening purpose under the

Kwai Chung Outline Development Plan (the ODP), the applicant had proposed additional voluntary full-height setback with greenery near the pedestrian entrance of the proposed development for enhancing visual and air permeability and pedestrian comfort. While the setback required under the ODP might be surrendered upon request by the Government for road widening purpose, the additional setback area near the entrance forming part of the proposed development would be managed and maintained by the applicant;

- (b) the planning approval of the application, if granted, was subject to the terms, including the development scheme, as submitted to the Board. PlanD, when vetting the General Building Plan (GBP) submission, would ensure that the development was designed as per the approved scheme and would recommend rejection of the GBP submission should there be any material non-compliance with the scheme. Whether planning approval would be required for any changes in landscape design, reference should be made to the relevant sections of the “Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals”, which specified the Class A amendments that further application was not required while Class B amendments were subject to the approval of the Board upon application made under section 16A(2) of the Ordinance;
- (c) the applicant noted from the previously approved application that Members had concern on the width of the proposed canopy, which was too narrow, and proposed to extend the canopy width for 0.5m. For the current application, the applicant proposed to provide a canopy of 1.2m-wide above the pedestrian entrance and a canopy of 0.9m to 1.3m-wide at the eastern building edge along Wah Sing Street for weather protection, taking into account certain factors including the permitted projection of canopy under B(P)R 10(4) (i.e. one-tenth of the width of the adjoining street). The applicant also proposed to further extend the canopy width at the eastern building edge for 0.5m outside the site boundary (i.e. a total of 1.4m to 1.8m-wide) subject to the approval of the Building Authority in GBP submission stage;

- (d) according to B(P)R 10(4), the maximum projection of any canopy (including cornices, mouldings or other features) erected over any street should be one-tenth of the width of the street or 3m, whichever was the less, provided that no portion of any such canopy should be within 4.5m, measured horizontally, of a line drawn vertically from the point in the centre line of the street nearest to such portion of the canopy. While there was no information on hand regarding the rationale of such regulation, it was reckoned that the regulation might be intended to control the size of canopy and other projected features such as advertisement boards from the perspective of the safety of pedestrians and road users. Notwithstanding that, the applicant had proposed to seek approval from the Building Authority on extending the width of the canopy to more than one-tenth of the width of the adjoining street; and
- (e) according to the proposed scheme, the floor-to-floor height was 5.62m and the applicant had not applied for any relaxation of BH restriction.

Cable Installation, Electricity Supply and Others

- 10. The Vice-chairman and a Member raised the following questions:
 - (a) whether there was possible traffic impact during cable installation stage;
 - (b) noting the public comments expressing fire safety concerns on the proposed fuel tanks, whether the Fire Services Department (FSD) had specified any requirements in this regard; and
 - (c) whether the huge electricity demand for the proposed data centre would affect the overall electricity provision of the surrounding area.
- 11. In response, Mr Stephen C.Y. Chan, STP/TWK made the following main points:
 - (a) though there were no specific details regarding the impacts of cable installation during the construction stage in the Traffic Impact Assessment

submitted by the applicant, the Transport Department had no objection to the proposed development from traffic impact point of view;

- (b) FSD had been consulted and its views were incorporated in the Paper. FSD advised that detailed fire services requirements, including the design of fuel tank room, would be considered upon receipt of formal submission of GBP; and
- (c) the applicant would install on-site transformer bays to secure a stable electricity supply for their own use and disruption to the nearby electricity provision was not anticipated. In addition, the on-site transformer bays were required by the electricity supplier, i.e. CLP Power, and should meet the requirement as regulated by CLP Power and the Electrical and Mechanical Services Department.

Deliberation Session

12. The Chairman recapitulated that the application was for minor relaxation of plot ratio restriction for the proposed data centre, which was a permitted use within the subject “Industrial” zone, and no relaxation of BH was requested by the applicant. Planning and design merits including full-height setback under the ODP and an additional voluntary full-height setback with greenery were incorporated in the proposed scheme. Members’ concern on the possible traffic impact during installation of cable works would be monitored by relevant government departments. In this regard, Ms Trevina C.W. Kung, Assistant Director (Regional 1), Lands Department supplemented that for installation undertaken under public road managed by the Highways Department (HyD), any excavation permit, if required in future, should be sought from HyD.

13. A Member expressed support to the application as the applicant was willing to provide additional setback area and extend the canopy width for promoting pedestrian comfort.

14. 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 26.8.2026, 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; and
- (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.”

15. 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

[Ms Floria Y.T. Tsang, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H25/21 Temporary Shop and Services (Motor-vehicle Showroom) for a Period of 5 Years in “Open Space” Zone, Part of Basement Level B1 of the Car Park Complex, Hong Kong Convention and Exhibition Centre (Phase 1), 1 Harbour Road, Wan Chai, Hong Kong
(MPC Paper No. A/H25/21A)

Presentation and Question Sessions

16. With the aid of a PowerPoint presentation, Ms Floria Y.T. Tsang, 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.

17. A Member raised the following questions:

- (a) whether the previous planning permission for temporary shop and services at the application site (the Site) had lapsed; and
- (b) given the recent commissioning of the Exhibition Centre Station of East Rail Line and the waterfront promenade in the area, whether the applied use, resulting in a reduction of car parking spaces serving the public, had taken into account the overall demand of car parking spaces in Wan Chai North area.

18. In response, Ms Floria Y.T. Tsang, STP/HK, made the following main points:

- (a) the planning permission of application No. A/H25/20 was still valid at the time of the receipt of the current application on 11.5.2022 by the Town Planning Board. However, due to the need to submit Further Information to address departmental comments, including those from the Transport Department on the car parking provision, the application had been deferred and was hence scheduled for consideration at this meeting; and
- (b) while the applicant had not provided justifications on the number of car parking spaces affected, it was anticipated that more people would travel by mass transit to the Wan Chai North area as a result of the commissioning of the Exhibition Centre Station. The network of footbridges linking up the waterfront promenade, major developments in the area and the MTR station with the hinterland would encourage the public to commute by mass transit.

Deliberation Session

19. The Chairman said that a shorter approval period (i.e. 2 years) instead of 5 years sought by the applicant was recommended in order to allow close monitoring of the traffic condition and parking demand/supply of the area.

20. After deliberation, the Committee decided to approve the application on a temporary basis for a period of two years until 26.8.2024, instead of five years sought, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no motor shows or car fairs or any related events should be undertaken at the application premises;
- (b) the number of cars to be parked at the car parking area of the application premises shall not exceed 184 at any time;
- (c) the number of visitors allowed at the car parking area of the application premises shall not exceed 300 at any time;

- (d) to employ an independent professional to monitor the mechanical monitoring system to control the number of visitors to the car parking area of the application premises and prepare monitoring reports on a monthly basis;
- (e) to employ an Authorised Person to conduct audit checks on the monitoring system and the monitoring reports on the number of visitors to the car parking area of the application premises on a bi-monthly basis;
- (f) in relation to (e) above, to submit the audit reports every two months highlighting any non-compliance on the number of visitors to the car parking area of the application premises to the satisfaction of the Director of Buildings or of the TPB;
- (g) the provision of fire service installations within 3 months from the date of planning approval to the satisfaction of Director of Fire Services or of the TPB by 26.11.2022;
- (h) if any of the above planning conditions (a), (b), (c), (d), (e) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if the above planning condition (g) 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.”

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

[The Chairman thanked Ms Floria Y.T. Tsang, STP/HK, for her attendance to answer Members' enquiries. She 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 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/344 Social Welfare Facility (Residential Care Home for the Elderly) with
Minor Relaxation of Plot Ratio and Building Height Restrictions in
“Residential (Group C) 1” Zone, 63 Cumberland Road, Kowloon Tong,
Kowloon

(MPC Paper No. A/K18/344)

Presentation and Question Sessions

22. 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.

23. In response to a Member’s question, Mr Mak Chung Hang, STP/K, said that the application site (the Site) was currently occupied by a building (including the main building and extension block) for a residential care home for the elderly (RCHE) which was still in operation. In order to minimise disruption to the existing residents during the construction phase, a two-phase implementation programme involving on-site temporary relocation of residents and facilities would be adopted. The first phase would involve relocation of the residents and facilities from the main block to the extension block and demolition of the main block to make way for the construction of the first part of the new RCHE building. The second phase would involve relocation of the residents and facilities from the extension block to the new RCHE building and demolition of the extension block for the construction of the remaining part of the new RCHE building. The applicant had already minimised new admittance of residents for the existing RCHE since February 2020 to facilitate the two-phase

implementation programme.

Deliberation Session

24. The Chairman recapitulated that the application sought minor relaxation of building height restriction for an additional basement level for relocating the essential plant rooms and water tanks from roof top. There would be no change to the building height of the above-ground portion of the development as previously approved under application No. A/K18/341. Due to the relocation of plant rooms to the basement, the rooftop area would be freed up and might be used for additional greening and installation of solar panel.

25. 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 26.8.2026, 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 vehicular access, car parking spaces and loading/unloading space for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (c) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in approval condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

26. 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 Mr Mak Chung Hang, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 9

Any Other Business

27. There being no other business, the meeting was closed at 9:50 a.m..