

TOWN PLANNING BOARD

Minutes of 712th Meeting of the Metro Planning Committee held at 9:00 a.m. on 3.2.2023

Present

Director of Planning (Atg.)
Mr C.K. Yip

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 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. B.K. Chow

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

Principal Environmental Protection Officer (Territory S),

Environmental Protection Department
Miss Queenie Y.C. Ng

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

Deputy Director of Planning/District (Atg.)
Ms Lily Y.M. Yam

Secretary

Absent with Apologies

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

In Attendance

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board
Ms Cherry C.H. Yuen

Agenda Item 1

Confirmation of the Draft Minutes of the 711th MPC Meeting held on 13.1.2023

[Open Meeting]

1. The draft minutes of the 711th MPC meeting held on 13.1.2023 were confirmed without amendments.

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/K18/11 Application for Amendment to the Approved Kowloon Tong Outline Zoning Plan No. S/K18/21, To rezone the application site from “Residential (Group C) 1” to “Government, Institution or Community (14)”, 25 Cumberland Road, Kowloon Tong, Kowloon
(MPC Paper No. Y/K18/11)

3. The Secretary reported that the application site was located in Kowloon Tong 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 Kowloon Tong.

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 19.1.2023 deferment of consideration of the application for two months so as to allow sufficient time to address comments from relevant Government departments and to respond to public 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 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 and Ms Jessica Y.C. Ho, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K20/137 Office in “Residential (Group A) 1” Zone, 2/F (Part), The Long Beach,
8 Hoi Fai Road, Tai Kok Tsui, Kowloon

(MPC Paper No. A/K20/137)

7. The Secretary reported that the application premises (the Premises) was located in Tai Kok Tsui and Mr B.K. Chow had declared an interest on the item for owing a property in the area. As the property owned by Mr B.K. Chow had no direct view of the Premises, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

8. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/TWK, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

9. Some Members raised the following questions:

- (a) noting the objecting public comments that opposed changing the Premises from retail use to office use, whether the change in use under the application differed from the descriptions in the relevant sales brochure, and whether that was a relevant planning consideration;

- (b) how the planning assessments and departmental considerations had taken into account the public comments, and the responses to the public comments which indicated that the public consultation period was too short;
- (c) noting that the Premises was being used as an office, whether the current application was to regularise the existing office use;
- (d) whether the previous planning permissions had lapsed or were revoked due to non-compliance with approval conditions in relation to the provision of fire safety measures;
- (e) whether retail activities would be involved in the office, and whether residents would have access to the office; and
- (f) if approval was granted to the current application for a permanent office, whether planning application would be required for shop and services use in future.

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

- (a) the sales brochure was not a relevant planning consideration. The application was made under the provision of the Outline Zoning Plan (OZP) where 'Office' was a Column 2 use under the "Residential (Group A)1" ("R(A)1") zone which required planning permission. There was flexibility to change back to 'Shop and Services' and 'Eating Place' which were always permitted uses for the Premises;
- (b) the major grounds of the objecting public comments were that retail use should be provided at the commercial podium to serve the public needs, and the office use would cause adverse traffic and environmental impacts. The Premises had been used as an office for five years with planning permission and relevant government departments had no adverse comments on the application from traffic and environmental impact perspectives. The public consultation period for the planning application was in accordance with the requirements under the Town Planning Ordinance;

- (c) the Premises was the subject of four previous applications (No. A/K20/62, 68, 118 and 129), which were all approved. Applications No. A/K20/62 and 68, which were for proposed permanent office and minor amendment to the approved scheme respectively, were not implemented. Applications No. A/K20/118 and 129 were both for temporary office for a period of five years. The former planning permission was revoked due to non-compliance with approval condition in relation to the provision of fire services installations while the latest planning permission lapsed on 12.1.2023 although the approval conditions on fire safety measures were complied with. Instead of a renewal application for temporary office use, the applicant submitted the current application for an office use on a permanent basis;
- (d) the office would not involve retail activities. The office at the Premises would be restricted to staff access only; and
- (e) even if approval was granted to the current application for a permanent office use, the Premises could still be used for ‘Shop and Services’ or ‘Eating Place’ in future as these uses were always permitted for the Premises under the “R(A)1” zone.

[Ms Sandy H.Y. Wong arrived to join the meeting during the question and answer session.]

Deliberation Session

11. The Chairman recapitulated that the Premises was accessible through entrances separated from those for the residential portion and would unlikely cause nuisances to the residents. The Premises was the subject of previous planning permissions for temporary office use for a period of five years and all approval conditions had been complied with for the latest application that had just lapsed. The current application was for the same office use on a permanent basis which was considered not incompatible with the other uses within the commercial podium. Relevant government departments had no adverse comments on

the application. Members had no objection to the application.

12. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB), with no time clause on commencement as the ‘Office’ use under application was already in operation. The permission was subject to the following conditions:

- “(a) the submission and implementation of fire services installations and water supplies for firefighting for the Premises within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 3.8.2023; 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.”

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

Agenda Items 5 and 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/855 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office Use in “Other Specified Uses” annotated “Business (2)” Zone, 924-926 Cheung Sha Wan Road, Cheung Sha Wan, Kowloon (MPC Paper No. A/K5/855)

A/K5/856 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office Use in “Other Specified Uses” annotated “Business (2)” Zone, 916-922 Cheung Sha Wan Road, Cheung Sha Wan, Kowloon (MPC Paper No. A/K5/856)

Presentation and Question Sessions

14. The Committee agreed that as the two s.16 applications for minor relaxation of plot ratio restriction for permitted office use were similar in nature and the application sites (the Sites) were located adjacent to each other within the same “Other Specified Uses” annotated “Business (2)” (“OU(B)2”) zone, they could be considered together.

15. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TWK, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

16. Some Members raised the following questions:

- (a) noting that a public comment had expressed concerns on the increased parking provision as compared with that of the previously approved schemes, whether traffic impact (e.g. on Cheung Sha Wan Road and Castle Peak Road) had been assessed;
- (b) the planning gain and design merits of the current scheme as compared with the previously approved schemes, and the details of the proposed setbacks;
- (c) the setback conditions of the street block along Cheung Sha Wan Road upon completion of the proposed developments; and
- (d) noting that some public comments received were with signatures only but without indicating comments, how those comments would be considered.

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

- (a) the previously approved schemes (No. A/K5/825 and 826) were for industrial use and the current schemes were for office use which had a higher parking requirement under the Hong Kong Planning Standards and Guidelines. The traffic impact assessments (TIAs) submitted by the applicant concluded that the proposed developments would not result in

adverse traffic impact and the Transport Department had no adverse comment on the TIAs;

- (b) the previously approved schemes and the current schemes both proposed a building setback of 2m along Cheung Sha Wan Road so that the existing footpath would be widened from 4m to 6m. In addition, the current scheme had incorporated more design features, namely various partial recesses of the building facades from 5/F and above (i.e. 3.45m from site boundaries along Cheung Sha Wan Road and 10.485m from the site boundaries along the rear service lane); the canopies along the building edge were aligned at the same level for both proposed developments; increased vertical greening on the building façades from 1/F to 5/F; the two trees on G/F of each site were retained; and an increased overall greenery coverage (from about 20% under the previous schemes to 22% and 23% under the current schemes); and
- (c) the two proposed developments were in the middle of the street block. There would not be a uniformed setback along Cheung Sha Wan Road as most of the buildings in the vicinity of the proposed developments were mainly completed before the stipulation of the setback requirements under the Outline Zoning Plan (OZP) and Outline Development Plan (ODP), with the exception of the Times Tower abutting the west which was completed in 2011 and building setback was provided. If the existing buildings in the subject “OU(B)2” zone were redeveloped in future, the project proponents would be required to provide building setback as stipulated under the OZP/ODP as appropriate.

18. On the enquiry about the public comments received with signatures only, Ms Jessica Y.C. Ho, STP/TWK, said that it was not uncommon to receive such public comments or other public comments that indicated no comments/no particular views. The Chairman supplemented that as those public comments were formally submitted to the Town Planning Board, they were included in the Paper in an open and transparent manner, and it was clearly stated in the Paper that those public comments did not indicate any comment or indicated no comments/particular views on the applications.

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

Deliberation Session

19. The Chairman recapitulated that previous approvals granted for the Sites were for industrial use, the current schemes for office use had provided more planning gains and design merits, and relevant government departments had no adverse comments on the applications. Members had no objection to the applications.

20. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board (TPB). The permissions should be valid until 3.2.2027, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. Each of the permission was subject to the following conditions:

- “(a) the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (c) the implementation of the local sewerage upgrading/sewerage connection works as identified in the updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

Agenda Item 7

Section 16 Application

[Open Meeting]

A/KC/501 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Information Technology and Telecommunications Industries and Public Utility Installation (Proposed Data Centre Development with Electricity Substation) in “Other Specified Uses” annotated “Business” Zone, 563 - 583 Castle Peak Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/501)

22. The Secretary reported that the application was submitted by CLPe Infrastructure Limited, which was a subsidiary of CLP Holdings Limited (CLP), and Ove Arup & Partners Hong Kong Ltd. (ARUP) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Ricky W.Y. Yu - being a member of CLP Customer Consultative Group; and

Mr Franklin Yu - his firm having current business dealings with ARUP.

23. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

24. The Committee noted that the applicant’s representative requested on 18.1.2023 deferment of consideration of the application for two months so as to allow sufficient time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

25. 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 Clement Miu and Ms Jessica Y.C. Ho, STPs/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Hong Kong District

[Mr Mann M.H. Chow, District Planning Officer/Hong Kong (DPO/HK), and Mr Ng Kwok Tim, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H7/182 Proposed Place of Recreation, Sports or Culture (E-Sports Complex) with Ancillary Eating Place and Shop and Services in "Other Specified Uses" annotated "Sports and Recreation Club" Zone, 88 Caroline Hill Road, Wong Nai Chung, Hong Kong (Inland Lot No. 9041 (Part))
(MPC Paper No. A/H7/182B)

26. The Secretary reported that the application site (the Site) was located in Wong Nai Chung and the application was submitted by South China Athletic Association (SCAA). The following Members had declared interests on the item:

Ms Lilian S.K. Law - co-owning with spouse a flat in Wong Nai Chung; and

Ms Sandy H.Y. Wong - being a member of the SCAA.

27. The Committee noted that the applicant had requested deferment of consideration of the application. As the flat co-owned by Ms Lilian S.K. Law and her spouse had no direct view of the Site and Ms. Sandy H.Y. Wong's interest was indirect, the Committee agreed that they could stay in the meeting.

28. The Committee noted that the applicant's representative requested on 31.1.2023 deferment of consideration of the application for two months so as to allow more time to prepare further information to address the comments and concerns from TD on its latest further information submitted on 20.1.2023 and to review and reassess the traffic condition under the post-COVID period which would more accurately reflect the traffic and pedestrian flow under normal circumstances. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

29. The Secretary said that it was the third deferral request submitted by the applicant. The Town Planning Board Guidelines No. 33A had set out that the second deferment should be the last deferment to avoid delay in processing applications but further request could be considered by the Town Planning Board under very special circumstances and supported with strong justifications. The Planning Department had no objection to the request for the third deferment considering that (i) strong justification had been provided by the applicant, i.e. insufficient time for preparing responses to departmental comments received on 31.1.2023 before the Committee's meeting; (ii) the applicant had demonstrated genuine efforts in preparing various technical assessments and submissions in supporting the application and addressing departmental comments; (iii) the deferment would allow the applicant to prepare further information to address outstanding traffic issues which were fundamental for the Town Planning Board's consideration; (iv) the deferment period was not indefinite; and (v) the deferment would not affect the interests of other relevant parties.

30. 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. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H8/435 Proposed Comprehensive Residential Development with Minor Relaxation of Plot Ratio and Building Height Restrictions (Amendments to an Approved Master Layout Plan) in "Comprehensive Development Area (2)" Zone and area shown as 'Road', Land falling within "Comprehensive Development Area (2)" zone and an area shown as 'Road' at Kai Yuen Street, North Point, Hong Kong
(MPC Paper No. A/H8/435B)

31. The Secretary reported that the application site (the Site) was located in North Point, and C M Wong & Associates Limited (CMWA) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Franklin Yu - having current business dealings with CMWA;

Mr Ricky W.Y. Yu - co-owning with spouse a property in North Point, and he being the Director and Chief Executive Officer of Light Be which rented a residential unit in North Point; and

Ms Bernadette W.S. Tsui - co-owning with spouse a property in North Point, and her spouse being a director of a company which owned a property in North Point.

32. The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As Mr Franklin Yu had no involvement in the application and the property co-owned by Ms Bernadette W.S. Tsui with her spouse and the property owned by her spouse's company had no direct view of the Site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

33. With the aid of a PowerPoint presentation, Mr Ng Kwok Tim, 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.

34. The Chairman and some Members raised the following questions:

Traffic and Road Improvement

- (a) noting that the reason for designating the "Comprehensive Development Area (2)" ("CDA(2)") zone was to ensure implementation of the required traffic and road improvement works along Kai Yuen Street and the adjacent roads to address traffic constraints of sub-standard local road conditions, whether implementation of improvement measures proposed only under Phase 2A development was adequate to meet the planning intention of the "CDA(2)" zone;
- (b) whether the proposed widening of footpath along the boundary of Phase 2B involved third party lots which could only be implemented upon redevelopment of Phase 2B;
- (c) whether the proposed temporary improvement measures at Phase 2B would be undertaken by the applicant prior to redevelopment at Phase 2B and the

party responsible for their maintenance;

Plot Ratio (PR) and Building Height (BH)

- (d) the respective PRs of Phase 2A and Phase 2B, and whether the proposed PRs for the respective phases were reasonable;
- (e) whether the bonus gross floor area (GFA)/PR claimed from the proposed surrender of land to the Government for the proposed road widening works involved land in Phase 2A, and was that the reason for a higher PR and BH proposed at Phase 2A as compared to Phase 2B;
- (f) as the proposed BH of Phase 2B under the current scheme was lower than those approved under the previous scheme (No. A/H8/401-1), whether the future developer of Phase 2B could adopt the higher BH as approved under the previous scheme;
- (g) whether air ventilation and visual impacts were assessed for the proposed minor relaxation of BH at Phase 2A (which was a low-rise clubhouse in the approved scheme), and whether photomontages were submitted to illustrate the impact of the proposed increase in BH of the proposed development at Phase 2A;

Others

- (h) in view of the public objections received from the residents currently living at the Phase 2B site, what the applicant would do to reduce their grievances, and whether measures, such as erection of more noise barriers and more frequent street washing, could be undertaken to reduce impacts during construction; and
- (i) whether the developers of Phase 1 and Phase 2A were the same.

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

Traffic and Road Improvement

- (a) the intention of the subject “CDA(2)” zone was to improve the traffic condition and pedestrian accessibility of the local roads when there was redevelopment. The widening of carriageway of Kai Yuen Street to 7.3m and provision of a 2.75m-wide footpath to the east of Kai Yuen Street along the Phase 1 site had already been implemented. In the current scheme, a number of improvement measures had been proposed, including the turnaround facility at the southern end of Kai Yuen Street for public use, a cautionary crossing between the footpaths of Phase 2A and Phase 1 on both sides of Kai Yuen Street as well as a 2.75m-wide footpath to the west of Kai Yuen Street along the site boundaries of Phases 2A and 2B;
- (b) the proposed footpath widening works along the site boundary of Phase 2B involved third party lots which could only be implemented upon its redevelopment through building setback. As an interim measure to improve the existing pedestrian walking environment before the implementation of Phase 2B, the applicant proposed to widen the existing staircase through provision of a concrete cover over the existing u-channel and reconstruction of the existing staircase to match with the level of the concrete cover;
- (c) the proposed interim measure would continue to be provided even if Phase 2B was not implemented. The applicant would continue to liaise with the concerned lot owners and government departments regarding the maintenance of the widened staircase;

PR and BH

- (d) the PRs of Phases 2A and 2B were 8.88 and 7.96 respectively and the total PR of the development area of the whole site (including Phases 1, 2A and 2B) was 8.1. The proposed PRs of the respective phases were considered acceptable;
- (e) the proposed dedication and surrender of setback area to the Government

for the purpose of road widening at Kai Yuen Street, including the provision of a public pedestrian footpath and a turnaround facility for vehicles, was solely within Phase 2A. The bonus GFA claimed thus resulted in a higher PR at Phase 2A, which also required a higher BH to accommodate;

- (f) the Phase 2B site was subject to a BH restriction of 130mPD under the OZP (despite it being proposed for 127.1mPD under the current scheme). If the proposed BH of any future Phase 2B development conformed to the BH restriction and did not involve major amendments to the approved Master Layout Plan, no planning application would be required;
- (g) visual impact assessment and air ventilation assessment had been submitted by the applicant to support the planning application. The submitted photomontages illustrated the BH of the proposed development as compared with the existing condition;

Others

- (h) the applicant (who was the sole land owner of Phase 2A) had approached the multiple land owners at Phase 2B, but amalgamation of ownership within Phase 2B was not successful. To improve the pedestrian accessibility at the Phase 2B site, the applicant had proposed interim measure to widen the existing staircase thereat. The noise and environmental pollution impacts during the construction phase would be subject to control under relevant environmental legislations. Member's suggestions for provision of more noise barriers and more frequent street washing to reduce dust nuisance during construction phase could be conveyed to the applicant for consideration; and
- (i) the developers of Phase 1 and Phase 2A were not the same.

36. A Member said that the proposed change of use in Phase 2A might be different from that indicated under the sales brochure for Phase 1 (i.e. "Fleur Pavilia"). The open view of Tower 2 in Phase 1 would be blocked by a building at Phase 2A. In response, the

Chairman said that the sales brochure was governed by the relevant Ordinance and regulations which were outside the planning regime. The site context would be subject to changes overtime and protection of private views was not a relevant planning consideration. There was an open and transparent mechanism for public consultation on the current application for amendments to the approved scheme (i.e. at Phases 2A and 2B). The relevant planning considerations of the application included the comprehensiveness of the proposed development in terms of design and layout taking into account the traffic constraints and visual impact, and whether the phased development was acceptable.

Deliberation Session

37. The Chairman recapitulated that the proposed PR for the Phase 2A site, which was solely owned by the applicant, would not take up the development potential of Phase 2B and the comprehensive development of the “CDA(2)” zone would not be undermined. In addition, the proposed minor relaxation of PR and BH restrictions were to accommodate the bonus GFA proposed to be claimed for the surrender and dedication of land at the Phase 2A site for road widening, and the increase in BH of about 11.8% (in terms of mPD) was considered acceptable by relevant government departments.

38. In response to a Member’s remark on how early implementation of the proposed development could be ensured, the Chairman said that if the development was approved, the planning permission would be valid for four years and the proposed development should commence (e.g. approval of building plan or acceptance of formal basic terms offer of lease modification) within the validity period. Otherwise, the permission should cease to have effect unless it was renewed. In addition, sites zoned “CDA” (for three years or more) would be reviewed by the Town Planning Board (TPB) on a biennial basis to monitor the progress of the implementation and to consider the need for rezoning as appropriate. There were some progress in implementation of the subject “CDA(2)” zone as Phase 1 had already been completed, and although implementation of Phase 2B depended on amalgamation of land ownership, the approval of the subject application could facilitate the early implementation of another portion (Phase 2A) of the “CDA(2)” site.

39. After deliberation, the Committee decided to approve the application and the Master Layout Plan, on the terms of the application as submitted to the TPB. The

permission should be valid until 3.2.2027, 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, taking into account the approval conditions (b) to (k) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan and a tree preservation proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of vehicular accesses, parking facilities, loading/unloading space, and picking up/setting down facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and implementation of the road improvement proposal for Kai Yuen Street, including the widening of the upper section of Kai Yuen Street, the surrendering of the private land for turnaround facility at the end of Kai Yuen Street outside Bedford Garden, and other traffic improvement measures for pedestrians, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and implementation of road improvement measures at Tanner Road, Tin Chiu Street, Kai Yuen Street, King’s Road, Kam Hong Street and Tsat Tsz Mui Road (i.e. Gyrotory Scheme), as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) no occupation of Phase 2A development is allowed before the completion of the proposed road improvement works as mentioned in (d) and (e) above;
- (g) the design and provision of the cautionary crossing outside Phase 2B and the modification of the staircase at the western side of Kai Yuen Street into

the footpath with minimum width of 2.75m outside Phase 2B, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the TPB;

- (h) no occupation of Phase 2B development is allowed before the completion of the proposed road improvement works as mentioned in (g) above;
- (i) the submission of an updated noise impact assessment and the implementation of the noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (j) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB; and
- (k) the submission of a natural terrain hazard study and the implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the TPB.”

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

[The Chairman thanked Mr Mann M.H. Chow, DPO/HK, and Mr Ng Kwok Tim, STP/HK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Kowloon District

[Mr Steven Y.H. Siu, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/820 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office, Shop and Services and Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 73-75 Hung To Road, Kwun Tong, Kowloon

(MPC Paper No. A/K14/820A)

Presentation and Question Sessions

41. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, 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.

42. Members had no question on the application.

Deliberation Session

43. The Chairman recapitulated that the application was for minor relaxation of plot ratio (PR) restriction for a permitted commercial development, and planning and design merits were incorporated with provision of setback, canopy and greenery. A Member supported the application and suggested that the Government could consider supporting similar applications (for minor relaxation of PR for industrial buildings (IBs) that had already been in-situ converted) in areas outside Kowloon East to provide more incentives for redevelopment. The Chairman said that the current application was in support of the Energising Kowloon East Initiative to transform Kowloon East into a premier Core Business District for provision of more commercial floor space. The Policy on Revitalisation of IBs announced in 2018 Policy Address was to encourage the redevelopment of pre-1987 IBs. Planning applications would be considered making reference to relevant policies and depending on the case circumstances.

44. 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 3.2.2027, 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 revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) in relation to (a) above, the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised Traffic Impact Assessment, with a traffic management plan with effective measures proposed to avoid any traffic obstruction on public roads especially traffic queue from car park, and implementation of the traffic improvement measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) the provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB.”

45. 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 Steven Y.H. Siu, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 11

Any Other Business

46. There being no other business, the meeting was closed at 10:20 a.m..