

TOWN PLANNING BOARD

Minutes of 716th Meeting of the Metro Planning Committee held at 9:00 a.m. on 31.3.2023

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Ben S.S. Lui

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 South),
Environmental Protection Department
Miss Queenie Y.C. Ng

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 Franklin Yu

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Timothy K.W. Ma

In Attendance

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

Town Planner/Town Planning Board
Mr Timothy T.C. Kau

Agenda Item 1

Confirmation of the Draft Minutes of the 715th MPC Meeting held on 17.3.2023

[Open Meeting]

1. The draft minutes of the 715th MPC meeting held on 17.3.2023 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 Derek P.K. Tse, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr Michael K.K. Cheung, Ms Jessica Y.C. Ho and Mr Lui Wing Cho, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Item 3

[Open Meeting]

Proposed Amendments to the Approved Tsuen Wan Outline Zoning Plan No. S/TW/35
(MPC Paper No. 2/23)

3. The Secretary reported that the proposed amendments mainly involved rezoning of a site in Tsuen Wan. 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 Tsuen Wan. The Committee noted that Mr Stanley T.S. Choi had not yet joined the meeting.

Presentation and Question Sessions

4. With the aid of a Powerpoint presentation, Mr Michael K.K. Cheung, STP/TWK, briefed Members on the background, the proposed amendments to the Outline Zoning Plan (OZP) and the Notes of the OZP, the technical considerations, consultation conducted and department comments as detailed in the Paper. The proposed amendment was to rezone a site at the upper section of Lo Wai Road from “Green Belt” to “Government, Institution or Community (10)” (“G/IC(10)”) for a proposed private columbarium development (Amendment Item A).

5. The Chairman remarked that the proposed amendment was to take forward the decision of the Committee on 25.6.2021 to partially agree to the s.12A application No. Y/TW/15. Should the Committee agree to the proposed amendment, the draft OZP would be gazetted for public inspection. The representations and comments on representations received would be submitted to the Board for consideration. The Chairman invited question from Members.

6. Some Members raised the following questions :
- (a) whether s.16 application would be required for the proposed columbarium development under the “G/IC(10)” zone;
 - (b) noting the applicant had proposed in the s.12A application that not less than 50 niches would be offered free of charge to the local villagers, whether there was any information on the detailed arrangement; and
 - (c) in view of the deficit in some Government, institution and community (GIC) facilities in the Tsuen Wan Planning Area, whether social welfare facilities would be provided within the Site.
7. In response, with the aid of some Powerpoint slides, Mr. Derek P.K. Tse, DPO/TWK, made the following main points:
- (a) ‘Columbarium’ use was proposed under Column 2 of the Notes for the “G/IC(10)” zone. A s.16 application would need to be submitted for the proposed columbarium development and its development details and other technical aspects would be subject to further consideration by the Committee;
 - (b) according to the applicant of the s.12A application, in order to address the views of some local villagers, not less than 50 niches would be offered free of charge to local villagers with financial difficulties. The detailed arrangement would be provided in the s.16 application; and
 - (c) according to the indicative scheme of the s.12A application, no social welfare facilities would be provided within the proposed columbarium development. The applicant had proposed under the s.12A application to stipulate some GIC uses such as ‘Social Welfare Facility’ and ‘Religious Institution’ under Column 1 to allow flexibility for provision of such facilities in the future development. However, Planning Department (PlanD) considered it appropriate to put the two GIC uses under Column 2 such that the development details and technical aspects, especially the

traffic impact, would be further considered by the Committee under the s.16 application.

8. Noting that there were discrepancies between paragraph 4.4 of the Paper and paragraph 8.9.18 of the Explanatory Statement (ES) of the OZP regarding the planning considerations for stipulating the GIC uses under Column 2, the Chairman suggested and Members agreed to amend the ES as follows :

Paragraph 8.9.18 of the ES of the OZP

“To allow flexibility for other GIC uses within this sub-zone, religious institution, residential institution and social welfare facilities uses may *be permitted by the Board on application under section 16 of the Ordinance subject to consideration of the development details and technical aspects, especially the traffic impact along Lo Wai Road*, ~~upon obtaining planning permission of the Board under section 16 of the Ordinance, be permitted provided that the traffic impact along Lo Wai Road would be mitigated to the satisfaction of the Transport Department or of the Board.~~”

9. After deliberation, the Committee decided to :
- (a) agree to the proposed amendments to the approved Tsuen Wan OZP and that the draft Tsuen Wan OZP No. S/TW/35A at Attachment II of the Paper (to be renumbered to S/TW/36 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance; and
 - (b) adopt the revised ES at Attachment IV of the Paper, with amendments in paragraph 7 above, for the draft Tsuen Wan OZP No. S/TW/35A as an expression of the planning intentions and objectives of the Town Planning Board for various land use zonings of the OZP and the revised ES would be published together with the OZP.
10. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if

appropriate, before their publication under the Town Planning Ordinance. Any major revisions would be submitted for the Board's consideration.

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K5/853 Shop and Services (Showroom and Ancillary Storage) in "Other Specified Uses" annotated "Business (2)" Zone, Portions of Workshops B3 and B4, G/F, Block B, Hong Kong Industrial Centre, 489-491 Castle Peak Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/853A)

11. The Committee noted that the applicant's representative requested on 14.3.2023 deferment of consideration of the application for two months to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information in response to departmental comments.

12. 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. Since it was the second deferment and a total of four 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.

[Mr Stanley T.S. Choi joined the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/854 Shop and Services (Showroom for Garments and Accessories) in
“Other Specified Uses” annotated “Business (2)” Zone, Workshop C12,
G/F, Block C, Hong Kong Industrial Centre, 489- 491 Castle Peak
Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/854A)

Presentation and Question Sessions

13. With the aid of some plans, Ms Jessica Y.C. Ho, 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.

14. Members had no question on the application.

Deliberation Session

15. The Chairman remarked that the application generally complied with the considerations set out in the relevant Town Planning Board Guidelines and the Director of Fire Services had no objection to the application subject to imposition of an approval condition on fire services installations and equipment.

16. 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 applied use was already in operation. The permission was subject to the following conditions :

- “(a) the submission and implementation of fire service installations and equipment within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 30.9.2023; and

- (b) if the above planning condition (a) 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 V of the Paper.

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/497 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Use in “Industrial” Zone, 14-15 Yip Shing Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/497A)

Presentation and Question Sessions

18. With the aid of a Powerpoint presentation, Mr Lui Wing Cho, STP/TWK, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

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

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

- (a) what the changes in number of storeys and greenery coverage were in comparison with the approved scheme under application No. A/KC/475 (the previous application), and whether the applicant had provided justifications to support the proposed reduction in greenery coverage;
- (b) the planning considerations in approving the previous application and other similar applications in relation to the policy on revitalising industrial

buildings;

- (c) noting that Yip Shing Street was a narrow street often with illegal parking of goods vehicles, whether adequate internal transport facilities for goods vehicles were proposed within the proposed development;
- (d) clarification on Buildings Department (BD)'s comment that the application site (the Site) was not a Class A, Class B nor Class C site under the Building (Planning) Regulations (B(P)R);
- (e) whether the applicant could proceed with the approved scheme under the previous application if the proposed site coverage under the current application could not be approved in the building plan submission stage;
- (f) whether bonus GFA would be granted for the proposed setback from Yip Shing Street; and
- (g) what the structure that encroached onto the proposed setback area was and which party would bear the maintenance responsibility of the trees within the proposed setback area.

20. In response, with the aid of some Powerpoint slides, Mr Lui Wing Cho, STP/TWK, made the following points :

- (a) in comparison with the approved scheme under the previous application, the number of storeys was reduced from 22 to 20, with the maximum building height (not more than 120mPD) remaining unchanged, whilst the greenery coverage was reduced from about 34.58% to about 21%. According to the applicant, the proposed reduction of greenery coverage had taken into considerations wind and shade condition and maintenance requirement for healthy and sustainable plant growth, and the greenery coverage of 21% complied with the requirement set out in the Sustainable Building Design Guidelines (SBDG);
- (b) referring to Appendix II of the Paper, in approving the previous application and other similar applications, the Committee had taken into considerations a number of factors including policy support, no adverse

impact on technical aspects and planning and design merits (including greenery, canopy and building setback) proposed;

- (c) the proposed development would adopt the high-end provision of parking and loading/unloading (L/UL) facilities under the Hong Kong Planning Standards and Guidelines, including 11 parking spaces and 11 L/UL spaces for light/heavy goods vehicles, and a turnaround facility would be provided on G/F of the proposed development. Transport Department had no in-principle objection to the application and an approval condition on the design and provision of parking facilities and L/UL spaces was suggested;
- (d) the Site was neither a Class A, B nor C site as the abutting Yip Shing Street was managed by the Lands Department and was not considered a “specified street” under the B(P)R;
- (e) the applicant could implement the approved scheme under the previous application within its validity period;
- (f) no bonus GFA would be granted for the proposed 5m-setback along Yip Shing Street, which was voluntarily proposed by the applicant and would not be surrendered to the Government; and
- (g) the structure in the proposed setback area as shown in Drawing A-15 of the Paper was an architectural feature i.e. a canopy of the proposed development. The trees in the proposed setback area within the subject lot would be maintained by the applicant.

Deliberation Session

21. The Chairman remarked that the current application and the previously approved application No. A/KC/475 were similar in nature. A fresh s.16 application was required for the proposed development as the magnitude of change in site coverage (from not more than 60% to 79%) at 15m to 61m above ground was beyond a Class B amendment under the “Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals” (TPB PG-No. 36B). Although the greenery coverage was reduced in comparison with the previous application, a number of factors including policy support,

technical feasibility and planning and design merits including the provision of canopy, building setbacks and tree planting should also be taken into consideration in deciding on the application. The proposed greenery coverage of 21% also complied with the relevant requirement in the SBDG.

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 31.3.2027, 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 design and provision of parking facilities and loading and unloading spaces for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the submission of a 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;
- (c) the submission of a Land Contamination Assessment and the implementation of the remediation measures identified therein prior to development of the site to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB.”

23. 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 Derek P.K. Tse, DPO/TWK, Mr Michael K.K. Cheung, Ms Jessica Y.C. Ho and Mr Lui Wing Cho, STPs/TWK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

Hong Kong District

[Mr Ng Kwok Tim, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H21/158 Renewal of Planning Approval for Temporary Eating Place
(Restaurant) for a Period of 3 Years in "Residential (Group B)" Zone,
Flats L and M, G/F, Tai Chow House, 121 Quarry Bay Street, Hong
Kong
(MPC Paper No. A/H21/158)

Presentation and Question Sessions

24. The Secretary reported that the application premises (the Premises) was located in Quarry Bay. Mr Wilson Y.W. Fung had declared an interest on this item for co-owning with his spouse a property in Quarry Bay. As the property co-owned by Mr Wilson Y.W. Fung had no direct view of the Premises, the Committee agreed that he could stay in the meeting.

25. With the aid of some plans, Mr Ng Kwok Tim, STP/HK, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

26. Members had no question on the application.

Deliberation Session

27. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 26.4.2023 to 25.4.2026, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) except for emergency, the door leading to the internal corridor on G/F of Tai Chow House shall be restricted for use by restaurant staff only;
- (b) the existing fire service installations and equipment implemented at the premises should be maintained in efficient working order at all times during the planning approval period; and
- (c) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

28. 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 Mr Ng Kwok Tim, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Kowloon District

Agenda Item 8

Section 16 Application

[Open Meeting]

A/K8/52 Proposed Public Utility Installation (HV Pillar) in “Residential (Group A)” Zone, Government Land near Tsing On Street, Lok Fu, Kowloon
(MPC Paper No. A/K8/52)

29. The Secretary reported that the application was submitted by CLP Power Hong Kong Limited (CLP). Mr Ricky W.Y. Yu had declared an interest on the item for being a member of CLP Customer Consultative Group.

30. The Committee noted that the applicant had requested deferral of consideration of the application and Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting.

31. The Committee noted that the applicant requested on 13.3.2023 deferment of consideration of the application for two months 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.

32. 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 9

Section 16 Application

[Open Meeting]

A/K9/281 Proposed Public Utility Installation (Dry Weather Flow Interceptor) in
“Open Space” Zone, Open Space at Kin Wan Street, Hung Hom,
Kowloon
(MPC Paper No. A/K9/281)

33. The Secretary reported that the application site (the Site) was located in Hung Hom. Mr Stanley T.S. Choi had declared an interest on the item for owning a property in Hung Hom.

34. The Committee noted that the applicant had requested deferral of consideration of the application and agreed that as the property owned by Mr Stanley T.S. Choi had no direct view of the Site, he could stay in the meeting.

35. The Committee noted that the applicant requested on 17.3.2023 deferment of consideration of the application for two months to allow more time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

36. 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 10

Any Other Business

37. There being no other business, the meeting closed at 9:35 a.m..