

TOWN PLANNING BOARD

**Minutes of 735th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 26.1.2024**

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor 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 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

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Mr Rico W.K. Tsang

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

Agenda Item 1

Confirmation of the Draft Minutes of the 734th MPC Meeting held on 12.1.2024

[Open Meeting]

1. The draft minutes of the 734th MPC meeting held on 12.1.2024 were confirmed without amendment.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Deferral Cases

Sections 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Secretary reported that there were three cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Member's declaration of interest for one of the cases and the Committee's view on the declared interest were in **Annex**.

Deliberation Session

4. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information, as recommended in the Papers.

Tsuen Wan and West Kowloon District

[Messrs Ringo Y.W. Yeung and Michael K.K. Cheung, Senior Town Planners/Tsuen Wan and West Kowloon (STPs/TWK), were invited to the meeting at this point.]

Agenda Items 4 and 5

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

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| A/K5/864 | Shop and Services (Fast Food Counter) in “Other Specified Uses” annotated “Business (3)” Zone, Factory Nos. 1C (Part), 1D and 1E, G/F, Elite Industrial Centre, 883 Cheung Sha Wan Road, Kowloon (MPC Paper No. A/K5/864) |
| A/K5/865 | Shop and Services in “Other Specified Uses” annotated “Business (3)” Zone, Factory No. 2, G/F, Elite Industrial Centre, 883 Cheung Sha Wan Road, Kowloon (MPC Paper No. A/K5/865) |
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5. The Committee agreed that as the two s.16 applications for shop and services uses were similar in nature and the application premises were located in the same building within the same “Other Specified Uses” annotated “Business (3)” zone, they could be considered together.

Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Mr Ringo Y.W. Yeung, STP/TWK, briefed Members on the backgrounds of the applications, the applied uses, departmental comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department had no objection to the applications.

7. Members had no question on the applications.

Deliberation Session

8. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board and subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendices of the Papers.

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/866 Shop and Services in “Residential (Group E) 2” Zone, Flat C2
(Portion), G/F, Cheong Fat Factory Building, 265-271 Un Chau Street,
Kowloon
(MPC Paper No. A/K5/866)

Presentation and Question Sessions

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

10. Members had no question on the application.

Deliberation Session

11. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/535 Columbarium in “Government, Institution or Community (6)” Zone,
G/F, Blocks 7 & 8, Tung Lum Nien Fah Tong, 29 Tung Lam Terrace,
Fu Yung Shan, Tsuen Wan
(MPC Paper No. A/TW/535B)

12. The Secretary reported that the application site (the Site) was located 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 tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

13. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, 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 (PlanD) had no objection to the application.

14. The Vice-chairman and some Members raised the following questions:

- (a) access to the Site and details of shuttle bus service;
- (b) given the concern of illegal parking in the area, whether any parking space would be provided within the Site;
- (c) how the applicant’s commitments, including no burning of joss paper, joss stick and candles at the Site and the maximum sale of 150 niches per year, would be enforced/controlled;
- (d) noting that the columbarium was already in operation, whether burning of joss paper, joss stick and candles was currently allowed within the Site; and

- (e) whether there would be any control on the prices and conveyances of niches under the future private columbarium licence.

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

- (a) according to the applicant, shuttle bus service to the Site would be provided during Ching Ming and Chung Yeung festival days and their shadow periods (i.e. weekends before and after festival days). The Site could be accessed by taxi or on foot during other periods;
- (b) the traffic generated by the development would be minimal, except during Ching Ming and Chung Yeung festival days and their shadow periods. While no parking space would be provided within the Site, several parking spaces were available at Tung Lum Buddhist Aged Home to the south of the Site;
- (c) should the application be approved by the Committee, the applicant would need to apply to the Private Columbaria Licensing Board (PCLB) for a private columbarium licence. During the licensing stage, relevant licensing requirements, including those proposed by the applicant, could be imposed by PCLB where appropriate, and the Food and Environmental Hygiene Department (FEHD) would be responsible for the monitoring and enforcement of those requirements. Any offence against the licensing requirements would be subject to enforcement by FEHD. Besides, the number of niches to be sold would be governed under the land lease which was subject to modification;
- (d) according to the recent site visit, notices to remind visitors of the prohibition of burning joss paper, joss stick and candles were posted at the Site; and
- (e) information on the prices and conveyances of niches were not provided in the application. According to the prevailing practice, there was no control

on the prices and conveyances of the niches under a private columbarium licence. The price of niches would be determined by the market.

[Professor Bernadette W.S. Tsui joined the meeting during the question and answer session.]

Deliberation Session

16. A Member expressed concern on the cumulative traffic impact arising from the increasing number of columbaria in the area and enquired whether there were any planned traffic improvement works in the area. In response, Mr Chow Bing Kay, Assistant Commissioner/Urban, Transport Department (TD), said that the capacity of the nearby road network was adequate to cater for the existing and future traffic demand. While there were currently no planned traffic improvement works in the area, TD would continue to monitor the traffic conditions and implement appropriate traffic improvement works when necessary. The applicant would also be required to implement the proposed traffic arrangements during Ching Ming and Chung Yeung festival days and their shadow periods, including 'visit-by-appointment' arrangement and provision of shuttle bus service. The Chairman supplemented that any road improvement works co-ordinated or implemented by Government were always permitted within the boundaries of the relevant Outline Zoning Plan.

17. Another Member considered the traffic conditions in the area acceptable during Ching Ming and Chung Yeung festival days. It was anticipated that special traffic arrangement, e.g. no private car allowed to enter the area, would be implemented by the Hong Kong Police Force. Besides, some grave sweepers would visit the columbaria in the area during other periods to avoid the crowd in festival days.

18. A Member enquired the background of a previously rejected application for a columbarium development in Kowloon Tong. The Chairman explained that the concerned rezoning application (No. Y/K18/11) was not agreed by the Committee mainly on the ground that the proposed rezoning for a religious institution cum columbarium development was incompatible with the residential neighbourhood. The Secretary recalled that when considering that rezoning application, some Members queried about the implementation and enforceability of the traffic mitigation measures proposed under the application, i.e. 'no

driving nor taxi policy', which would largely rely on the applicant's and the consumers'/visitors' self-initiatives and self-discipline. The Member opined that since Tung Lam Terrace was the only access to the Site, it would be easier for the current applicant to implement the traffic control and special traffic arrangements during the festival days and their shadow periods.

19. The Chairman remarked that columbarium use was considered not incompatible with the 'monastery belt' in the Fu Yung Shan area which was predominated by religious uses and government, institution and community facilities and similar applications were approved by the Committee in the area. The Site was also segregated with the villages by natural terrain. In respect of other technical concerns, they could be addressed under the private columbaria licensing mechanism.

20. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.1.2028, 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 approval condition stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

[Mr Franklin Yu and Professor Roger C.K. Chan joined the meeting at this point.]

Hong Kong District

[Ms Erica S.M. Wong, Senior Town Planner/Hong Kong (STP/HK), and Messrs Canon K.N. Wong and Dino W.L. Tang, Town Planners/Hong Kong (TPs/HK), were invited to the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H4/103 Proposed Eating Place (Restaurant) and Shop and Services (Retail Shop, Service Trades and Fast Food Shop) in “Comprehensive Development Area (2)” Zone, Portions of Lower Deck, Central Pier No. 6, Hong Kong

(MPC Paper No. A/H4/103)

Presentation and Question Sessions

21. With the aid of a PowerPoint presentation, Mr Canon K.N. Wong, TP/HK, briefed Members on the background of the application, the proposed use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

22. Members had no question on the application.

Deliberation Session

23. Two Members expressed that opportunities should be explored to allow flexibility to accommodate food and beverage uses and social welfare facilities at pier premises without requiring planning permissions from the Town Planning Board, as it could help better utilise the idle spaces at the pier premises, generate additional income for ferry operators registering deficits and offer solution spaces for the non-government organisations encountering difficulties in identifying premises for social welfare facilities.

24. In response, the Chairman said that Members’ view to allow flexibility for the use of piers was noted. Given that the use of piers involved multiple stakeholders and the concerned pier was a government premises, the flexibility to accommodate different uses at the pier premises could be explored when opportunity arose.

25. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should

be valid until 26.1.2028, 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 approval condition stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Items 9 and 10

Section 16 Applications

[Open Meeting (Presentation and Question Sessions Only)]

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| A/H8/438 | Proposed Hotel in “Residential (Group A)” Zone, 1/F and 2/F, 11-15 Lin Fa Kung Street East, Causeway Bay, Hong Kong |
| A/H8/439 | Proposed Hotel in “Residential (Group A)” Zone, 1/F and 2/F, 11-13 Lin Fa Kung Street West, Causeway Bay, Hong Kong (MPC Paper No. A/H8/438 and 439) |

26. The Committee agreed that as the two s.16 applications for proposed hotel use were similar in nature and the application premises (the Premises) were located in close proximity to each other within the same “Residential (Group A)” (“R(A)”) zone, they could be considered together.

Presentation and Question Sessions

27. With the aid of a PowerPoint presentation, Mr Dino W.L. Tang, TP/HK, briefed Members on the backgrounds of the applications, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department (PlanD) had no objection to the applications.

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

- (a) noting that the Premises were the subject of two previous planning permissions for hotel use, the reason why fresh applications were required for the current proposals;

- (b) noting that the current proposals involved an increase in the number of guestrooms, whether the applicant would be required to upgrade the fire service installations at the Premises;
- (c) the operation of the existing gym room and yoga studio at the Premises under application No. A/H8/439 and the locations of other gym rooms and yoga studios in the area; and
- (d) noting that some public comments expressed concerns about insufficient supporting facilities in Tai Hang area, whether there was any requirement on the provision of government, institution and community (GIC) facilities under the previous planning permissions at the Premises, and whether there was any standard for the provision of supporting facilities within a hotel development.

29. In response, Mr Dino W.L. Tang, TP/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) the previous planning permissions covering the concerned sites under applications No. A/H8/411 and 412 had lapsed upon completion of the hotel developments, under which the Premises were not designated as hotel guestrooms. According to the Notes of the Outline Zoning Plan, 'Hotel' was a Column 2 use within the "R(A)" zone. As such, the current proposals which involved converting the existing shop and services and eating place uses into hotel guestrooms required planning permissions from the Town Planning Board;
- (b) the existing fire service installations at the Premises were not sufficient to support the additional guestrooms under the current proposals. Should the applications be approved by the Committee, the applicant would need to make further submissions to the Home Affairs Department for extension of hotel licensing area. Relevant licensing requirements, including the submission of fire service installations proposals, would be imposed where appropriate;

- (c) the existing gym room and yoga studio at the Premises under application No. A/H8/439 were open for public use under commercial operation. There were a number of gym rooms and yoga studios within walking distance or in close vicinity of the Premises in Tin Hau and Causeway Bay areas; and

- (d) there was no requirement for provision of GIC facilities under the previous planning permissions at the concerned sites. Nevertheless, as required by the Buildings Department (BD), a minimum of 3% of total gross floor area was required for the provision of back-of-house and front-of-house facilities in support of a hotel development. Upon reviewing the applicant's submissions, BD had no in-principle objection to the applications.

Deliberation Session

30. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board. Each of the permissions should be valid until 26.1.2028, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

Kowloon District

[Ms Helen H.Y. Chan and Mr Steven Y.H. Siu, Senior Town Planners/Kowloon (STPs/K), and Mr Charles K.K. Lee, Town Planner/Kowloon (TP/K), were invited to the meeting at this point.]

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K7/121 Proposed Educational Institution with Training Centre, Public Vehicle Park (Excluding Container Vehicle), Shop and Services, Eating Place and Footbridges, and Minor Relaxation of Building Height Restriction in “Residential (Group A)” and “Government, Institution or Community” Zones and area shown as ‘Road’, Government Land at the junction of Sheung Shing Street and Fat Kwong Street, two areas above Sheung Shing Street connecting to Hong Kong Metropolitan University (HKMU) Jockey Club Institute of Healthcare at 1 Sheung Shing Street, and the area above Fat Kwong Street connecting to HKMU Main Campus at 30 Good Shepherd Street, Ho Man Tin, Kowloon
(MPC Paper No. A/K7/121A)

31. The Secretary reported that the application site (the Site) was located in Ho Man Tin. Mr Stanley T.S. Choi had declared an interest on the item for owning properties in Ho Man Tin. The Committee noted that Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

32. With the aid of a PowerPoint presentation, Ms Helen H.Y. Chan, STP/K, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

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

Background and Site Context

- (a) access to the Site;
- (b) the maximum plot ratio (PR) for a non-domestic development at the Site under the Outline Zoning Plan (OZP);
- (c) the building height restrictions (BHRs) for the Site and its surrounding area under the OZP;
- (d) the facilities to be provided at the proposed government complex to the immediate north of the Site;
- (e) the programmes to be offered by Hong Kong Metropolitan University (HKMU) at the Site;
- (f) noting that the net space per student of HKMU was significantly lower than that of other universities, whether there was any standard for net space per student in a tertiary institution;

Proposed Facilities for Public Use

- (g) noting that some facilities of the proposed development would be open for public use, the location of and public access to those facilities;
- (h) whether the canteen on 2/F of the proposed development could be open for public use under the current provision of the OZP and whether the public would compete with the students to use the canteen, especially during lunch time;

Tree Preservation and Compensation

- (i) in view of the small site area, whether the provision of such a large number (i.e. 73 nos.) of compensatory trees was technically feasible and the size of the compensatory trees;
- (j) noting that an existing Banyan Tree would be preserved in-situ at the Site, whether the applicant had proposed any measure to ensure the survival and healthy growth of the tree; and

Justifications for Minor Relaxation of BHR

- (k) whether the applicant provided any justification for the proposed minor relaxation of BHR (e.g. high headroom requirements, provision of a sky garden and opening some facilities for public use).

34. In response, Ms Helen H.Y. Chan, STP/K, with the aid of some PowerPoint slides, made the following main points:

Background and Site Context

- (a) the Site could be accessed by public transport, e.g. minibus and MTR (15 to 25-minute walk from Ho Man Tin or Mong Kok East Stations);
- (b) according to the Notes of the OZP, the Site was subject to a maximum domestic PR of 7.5 or a maximum non-domestic PR of 9. For the proposed development which was a non-domestic building, a maximum PR of 9 was permissible under the OZP;
- (c) the Site was subject to a BHR of 100mPD under the OZP whilst the BHRs for the residential and government, institution and community developments in the surrounding area ranged from about 40mPD to 150mPD;

- (d) subject to detailed design, a community hall and various social welfare and elderly facilities would be provided at the proposed Ho Man Tin Government Complex to the immediate north of the Site;
- (e) the proposed development would provide teaching and learning facilities for healthcare-related programmes (e.g. smart aging and Chinese medicinal pharmacy programmes) by HKMU;
- (f) while there was no standard for net space per student in a tertiary institution, according to the applicant, the average net space per student of other University Grants Committee funded institutions was about 15m², as compared with 4.5m² of HKMU. The proposed development would provide additional spaces (equivalent to about 40% of HKMU's existing space) to alleviate the shortage of space in HKMU;

Proposed Facilities for Public Use

- (g) according to the applicant, the canteen, clinic, shop and services, and the landscaped gardens on 1/F and 2/F would be open for public use during the opening hours of HKMU. The public could access those facilities (i) from HKMU Jockey Club Institute of Healthcare in the west via an existing 24-hour public covered walkway and footbridge, (ii) from Sheung Shing Street and Fat Kwong Street via elevators, and (iii) via the proposed 24-hour public covered walkway at 2/F connecting Sheung Foo Street and the HKMU Main Campus in the south. The sky garden on 10/F and the roof garden would be reserved for HKMU's use only;
- (h) the canteen open to the public was regarded as 'Eating Place' which was always permitted on the lowest three floors of a building, taken to include basements, within the subject "Residential (Group A)" zone;

Tree Preservation and Compensation

- (i) the 73 compensatory trees and two transplanted trees would be planted at

the landscaped gardens on 1/F and 2/F and the roof garden of the proposed development. The compensatory trees would comprise ‘heavy standard’ trees (with a height not less than 3.5m and a stem diameter not less than 75mm) and ‘standard’ trees (with a height ranging from 2.5m to 3.5m and a stem diameter ranging from 45mm to 75mm) and the mix would be subject to detailed design. The Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on the landscape proposal submitted by the applicant;

- (j) to ensure the healthy growth of the Banyan Tree to be preserved in-situ, a Tree Protection Zone (TPZ) with 14.4m in radius and minimum 10m clearance above tree canopy and 3m below ground level would be designated within the Site, and responsive building design would be adopted. Grow-lights would be installed to compensate for any building shade, and the tree would be wired to the proposed development to prevent falling. Besides, Tree Risk Assessment and Management Inspections would be carried out by certified Arborist on a regular basis; and

Justifications for Minor Relaxation of BHR

- (k) according to the justifications provided by the applicant, a minor relaxation of BHR was required to preserve the existing Banyan Tree with appropriate building setbacks and for the provision of an indoor sports hall with high headroom requirement within the proposed development. Besides, the floor-to-floor height of the proposed development was comparable to that of other university campuses and the high headroom for the sky garden might also facilitate air permeability in upper levels.

Deliberation Session

35. Members generally supported the application, considering that the applicant had made genuine effort to preserve the existing Banyan Tree in-situ by establishing a large TPZ at a prominent corner location of the Site; abundance of facilities and open space would be provided for the use for HKMU’s students, staff and the public; and the proposed scheme

with building setbacks and appropriate development intensity was considered acceptable.

36. While supporting the application, two Members considered that there were rooms for improvement concerning the tree preservation and building design. The existing Banyan Tree was endowed with the potential as an iconic feature of the proposed development. Nevertheless, according to the conceptual design as shown on Drawing A-23 of the Paper, with small windows and a blank wall/ceiling fronting the existing Banyan Tree, the building design might not fully integrate the tree with the proposed development or encourage interaction between the tree and the community. The applicant should be advised to make improvements in detailed design (e.g. adopting larger and openable windows), with a view to creating visual connection to the tree and encouraging interaction between the tree and the community. Regarding the implementation of tree preservation proposal, Members noted that under the prevailing practice, a tree preservation clause would be imposed under the lease, requiring the submission of a Tree Preservation and Removal Proposal, and the Lands Department would be responsible for vetting the proposal.

37. With regard to the facilities for public use, a Member expressed concern that HKMU's students and staff might be crowded out by the public users during peak hours and considered that priority should be given to HKMU's students and staff for those facilities. Some other Members reckoned that the opening of facilities for public use could be considered as a social/planning gain and HKMU could explore opportunities to open more facilities (e.g. sky garden and indoor sports centre) for public use in the future, like other universities by adopting an open campus policy. A Member added that the opening of the canteen could help bring additional income for the future catering operator while another Member reminded that the relevant floor space might have implication on land premium.

38. A Member expressed concern about the large traffic flow generated by HKMU's students and staff commuting to the Site and considered that the applicant and the relevant departments should provide measures to improve the connectivity in the area if necessary. Special attention should also be given in detailed design to address the potential nuisances generated from the proposed rooftop futsal pitch to the nearby residents.

39. The Chairman remarked that the proposed development could achieve a better utilisation of a piece of government land on a sloping area. Regarding the facilities to be

opened for public use, it would be subject to the future management and operation by HKMU. With regard to Members' concern on the building design and the preservation of the existing Banyan Tree, the Chairman suggested and the meeting agreed that an advisory clause could be added to request the applicant to adopt better building design to encourage public enjoyment and interaction between the preserved tree and the community.

40. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.1.2028, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper and the following additional advisory clause:

“to adopt better building design for the proposed development with a view to complementing the in-situ preservation of the existing Banyan Tree and encouraging public enjoyment and interaction between the tree and the community.”

Agenda Item 14

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/129 Proposed Minor Relaxation of Plot Ratio Restriction for Flat and Permitted Shop and Services, Eating Place and Social Welfare Facility (Day Care Centre for the Elderly) in “Residential (Group E)” Zone, 18-20 Sze Shan Street, Yau Tong, Kowloon
(MPC Paper No. A/K15/129A)

41. The Secretary reported that Arup Hong Kong Limited (Arup) was one of the consultants of the applicant. Mr Franklin Yu had declared an interest on the item for his firm having current business dealings with Arup. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

42. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, STP/K, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

43. Members had no question on the application.

Deliberation Session

44. The Chairman remarked that the application was in line with the planning intention of the “Residential (Group E)” zone, which was primarily for phasing out existing industrial uses for residential uses. The application involved proposed minor relaxation of domestic plot ratio (PR) for flat use and non-domestic PR mainly related to the provision of a permitted social welfare facility (i.e. a day care centre for the elderly (DE)).

45. Members generally supported the application, considering that the proposed domestic PR after relaxation (i.e. 6) was lower than that of the public housing developments in new town in general (i.e. 6.5); the applicant voluntarily provided a DE within the application site for the benefit of the community; the proposed minor relaxation of non-domestic PR was mainly to accommodate the DE; and no minor relaxation of building height restriction was involved.

46. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 26.1.2028, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 15

Any Other Business

[Open Meeting]

47. There being no other business, the meeting was closed at 10:45 a.m..