

TOWN PLANNING BOARD

Minutes of 705th Meeting of the Metro Planning Committee held at 9:00 a.m. on 14.10.2022

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Assistant Commissioner for Transport (Urban), Transport Department
Mr Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

Assistant Director/Regional 1,
Lands Department
Ms Trevina C.W. Kung

Deputy Director of Planning/District
Mr C.K. Yip

Secretary

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 704th MPC Meeting held on 23.9.2022

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 704th MPC meeting to Members, an amendment to paragraph 70 incorporating a Member's comments and as shown on the screen was proposed. The Committee agreed that the minutes of the 704th MPC meeting held on 23.9.2022 were confirmed with incorporation of the said amendment.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K10/5 Application for Amendment to the Approved Ma Tau Kok Outline Zoning Plan S/K10/28, To amend the building height restriction on a “Government, Institution or Community” site at 222 Argyle Street in Kowloon City from 5 storeys to 80 metres above Principal Datum, 222 Argyle Street, Kowloon City, Kowloon
(MPC Paper No. Y/K10/5)

3. The Committee noted that the applicant’s representative requested on 27.9.2022 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.

4. 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 three 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.

Tsuen Wan and West Kowloon District

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

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K1/265 Proposed Eating Place (Cafeteria, Coffee Shop and Tea House) and Shop and Services in “Open Space” Zone and marked with ‘Shops Below’, G/F and 1/F, Park Lane Shopper’s Boulevard, 111-139, 143-161 and 165-181 Nathan Road, Tsim Sha Tsui

(MPC Paper No. A/K1/265A)

5. The Secretary reported that application site (the Site) was located in Tsim Sha Tsui. 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.

6. 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

7. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/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 (PlanD) had no objection to the application.

[Ms Sandy H.Y. Wong joined the meeting during PlanD’s presentation.]

Proposed ‘Eating Place’ Use

8. Some Members raised the following questions:
- (a) definition of deep frying cooking process and whether no grilling nor deep frying activities inside the premises at the Site (the subject premises) were proposed by the applicant;
 - (b) whether the proposed ‘Eating Place (cafeteria, coffee shop and tea

house)' use could be changed to other types of 'Eating Place' use in future without further planning permission;

- (c) status of the existing fast food shop at Kowloon Park; and
- (d) whether alfresco dining or outdoor seating would be provided at the Site or the adjacent pedestrian walkway, and whether there were any guidelines on such provision.

9. In response, Mr Clement Miu, STP/TWK, made the following main points:

- (a) deep frying referred to any cooking process that would generate oily fume and cooking odour. The proposal of not having any grilling nor deep frying activities at the subject premises was initiated by the applicant with a view to minimising possible impacts on the nearby Old and Valuable Trees (OVTs) which were significant landmarks of the Park Lane Shopper's Boulevard (the Park Lane). In general, operation of eating places was regulated under the existing licensing mechanism by the Food and Environmental Hygiene Department (FEHD). For the operation of the proposed 'Eating Place' use, which involved cafeteria, coffee shop and/or tea house as proposed by the applicant, would require a Light Refreshment Restaurant Licence, instead of a General Restaurant Licence, granted by the Director of Food and Environmental Hygiene (DFEH) under which only the food items as specified on the List of Approved Food Items for Light Refreshment Restaurants would be allowed to be prepared and sold in the subject premises in future. Besides, the applicant mentioned that the relevant restrictions on the type of eating places would be incorporated in the lease condition and the Deed of Mutual Covenant (DMC) of the subject premises;
- (b) from statutory planning perspective, there was no distinction between large and small-scale restaurants in respect of definition or control under the use of 'Eating Place'. That said, the planning permission, if granted, would be on the terms of the application as submitted to the Town Planning Board (the Board), i.e. for the uses of eating place (cafeteria,

coffee shop and tea house) and shop and services;

- (c) the existing food fast shop at Kowloon Park was ancillary to the Kowloon Park Swimming Pool providing takeaway services. It was located within a structure which was far away from the existing trees within Kowloon Park; and
- (d) according to the applicant, the proposed 'Eating Place' and 'Shop and Services' uses would be located within the subject premises and no alfresco dining nor outdoor seating was proposed. Should the future operators wish to provide outdoor seating or alfresco dining, application for relevant licence, i.e. Outdoor Seating Accommodation (OSA), from DFEH was required and there were different requirements, e.g. hygiene, planning, building safety aspects etc. that the operators had to comply with. FEHD had provided relevant guidelines for such application. In respect of the extent of OSA, the applicant could apply for an OSA licence for accommodation on Government land or private land. The OVTs and pedestrian walkway at Park Lane were under the purview of the Leisure and Cultural Services Department (LCSD) and the Highways Department respectively.

Proposed Floor Space for 'Eating Place' Use

10. In response to a Member's enquiry on whether there was any existing mechanism to control and enforce the proposed floor space limit of 50% for 'Eating Place' use, Mr Clement Miu, STP/TWK, clarified that the application was for the 'Eating Place' and 'Shop and Services' use and the floor space limit of 50% for 'Eating Place' use was proposed by the applicant. Besides, the applicant would need to apply for lease modification to incorporate such restriction, where appropriate, should the application be approved. Ms Trevina C.W. Kung, Assistant Director/Regional 1 of the Lands Department (LandsD), supplemented that the applicant was required to apply for consent under lease regarding the proposed uses agreed by the Committee.

11. Another Member asked whether the applicant could change the floor space limit for 'Eating Place' use in future. In response, Mr Clement Miu, STP/TWK, said that the

planning permission, if granted, would be on the terms of the application as submitted to the Board and PlanD would ensure that the proposal(s) submitted by the applicant would be in line with the uses of 'Eating Place' (cafeteria, coffee shop and tea house) (not more than 50% of the subject premises) and 'Shop and Services' as proposed under the application in scrutinising the general building plan and food licence(s) in future as appropriate.

Environmental and Hygienic Aspects

12. Some Members raised the following questions:
 - (a) provision of sanitary facilities and sewerage/waste disposal arrangement for the proposed uses;
 - (b) regulatory and control mechanism for potential environmental and hygienic impacts; and
 - (c) location of the waste storage area and whether the capacity was sufficient to store the waste generated from the proposed uses.

13. In response, Mr Clement Miu, STP/TWK, made the following main points:
 - (a) according to the applicant, the current sewerage management, waste disposal arrangement and pest control practices for the existing shop and services carried out by the Management Office of Park Lane would continue to operate. The potential sewerage flow generated from the proposed uses, including eating place, would be discharged to the existing public sewerage system along Nathan Road. There were built-in sanitary facilities provided within each premises;
 - (b) the applicant claimed that for the potential air pollution due to cooking fume emission, activated carbon filter as recommended by the Environmental Protection Department (EPD) and exhaust air purifiers would be installed at each eating place. Besides, the operators were required to strictly comply with relevant environmental control ordinances such as the Air Pollution Control Ordinance (APCO) and

Water Pollution Control Ordinance. Should there be any breach of the relevant regulations and conditions, enforcement action would be taken by the EPD and LandsD as appropriate. Operation of the proposed 'Eating Place' use would also be subject to lease conditions, DMC, as well as the licencing requirements; and

- (c) as shown in Drawing A-2 of the Paper, there was a communal waste collection point under the staircases between Site A and Sites B & C monitored by the Management Office of Park Lane. Under the current arrangement, the waste was collected from the Site every night. It was expected that sufficient capacities would be available for storing the waste generated from the proposed uses.

14. In response to a Member's question on whether the concerned government departments had considered the location and positioning of exhaust air outlets of the proposed eating place and the potential impacts on the existing trees in the vicinity, Mr Clement Miu, STP/TWK, said that the LCSD (Kowloon Tree Team) had no comment on the application. Comments and approval from LCSD and relevant government departments would be sought prior to the commencement of any upgrading works in accordance with the established mechanism. Besides, EPD would be in a position to advise the applicant whether the cooking fume emission generated from the proposed 'Eating Place' use could comply with the relevant requirements during the licensing stage.

15. Dr Sunny C.W. Cheung, Principal Environmental Protection Officer (Metro Assessment) of EPD, supplemented that the operators would need to seek approval from EPD for installation and/or alteration of fuel-burning equipment in the restaurants if the total fuel consumption exceeded 1,150 megajoules of any gaseous fuel per hour in accordance with the Air Pollution Control (Furnaces, Ovens and Chimneys) (Installation and Alteration) Regulations. In addition, if the cooking emission of a restaurant caused air pollution, EPD would serve a notice as per the APCO to request the restaurant to abate the air pollution.

Others

16. Some Members raised the following questions:

- (a) how the proposed uses, including eating place, could facilitate the development of Park Lane as a new tourism destination;
- (b) details on the loading/unloading (L/UL) facilities;
- (c) which Government department was responsible for management and maintenance of the OVTs at Park Lane;
- (d) whether the proposed uses would have implication on the on-going Pilot Study on Underground Space Development in Selected Strategic Urban Areas (the Underground Study) at Kowloon Park; and
- (e) noting that no public comment was received from the Kowloon Mosque and Islamic Centre during the statutory public inspection periods of the application, whether the Kowloon Mosque and Islamic Centre was consulted on the application.

17. In response, Mr Clement Miu, STP/TWK, made the following main points:

- (a) according to the applicant, the proposal aimed to rebrand Park Lane by offering diversified uses for transforming it into a vibrant cultural and leisure destination for both tourists and local visitors. The Commissioner for Tourism considered that the proposal was in line with the policy objective of enhancing tourism facilities and supporting the development of new tourism products and initiatives so that Hong Kong could remain a premier tourist destination;
- (b) as shown in Drawing A-6 of the Paper, there were two existing L/UL bays at Nathan Road outside Park Lane for L/UL activities. According to the applicant, L/UL activities could not be carried out during the traffic peak period (i.e. 7a.m. - 10a.m. and 4p.m. - 9p.m.) and the operators were required to make prior appointment in specific time slots. The Management Office of Park Lane would closely monitor the status of the L/UL bays;

- (c) management and maintenance of the OVTs outside the subject premises were under the purview of LCSD. The OVTs outside the subject premises were *Ficus microcarpa* and each was registered with a respective number. According to the recent tree inspection conducted in 2021, all of the OVTs were in good condition;
- (d) there would be no implication on the Underground Study as the proposed uses would be undertaken at the subject premises only; and
- (e) as per the prevailing administrative arrangements for processing planning applications, PlanD had issued notice to the Owners' Corporations and other committees of the buildings within 100 feet from the boundary of the Site (including the Kowloon Mosque and Islamic Centre) and posted site notices near the Site during the public inspection period. No public comment from the Kowloon Mosque and Islamic Centre was received.

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

Deliberation Session

18. The Chairman concluded that Members generally had no objection to the application as the proposed use was compatible with Kowloon Park and the surrounding land uses. Having considered that long-standing vacant shops would be a waste of valuable land resources, most of the Members expressed support for the proposal and considered diversifying the uses at Park Lane for transforming it into a vibrant cultural and leisure destination was in line with the policy objective of enhancing tourism facilities and supporting new tourism initiatives.

19. Whilst noting that the proposed eating place would constitute not more than 50% of the floor area of the subject premises and for light meal and refreshment only (i.e. cafeteria, coffee shops and tea house), a few Members were of the view that consideration could be given to lower the percentage of proposed floor area for eating place, e.g. 30%, with a view to minimising possible environmental impacts on the surroundings. Some Members, however, were of the view that the application should be considered based on the proposal as

submitted by the applicant and consideration of the subject application should focus on land use compatibility.

20. On the concerns on the possible impacts on environment (including waste, sewerage and air quality) and hygiene of the surroundings of the Site, a Member raised concern on the effectiveness of the existing monitoring mechanism in ensuring that the operation of the proposed 'Eating Place' would comply with all relevant regulations and licensing requirements, in particular that the Site was under multi-ownership. In that regard, Members noted that relevant approval conditions regarding sewerage impacts had been recommended should the application be approved, and concerned Government departments including FEHD and EPD would each undertake monitoring and enforcement works for matters under their purview during implementation and operation of the proposed uses. To address Members' concerns, the Chairman proposed and Members agreed to impose an additional advisory clause to request the applicant to minimise environmental and hygienic impacts on the surroundings as far as practicable.

21. Two Members suggested that the relevant parties could consider enhancing the pedestrian environment at Park Lane and providing pedestrian-friendly facilities. The Chairman remarked that the suggestions would be conveyed to the relevant Government departments for follow-up as appropriate.

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 14.10.2026, 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 implementation of traffic control measures, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of an updated 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 updated Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB; and

- (d) the provision of fire service installations to the satisfaction of the Director of Fire 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 with the following additional advisory clause:

“to minimise environmental and hygiene impacts on the surroundings as far as practicable.”

Agenda Item 5

Section 16 Application

[Open Meeting]

A/TW-CLHFS/2 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Proposed Resort Hotel Development in “Recreation” Zone, Tsuen Wan Town Lot No. 389 (Part) and Adjoining Government Land, Chuen Lung, Tsuen Wan, New Territories
(MPC Paper No. A/TW-CLHFS/2)

24. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) and Singular Studio Limited (Singular Studio) were two of the consultants of the applicants. Mr Franklin Yu had declared an interest on the item for being a director and shareholder of Singular Studio and having current business dealings with ARUP.

25. The Committee noted that the applicants had requested deferment of consideration of the application. As the interest of Mr Franklin Yu was direct, the Committee agreed that he could stay in the meeting but should refrain from discussion of the item.

26. The Committee noted that the applicants’ representative requested on 29.9.2022 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 applicants requested deferment of the application.

27. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 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.

[The Chairman thanked Mr Clement Miu, 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) and Mr David S.T. Leung, Town Planner/Hong Kong (TP/HK), were invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H5/418 Proposed Comprehensive Development in “Comprehensive Development Area”, “Residential (Group C)”, “Open Space”, “Government, Institution or Community” Zones and area shown as ‘Road’, 1, 1A, 2 and 3 Hill Side Terrace, 55 Ship Street (Nam Koo Terrace), 1-5 Schooner Street, 53 Ship Street (Miu Kang Terrace), Inland Lot No. 9048 and adjoining Government Land, Wan Chai, Hong Kong

(MPC Paper No. A/H5/418)

28. The Secretary reported that the application site (the Site) was located in Wan Chai. Ms Lilian S.K. Law had declared an interest on the item for her spouse serving an honorary post at Ruttonjee Hospital in Wan Chai. As the interest of Ms Lilian S.K. Law was indirect, the Committee agreed that she could stay in the meeting.

29. The Secretary reported that the Site was zoned “Comprehensive Development Area” (“CDA”), “Residential (Group C)”, “Open Space”, “Government, Institution or Community” and area shown as ‘Road’ on the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/30. Part of the Site (i.e. the area zoned as “CDA”) was the subject of two adverse representations in respect of the OZP No. S/H5/30.

30. According to the Town Planning Board Guidelines No. 33A on Deferment of Decision on Representations, Comments, Further Representations and Applications Made Under the Town Planning Ordinance, a decision on a section 16 application or section 17 review would be deferred if the zoning of the subject site was still subject to outstanding adverse representation yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation was relevant to the subject application/review.

31. After deliberation, the Committee decided to defer making a decision on the application, and agreed that the application would be submitted to the Committee for consideration after CE in C had made a decision on the relevant adverse representations and

- (b) whether the application was a fresh application and whether the latest planning circumstances (including new developments in the surrounding area) had been taken into account in formulating the proposal by the applicant and in assessing the application by Government departments; and
- (c) whether the planning permission under the previous application No. A/H7/172 had lapsed.

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

- (a) as compared with the approved scheme under application No. A/H7/172, the proposed scheme would involve an increase in SC (above 15m) to incorporate innovative building design (i.e. terraces on various floors to serve as outdoor flat roofs);
- (b) the current application was a fresh application and the applicant had taken into account the existing and planned developments in the area in conducting various impact assessments, including visual and traffic, for the proposed development. Having taken into account the traffic generated by planned development(s) proposed after approval of the previous application in 2017 in the area, the applicant had proposed to omit the vehicle turntable and reduce the number of loading and unloading bays in order to allow for more manoeuvring spaces under the current scheme to minimise potential traffic impact on the nearby road network. The Commissioner for Transport considered that the proposed traffic impact assessment and the internal transport facilities were acceptable and had no objection to the application; and
- (c) the approved development under application No. A/H7/172 had commenced as a set of general building plans based on the approved scheme was approved by the Building Authority in 2020.

Deliberation Session

37. The Chairman remarked that the proposed commercial use under the application had been approved by the Committee before and the applicant had sought for a change in SC only to allow for new building design for the proposed scheme.

38. 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 14.10.2026, 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 the internal transport facilities including car parking spaces, loading/unloading bays and pick-up/drop-off area to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and implementation of a Traffic Management Plan to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the reinstatement of the existing vehicular run-in/out to footway to the satisfaction of the Director of Highways or of the TPB;
- (d) the design and provision of traffic signs, road markings and street furniture to the satisfaction of the Director of Highways or of the TPB;
- (e) the submission of hydraulic calculations to demonstrate the adequacy of the existing public sewerage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the existing public sewerage systems, if required, to the satisfaction of the Director of Drainage Services or of the TPB; and
- (f) the submission of hydraulic calculations to demonstrate the adequacy of the existing drainage facilities for accommodating the proposed development and the implementation of improvement and upgrading works to the

existing drainage systems, if required, to the satisfaction of the Director of Drainage Services or of the TPB.”

39. 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, and Mr David S.T. Leung, TP/HK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Kowloon District

[Ms Vivian M.F. Lai, District Planning Officer/Kowloon (DPO/K), Mr Ernest C.M. Fung and Ms Helen H.Y. Chan, Senior Town Planners/Kowloon (STPs/K), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

Draft Planning Brief for the “Comprehensive Development Area(4)” Zone in Kai Tak Development

(MPC Paper No. 11/22)

Presentation and Question Sessions

40. With the aid of a PowerPoint presentation, Mr Ernest C.M. Fung, STP/K, briefed Members on the background of the draft Planning Brief (PB), major development parameters and planning requirements, and consultations with the Housing and Development Planning Committee of the Kowloon City District Council and the Task Force on Kai Tak Harbourfront Development of the Harbourfront Commission for the “Comprehensive Development Area (4)” (“CDA(4)”) zone on the draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/7 as detailed in the Paper.

41. The Chairman said that the PB was introduced to provide guidance for future development at the “CDA(4)” site in Kai Tak City Centre (KTCC). Submission of Master Layout Plan (MLP) by the future developer would be required for the “CDA(4)” site. He then invited Members’ questions or views on the draft PB.

42. Some Members raised the following questions:

- (a) pedestrian connectivity between the “CDA(4)” site and Urban Renewal Authority (URA)’s redevelopment projects in Kowloon City;
- (b) in respect of the underground pedestrian connections at KTCC, whether retail shops would be provided; whether the proposed vertical pedestrian facilities would be open 24 hours for public use; whether design requirements of the underground connections had been incorporated in the PB; and details of the construction, management and maintenance of such underground connections;
- (c) whether the design of the retail belt would be consistent among the “CDA” sites abutting the Lung Tsun Stone Bridge Preservation Corridor (LTSBPC); and
- (d) details of the provision of social welfare facilities and whether the future developer could provide additional social welfare facilities at the “CDA(4)” and the bundled “Residential (Group A)6” (“R(A)6”) sites.

43. In response, Ms Vivian M.F. Lai, DPO/K, made the following main points:

- (a) for pedestrian connection between the area around the “CDA” site and Kowloon City, an underground subway would be provided to the northeast of the “CDA(4)” site connecting LTSBPC and Shek Ku Lung Road Playground with targeted completion in end 2022. There would be another underground subway to the northwest of the adjacent “R(A)6” site, which would be bundled with the “CDA(4)” site for land sale purpose, connecting the “Open Space” (“O”) zone abutting the Olympic Avenue and the future sunken plaza under Kai Tak Road/Sa Po

Road Development Scheme (DS) being implemented by URA which would then lead to URA's another development scheme in Kowloon City (i.e. Nga Tsin Wai Road/Carpenter Road DS under which there was a gateway square at Kai Tak Road). The underground subway was targeted for completion in 2029/2030;

- (b) a comprehensive underground shopping street (USS) system was planned to connect different development sites at KTCC. The 20m-wide USS would provide a barrier-free pedestrian passageway with a minimum width of 8m and with 'Shop and Services' and 'Eating Place' uses on both sides, together with vertical pedestrian facilities for 24-hour public access at various points. Additional retail floor space should be provided within the "CDA(4)" site adjoining the USS for a total retail gross floor area (GFA) of not less than 4,000m² at the same floor level. Relevant design requirements of the USS had been incorporated in the PB and would be included in the land sale document, where appropriate. The developers of the concerned sites would be required under the land sale conditions to construct, maintain and manage respective USS sections within their development sites and the portion adjoining them, if any. The future developer of the "CDA(4)" site should take up the construction, management and maintenance of the USS section falling within the "CDA(4)" site, area zoned "O(3)" to the southeast of the "CDA(4)" site, area shown as 'Road' to the southwest of the "CDA(4)" site, as well as the section falling within the bundled "R(A)6" site to its southwest;
- (c) a cantilever design was proposed for the retail belt along LTSBPC and relevant concept drawing as shown on Plan 6 of the PB would be incorporated in the land lease for the "CDA(4)" site. Similar requirements would be incorporated in the leases for the adjacent "CDA" land sale sites abutting LTSBPC to ensure consistency in the design of the retail belt. Besides, detailed design of the retail belt would be shown in the MLP submission for consideration by the Town Planning Board (the Board); and

- (d) social welfare facilities would be provided in the land sale site covering the “CDA(4)” site and the “R(A)6” site to its southwest. To allow more flexibility for the future developer, the facilities could be provided at either the “CDA(4)” site, “R(A)6” site, or both. ‘Social Welfare Facility’ was a Column 1 use under the “R(A)6” zone and planning permission for such use from the Board was not required. If the social welfare facilities were provided in the “CDA(4)” site, for which submission of MLP to the Board for approval was required, the MLP should take into account the interface with LTSBPC. GFA exemption clause for Government, institution and community facilities as required by the Government under the “CDA(4)” and “R(A)6” zones had been incorporated in the Notes of the OZP. The future developer could consider providing additional social welfare facilities on top of those required under the PB.

44. As Members had no further question nor view on the PB, the Chairman concluded that Members generally considered the PB suitable in providing guidance for preparation of MLP submission for the “CDA(4)” zone.

45. After deliberation, the Committee decided to endorse the draft PB at Appendix I of the Paper.

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K11/243 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” Zone, Workshop Space, G/F (Portion), 21 Luk Hop Street,
San Po Kong
(MPC Paper No. A/K11/243)

46. The Secretary reported that the application was submitted by Broad Reach Company Limited, which was a subsidiary of New World Development Company Limited (NWD). Mr Ricky W.Y. Yu had declared an interest on the item for being the Director and

Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD) and would rent a piece of land from NWD for social housing developments of Light Be.

47. As the interest of Mr Ricky W.Y. Yu was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

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

49. Members had no question on the application.

Deliberation Session

50. 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 14.10.2024, 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.”

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

[The Chairman thanked Ms Vivian M.F. Lai, DPO/K, Mr Ernest C.M. Fung and Ms Helen H.Y. Chan, STPs/K, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Agenda Item 10

Any Other Business

52. There being no other business, the meeting was closed at 11:00 a.m..