

TOWN PLANNING BOARD

**Minutes of 718th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 5.5.2023**

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

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Assistant Commissioner/Urban, Transport Department
Mr Chow Bing Kay

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
Mr C.K. Yip

Secretary

Absent with Apologies

Mr Daniel K.S. Lau

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

In Attendance

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

Town Planner/Town Planning Board
Ms Karen K.Y. Tsui

Agenda Item 1

Confirmation of the Draft Minutes of the 717th MPC Meeting held on 21.4.2023

[Open Meeting]

1. The draft minutes of the 717th MPC meeting held on 21.4.2023 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

General

[Mr Mann M.H. Chow, District Planning Officer/Hong Kong (DPO/HK), Ms Vivian M.F. Lai, District Planning Officer/Kowloon (DPO/K), Mr Derek P.K. Tse, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr Stephen C.Y. Chan, Senior Town Planner/Metro & Urban Renewal (STP/M&UR) and Mr Joe T.C. Tam, Town Planner/Metro & Urban Renewal (TP/M&UR) were invited to the meeting at this point.]

Agenda Item 3

[Open Meeting]

Review of Sites Designated "Comprehensive Development Area" on Statutory Plans in the Metro Area for the Years 2021/23

(MPC Paper No. 4/23)

3. With the aid of a PowerPoint presentation, Mr Joe T.C. Tam, TP/M&UR, introduced the background to the review of "Comprehensive Development Area" ("CDA") sites. According to the Town Planning Board Guidelines No. 17A, a review of the "CDA"

sites designated for more than three years should be conducted on a biennial basis to assist the Committee to monitor the progress of “CDA” developments. The last “CDA” Review was conducted in 2021.

[Mr Stanley T.S. Choi, Miss Queenie Y.C. Ng and Ms Bernadette W.C. Tsui joined the meeting during Planning Department’s (PlanD) presentation.]

4. Mr Joe T.C. Tam further presented the results of the latest review on “CDA” sites in the Metro Area, including the justifications for retention, review or, rezoning of the “CDA” sites, as detailed in the Paper and made the following main points:

- (a) since the last CDA Review, eight “CDA” sites had been rezoned;
- (b) as at the end of March 2023, there were a total of 50 “CDA” sites in the Metro Area that had been designated for more than three years, which were covered under the current review;

“CDA” Sites with No Valid Approved Master Layout Plan (MLP)

- (c) 15 “CDA” sites had no valid approved MLP, and 13 of which were proposed for retention. One site at the junction of Kowloon City Road and Ma Tau Kok Road which was commonly known as “13 Streets” (K31) was subject to on-going review on the appropriate implementation mechanism to facilitate redevelopment of the site. One site at the periphery of the Tsuen Wan East Industrial Area (TW23) was proposed for rezoning to take into account the latest completed commercial and residential developments in the surrounding areas when opportunity arose;

“CDA” Sites with Approved MLP

- (d) 35 “CDA” sites were with approved MLP, and 26 sites were proposed for retention to ensure implementation in accordance with the approved MLPs and fulfilment of approval conditions;
- (e) there were 8 sites previously agreed by the Committee for rezoning to

appropriate zonings to reflect their as-built conditions when opportunity arose; and

- (f) as the public housing development at 38 Sham Mong Road, Sham Shui Po (K25) known as Hoi Tat Estate, together with the ancillary facilities block and Sham Shui Po Leisure and Cultural Building had been completed, and that the remaining public transport interchange was anticipated to be completed by 2023, it was proposed to rezone the site to reflect the as-built conditions subject to full compliance with the approval conditions when opportunity arose.

“CDA” Site Subject to On-going Review

5. Noting that the street names of “13 Streets” (K31) were related to Chinese auspicious animals, a Member expressed concern that sub-dividing the site into several CDAs would diminish the cultural heritage of Hong Kong and enquired if there were any plans or ways to preserve the street names upon redevelopment so that the history of the area would be retained. In response, Ms Vivian M.F. Lai, DPO/K, said that the proposal to sub-divide the “CDA” of “13 Streets” into two or three “CDAs” to facilitate redevelopment in the area was one of the proposals by the then Kowloon City District Urban Renewal Forum (KC DURF). Given the large number of owners, tenants and business operators involved, the Development Bureau and PlanD were currently assessing the appropriate implementation mechanism to facilitate redevelopment of the site, and would take into consideration all factors, including features with historic values.

Actions taken to facilitate development of “CDA” sites

6. In response to a Member’s questions on the questionnaire issued to developer/their agent for the “CDA” sites with approved MLP to gauge a better understanding of the progress of implementation, Mr Stephen C.Y. Chan, STP/M&UR, said that the questionnaire survey was a supplementary means to get hold of the views on the developers’ side with 15 replies received and no reply from the remaining 20. According to the replies received, the approved “CDA” schemes were at different stages of implementation; and there were no insurmountable difficulties on the developers’ side that would hinder the

implementation of the approved schemes. Even though some developers/agents did not reply, it did not seem to have significant implementation difficulties for those “CDA” sites.

7. A Member opined that some “CDA” zones had been designated for many years with no progress in implementation, and expressed concern that the problems associated with ageing building stocks, fragmented land ownership, as well as market condition would further affect the prospect of implementation of the “CDAs”. In response, Mr Stephen C.Y. Chan supplemented that possible measures to facilitate implementation included subdivision of large “CDA” into smaller ones to reduce the difficulty in land assembly and rezoning the concerned site to other appropriate zonings so as to address development constraints and difficulties such as industrial/residential (I/R) interface issues.

8. Another Member opined that the Government should be more proactive in understanding the reason why landowners did not redevelop or delay redevelopment of their sites and the difficulties faced by them. The Chairman said that policy bureaux and departments had been working at multiple fronts, including the review of Land (Compulsory Sale for Redevelopment) Ordinance to streamline the compulsory sale process; and the Integrated Building Rehabilitation Assistance Scheme launched by Urban Renewal Authority to provide financial assistance and technical support to building owners to rehabilitate their buildings. In addition, PlanD had also been providing advice on pre-submissions of MLP to facilitate the implementation of “CDA” sites.

Considerations when designating “CDA” zones

9. The Chairman asked DPO/K and DPO/TWK to illustrate with examples e.g. K30, K31, K39, K40 and TW23 about the considerations when designating and reviewing “CDA” zones. Ms Vivian M.F. Lai, DPO/K, said that K30, K39 and K40 to the north of Mok Cheong Street were occupied by industrial buildings that were still in operation, and K31 (the “13 Streets”) to the south of Mok Cheong Street comprised mainly residential buildings with vehicle repair workshops, eating place and shop and services uses on ground floor. The designation of those sites to the north of Mok Cheong Street as “CDAs” was to address the I/R interface problem. K31 was maintained as one single “CDA” zone, and subject to assessment of appropriate implementation mechanism to facilitate redevelopment of the site. K30, K39 and K40 were originally covered by a single “CDA” zone which was sub-divided

into three smaller “CDA” sites upon review to enhance their prospects for redevelopment. Planning permissions had been granted for residential developments at K39 (with two approved MLPs and approved building plans for the eastern portion of the site) and K40 (with one approved MLP).

10. Mr Derek P.K. Tse, DPO/TWK, supplemented that TW23 was at the periphery of the Tsuen Wan East Industrial Area, it was designated “CDA” together with abutting lots to address the I/R interface between the industrial area to the south and the residential area to the north. Taking into account that the surrounding residential/commercial developments to the north and east of TW23 had already been completed and rezoned to “Other Specified Uses” annotated “Commercial and Residential Development” (“OU(C&RD)”) and “Commercial” (“C”) respectively, it was considered an appropriate timing to consider alternative zoning of TW23 to facilitate and expedite the planning process if the lot owner proceeded with its redevelopment. PlanD had liaised with the concerned lot owner to understand their views on redevelopment and had offered advice on the planning procedures.

Progress of “CDA” sites on Government land and proposed for retention

11. In response to a Member’s question on the implementation progress of CDA sites at Central Piers No. 4 to 6 (H21), Exhibition Centre Station (H61) and Hung Shing Temple at Fuk Tsun Street in Mong Kok (K52), Mr Mann M.H. Chow, DPO/HK, said that the “Urban Design Study for the New Central Harbourfront” recommended H21 together with the adjoining “Commercial” site (i.e. Site 2) to be developed as a new civic node and mixed-use precinct for public enjoyment. The Development Bureau would map out the implementation road map in due course and further work with the relevant stakeholders on the best way forward for the long-term development of the sites. H61 was originally intended for convention and meeting facilities and other commercial related uses. In the 2017 Policy Address, the Government had announced the plan to redevelop the Wanchai Tower, Revenue Tower and Immigration Tower and the Kong Wan Fire Station into convention and exhibition facilities, hotel and Grade-A office (Wan Chai North redevelopment project). The relevant amendments to the approved Wan Chai North Outline Zoning Plan (OZP) were gazetted in January 2023. The “CDA” designation for H61 was proposed to be retained pending the determination of alternative uses for the site.

12. For K52, Mr Derek P.K. Tse, DPO/TWK, said that the “CDA” was designated

with the intention that any redevelopment of the tenement building therein should also preserve the Hung Shing Temple and a mature tree within the “CDA” site in a comprehensive manner. The site was under the ownership of Secretary of Home Affairs Incorporated (SHAI), and SHAI had assigned the tenement building and the Hung Shing Temple compound to the Tung Wah Group of Hospitals (TWGHs) for management. The TWGHs recently advised that, since the existing building was renovated in 2017 and the co-living spaces provided were fully utilised, there was no redevelopment plan at this stage. Noting the above, a Member expressed that the PlanD should review whether “CDA” zoning needed to be retained as it was on government land. The Chairman noted Member’s opinion and indicated PlanD would liaise with the relevant policy bureaux as appropriate about their plans for the site to decide whether the “CDA” zoning should be retained.

13. After deliberation, the Committee decided to:

- (a) note the findings of the review of the sites designated “CDA” on statutory plans in the Metro Area;
- (b) agree to the proposed retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.1 and detailed at Appendices I and IV of the Paper;
- (c) note the site which is subject to on-going review mentioned in paragraph 4.1.3 and detailed at Appendix II of the Paper;
- (d) note the previous agreement of the Committee to rezone the sites mentioned in paragraph 4.2.2 and detailed at Appendix V of the Paper; and
- (e) agree to the proposed rezoning of the sites mentioned in paragraphs 4.1.4 and 4.2.3 and detailed at Appendices III and VI of the Paper. Detailed rezoning proposals would be submitted to the Committee for consideration.

[The Chairman thanked Mr Mann M.H. Chow, DPO/TWK, Ms Vivian M.F. Lai, DPO/K, Mr Derek P.K. Tse, DPO/TWK, Mr Stephen C.Y. Chan, STP/M&UR and Mr Joe T.C. Tam, TP/M&UR for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Presentation and Question Sessions

16. The following representatives from Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

PlanD

- Mr Mann M.H. Chow - District Planning Officer/Hong Kong (DPO/HK)
- Ms Erica S.M. Wong - Senior Town Planner/Hong Kong (STP/HK)
- Mr Ronald Chan - Town Planner/Hong Kong (TP/HK)

Applicant

Sustaina Limited

- Ms Elina Jiang
- Mr Colin Cheng
- Ms Winnie Lam

Applicant's Representatives

KTA Planning Limited

- Mr Kenneth To
- Ms Pauline Lam
- Ms Kitty Wong
- Mr Faith Lai

GYU Limited

- Mr Gabriel Yu
- Mr Eric Ko
- Ms Grace Chen

Ben Tse and Associates

Limited

- Mr Ben Tse

CKM Asia Limited

Mr Kim Chin

Lanbase Surveyors Limited

Mr Rock Tsang

SMEC Asia Limited

Mr Antony Wong

Mr Fred Ng

17. The Vice-Chairman extended a welcome and explained the procedure of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

18. With the aid of a PowerPoint presentation, Ms Erica S.M. Wong, STP/HK, briefed Members on the background of the application, the proposed rezoning to facilitate a private residential development with a privately initiated residential care home for the elderly (RCHE), departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application and recommended the Committee to partially agree to the application to rezone the Site to "Residential (Group C)3" ("R(C)3") with appropriate restrictions to control the overall intensity of the development.

19. The Vice-Chairman then invited the applicant's representatives to make a presentation. Ms Kitty Wong, the applicant's representative, made the following main points:

The Site and the Indicative Development Scheme

- (a) the Site was previously occupied by Goodview Garden (a residential development zoned "Residential (Group C)1" ("R(C)1"), and the Lingnan Primary School (LPS) and Lingnan Kindergarten and Day Nursery (LKDN) (both zoned "Government, Institution or Community" ("G/IC(4)"). The LPS and LKDN had been relocated and were vacated for more than 10 years. The proposed rezoning of the Site to "R(C)3" would be a more

efficient use of land resources;

- (b) the indicative scheme comprised three 3-storey houses and three residential towers not exceeding 12 storeys, on top of a 4-storey podium for carpark and a RCHE. Vehicular access would be via a slip road off Stubbs Road;
- (c) the applicant proposed building setback from Stubbs Road ranging from 10m to 18m, building separations ranging from 10m to 16m to improve the permeability of views and ventilation; and ample landscape design treatment so that the proposed development would be in harmony with the surrounding area;
- (d) the proposed RCHE would provide about 60 bed spaces with recreational and medical facilities. The RCHE would be privately-operated by the applicant;
- (e) the technical assessments submitted demonstrated that the proposed development had no adverse traffic, environmental, drainage, sewerage, visual, landscape and geotechnical impacts;

Proposed building height and visual analysis

- (f) a stepped building height (BH) profile was proposed, with the main roofs of the three houses not exceeding 104mPD and that of the three residential blocks not exceeding 120mPD, 125mPD and 134mPD. The proposed BHs would be compatible with the surrounding developments such as Central Peak and Tung Shan Terrace and would not block the first residential floor of the adjacent residential developments i.e. 11 Tung Shan Terrace and Bowen Verde
- (g) the visual impact analysis demonstrated that the views from various public viewpoints, including King Yin Lei, hiking trail along Bowen Road, Happy Valley Race Course and Black's Link could generally be maintained;

Planning Gains

- (h) the applicant proposed to retain and refurbish the existing public staircase

from Tung Shan Terrace to Stubbs Road (partly within the Site), which was currently sub-standard and ill maintained. Improvement to the public staircase would enhance the safety for public users;

- (i) the applicant would provide shuttle lifts within the Site which would be opened to public 24-hours, thus improving pedestrian connectivity and providing universal access between Stubbs Road and Tung Shan Terrace;
- (j) signage directing the public to the shuttle lifts and exhibits showing the history of the former Lingnan schools would be erected;

Proposed Amendments to the Outline Zoning Plan

- (k) for provision of the RCHE, the applicant proposed to include ‘Social Welfare Facility (on land designated “R(C)3” only under Column 1) and stipulate the requirement for provision of minimum gross floor area (GFA) of 2,258 sq.m. of social welfare facilities;
- (l) BH restrictions for various sub-areas within the proposed “R(C)3” zone reflecting the indicative scheme were proposed to be stipulated in the Notes;
- (m) GFA for car parking was proposed to be exempted from PR calculation (the OZPs in the Peak area had similar provisions); and
- (n) a short video of the indicative development scheme was shown.

20. As the presentations of PlanD’s representative and the applicant’s representative were completed, the Vice-Chairman invited questions from Members.

21. Two Members raised the following questions to the applicant’s representatives:

- (a) whether the proposed RCHE would be operated by the applicant or would be handed over to the Social Welfare Department (SWD) to invite operators;
- (b) whether the applicant had relevant experience in operating RCHEs; and

- (c) whether the applicant was the owner of the Site.

22. In response, Ms Pauline P.Y. Lam, the applicant's representative, made the following main points:

- (a) the RCHE would be privately operated by the developer;
- (b) the developer did not have experience in operating RCHEs, but would engage a private operator with relevant experience to run the proposed RCHE; and
- (c) the applicant represented and had obtained consent from all the current land owners to submit the subject application

23. Mr Mann M.H. Chow, DPO/HK, supplemented that, the registered owners of the Site were overseas companies, including a mother company and some subsidiaries.

24. A Member raised the following questions to PlanD's representatives:

- (a) the provision of Government, Institution and Community (GIC) facilities in the Mid-levels East District;
- (b) to explain the access arrangement to the Site as the existing local access road at Tung Shan Terrace was very narrow; and
- (c) noting that about 38% of the Site was zoned "G/IC(4)" (and previously occupied by the LPS and LKDN), whether the GIC facilities provision in the proposed development was adequate and proportional to justify the rezoning.

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

- (a) for the planned GIC provision in the Mid-levels East District in 2036, there would be a surplus in RCHE (+143 beds), and some shortfalls in pre-school

rehabilitation services, residential care services for persons with disabilities, child care centres and community care facilities. The Government would continue to provide sufficient social welfare facilities to make up for the deficit in the long term;

- (b) the ingress/egress and emergency vehicle access of the proposed development would be via a slip road from Stubbs Road. An ambulance parking space was reserved in the carpark of the proposed development. There would be no vehicular access from Tung Shan Terrace. The applicant proposed shuttle lifts connecting Stubbs Road to Tung Shan Terrace that would be opened 24-hours for public access; and
- (c) according to the information provided by the applicant, the proposed development comprised three houses and 41 flats with a domestic GFA of 8,749 m². The GFA of the proposed RCHE of 2,258m² was comparable to the GFA of about 2,500m² of the former LPS and LKDN.

26. In response to the Vice-Chairman's query on whether the applicant could change the RCHE to other uses should the RCHE had to cease operation in future, Mr Mann M.H. Chow, DPO/HK, responded that the applicant had proposed to include 'Social Welfare Facilities' as a Column 1 use for the "R(C)3" zone, hence, the applicant could convert the RCHE floor space for other social welfare facilities if needed.

27. As there was no further question from Members, the Vice-Chairman informed the applicant's representatives that the hearing procedure of the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Vice-Chairman thanked the representatives from PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

28. Members in general had no objection to rezone the Site for residential use at the development intensities proposed under the application. Members also supported the

applicant's proposal to provide a RCHE that would meet the territorial demand, despite there was a surplus of RCHE beds in the Mid-levels East District and the RCHE would be up-market and might not be affordable for the general public.

29. A Member opined that the GFA of the proposed GIC facilities (i.e. the RCHE) was slightly less than the GFA of the former LPS and LKDN. However, should the GIC provision be gauged in terms of the proportion of the site area zoned "G/IC(4)" or the maximum permissible GFA under the "G/IC(4)" zone, the GIC provision might be considered low. It was queried whether more GFA for the RCHE could be provided.

30. In response, the Secretary made the following main points:

- (a) about 1,520m² of the Site was within "G/IC(4)" zone (i.e. 38% of the site area). Instead of using the proportion of site area within "G/IC(4)" as a reference, the applicant used the GFA of the former LPS and LKDN as a reference for the proposed RCHE GFA; and
- (b) regarding the maximum permissible GFA under a hypothetical scenario of redevelopment in the "G/IC(4)" zone, the former LPS and LKDN were 6 storeys (114mPD) and 4 storeys (120mPD) respectively. As the "G/IC(4)" zone was subject to maximum BH of 120mPD, the former LPS site might have an additional BH of 6m (i.e. 1 to 2 additional storeys), while the former LKDN site was already built to the maximum BH. As such, even for a redevelopment scenario, the permissible GFA within the "G/IC(4)" zone would only result in minor additional GFA as compared to the GFA of the former LPS and LKDN.

31. A Member said that RCHEs were regulated by SWD under the Residential Care Homes (Elderly Persons) Ordinance (The Ordinance). The Ordinance provided for the control of RCHEs through a licensing system administered by the Director of Social Welfare, to ensure that the residents of RCHEs received services of acceptable standards. The Government would allow the developers to lease, sell or operate the premises and they were free to set fees having regard to market trend. The current sales and purchase market of RCHE was very active with very high prices sought. The Member enquired if the Committee/Government could restrict the applicant to operate the RCHE to prevent the

applicant from selling off the RCHE for profits.

32. The Secretary remarked that the requirement for provision of a RCHE on the Site could be added to lease conditions with details to be determined at land exchange stage. When Members considered the application, the main consideration would be whether the proposed uses and development parameters were considered acceptable from land use planning perspective. The Committee could suggest appropriate restrictions that struck a balance between controlling the overall development intensity and allowing enough design flexibility. The details including design, facilities to be provided and operation of the RCHE would be regulated by the licensing regime administered by SWD.

33. Some Members opined that the floor space per bed under the proposed RCHE was very high and there was room to provide more beds or other elderly facilities. In response to Members' concern and suggestions about the mechanisms to ensure implementation of the RCHE (with a minimum of 60 beds) with flexibility for allowing other related elderly facilities, e.g. day care centre for the elderly which was also in shortage in many districts, the Secretary said that in addition to controls under the lease, various development requirements could be stipulated under the Notes of the OZP and/or specified in the Explanatory Statement (ES). After some discussion, Members were of the view that when deciding on the proposed amendments to the OZP in the later stage, consideration might be given (i) to restrict the 'Social Welfare Facilities' use under Column 1 for RCHE and related elderly facilities rather than the general 'Social Welfare Facilities' use as proposed by the applicant; (ii) to specify the minimum non-domestic GFA (i.e. 2,258m² as proposed by the applicant) for RCHE and related elderly facilities in the Notes; and (iii) to state the minimum number of 60 beds for the RCHE in the ES. A Member remarked that the PlanD might further liaise with the applicant to see if the GFA for the RCHE or elderly facilities could be further increased. The Secretary remarked that, as mentioned in the Paper, other development restrictions, e.g. maximum GFA, might also need to be stipulated.

34. After deliberation, the Committee decided to partially agree to the application. The Chief Executive in Council would be requested to refer the approved Mid-Levels East OZP No. S/H12/12 to the Board for amendment. Details of the amendments to the approved OZP would be submitted to the Committee for approval prior to gazetting under section 5 of the Town Planning Ordinance.

[The Vice-Chairman thanked Mr Mann M.H. Chow, DPO/HK, Ms Erica S.H. Wong, STP/HK and Mr Ronald Chan, TP/HK for their attendance to answer Members' enquiries. They left the meeting at this point.]

Kowloon District

[Mr Ivan M.K. Chung, Mr Franklin Yu and Ms Lilian S.K. Law re-joined the meeting at this point]

Agenda Item 5

Section 12A Application

[Open Meeting]

Y/K15/6 Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/27, To rezone the application site from "Comprehensive Development Area" to "Commercial (1)" and to amend the Notes of the "Commercial" zone, Yau Tong Marine Lots 73 and 74 in Yau Tong Bay, Yau Tong, Kowloon
(MPC Paper No. Y/K15/6)

35. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP) was one of the consultants of the applicant. Mr Franklin Yu had declared interest on this item for his firm having current business dealings with ARUP.

36. The Committee noted that the applicant had requested deferment of consideration of the application. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

37. The Committee noted that the applicant's representative requested on 21.4.2023 deferment of consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the

application.

38. 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 Michael K.K. Cheung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/858 Proposed Shop and Services (Local Provisions Stores) in "Other Specified Uses" annotated "Business (1)" Zone, Flat B (Portion), G/F, Ka Ming Court, 688 Castle Peak Road, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/858)

39. The Committee noted that the applicant's representative requested on 19.4.2023 deferment of consideration of the application for two months in order to allow time to address departmental comments. It was the first time that the applicant requested deferment of the application.

40. 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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TWW/125 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted House Development in "Residential (Group C)" Zone and Proposed Improvements to the Existing Access Road in "Green Belt" Zone and an area shown as 'Road', Lot 403 in D.D. 399 and Existing Access Road on Adjoining Government Land, Ting Kau, Tsuen Wan West, New Territories
(MPC Paper No. A/TWW/125A)

Presentation and Question Sessions

41. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, STP/TWK, briefed Members on the background of the application, the proposed minor relaxation of plot ratio (PR) for the permitted house development, and proposed improvements to the existing access road, 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. Two Members raised the following questions:

- (a) noting that all the supporting comments were submitted in standard form expressing the same grounds, whether there was information about the commenters and whether the supporting ground that the proposed road would enhance pedestrian and vehicular safety was agreed;
- (b) as the proposed road improvement works would be carried out on government land portion of the application site (the site), whether Government departments would take up the future management and maintenance (M&M) responsibilities of the access road and the slip road to Castle Peak Road; and
- (c) there was no restriction on GFA under the land lease. Should the subject application be approved, what considerations would be taken into account to assess the enhancement in land value resulting from the increase in GFA;

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

- (a) the supporting comments were submitted by Manager and Village Representative of Sham Tseng Village, Manager of Tsing Fai Tong Village, Chairman and Vice-chairman of Sham Tseng Trade Association and individuals. There was no further information about the concerned commenters;
- (b) the proposed road improvement works were needed as the existing access road did not meet Emergency Vehicular Access and Transport Planning & Design Manual requirements; and
- (c) the applicant would take up the M&M responsibility of the re-aligned and extended access road, and the re-aligned slip road connecting to Castle Peak Road would be handed back to the Government upon completion.

44. Ms Trevina C.W. Kung, Assistant Director/Regional 1, Lands Department supplemented that, under the current land administration policy, when lease modification involved an increase in land value, the applicant would be required to pay land premium. GFA restriction might be imposed in the modified lease conditions as appropriate. The

Chairman pointed out that planning applications for provision of access road on Government land serving private residential developments were not uncommon, and the M&M responsibilities of the future realigned access road and slip road were details to be determined in lease modification/land exchange stage.

Deliberation Session

45. The Chairman remarked that, according to the Notes for “Residential (Group C)” zone, plot ratio of the permitted ‘House’ use might be increased to a maximum of 0.75, provided that the noise impact from Castle Peak Road on the proposed development would be mitigated. The environmental assessment submitted by the applicant had demonstrated the noise impact from Castle Peak Road would be properly mitigated and the Director of Environmental Protection had no objection to the application.

46. 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 5.5.2027, 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 :

“ the design and provision of re-aligned access road and slip road to Castle Peak Road, as proposed by the applicant, to the satisfaction of the Director of Highways or of the TPB.”

47. 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 Michael K.K. Cheung, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Agenda Item 8

Any Other Business

48. There being no other business, the meeting was closed at 11:30 a.m..