

## **TOWN PLANNING BOARD**

### **Minutes of 722<sup>nd</sup> Meeting of the Metro Planning Committee held at 9:00 a.m. on 14.7.2023**

#### **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 Ricky W.Y. Yu	
Professor Roger C.K. Chan	
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) (Acting),  
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 Ben S.S. Lui

**In Attendance**

Chief Town Planner/Town Planning Board  
Ms Kitty S.T. Lam

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

**Agenda Item 1**

Confirmation of the Draft Minutes of the 721<sup>st</sup> MPC Meeting held on 23.6.2023

[Open Meeting]

1. The Secretary reported that subsequent to the circulation of the draft minutes of the 721<sup>st</sup> MPC meeting to Members, an amendment to paragraph 19 incorporating a Member's comments and as shown on the screen was proposed. The Committee agreed that the minutes of the 721<sup>st</sup> MPC meeting held on 23.6.2023 were confirmed with incorporation of the said amendment.

**Agenda Item 2**

Matter Arising

[Open Meeting]

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

## **Tsuen Wan and West Kowloon District**

[Mr Derek P.K. Tse, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr W.C. Lui, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), and Mr Chris K.C. Ma, Town Planner/Tsuen Wan and West Kowloon, were invited to the meeting at this point.]

### **Agenda Item 3**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/KC/489                      Proposed Comprehensive Development including Flat and Community Facilities in “Comprehensive Development Area” Zone, Various Lots in S.D.4 and Adjoining Government Land, Kau Wa Keng, Kwai Chung (MPC Paper No. A/KC/489)

---

3.                      The Secretary reported that the application site (the Site) was located in Kwai Chung. Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicants. The following Members had declared interests on the item:

Mr Stanley T.S. Choi                      - being the supervisor of a primary school in Kwai Chung; and

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

4.                      The Committee noted that Mr Yu had tendered an apology for being unable to attend the meeting. As the interest of Mr Choi was indirect, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

5.                      With the aid of some plans, Mr W.C. Lui, 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 and Ms Bernadette W.S. Tsui joined the meeting during PlanD's presentation.]

6. Noting that the School Social Work Office (SSWO) in Phase 1A of the Site proposed in the application would be operated by the Hong Kong Family Welfare Society (HKFWS), Ms Sandy H.Y. Wong declared an interest on the item for being a member of the executive committee of HKFWS. As Ms Wong had no involvement in the proposed SSWO, the Committee agreed that she could stay in the meeting.

7. Noting that the Site was in close proximity to Mei Foo, Ms Lillian S.K. Law declared an interest on the item for being a former Executive Director and committee member of The Boys' & Girls' Clubs Association of Hong Kong which had a Children and Youth Integrated Services Centre in Mei Foo area. As the interest of Ms Law was indirect, the Committee agreed that she could stay in the meeting.

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

Land Use Zoning

- (a) background of the "Comprehensive Development Area" ("CDA") zone of the Site;

Government, Institution and Community (GIC) Facilities

- (b) relevant information on the shortfall of social welfare facilities in the area;
- (c) percentage of the gross floor area (GFA) of social welfare facilities with respect to the total GFA under the interim scenario (Phases 1A and 1B);
- (d) whether the proposed parking facilities for the proposed GIC facilities were adequate, and whether there was a standard for provision of car parking

spaces for GIC facilities;

- (e) noting that a SSWO operated by HKFWS was proposed and the proposed Day Care Centre for the Elderly was non-kitchen based, whether the selection of social welfare facilities in the proposed development was proposed by the applicants or requested by the Social Welfare Department (SWD);
- (f) given the Site was in close proximity to Princess Margaret Hospital (PMH) and Kwai Chung Hospital (KCH), whether the Government could request the applicants to provide more GIC facilities in the proposed development such as Residential Care Home for the Elderly (RCHE) and Hostel for Mentally Handicapped Persons to maximise development potential of the Site and meet the needs of the locals;
- (g) whether there was requirement for provision of social welfare facilities under the Planning Brief (PB);

Retail Facilities

- (h) noting that there was no provision of retail facilities in the proposed development, how the daily shopping needs of the future residents could be met;
- (i) noting that there were existing retail facilities in the surrounding residential developments, whether there was information to facilitate comparison of the development scale of the proposed development and existing residential developments;

Transport, Environmental and other Technical Aspects

- (j) whether the proposed feeder services and public transportation services were adequate to serve the future residents and users of GIC facilities within the Site;

- (k) details of the proposed pedestrian facilities of the proposed development;
- (l) noting that there would be two residential blocks (i.e. Blocks 13 and 14) in Remaining Phase B fronting Castle Peak Road – Kwai Chung, whether Noise Impact Assessment had been conducted by the applicants, and whether mitigation measures were proposed to address the potential noise impacts;

Heritage Conservation

- (m) whether the applicants had acquired the 13 Grade 3 historic buildings within the Site;
- (n) whether the historic buildings would be open to the public, and whether there was any established mechanism to guarantee preservation of the graded buildings in the long term;

Implementation Programme

- (o) in view of the complicated land issues and the time required for land exchange process involving multiple ownership, how the applicants could ensure that the two early phases under the interim scenario (i.e. Phases 1A and 1B) would be completed by 2028;
- (p) whether the applicants had conducted technical assessments for the interim scenario to demonstrate that there would be no adverse impacts on the surrounding areas if the two remaining phases were not implemented;

Land Matters

- (q) whether the indigenous villagers of the Kau Wa Keng Old Village (the Old Village) would be affected under the interim scenario;
- (r) the split between government land and private land of the Site;

Others

- (s) information on elderly population of the Old Village and the estimated household size of the proposed development;
- (t) responses of the adverse public comments which expressed that the indigenous villagers and other stakeholders had not been consulted on the details of the application, land acquisition matters and grading of the historic buildings within the Site; and
- (u) arrangement of refuse collection in the proposed development.

9. In response, Mr Derek P.K. Tse, DPO/TWK, made the following main points:

Land Use Zoning

- (a) the subject “CDA” site which covered both the Old Village and Kau Wa Keng valley floor was originally zoned “Residential (Group A)” on the Kwai Chung Outline Zoning Plan (OZP) for public rental housing development. Subsequently, the Town Planning Board (the Board) decided to rezone the Site to “CDA” in 1992 with a view to facilitating comprehensive residential development through private initiatives. According to the latest “Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the Metro Area for the Years 2021/2023”, it was considered appropriate to retain the “CDA” zoning of the Site, taking into account its multiple ownership with fragmented and uncoordinated piecemeal residential developments, poor accessibility and minimal infrastructural and utility provisions. In view of the multiple ownership at the Site, a phasing programme was proposed by the applicants with reference to the criteria for phased development as set out in the Town Planning Board Guidelines for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB-PG No. 17A);



GIC Facilities

- (b) according to the Hong Kong Planning Standards and Guidelines, the shortfalls of social welfare facilities in the Kwai Chung Planning Scheme Area included mainly Child Care Centre (CCC), Community Care Services (CCS) facilities and Day Rehabilitation Services (DRS). The Site was located in proximity to the Lai Chi Kok Planning Scheme Area which covered Mei Foo area with shortfalls of CCC, CCS facilities and DRS, as well as Pre-school Rehabilitation Services, Residential Care Services and RCHE;
- (c) the GFA of the proposed social welfare facilities in Phase 1A accounted for about 1.7% of the total GFA of the concerned phase, which would not be exempted from the GFA calculation;
- (d) according to the applicants, a total of five private light bus parking spaces were proposed to serve the proposed social welfare facilities, of which one would be provided in Phase 1A whilst four would be provided in Remaining Phase A. One 48-seater coach for GIC facilities would be provided in Remaining Phase B. The Transport Department (TD) and SWD had no adverse comment on the proposed parking provision. An approval condition on the design and provision of vehicular access, car parking and loading/unloading facilities for the proposed development was recommended;
- (e) various social welfare facilities were proposed by the applicants, on which SWD had been consulted during the application process. The proposal was acceptable to SWD and an approval condition on the design and provision of the proposed social welfare facilities was recommended;
- (f) with reference to a PowerPoint slide, whilst clusters of GIC facilities including PMH, KCH, elderly and youth facilities were mainly located in Lai King uphill area to the southwest and northwest of the Site, the immediate surrounding areas of the Site were mainly residential developments. The actual design and provision of the social welfare

facilities would be subject to further discussion between the applicants and SWD in the detailed design stage;

- (g) as stated in the PB, a kindergarten was required to be provided within the Site. According to the latest advice of the Education Bureau, there were sufficient provisions of kindergarten in the area and it was not necessary to provide one kindergarten in the proposed development;

Retail Facilities

- (h) although no retail facilities would be provided in the proposed development, there were existing retail facilities in the public and private housing developments such as Wah Lai Estate, Lai Yan Court and Nob Hill to the immediate south of the Site across Lai King Hill Road. Retail facilities were also available around the MTR Mei Foo Station which could also serve the need of future residents should they took public transportation from the MTR Station;
- (i) there were a number of private residential developments in proximity to the Site across Lai King Hill Road. These developments had a total of about 3,500 units, and hence their development scale was relatively smaller than the proposed development (i.e. 5,973 units);

Transport, Environmental Impacts and other Technical Aspects

- (j) the Site was well served by public transportation, including bus and green minibus as well as the MTR Mei Foo Station and Lai King Station. Traffic Impact Assessment conducted by the applicants demonstrated that there would be no insurmountable traffic impact. In order to address potential impact of the proposed development on the existing public transport services, provision of feeder services to/from the MTR Lai King Station had been proposed. TD had no in-principle objection to the proposed development from traffic engineering perspective;
- (k) with reference to Drawing A-10 of the Paper, the existing pedestrian

crossing and bus lay-by at Lai King Hill Road were proposed to be moved eastward and westward respectively for a reasonable separation from the vehicular access to Phase 1A, and a public footpath with a minimum width of 3.5m would be maintained. Besides, enhancement of pedestrian accesses was proposed in the interim scenario to improve walkability and connectivity of the Old Village and Kau Wa Keng San Tsuen to the northwest of the Site. With reference to Drawing A-9 of the Paper, part of the Site under Phase 1B along the Old Village would be used for widening of the existing village walkway near Lai King Hill Road from 2m to 4m into a 24-hour barrier-free unobstructed pedestrian access of 5.5m to 7.5m. The section of the walkway to Kau Wa Keng San Tsuen within Remaining Phase A would be retained while the section within Phase 1A would be widened to not less than 2m. There would be a pedestrian access straddling Phases 1A and 1B providing connection between the Old Village and the proposed social welfare facilities;

- (l) whilst there was buffer distance between the two residential blocks in Remaining Phase B and Castle Peak Road – Kwai Chung, Noise Impact Assessment was conducted by the applicants and various mitigation measures such as acoustic window were proposed to address the potential noise impacts. The Environmental Protection Department (EPD) had no objection to the application and an approval condition on the submission of an updated Environmental Assessment was recommended;

*Heritage Conservation*

- (m) with reference to Plan A-3 of the Paper, as claimed by the applicants, there was one Grade 3 historic building (No. 43 Kau Wa Keng) in Phase 1B development which was currently under acquisition. The other 12 Grade 3 historic buildings within the Remaining Phase B development were owned by third parties;
- (n) according to the applicants, all the Grade 3 historic buildings within the Site were proposed to be preserved in-situ and mitigation measures were proposed to avoid adverse impacts on the historic buildings with careful

disposition of the new building blocks. A thematic garden setting with landscape features would be provided around the historic buildings to promote a distinctive community environment. Since all the 13 Grade 3 historic buildings were privately-owned, details of the maintenance and management arrangements, and whether they would be open to public would be determined by the respective owners or developers. The Antiquities and Monuments Office (AMO) had no adverse comment on the proposal subject to the imposition of an approval condition on the submission of a Conservation Management Plan for the preservation of the graded buildings within the Site;

Implementation Programme

- (o) the completion year of Phases 1A and 1B of the proposed development (i.e. 2028) was only an assumption adopted by the applicants. Taking into account the possible long development period, an approval condition for submission of an implementation programme including a phasing plan of the proposed development was recommended;
- (p) the applicants had conducted various technical assessments for the full development scenario and interim scenario (assuming Phases 1A and 1B to be implemented as planned with the existence of the surrounding village areas in the two remaining phases). The technical assessments indicated that there would be no insurmountable traffic, environmental and infrastructural impacts on the surrounding areas;

Land Matters

- (q) with reference to Drawing A-21 of the Paper, the portion of Old Village with lots not acquired as claimed by the applicants was located within the Remaining Phase B and the indigenous villagers there would not be affected under the interim scenario (Phases 1A and 1B);
- (r) as claimed by the applicants, about 44% of the land within Phase 1A was government land while the remaining 56% was private land. As for Phase

1B, about 7% of land was government land while the remaining 93% was private land. All of the private land in the two early phases were either fully acquired or under acquisition by the applicants. About 68% of the land within Remaining Phase A was government land while the remaining 32% was private land. As for Remaining Phase B, about 61% of land was government land while the remaining 39% was private land. Majority of private land in the two remaining phases were owned by third parties. As advised by the Lands Department, all private land within Phase 1B were owned by Tsang Wa Hon Tso and the applicants were required to prove their titles if land exchange within Phase 1B was pursued thereat;

Others

- (s) there was no information in hand on the elderly population of the Old Village. The average flat size of the proposed development was about 40m<sup>2</sup>;
- (t) the application and the further information submitted by the applicants were published for public comment during the statutory publication periods. As for the public concerns on land acquisition issues, details including land value and compensation would be subject to negotiations between the developer and individual land owners. Regarding the public comment indicating that some villagers disagreed to their houses being identified as historic buildings, public consultation had been conducted through the established practice by AMO during the grading assessment. The grading system of the historic buildings was administrative in nature and would not affect the ownership, usage, management and development rights of the concerned buildings; and
- (u) two existing temporary open-air refuse collection points (RCPs) in the southwestern part of the Site serving the area, including the Old Village and Kau Wa Keng San Tsuen, would be integrated and relocated to an enclosed facility within Phase 1B equipped with proper ventilation and de-odourising and exhaust systems, and recycling facilities would be provided according

to the prevailing policy and practices. As an interim measure, refuse generated from the developments in Phase 1A would be collected at the two existing temporary open-air RCPs until the reprovision of RCP in Phase 1B.

10. Noting that there were public concerns on the violation of the Basic Law in relation to removal of the Old Village, a Member asked whether there was implication on the traditional rights and interests of the indigenous inhabitants of the New Territories. In response, Mr Derek P.K. Tse, DPO/TWK, said that should the application be approved, the applicants had to acquire the remaining portion of the Site including the Old Village under the market mechanism. The Chairman supplemented that the implication of the development on the traditional rights and interests of the indigenous villagers, as well as the status of the ‘village environ’, would be dealt with separately according to the prevailing policy.

#### Deliberation Session

11. The Chairman said that the Site had been zoned “CDA” for more than 30 years and the proposed phased development was generally in line with TPB PG-No. 17A. Should the application be approved, the applicants had to acquire the remaining portion of the Site including the Old Village for full implementation of the Master Layout Plan (MLP). Under the current proposal, the proposed social welfare facilities were not exempted from GFA calculation. SWD had been consulted and had reviewed the proposed social welfare facilities during the application process. SWD had no objection to the proposal from the social welfare services perspective and an approval condition on the design and provision of social welfare facilities, as proposed by the applicants, was recommended. The actual design and provision of the social welfare facilities would be subject to further discussion with SWD at the detailed design stage.

12. Members generally supported the application. Some Members considered that retail facilities should be provided in the proposed development to cater for the daily needs of the future residents. A Member opined that a lift should be provided along Lai King Hill Road to enhance the pedestrian connectivity. Some Members shared the view that the provision of social welfare facilities in the proposed development was inadequate and a Member suggested that requirements on provision of more GIC facilities should be included

in the land exchange conditions.

13. Given nearly half of the Site was government land, two Members suggested that the applicants could be encouraged to apply for Land Sharing Pilot Scheme (LSPS) or Private Subsidised Sale Flat – Pilot Scheme with a view to providing more public housing supply at the Site. The Secretary supplemented that LSPS applications normally involved amendment to OZP, which required a longer processing time, to increase the permitted development intensity to facilitate public and private developments. There was no apparent incentive for the applicants to apply for LSPS as they could already submit planning application for private developments in accordance with the maximum plot ratio (PR) stipulated for the “CDA” zone.

14. Noting that the proposed development was subject to a maximum PR of 5, a Member considered that the development intensity of the proposed development could be increased for better land utilisation, e.g. provision of retail and more GIC facilities. The Committee noted that a minor relaxation clause on PR restriction was included in the Notes of the OZP. The applicants could submit a section 16 application for minor relaxation of PR restriction if they intended to increase development intensity for the Site.

15. A Member sought clarification on whether implementation of the approved MLP had to be submitted for the Board’s consideration in future should the application be approved. In response, the Secretary said that the applicants had to comply with the approval conditions and the revised MLP would not be further submitted to the Board for consideration unless there were major amendments requiring a fresh application.

16. Miss Queenie Y.C. Ng, Principal Environmental Protection Officer (Territory S) (Acting), EPD, clarified that the proposed sewage pumping station within the Site was previously considered as a designated project (DP) when the Sewerage Impact Assessment was conducted by the applicants. However, Schedule 2 of Environmental Impact Assessment Ordinance (EIAO) in respect of DPs requiring environmental permits was amended on 30.6.2023. According to the amended Schedule 2 of the EIAO, the proposed sewage pumping station was not considered as a DP, and hence the relevant advisory clause as set out in paragraph 5(a) of Appendix VIII of the Paper could be deleted. Members agreed.

17. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 14.7.2027, 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 to incorporate the approval conditions as stipulated in conditions (b) to (s) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a revised Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the submission of a revised Traffic Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the design and provision of vehicular access and car parking and loading/unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the design and implementation of junction improvement works and relocation of bus stop and signalized crossing, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the TPB;
- (f) the design, construction, management and maintenance of 24-hour barrier-free public passageways within the proposed development to connect Kau Wa Keng Old Village and Kau Wa Keng San Tsuen to the public footpath along Lai King Hill Road, as proposed by the applicants, to the satisfaction of the Commissioner for Transport or of the TPB;
- (g) the submission of an updated Environmental Assessment in respect of air quality and noise impacts and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;



- (h) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (i) 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;
- (j) the submission of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the TPB;
- (k) the submission of a Waterworks Impact Assessment and implementation of a monitoring plan and any mitigation measures identified in the assessment report to the satisfaction of the Director of Water Supplies or of the TPB;
- (l) the submission of a Geotechnical Planning Review Report to the satisfaction of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department or of the TPB;
- (m) the submission of a Conservation Management Plan (CMP) for the preservation of the graded buildings within the proposed development prior to the commencement of any works and implementation of the works in accordance with the CMP to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the TPB;
- (n) the submission of a full set of photographic, cartographic, and/or 3D scanning records of the graded buildings within the proposed development, including both the interior and exterior of the graded buildings, prior to the commencement of any works to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the TPB;
- (o) the design and provision of social welfare facilities, as proposed by the applicants, to the satisfaction of the Director of Social Welfare or of the TPB;

- (p) the design and provision of a refuse collection point, as proposed by the applicants, to the satisfaction of the Director of Food and Environmental Hygiene or of the TPB;
- (q) the design and provision of a public toilet, as proposed by the applicants, to the satisfaction of the Director of Food and Environmental Hygiene or of the TPB;
- (r) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the TPB; and
- (s) the submission of an implementation programme including a phasing plan of the proposed development to the satisfaction of the Director of Planning or of the TPB.”

18. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VIII of the Paper with deletion of the following advisory clause:

“it is noted that the Environmental Impact Assessment Ordinance (EIAO) implication of the proposed sewage pumping station has been affirmed. Should any proposed works/facilities of the development be confirmed as a designated project, the applicants shall observe and follow the statutory procedure under the EIAO. It is noted that the applicants intend to submit a Project Profile for direct application of environmental permit for Environmental Protection Department (EPD)’s consideration and approval at a later stage. The applicants are reminded that the information presented in this report and/or the Town Planning Board’s decision on this planning application shall not pre-empt EPD’s future decision under the EIAO.”

**Agenda Item 4**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/KC/496                      Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Warehouse (excluding Dangerous Goods Godown) in “Industrial” Zone, Kwai Chung Town Lot 145 and adjoining Government Land, 7-11 Wing Kin Road, Kwai Chung (MPC Paper No. A/KC/496B)

---

19.                      The Secretary reported that the application site (the Site) was located in Kwai Chung and Mr Stanley T.S. Choi had declared an interest on the item for being the supervisor of a primary school in Kwai Chung

20.                      As the interest of Mr Choi was indirect, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

21.                      With the aid of some plans, Mr W.C. Lui, 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 had no objection to the application.

22.                      In response to a Member’s enquiry regarding the planning gain of the application, Mr W.C. Lui, STP/TWK, said that provision of setbacks fulfilling the requirements under the Kwai Chung Outline Development Plan No. D/KC/D and landscape treatments were proposed by the applicant. In response to the Chairman’s question on whether policy support was given to the application, Mr W.C. Lui, STP/TWK, said that the Development Bureau (DEVB) encouraged redevelopment of existing industrial buildings (IBs) into new IBs meeting the current building standards. As such, DEVB considered the application not objectionable.

Deliberation Session

23. Members generally had no objection to the application. A Member opined that there was room for the applicant to improve the landscape treatment of the proposed development in view of the size of the Site. In that regard, the Chairman suggested and the Committee agreed to include an additional advisory clause to advise the applicant to improve the landscape treatment of the proposed development for better streetscape at the detailed design stage.

24. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 14.7.2027, 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 Traffic and Transport Impact Assessment to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and provision of vehicular access, car parking and loading and unloading facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) 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;
- (e) the submission of a Landfill Gas Hazard Assessment and the implementation of the mitigation measures identified therein before operation of the use to the satisfaction of the Director of Environmental Protection or of the TPB; and

- (f) 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.”

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

“to improve the landscape treatment of the proposed development for better streetscape at the detailed design stage.”

[The Chairman thanked PlanD’s representatives for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Hong Kong District**

[Mr Elton H.T. Chung, Senior Town Planner/Hong Kong (STP/HK), and Mr Billy W.M. Au-Yeung, Town Planner/Hong Kong, were invited to the meeting at this point.]

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/84                      Proposed Eating Place in area shown as ‘Road’, Ah Kung Ngam Lot No. 27 S. A, 27 A Kung Ngam Village Road, Shau Kei Wan, Hong Kong  
(MPC Paper No. A/H9/84B)

---

26. The Secretary reported that the application site (the Site) was located in Shau Kei Wan. Ms Lilian S.K. Law had declared an interest on the item for being a former Executive Director and committee member of The Boys’ & Girls’ Clubs Association of Hong Kong which had a service unit in Shau Kei Wan.

27. As the interest of Ms Law was indirect, the Committee agreed that she could stay in the meeting.

#### Presentation and Question Sessions

28. With the aid of some plans, Mr Elton H.T. Chung, 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 did not support the application.

29. Some Members raised the following questions:

- (a) information on the type of eating place proposed by the applicant;
- (b) noting that relevant Government departments had no objection to or no adverse comment on the application and the scale of the proposed eating place was small, what major planning considerations of rejecting the application were, and planning considerations of the application when the Site was zoned "Open Space" ("O") and "Other Specified Uses" annotated "Business" ("OU(B)") at the time of submission; and
- (c) noting from paragraphs 9.1.2(a) and 9.1.3(a) of the Paper that the Director of Fire Services (D of FS) had no objection in principle to the application but there was adverse comment from the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD), what the reasons for such different views were.

30. In response, Mr Elton H.T. Chung, STP/HK, made the following main points:

- (a) no information on the type of the proposed eating place was provided by the applicant;
- (b) with reference to Plan A-2 of the Paper, the proposed eating place was located within an area shown as 'Road' on the OZP currently in force.

While the Site was located in proximity to the proposed public housing development at A Kung Ngam Village, the Site was within the planned road area intended for the road upgrading works for vehicular access and emergency vehicle access to serve the proposed public housing development. Approval of the application would jeopardise the planned road works and undermine the implementation of the proposed public housing development. In this connection, the Project Manager (South), Civil Engineering and Development Department and the Director of Housing did not support the application. While the Site was previously zoned “O” with a minor portion encroaching on “OU(B)” zone on the OZP at the time of submission, the proposed eating place was not in line with the planning intention of the “O” zone; and

- (c) the D of FS had no objection in principle to the application subject to water supplies for fire-fighting and fire service installations being provided to the satisfaction of the D of FS. CBS/HKE&H, BD considered that the proposed building for eating place use with only one staircase was not acceptable as it would contravene the provisions under the Building (Planning) Regulations and the Code of Practice for Fire Safety in Buildings 2011.

#### Deliberation Session

31. The Chairman remarked that the Site was zoned “O” and “OU(B)” on the OZP at the time of submission and was then rezoned to an area shown as ‘Road’ on the OZP currently in force. The proposed eating place encroaching onto the planned road area for access and circulation to the proposed public housing development at A Kung Ngam Village would undermine the implementation of the proposed public housing development and its associated road works. The proposed eating place was also considered technically unacceptable as it could not meet the relevant building requirements. While the Site was previously zoned “O” and “OU(B)” zone on the OZP at the time of submission, the proposed eating place was not in line with the planning intention of the “O” zone.

32. A Member observed that there were private lots designated for public purpose but

without any development programme. To facilitate better utilisation of land resources, the Member asked whether the concerned land owner could apply for alternative use which was not in line with the planning intention of its zoning. In response, the Chairman said that the land owner could submit a section 12A rezoning application to the Board for consideration. In any event, each application would be considered on a case-by-case basis based on individual merits.

33. After deliberation, the Committee decided to reject the application. The reason was:

“ the proposed eating place encroaches onto the planned road area for access and circulation to the proposed public housing development at A Kung Ngam Village, and would undermine the implementation of the proposed public housing development and its associated road works.”

[The Chairman thanked PlanD’s representatives for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Agenda Item 6**

#### **Any Other Business**

34. There being no other business, the meeting was closed at 11:20 a.m..