

TOWN PLANNING BOARD

Minutes of 704th Meeting of the Metro Planning Committee held at 9:00 a.m. on 23.9.2022

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 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

Ms Bernadette W.S. Tsui

Chief Traffic Engineer/Hong Kong,
Transport Department
Mr Horace W. Hong

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

Mr Stanley T.S. Choi

Mr Timothy K.W. Ma

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 L.C. Cheung

Agenda Item 1

Confirmation of the Draft Minutes of the 703rd MPC Meeting held on 9.9.2022

[Open Meeting]

1. The draft minutes of the 703rd MPC meeting held on 9.9.2022 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Mr Michael K.K. Cheung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), and Ms Annie S.W. Kong, 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]

A/K1/267 Proposed Minor Relaxation of Building Height and Site Coverage Restrictions for the Expansion of Hong Kong Science Museum and Hong Kong Museum of History in “Other Specified Uses” annotated “Museums” Zone and Area Shown as ‘Road’, 2 Science Museum Road and 100 Chatham Road South, Tsim Sha Tsui, Kowloon
(MPC Paper No. A/K1/267)

3. The Secretary reported that the application site was located in Tsim Sha Tsui and Mr Stanley T.S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsim Sha Tsui.

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting.

5. The Committee noted that the applicant’s representative requested on 8.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

6. 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 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/534 Office (Audio-visual Recording Studio) in "Comprehensive Development Area (5)" Zone, Workshop No. 3, 20/F, Sunwise Industrial Building, 16-26 Wang Wo Tsai Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/534)

7. The Secretary reported that the application premises (the Premises) was located within an industrial building in Tsuen Wan. The following Members had declared interests on the item:

Mr Stanley T.S. Choi - his spouse being a director of a company owing properties in Tsuen Wan; and

Mr Horace W. Hong - owning a flat in Tsuen Wan.

8. The Committee noted that Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting. As the property owned by Mr Horace W. Hong had no direct view of the building within which the Premises was located, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

9. With the aid of a PowerPoint presentation, Ms Annie S.W. Kong, 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.

10. Some Members raised the following questions:

- (a) noting that there were opposing public comments concerning noise nuisance from the applied use, what noise mitigation measures had been implemented by the applicant; and
- (b) whether the applied use would attract external customers.

11. In response, with the aid of some PowerPoint slides, Mr Michael K.K. Cheung, STP/TWK, made the following main points:

- (a) the applicant had installed soundproofing panels at the Premises and raised the platform from the room floor to minimise potential noise emissions from the drum kit. The applicant was willing to implement further noise insulation to address any such concern; and
- (b) while the applicant had not provided the estimated number of visitors in his submission, some visitors related to the applied audio-visual recording studio were expected.

12. At the Chairman's invitation, Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment), Environmental Protection Department (EPD), supplemented that the Premises was located in an industrial building where the occupants thereat were not considered as 'noise sensitive receivers'. With the implementation of proper acoustic insulation and good practices as recommended in the relevant EPD's guidelines on noise control, no insurmountable noise impact was anticipated. In the past

three years, no substantive complaint against the subject audio-visual recording studio was received by EPD.

Deliberation Session

13. A Member expressed concern on the potential noise nuisance from the applied use to other occupants in the same building. The Committee noted that there was prevailing noise control mechanism by EPD to ensure noise impact from the applied use would be properly addressed and mitigated.

14. The Committee noted a recent trend for converting industrial premises to non-industrial uses, such as back office, place of entertainment, creative industry and wine cellars, which might generate additional visitors and customers. Two members expressed concern on the potential fire risk and asked whether there were any fire safety requirements.

15. The Chairman remarked that the application was for audio-visual recording studio which was considered not incompatible with the surrounding uses within the same industrial building. Regarding Members' concerns on the potential noise nuisance, the Chairman suggested and the Committee agreed that suitable advisory clauses should be added to remind the applicant to observe the guidelines on noise control as promulgated by EPD and to avoid causing noise nuisance to the occupants in the same building as far as possible. On fire safety aspect, the applied use would unlikely generate large number of visitors. The Fire Services Department (FSD) had no in-principle objection to the application and relevant approval conditions on fire service installations and equipment had been recommended. The Chairman added that FSD would be consulted on planning applications for change of use in industrial building so as to ensure that fire safety concerns were satisfactorily addressed.

16. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). No time clause on commencement was proposed as the 'Office (Audio-visual Recording Studio)' use under the application was already in operation. The permission was subject to the following conditions :

- “(a) the provision of fire service installations and equipment within six months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2023; 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.”

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

“ to observe guidelines on good practices on noise control as promulgated by the Environmental Protection Department and to avoid causing noise nuisance to the occupants of the same building.”

Agenda Item 5

Section 16 Application

[Open Meeting]

A/KC/493 Proposed Flats in Area Shown as ‘Road’, Lots 1232 RP, 1234 RP, 1236 RP, 1237 RP and 1239 in Survey District 4 and Adjoining Government Land, Castle Peak Road - Kwai Chung, Kowloon
(MPC Paper No. A/KC/493)

18. The Committee noted that the applicant’s representative requested on 9.9.2022 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

19. 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.

[The Chairman thanked Mr Michael K.K. Cheung, STP/TWK, and Ms Annie S.W Kong, TP/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Hong Kong District

[Ms Erica S.M. Wong, Mr Rico W.K. Tsang, and Mr K.T. Ng, Senior Town Planners/Hong Kong (STPs/HK), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H14/84	Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Residential Development (House) in "Residential (Group C) 1" Zone, 6 Deep Water Bay Road, The Remaining Portion of Rural Building Lot 613, Hong Kong (MPC Paper No. A/H14/84)
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Presentation and Question Sessions

20. With the aid of a PowerPoint presentation, Ms Erica S.M. Wong, STP/HK, briefed Members on the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

[Ms Sandy H.Y. Wong joined the meeting during the presentation session.]

21. In response to a Member and the Chairman's enquiries, Ms Erica S.M. Wong, STP/HK, said that the proposed relaxation of plot ratio (PR) was to achieve the gross floor area (GFA) entitlement under the lease. The proposed increase of PR was in line with the Government's prevailing practice that private land surrendered for road widening works would be taken into account for the purpose of calculating the permitted total GFA under the lease.

Deliberation Session

22. 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 23.9.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a noise impact assessment and implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection 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; and
- (c) in relation to (b) above, the implementation of improvement works as identified in the sewerage impact assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H18/89 Proposed Eating Place in “Open Space” Zone, G/F (Portion), 29 Big Wave Bay Village, Shek O, Hong Kong
(MPC Paper No. A/H18/89)

Presentation and Question Sessions

24. With the aid of a PowerPoint presentation, Mr Rico W.K. Tsang, STP/HK, 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.

25. Two Members raised the following questions:

- (a) if the application was approved, whether the proposed eating place would be restricted to providing light refreshment only as proposed by the applicant; and
- (b) noting the public concerns on the potential adverse sewage impact on the Big Wave Beach, whether the applicant had proposed any sewage treatment measures.

26. In response, Mr Rico W.K. Tsang, STP/HK, made the following main points:

- (a) as submitted by the applicant, the proposed eating place would be a small-scale light refreshment place regulated by the Food and Environmental Hygiene Department (FEHD). Operator of the eating place was restricted to prepare and sell one group of the food items as specified on the List of Approved Food Items for Light Refreshment Restaurant Licence. Should there be any breach of the licensing conditions, enforcement action would be taken by FEHD as appropriate.

From statutory planning perspective, there was no distinction between large and small-scale restaurants and their control under the use of 'eating place'; and

- (b) there were currently no public sewers in the Big Wave Bay area. According to the applicant, the subject site was served by septic tank system and the applicant would apply to the Environmental Protection Department (EPD) for relevant licence for wastewater discharge. The applicant would be responsible for the future management and maintenance of the septic tank system.

Deliberation Session

27. The Chairman recapitulated that the proposed eating place was small in scale and its operation would be scrutinised and monitored through the established licensing mechanism by FEHD and EPD. A Member considered that relevant government departments should closely monitor the operation of the proposed eating place to avoid pollution to the Big Wave Bay which was of significant natural value.

28. 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 23.9.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“ the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB.”

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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/H21/157A)

30. The Secretary reported that the application site (the Site) was located in Quarry Bay. Mr Wilson Y.W. Fung had declared an interest on the item for co-owning with his spouse a property in Taikoo Shing. The Committee noted that Mr Wilson Y.W. Fung had not yet arrived to join the meeting.

Presentation and Question Sessions

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

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

Proposed Scheme and Relaxation of Building Height Restriction (BHR)

32. Some Members raised the following questions:

- (a) building height (BH) profile of the surrounding areas;

- (b) whether the ‘120mPD Outline Zoning Plan (OZP) Compliant Scheme’ (the compliant scheme) and the proposed scheme as shown in the submission were in compliance with the Sustainable Building Design Guidelines (SBDG) and that gross floor area (GFA) concession, which would have implication on the overall construction floor area, had been

incorporated in the said schemes;

- (c) whether the applicant was aware of the development constraints imposed by the Railway Protection Area of MTR Island Line at the time when the Site was purchased;
- (d) details of the preliminary streetscape design; and
- (e) the proposed average flat size of the development.

33. In response, Mr K.T. Ng, STP/HK, made the following main points:

- (a) as shown on Plans A-1 and A-2 of the Paper, the Site was surrounded by residential developments with BHRs of 120mPD to the north and east of the Site and 135mPD to the South. The existing BHs of these developments ranged from 75mPD to 147mPD;
- (b) the compliant scheme was formulated based on a BHR of 120mPD under the OZP and a maximum permissible domestic plot ratio of 9.0 under the Building (Planning) Regulations. Both the compliant scheme and the proposed scheme were indicative for illustration purpose only. Relevant requirements under the SBDG and the associated practice notes would be further examined in the detailed design stage;
- (c) before the commissioning of the MTR Island Line, the Site was occupied by residential buildings developed under the Government's Civil Servants' Co-operative Building Society Scheme. The applicant should be aware of the restrictions and constraints on the foundation and construction works as imposed by the Railway Protection Area and proposed to shift the high-rise portion of the development towards Mount Parker Road and put the low-rise portion on the land falling with the Railway Protection Area. According to the applicant, the proposed scheme with a relaxed BHR of 142.5mPD and a layout with two residential blocks and 15m building separation would also provide better

air ventilation and visual openness to the surroundings;

- (d) to enhance pedestrian circulation and comfort, the applicant proposed to set back the podium of the development for widening the footpath along King's Road, especially the pavement around the footbridge landing, and along Mount Parker Road to create a spacious public realm with provision of street planting and furniture. The Commissioner for Transport (C for T) had confirmed the technical feasibility of the proposal. Furthermore, the proposed podium façade would be designed with vertical greening and stone cladding to create a sense of nature to the area while the proposed retail facility and nursery/elderly centre would be located at the commercial podium along King's Road to further enhance pedestrian's walking experience. Should the application be approved, the applicant would be required under the recommended approval conditions to submit and implement the proposed footpath widening works and landscape proposal; and
- (e) the average flat size for the development was about 66m².

Provision of Government, Institution and Community (GIC) Facilities

- 34. Some Members raised the following questions:
 - (a) the general picture on GIC provision in the area; and
 - (b) details of the proposed privately-run nursery/elderly centre and how the implementation of such facility could be secured.
- 35. In response, Mr K.T. Ng, STP/HK, made the following main points:
 - (a) there were shortfalls of community care services facilities and residential care homes for the elderly (RCHE) in the Quarry Bay OZP area and the Eastern District; and

- (b) the proposed privately-run nursery/elderly centre was about 550m² which took up a large portion of the proposed non-domestic GFA (i.e. about 700m²) of the proposed development. Should the application be approved, the applicant would need to implement the development in accordance with the approved scheme as submitted, including the proposed nursery/elderly centre. The Planning Department would check whether the provision was included in the building plan submission stage.

Traffic Arrangement and Parking Space Provision

36. Some Members raised the following questions:

- (a) details of the car parking space provision; and
- (b) noting that the Site was located in close proximity to MTR stations and served by other public transport, whether there was scope to reduce the number of car parking spaces to meet the low carbon transportation objective and to minimise the extent of BH relaxation.

37. In response, Mr K.T. Ng, STP/HK, made the following main points:

- (a) the number of car parking spaces under the proposed scheme was in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and the high-end standard was adopted. C for T had no adverse comment on the proposed parking provisions; and
- (b) since most of the proposed car parking spaces would be located in the basement floors, reduction in the number of parking spaces would only have slight effect on the overall BH of the proposed development and the extent of relaxation of the BHR. The applicant also proposed to modify the cycle time for the two road junctions at King's Road/Tong Chong Street and King's Road/Kornhill Road/Hong On Street to improve the junction capacities in the area, so as to cater for additional traffic

generated by the proposed development. Adequate traffic signs and road markings would also be provided to enhance road safety. C for T had no adverse comment on the application from traffic engineering viewpoint.

Deliberation Session

38. Noting some Members' concerns on the parking provision under the proposed scheme, Mr Horace W. Hong, Chief Traffic Engineer/Hong Kong, Transport Department, at the invitation of the Chairman, made the following main points:

- (a) according to the traffic impact assessment submitted by the applicant, the proposed parking space provision was formulated based on the proposed mix of flat sizes and complied with the HKPSG at its high-end standard;
- (b) the Site was located near the Quarry Bay Station and Tai Koo Station with a distance of 400m and 350m respectively; and
- (c) as shown in the proposed layout plans, some of the parking spaces would be accommodated within the basement floors. Hence, reducing the number of car parking spaces might not have significant implication on the overall BH of the development.

39. A Member indicated reservation on the application as the proposed building bulk was relatively massive and the proposed floor-to-floor heights (FTFHs) for the plant rooms and clubhouses, the podium garden and some of the residential floors seemed to be excessive and unnecessary. The assumption of 3m FTFH adopted by the Committee for some other cases should apply in considering applications for BHR relaxation. The same Member considered that by cutting down the number of car parking spaces, there appeared to be scope for downward adjustment of carpark floors aboveground and the overall BH of the proposed development. Besides, the Railway Protection Area did not prohibit development but only incurred a higher construction cost to the developers.

40. A Member opined that the proposed FTFH of 3.15m for domestic floors was not unacceptable but some floors were designed with excessive height. That said, the proposed BH which was much higher than those of the surrounding developments was considered not desirable. The same Member indicated support to redeveloping the Site for residential development, but pointed out that the proposed planning merit of the provision of nursery/elderly centre was uncertain. The requirements for the provision of the facility should be clearly set out in the approval condition and in the land grant/land lease condition, where appropriate.

41. Some Members expressed reservation on the application and made the following main points:

- (a) the proposed privately-run nursery/elderly centre could not address the needs of the community for community care services and RCHE. The current proposal was ambiguous and implementation of such facility could not be ascertained;
- (b) there was insufficient information to confirm that the conceptual built form and layout under the compliant scheme had taken into account the SBDG requirements and the associated GFA concession. In other words, the comparison between the compliant scheme and the proposed scheme was unconvincing as they might not be formulated based on the same assumption; and
- (c) given the proximity of the Site to the nearby MTR stations, the provision of over 200 private car parking spaces at the Site was considered excessive and contradicted the Government's initiatives for green/low carbon transportation. Despite the traffic management measures proposed by the applicant, the excessive car parking provision would shift the traffic burden to the surrounding road networks, which was not desirable.

42. With regard to some Members' aforementioned concerns, the Chairman said that parking standards under the HKPSG had been revised last year to allow more car parking

spaces in residential development to address the residents' needs. Besides, there was no statutory requirement for GIC provision at the Site and the nursery/elderly centre proposed was only at the applicant's good will. As set out in the Explanatory Statement of the OZP, in considering planning applications for minor relaxation of BHR, considerations would be given to, inter alia, whether the development proposal would improve the urban design and streetscape, and the provision of GIC facilities should not be an essential factor for consideration of the application.

43. The Chairman continued to say that the proposed parking space provision was in line with the HKPSG and all along there were requests for more parking spaces from the public and from the district councillors. Even without the relaxation of BHR, the applicant could still pursue the proposed car parking space provision and the traffic flow generated would be the same as that of the proposed scheme with relaxed BH. The proposed building setback and streetscape enhancement could be regarded as planning and design merits contributed by the proposed development. That said, it was noted that Members in general considered that the extent of minor relaxation of BHR sought was substantial and there was room for enhancing the proposed scheme in support of the BHR relaxation by reviewing, e.g. the car parking space provision, the BH of the proposed development and provision of GIC facilities. The applicant could be invited to provide supplementary information to substantiate the application, including the assumptions adopted in formulating the compliant scheme and the proposed scheme, the scope to provide more planning gains/merits including the provision of GIC facilities and the implementation mechanism for ensuring such provision, and the scope to reduce BH of the proposed development. It was considered prudent to defer a decision on the application pending the applicant's submission of the said supplementary information.

44. After deliberation, the Committee decided to defer a decision on the application pending further information from the applicant on (i) the assumptions adopted in formulating the compliant scheme and the proposed scheme, (ii) the scope to provide more planning gains/merits including the provision of GIC facilities and the implementation mechanism for ensuring such provision; and (iii) the scope to reduce BH of the proposed development, for further consideration of the Committee.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/H6/92 Proposed Temporary Place of Recreation, Sports or Culture and School for a Period of 5 Years in “Green Belt” Zone and Area Shown as ‘Road’, Former Wesley Hostel, So Kon Po Cottage Area, Happy Valley, Hong Kong
(MPC Paper No. A/H6/92)

45. The Secretary reported that the application site was located in Happy Valley. The following Members had declared interests on the item:

Mr Ivan M.K. Chung - co-owning with spouse a flat in Happy Valley;
(the Chairman) and

Ms Lilian S.K. Law - co-owning with spouse a flat in Happy Valley.

46. The Committee noted that the applicant had requested deferment of consideration of the application. As the properties co-owned by Mr Ivan M.K. Chung (the Chairman) and his spouse, and Ms Lilian S.K. Law and her spouse had no direct view of the application site, the Committee agreed that they could stay in the meeting.

47. The Committee noted that the applicant’s representative requested on 6.9.2022 deferment of consideration of the application for one month in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

48. 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, and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Ms Erica S.M. Wong, Mr Rico W.K. Tsang, and Mr K.T. Ng, STPs/HK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Kowloon District

[Ms Helen H.Y. Chan, Mr William W.L. Chan and Ms Jessie K.P. Kwan, Senior Town Planners/Kowloon (STPs/K), were invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/242 Proposed Shop and Services in "Other Specified Uses" annotated
"Business" Zone, Unit B, G/F., Wang Fai Industrial Building, 29 Luk
Hop Street, San Po Kong, Kowloon
(MPC Paper No. A/K11/242)

Presentation and Question Sessions

49. With the aid of a PowerPoint presentation, Ms Helen H.Y. Chan, STP/K, briefed Members on the background of the application, the proposed use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

50. Members had no question on the application.

Deliberation Session

51. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 23.9.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a proposal on the fire safety measures before operation of the use to the satisfaction of the Director of Fire Services or of the TPB; and
- (b) if the above planning condition is not complied with before operation of the use, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

[Mr Wilson Y.W. Fung joined the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/324 Shop and Services in “Other Specified Uses” annotated “Business”
Zone, Portion of Unit 8B, G/F, Kowloon Bay Industrial Centre, 15
Wang Hoi Road, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/324)

53. The Secretary reported that the application site was located in Kowloon Bay. The following Members had declared interests on the item:

- Professor Jonathan W.C. Wong - being an employee of the Hong Kong Baptist University (HKBU) which rented a property for campus use in Kowloon Bay; and
- Ms Sandy H.Y. Wong - being a council member of HKBU which rented a property for campus use in Kowloon Bay.

Presentation and Question Sessions

54. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, briefed Members on the background of the application, the applied use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

55. Members had no question on the application.

Deliberation Session

56. 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’ use under application was already in operation. The permission was subject to the following conditions :

- “(a) the submission and implementation of a proposal on the fire safety measures within six months from the date of approval to the satisfaction of the Director of Fire Services or of the TPB by 23.3.2023; 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.”

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

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/819 Proposed Comprehensive Redevelopment with Commercial Uses (including Hotel, Office, Shop and Services, Eating Place, Place of Entertainment, Educational Institution), Public Transport Interchange (Taxi Stand), Public Open Space, Government, Institution or Community Uses and Supporting Facilities (Amendments to Approved Master Layout Plan) in “Comprehensive Development Area (1)” Zone, Development Areas 4 and 5 of Kwun Tong Town Centre - Main Site, Kowloon

(MPC Paper No. A/K14/819)

58. The Secretary reported that the application was submitted by the Urban Renewal Authority (URA). The following Members have declared interests on the item:

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| Mr Ivan M.K. Chung
(the Chairman) | - being a non-executive director of the URA Board and a member of its Committee; |
| Mr Wilson Y.W. Fung
(the Vice-chairman) | - being a former director of the Board of the Urban Renewal Fund; |
| Ms Lilian S.K. Law | - being a former director of the Board of the Urban Renewal Fund and being a member of Hong Kong Housing Society (HKHS) which currently had discussion with URA on housing development issues; |
| Mr Ben S.S. Lui | - being a former Executive Director of URA; |
| Mr Daniel K.S. Lau | - being a member of HKHS which currently had discussion with URA on housing development issues; |

- Mr Ricky W.Y. Yu - being a director of the Board of the Urban Renewal Fund and director and chief executive officer of Light Be (Social Realty) Company Limited which was a licensed user of a few URA's residential units in Sheung Wan; and
- Mr Timothy K.W. Ma - being a director of the Board of the Urban Renewal Fund, a member of Land, Rehousing & Compensation Committee of URA and a member of the Supervisory Board of HKHS which currently had discussion with URA on housing development issues.

59. The Committee noted that Mr Timothy K.W. Ma had tendered an apology for being unable to attend the meeting. As the interest of Mr Ivan M.K. Chung (the Chairman) was direct, he should be invited to leave the meeting temporarily for the item. As the interests of Messrs Wilson Y.W. Fung and Ricky W.Y. Yu were indirect, and Ms Lilian S.K. Law and Messrs Ben S.S. Lui and Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could be stay in the meeting.

[Mr Ivan M.K. Chung left the meeting at this point.]

60. Mr Wilson Y.W. Fung, the Vice-chairman, took over the chairmanship at this point.

Presentation and Question Sessions

61. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, briefed Members on the background of the application (the proposed scheme), 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.

Proposed Gross Floor Area (GFA) Mix

62. Some Members raised the following questions:

- (a) details of the proposed GFA mix under the proposed scheme and whether there was any precedent whereby the proposed GFA under application was specified in ranges;
- (b) whether the GFA mix of commercial, hotel and office uses was an important factor in considering the previously approved application (No. A/K14/745) (the approved scheme);
- (c) whether the proposed range from 0m² to 32,000m² for hotel GFA was considered acceptable from planning perspective; and
- (d) whether the applicant had submitted alternative building design or site layout for a development option without hotel use, given that the presence of hotel element, or vice versa, would have significant effect on the overall building design and site layout.

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

- (a) according to the applicant, the proposal was aimed to facilitate successful tendering of the proposed development by allowing flexibility for the future joint-venture developer(s) of URA to determine the development mix. Under the proposed scheme, the respective GFAs for commercial, office, and hotel uses were set in ranges while the GFA of 8,601m² for government, institution or community (GIC) use and the total non-domestic GFA of 201,220m² remained the same as the approved scheme as detailed in the Paper. In any event, minimum GFA of 65,000m² and 65,860m² for other commercial and office uses respectively would be provided in the proposed development at the application site (the Site) so as to maintain the variety and vibrancy of the Kwun Tong Town Centre (KTTC) and its surrounding area. There was no precedent in application for proposing a scheme or amending an approved scheme by specifying the proposed GFA in ranges;
- (b) the maximum non-domestic GFAs for commercial, office, and hotel uses under the approved scheme as previously submitted by the applicant

were determined based on the economic prospect at the time when the application was made, i.e. about 13 years ago. There was no statutory control under the development scheme plan on the maximum or minimum GFA allocation for specific type of commercial use;

- (c) taking into account the latest market trend, the applicant had proposed the current range of hotel GFA in order to allow flexibility for the future joint-venture developer(s) to decide whether or not to pursue hotel development at the Site. While it was the planning intention to provide a variety of commercial uses (including hotel use) at the subject “Comprehensive Development Area (1)” (“CDA(1)”) zone, there was no statutory requirement for hotel provision. The Commissioner for Tourism consulted had no adverse comment on the proposal and considered that whether to include hotel development at the Site was a matter of commercial decision. Noting the existing provision of hotel rooms in Kwun Tong Business Area, which was not essentially a tourism node, the current proposal of allowing flexibility in hotel provision was not considered unreasonable and the planning intention of the “CDA(1)” zone would unlikely be undermined even if there was no hotel development at the Site; and

- (d) the Master Layout Plan (MLP) and floor plans submitted by the applicant were indicative in nature and aimed to illustrate the broad concept of the proposed land use and building layout on the Site. The applicant had not submitted alternative building design or site layout for various development mix. The building design, site layout as well as detailed requirement/arrangement of supporting facilities (e.g. back-of-house for hotel use) would be determined when the development mix was confirmed, and such details would be subject to relevant approval conditions and would be scrutinized by relevant departments in the building plan submission stage.

64. A Member asked if the application was approved, whether planning approval was required if the applicant further amended the development mix in future. In response, Ms

Jessie K.P. Kwan, STP/K, said that the planning approval of the application, if granted, was subject to the terms including the development scheme and GFA mix as submitted to the Town Planning Board (the Board). If the further amendments to GFA mix fell within the approved range or were classified as Class A amendments under the “Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals” (TPB PG-No. 36B), no further planning application to the Board was required. According to the applicant, the proposed development was under a tight implementation schedule and with the flexibility allowed in the proposed GFA mix, it was not anticipated that the applicant would make repetitive amendments to the development mix.

65. Some Members expressed grave concerns that approval of the application would set a precedent for similar applications with GFA mix specified in range. Ms Jessie K.P. Kwan, STP/K, in response, said that each planning application should be considered on a case-by-case basis. In assessing the current application, all planning factors including the unique planning history of the development, site context, justifications for the proposal and technical feasibility as ascertained by a series of assessments and sensitivity tests undertaken for different development scenarios, as well as the proposed planning gains were taken into account. The Secretary supplemented that for the subject application, allowing flexibility in the development mix could facilitate the KTTC redevelopment project and was in line with the Government’s intention in streamlining development process. The unique history of the proposed development and justifications put forth by the applicant as well as the technical assessments undertaken would also be relevant considerations. For any future application with development parameters proposed in ranges, it should be assessed based on its individual merits and similar planning considerations mentioned above would be taken into account.

66. A Member asked if the applicant could obtain planning approval for various development schemes and pursue a hybrid of various approved schemes. In response, Ms Jessie K.P. Kwan, STP/K, said that the applicant could only choose one of the approved schemes for implementation. The Member also expressed concern if the development would be partially developed, leaving part of the development unfinished, given the uncertain economic situation. The Secretary supplemented that, in general, the Lands Department would impose a building covenant in the lease requiring the developer to complete the development within a specified period.

GIC Provisions and Others

67. Some Members raised the following questions:
- (a) the proposed planning gains that could benefit the community;
 - (b) whether there was scope to provide more GIC facilities to address the community needs;
 - (c) noting that there was GIC use on the topmost floor of the egg-shaped GIC cum commercial building (as shown in Drawing No. A-7), what the concerned GIC use was;
 - (d) what the 'education institution' use was intended for;
 - (e) what changes to the basement design were proposed; and
 - (f) whether admission fee was required for the proposed observation deck.
68. In response, Ms Jessie K.P. Kwan, STP/K, made the following main points:
- (a) the overall GIC facilities of about 24,800 m² for KTTC Main Site as a whole (comprising Development Areas (DAs) 2 to 5) were equivalent to about 18% of the total domestic GFA. Under the proposed scheme (for DAs 4 and 5), about 8,601m² of GFA were reserved for GIC facilities, which mainly included government offices, post offices, taxi stand and an early education and training centre. There would also be provision of multi-purpose activity centre and social enterprise use which would be counted towards commercial GFA. Besides, together with the completed development at DAs 2 and 3, a total of about 10,343m² at-grade public open space would be provided for public enjoyment;

- (b) the Social Welfare Department consulted had no further comment on the proposed GIC provision at the Site and no adverse comment on the application;
- (c) as shown on the MLP, the GIC use on the topmost floor of the egg-shaped GIC cum commercial building was reserved for a government accommodation for use by the Environmental Protection Department;
- (d) the proposed 'education institution' use was for post-secondary education and the details of which, such as the exact location, would be confirmed in the detailed design stage;
- (e) the applicant proposed to change the number of basement levels for both the commercial tower and GIC cum commercial building, respectively from 6 to 5 levels and from 4 to 5 levels. All the proposed car parking spaces to be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) would be accommodated in the basement carpark; and
- (f) the proposed observation deck would be charged with admission fee.

Deliberation Session

69. Members generally raised no objection to the application which was in line with the planning intention of the "CDA(1)" zone, and technically feasible with certain planning gains for the local community of the KTTC area. Two Members supported the specification of GFA of various commercial uses in ranges as it would allow flexibility in GFA mix amidst the changing economic situation in recent years, and was in line with the Government's intention for streamlining development process.

70. Some Members raised concern on whether the approval of the application would set a precedent for similar applications with development parameters proposed in range. A Member also asked whether the requirement for specifying GFAs for various commercial

uses was only applicable to the applicant (i.e. URA), but not other developers. In response, the Secretary explained that each planning application should be considered on its own individual merits. Having said that, specifying GFA in range might not be an attractive approach for developers to follow as extensive assessments would need to be undertaken, as what had been done by the applicant, to demonstrate the technical feasibility of different development scenarios. For planning application for site zoned “CDA”, the applicant, regardless of their status being in public or in private sector, would be required to submit an MLP together with a development schedule which set out the detailed development parameters. A Member opined that, should the application be approved, the Committee should convey a clear message that the subject application was approved based on the unique planning intention of the subject “CDA(1)” zone and the specific mix of commercial uses. The Committee agreed that the application could be approved based on its own planning merits.

71. A Member remarked that the presence of hotel element or not at the Site would significantly affect the building design and site layout of the proposed development. The applicant should be required to submit a site layout for a development option without hotel use. The same Member also said that, from long-term planning perspective, the inclusion of hotel development at the Site would be more desirable for bringing vibrancy to KTTC. In that regard, the Committee noted that the MLP submitted under the planning application was indicative in nature and subject to detailed design. Should the application be approved, an approval condition on the submission and implementation of a revised MLP to the satisfaction of the Director of Planning or of the Board was recommended, and the revised MLP could be suitably amended to take into account Member’s comments.

72. Two other Members urged the relevant government departments to take an active role in reviewing the GIC provision at large development project so as to better address the community needs especially elderly and pre-school children services.

73. 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 23.9.2026, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a revised Master Layout Plan to take into account the approval conditions as stated in paragraphs (b) to (q) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the building height of the proposed commercial development within the application site should not exceed 285mPD;
- (c) the proposed observation deck should be opened for public enjoyment;
- (d) the submission and implementation of the public transport operations (including routing and bus arrangement for affected bus routes, taxi stand and pick-up/drop-off points) proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (e) the submission and implementation of detailed setback proposal to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;
- (f) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (g) the submission and implementation of a Landscape Master Plan for the proposed at-grade public open space (Yue Man Square Rest Garden) and a tree preservation and tree replanting scheme to the satisfaction of the Director of Leisure and Cultural Services or of the TPB;
- (h) the submission of a revised air ventilation assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Planning or of the TPB;
- (i) the submission of a revised drainage impact assessment and revised sewerage impact assessment to the satisfaction of the Director of Drainage Services and the Director of Environmental Protection or of the TPB;
- (j) the submission of a revised traffic impact assessment (including pedestrian traffic study) and implementation of traffic mitigation measures identified

therein for the proposed development to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB;

- (k) the provision of parking facilities, loading/unloading space and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (l) the submission and implementation of interim sewerage diversion scheme to the satisfaction of the Director of Environmental Protection and the Director of Drainage Services or of the TPB;
- (m) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (n) the submission and implementation of a detailed risk assessment and contingency plan on potential road unsettlement of Hip Wo Street, Mut Wah Street, Hong Ning Road, and Kwun Tong Road arising from construction activities of the proposed car park to the satisfaction of the Director of Highways or of the TPB;
- (o) the submission and implementation of a design proposal for the retail podium façade and the pedestrian deck along Kwun Tong Road to the satisfaction of the Director of Planning or of the TPB;
- (p) the design and provision of social welfare facilities to the satisfaction of the Director of Social Welfare or of the TPB; and
- (q) the design and provision of Government Offices to the satisfaction of the Government Property Administrator or of the TPB.”

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

[The Vice-chairman thanked Ms Helen H.Y. Chan, Mr William W.L. Chan and Ms Jessie K.P. Kwan, STPs/K, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 13

Any Other Business

75. There being no other business, the meeting was closed at 12:30 p.m..