

TOWN PLANNING BOARD

**Minutes of 748th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 16.8.2024**

Present

Director of Planning
Mr Ivan M.K. Chung

Chairperson

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

Professor Roger C.K. Chan

Ms Kelly Y.S. Chan

Dr Tony C.M. Ip

Mr Derrick S.M. Yip

Assistant Commissioner/Urban,
Transport Department
Mr B.K. Chow

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Miss Queenie Y.C. Ng

Assistant Director/Regional 1,
Lands Department
Ms Catherine W.S. Pang

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Ricky W.Y. Yu

Mr Ben S.S. Lui

Professor Bernadette W.S. Tsui

Professor Simon K.L. Wong

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

In Attendance

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

Chief Town Planner/Town Planning Board
Ms W.H. Ho

Town Planner/Town Planning Board
Mr Jack H. Lau

Agenda Item 1

Confirmation of the Draft Minutes of the 747th MPC Meeting held on 2.8.2024

[Open Meeting]

1. The draft minutes of the 747th MPC meeting held on 2.8.2024 were confirmed without amendment.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Deferral Cases

Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

3. The Committee noted that there were three cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for a case and the Committee's views on the declared interests 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

[Mr W.C. Lui, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TY/149 Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of 5 Years in “Industrial” Zone, Tsing Yi Town Lot No. 108 RP (Part), Tsing Yi, New Territories
(MPC Paper No. A/TY/149)

Presentation and Question Sessions

5. With the aid of a PowerPoint presentation, Mr W.C. Lui, 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.

6. Members had no question on the application.

Deliberation Session

7. The Chairperson said that the application was for a renewal of the temporary planning approval. The renewal application complied with the relevant assessment criteria as stated in the Town Planning Board Guidelines on renewal of planning approval (TPB PG-No. 34D).

8. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years and be renewed from 7.9.2024 until 6.9.2029, 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.

[The Chairperson thanked PlanD's representative for attending the meeting. He left the meeting at this point.]

Hong Kong District

[Ms Janet K.K. Cheung, District Planning Officer/Hong Kong (DPO/HK), Ms Erica S.M. Wong, Senior Town Planner/Hong Kong (STP/HK) and Mr Ronald C.H. Chan, 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/H10/97 Submission of Layout Plan and Proposed Minor Relaxation of Building Height Restriction for Permitted 'Flat' Use in "Residential (Group C) 7" Zone, The Ebenezer School and Home for the Visually Impaired, 131 Pok Fu Lam Road, Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/97B)

9. The Secretary reported that the application site (the Site) was located in Pok Fu Lam. The following Members had declared interests on the item:

Professor Jonathan W.C. - having close relative living in Pok Fu Lam; and
Wong

- Mr Ben S.S. Lui
- co-owning with spouse a property in Pok Fu Lam; his spouse owning a car parking space in Pok Fu Lam; and he and his spouse being directors of a company owning properties and car parking spaces in Pok Fu Lam.

10. The Committee noted that Mr Ben S.S. Lui had tendered an apology for being unable to attend the meeting. As the residence of Professor Jonathan W.C. Wong's close relative had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

11. With the aid of a PowerPoint presentation, Ms Erica S.M. Wong, 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 (PlanD) did not support the application.

Traffic and Pedestrian Aspects

12. Some Members raised the following questions:
- (a) whether widening of the footpath and provision of a bus layby on Pok Fu Lam Road (PFLR) were major considerations in approving the last section 12A (s.12A) application for rezoning the Site;
 - (b) the number of bus routes currently using the in-lane bus stop adjacent to the Site;
 - (c) the number of buses that could be accommodated at the same time in the bus layby proposed by the applicant;
 - (d) whether the applicant's proposal had taken into consideration the increased patronage brought by the future developments in the vicinity such as the new developments of The University of Hong Kong (HKU);

- (e) whether part of the Site would need to be dedicated for public passage to facilitate the widening of the footpath and/or provision of a new bus layby; and
- (f) whether there were other mechanisms in place to ensure the provision of up-to-standard public footpaths and a bus layby at a later stage.

13. In response, Ms Janet K.K. Cheung, DPO/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) in the last approved s.12A application, the applicant proposed to widen the public footpath of PFLR from 1.8m to 2.5m and considered replacing the current in-lane bus stop with a bus layby. The Commissioner for Transport (C for T) had no objection to the s.12A application provided that the applicant would further examine the feasibility of providing a bus layby at the detailed design stage;
- (b) about 20 bus routes used the current in-lane bus stop adjacent to the Site. Since buses parked at the in-lane bus stop would block one lane of PFLR, C for T requested the provision of a bus layby at the s.12A application stage. Bus laybys were provided in other sections of PFLR in the vicinity of the Site;
- (c) C for T advised that the 2m-wide bus layby proposed by the applicant was non-standard and would reduce the width of existing traffic lane and the public footpath at PFLR, which was not acceptable;
- (d) the pedestrian impact assessment submitted by the applicant assumed that the footpath would be used solely by the subject development. C for T advised that the applicant should justify that assumption, taking into account the demand for using the footpath from the nearby developments, and review the proposed effective width of the footpath taking into consideration the boarding and alighting activities of bus passengers at the relocated bus stop;
- (e) in the original Supplementary Planning Statement submitted by the applicant

under the current section 16 (s.16) application, the section of existing public footpath abutting the Site had been proposed to be widened to a consistent width of 2.5m for the benefit of the general public, resulting in about 40m² of private land within the Site being dedicated for public passage. However, the applicant removed the footpath widening proposal when addressing C for T's request for a bus layby in the subsequent further information submission. As explained by the applicant, the width of the footpath adjacent to the proposed bus layby would be reduced to only 1.3m due to site and technical constraints; and

- (f) given that the lease of the Site was virtually unrestricted and lease modification would not be required for the proposed development, the footpath and bus layby issues would need to be addressed during this layout plan submission stage.

Minor Relaxation of Building Height Restriction (BHR)

14. The Chairperson and some Members raised the following questions:

- (a) whether the proposed maximum building height (BH) of 164mPD at the Site was compatible with other developments in the surrounding area;
- (b) the rationale for the applicant's claim that the air ventilation in the surrounding area could be improved by the current layout of the proposed development; and
- (c) the planning and design merits proposed by the applicant and whether such merits could be enjoyed by the public.

15. In response, Ms Janet K.K. Cheung, DPO/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) to the east of the Site across PFLR, there were a few residential developments with BHs of approximately 200mPD or above due to the hilly terrain. To the west of PFLR, the planned academic buildings for the Faculty of

Medicine of HKU located immediately to the northwest of the Site had a BHR of 164mPD. The BHs of other existing HKU developments to the further northwest of the Site ranged from 169mPD to 189mPD. The proposed development with a minor relaxation of the BHR to 164mPD was considered not incompatible with the surrounding developments;

- (b) compared to the indicative scheme in the last approved s.12A application, the number of blocks in the current scheme was reduced from five to four, and a building gap of 8m wide would be provided between Blocks T3 and T4. Furthermore, there would be a 20m setback from PFLR compared to the existing condition. The Air Ventilation Assessment (Expert Evaluation) submitted by the applicant concluded that air ventilation at the pedestrian level in the surroundings would be improved with the change of building disposition, widened building separation and setback from PFLR under the current application; and
- (c) according to the applicant, reducing the number of blocks from five to four in the current scheme would enhance building separations within the proposed development and between the adjacent Ebenezer New Hope School, thus improving the local wind environment and visual permeability. The rise in site formation level would reduce the excavation volume by 3,400m³, thereby reducing construction waste, the time required for site formation works and nuisances to local residents. The applicant also proposed a green coverage of not less than 20% in the proposed development and a 2.5m high green wall facing PFLR to improve roadside amenity.

Deliberation Session

16. The Chairperson recapitulated that the Site was rezoned from “Government, Institution or Community” to “Residential (Group C) 7” (“R(C)7”) with a BHR of 151mPD to take forward an agreed s.12A application for proposed residential development. During consideration of the last s.12A application, the Committee agreed to impose a requirement for the applicant to submit a layout plan through a subsequent s.16 application in order to address the Director of Environmental Protection’s concerns regarding environmental issues. The

current s.16 application was for the submission of the layout plan required under the “R(C)7” zone. The applicant also sought planning permission for the proposed minor relaxation of BHR from 151mPD to 164mPD. As the lease of the Site was virtually unrestricted and lease modification would not be required for the proposed development, the applicant could proceed to the general building plan submission stage should planning permission be granted.

17. The Chairperson then invited Members to consider the application, in particular whether the technical requirements such as traffic and pedestrian arrangements as shown on the layout plan were acceptable, and whether there were genuine technical difficulties and sufficient planning and design merits to justify the proposed minor relaxation of BHR.

Traffic and Pedestrian Aspects

18. At the invitation of the Chairperson, Mr B.K. Chow, Assistant Commissioner/Urban, Transport Department (TD) said that the proposal for widening the footpath along PFLR as proposed in the last approved s.12A application had not been included in the current scheme. Besides, the proposed 2m-wide bus layby was non-standard and would reduce the width of the existing carriageway and public footpath, which were considered not acceptable. The applicant had not yet demonstrated that the proposal, particularly regarding the 1.3m-wide footpath adjacent to the proposed bus layby, had no adverse traffic impact. He added that a meeting was held among TD, the Highways Department and the applicant in May 2024, in which preliminary scheme on the widening of the footpath and provision of a proper bus layby in response to the technical issues raised by the applicant was discussed, but was not reflected in the current submission. C for T did not support the application from traffic engineering perspective.

19. A Member opined that while the need for the relocation of the in-lane bus stop was to facilitate the provision of an additional run-in/out for the proposed development, the applicant had not proposed an up-to-standard bus layby to address TD’s concern. Besides, removing the footpath widening proposal under the last approved s.12A application was unsatisfactory. The Committee noted that the applicant did not use any of the private land within the Site for the provision of the bus layby nor the widened public footpath to address the traffic and pedestrian issues on PFLR, nor treat them properly as planning and design merits for the proposed minor relaxation of BHR. Members also noted that the public footpath near

the Site would be used by people with visual impairments as the Site was located adjacent to Ebenezer Good Hope School. Members generally did not support the application from traffic and pedestrian points of view.

Minor Relaxation of BHR

20. Some Members questioned whether there were genuine technical difficulties and sufficient planning and design merits to justify the proposed minor relaxation of BHR. The Committee noted that such requirements as the provision of a buffer area from PFLR, access and parking facilities, greenery, and means of escape under Hong Kong Planning Standards and Guidelines, the Sustainable Building Design Guidelines and the lease had already been taken into consideration when formulating the indicative scheme for the last approved s.12A application. Compared with the indicative scheme under the last approved s.12A application, the increase in BH was mainly due to the addition of one storey for each block (the number of blocks was reduced from five to four), the increase in domestic floor-to-floor height from 3.15m to 3.5m, and the rise in site formation level.

21. Some Members opined that although the current scheme might improve air ventilation at PFLR and reduce the excavation volume, there was no strong justification to support the proposed development with minor relaxation of BHR to 164mPD e.g. need to increase floor-to-floor height from 3.15m to 3.5m. The applicant had not yet demonstrated sufficient planning and design merits that would benefit the public. A Member opined that approving the application for a minor relaxation of BHR without strong justification or merit would set an undesirable precedent.

22. Noting that the application was submitted by the Ebenezer School and Home for the Visually Impaired in support of its relocation, a Member enquired whether the application had any social dimension that warranted sympathetic consideration. The Committee noted that the applicant had not provided any justification from the social perspective. The meeting also noted that according to the Notes of the Outline Zoning Plan for the "R(C)7" zone, the applicant was required to submit a layout plan through s.16 application even though the proposed development complied with the BHR.

23. The Chairperson concluded that Members generally did not support the application.

To reflect Members' views on the insufficient planning and design merits to justify the proposed minor relaxation of BHR, the Chairperson suggested and Members agreed that an additional rejection reason should be included.

24. After deliberation, the Committee decided to reject the application. The reasons were:

“(a) the applicant fails to demonstrate that the proposed development as shown on the layout plan would have no adverse traffic impact on Pok Fu Lam Road; and

(b) the applicant fails to demonstrate that there are sufficient planning and design merits to justify the proposed minor relaxation of building height restriction.”

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

Kowloon District

[Ms Vivian M.F. Lai, District Planning Officer/Kowloon, Ms Vicki Y.Y. Au, Senior Town Planner/Kowloon (STP/K) and Ms Jenny W.C. Lai, Town Planner/Kowloon, were invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/271 Proposed Shop and Services in “Residential (Group E)” Zone, G/F,
Brill Plaza, 84 To Kwa Wan Road, Ma Tau Kok, Kowloon
(MPC Paper No. A/K10/271B)

25. The Secretary reported that the application premises was located in Ma Tau Kok. Ms Kelly Y.S. Chan declared an interest on the item for being an independent non-executive

director of a company with rental premises for shop use in the vicinity. As the interest was considered indirect, the Committee agreed that she could stay in the meeting.

Presentation and Question Sessions

26. With the aid of a PowerPoint presentation, Ms Vicki Y.Y. Au, STP/K, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

27. Members had no question on the application.

Deliberation Session

28. 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 16.8.2028, 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.

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/348 Proposed Minor Relaxation of Building Height Restriction for Permitted Hospital Redevelopment in “Government, Institution or Community (7)” Zone and area shown as ‘Road’, Blocks A, B and C of Hong Kong Baptist Hospital, 222 Waterloo Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/348A)

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

The application was submitted by Hong Kong Baptist Hospital which was one of the social service institutions of the Baptist Convention of Hong Kong (BCHK), and Arup Hong Kong Limited (Arup) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

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|----------------------|--|
| Ms Sandy H.Y. Wong | - being the honorary legal adviser of BCHK; |
| Mr Stanley T.S. Choi | - his spouse being a director of a company which owned properties in Kowloon Tong; and |
| Dr Tony C.M. Ip | - his firm having current business dealings with Arup and AECOM. |

30. The Committee noted that Ms Sandy H.Y. Wong had tendered an apology for being unable to attend the meeting. As the properties owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the application site, and Dr Tony C.M. Ip had no involvement in the application, they could stay in the meeting.

Presentation and Question Sessions

31. With the aid of a PowerPoint presentation, Ms Vicki Y.Y. Au, 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.

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

32. In response to a Member's question, Ms Vicki Y.Y. Au, STP/K, said that the greenery coverage of the proposed development would be not less than 20%.

Deliberation Session

33. The Chairperson recapitulated that the application for proposed minor relaxation of building height restriction (BHR) for permitted hospital redevelopment was to enhance

service provision at Hong Kong Baptist Hospital, which could benefit the general public. The Secretary for Health provided in-principle policy support for the proposed hospital redevelopment. The applicant had demonstrated design merits to justify the proposed minor relaxation of BHR, and the proposed building height (BH) for the hospital redevelopment was not incompatible with the surrounding environment.

34. A Member agreed to control the BH of the proposed redevelopment in terms of mPD by sub-areas, in accordance with the rooftop layout plan submitted by the applicant, and considered that flexibility should be provided for the incorporation of facilities for building maintenance at the detailed design stage, as appropriate. Members generally supported the proposed minor relaxation of BHR for the hospital redevelopment.

35. 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 16.8.2028, 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 Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 10

Any Other Business

[Open Meeting]

36. There being no other business, the meeting was closed at 10:35 a.m.

**Minutes of 748th Metro Planning Committee
(held on 16.8.2024)**

Deferral Cases

Requests for Deferment by Applicant for Two Months

Item No.	Application No. *	Times of Deferment
3	Y/TW/19	2 nd [^]
6	A/H20/200	1 st
9	A/K22/37	1 st

Note:

[^] *The 2nd Deferment was the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.*

Declaration of Interests

The Committee noted the following declaration of interests:

Item No.	Members' Declared Interests
3	<p>The application site was located in Tsuen Wan.</p> <ul style="list-style-type: none"> - Mr Stanley T.S. Choi for his spouse being a director of a company which owned properties in Tsuen Wan - Professor Simon K.L. Wong for his company owning a property in Tsuen Wan

The Committee noted that Professor Simon K.L. Wong had tendered an apology for being unable to attend the meeting. As the properties owned by the company of Mr Stanley T.S. Choi's spouse had no direct view of the application site under Item 3, the Committee agreed that he could stay in the meeting.

* Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/748_mpc_agenda.html for details of the planning applications.